

12-R-0300

(Do Not Write Above This Line)

A RESOLUTION
BY TRANSPORTATION COMMITTEE

A RESOLUTION AUTHORIZING THE
MAYOR TO CONSENT TO AN
ASSIGNMENT OF CONCESSIONS
AGREEMENT FC-6007000089,
CONCOURSE "A" PERSONAL
SERVICES/SPA CONCESSION NO. 1;
AND FOR OTHER PURPOSES.

ADOPTED BY
MAR 19 2012
COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair IV
Referred To _____

TRANSPORTATION

3-14-12 Date

Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Members

John Paul Kelly
Shirley Adams
Adrian
Paul Smith

Refer To _____

Committee

Date

Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Members

Refer To _____

Committee

Date

Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Members

Committee

Date

Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

Refer To

FINAL COUNCIL ACTION

2nd 1st & 2nd 3rd

Readings

Consent V Vote RC Vote

CERTIFIED

CERTIFIED

MAR 19 2012

ATLANTA CITY COUNCIL PRESIDENT

[Signature]

CERTIFIED

MAR 19 2012

Rachel Cunningham
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

MAR 28 2012

WITHOUT SIGNATURE
BY OPERATION OF LAW



CITY COUNCIL
ATLANTA, GEORGIA

12-*R*-0300

**A RESOLUTION
BY TRANSPORTATION COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR TO CONSENT TO AN ASSIGNMENT OF CONCESSIONS AGREEMENT FC-6007000089, CONCOURSE "A" PERSONAL SERVICES/SPA CONCESSION NO. 1; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta (the "City") entered into a Concessions Agreement ("Agreement") dated November 5, 2008, with XpresSpa Terminal A, LLC ("Concessionaire") for the operation of a spa concession on Concourse A of Hartsfield-Jackson Atlanta International Airport; and

WHEREAS, Section 4 of the Agreement deems a transfer of a majority interest in Concessionaire to constitute an assignment, which requires City's consent; and

WHEREAS, as part of a recapitalization plan, Concessionaire's majority interest holder, Binn & Partners, LLC, desires to transfer its interest in Concessionaire to XpresSpa Holdings, LLC, a newly formed company; and

WHEREAS, the transfer of such interest shall not result in a change of Concessionaire or a change in the operation of the spa concession; and

WHEREAS, the Aviation General Manager and Chief Procurement Officer have recommended that the City consent to the deemed assignment, as described above.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, that the Mayor is authorized on behalf of the City of Atlanta to consent to the assignment of Concessions Agreement FC-6007000089, Concourse "A" Personal Services/Spa Concession No. 1, as described above.

BE IT FURTHER RESOLVED that the City Attorney is directed to prepare an appropriate consent document for execution by the Mayor.

BE IT FINALLY RESOLVED that the consent shall not become binding upon the City, and the City shall incur no obligation or liability until same has been signed by the Mayor and delivered to XpresSpa Atlanta Terminal A, LLC.

A true copy,

Deputy Municipal Clerk

ADOPTED by the Atlanta City Council
APPROVED as per City Charter Section 2-403

MAR. 19, 2012
MAR. 28, 2012

RCS# 1815
3/19/12
3:34 PM

Atlanta City Council

CONSENT I 3/19/2012 ATLANTA CITY COUNCIL AGENDA
 ALL EXCEPT 12-O-0358/0359/0361/0360
 ADOPT

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	NV Bond
NV Hall	Y Wan	B Martin	NV Watson
Y Young	Y Shook	Y Bottoms	Y Willis
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

CONSENT I

		03-19-12
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 12-O-0218	41. 12-R-0344	58. 12-R-0333
2. 12-O-0219	42. 12-R-0317	59. 12-R-0334
3. 12-O-0236	43. 21-R-0318	60. 12-R-0335
4. 12-O-0353	44. 12-R-0319	61. 12-R-0336
5. 12-O-0240	45. 12-R-0320	62. 12-R-0337
6. 12-O-0241	46. 12-R-0321	63. 12-R-0338
7. 12-O-0242	47. 12-R-0322	64. 12-R-0339
8. 12-O-0243	48. 12-R-0323	65. 12-R-0340
9. 12-O-0365	49. 12-R-0324	66. 12-R-0341
10. 12-O-0190	50. 12-R-0325	67. 21-R-0342
11. 12-O-0232	51. 12-R-0326	
12. 12-O-0151	52. 12-R-0327	
13. 12-O-0150	53. 12-R-0328	
14. 12-O-0152	54. 12-R-0329	
15. 12-O-0194	55. 12-R-0330	
16. 12-R-0299	56. 12-R-0331	
17. 12-R-0300	57. 12-R-0332	
19. 12-R-0301		
20. 12-R-0302		
21. 12-R-0303		
22. 12-R-0304		
23. 12-R-0305		
24. 12-R-0308		
25. 12-R-0309		
26. 12-R-0310		
27. 12-R-0312		
28. 12-R-0313		
29. 12-R-0314		
30. 12-R-0315		
31. 12-R-0366		
32. 12-R-0293		
33. 12-R-0294		
34. 12-R-0295		
35. 12-R-0297		
36. 12-R-0290		
37. 12-R-0367		
38. 12-R-0348		
39. 12-R-0364		
40. 12-R-0343		