

## ORDINANCE

**WHEREAS**, the City of Chicago ("City") is a home rule unit of government as defined in Article VII, §6(a) of the Illinois Constitution, and, as such, may exercise any power and perform any function pertaining to its government and affairs; and

**WHEREAS**, the City owns and operates Chicago O'Hare International Airport ("Airport") and possesses the power and authority to lease its premises and facilities and to grant other rights and privileges with respect thereto; and

**WHEREAS**, the Airport provides its employees, airport-tenants' employees, air carrier passengers, and members of the public with many amenities, such as shopping, dining, and other service needs; and

**WHEREAS**, the City and Vosges, Ltd. ("Vosges") entered into a Retail Concession Lease and License Agreement, dated June 30, 2010, for the purpose of selling pre-packaged chocolate gift items and high-end snack items at the Airport attached hereto as Exhibit A (as amended from time to time, the "Vosges Agreement"); and

**WHEREAS**, pursuant to Section 10.5(B)(i) of the Vosges Agreement, any transfer involving all of Vosges' interest in the Vosges Agreement is subject to the consent of City Council; and

**WHEREAS**, the City desires to approve of the 100% transfer of interest in the Vosges Agreement to Vosges-NorthAmerican ORD JV, LLC ("Vosges-NorthAmerican"), in order for Vosges-NorthAmerican to operate a concession at the Airport pursuant to the Vosges Agreement (the "Vosges Transfer"); and

**WHEREAS**, the City and Nuts on Clark, Inc. ("Nuts on Clark") entered into an Automated Retail License Agreement, dated December 8, 2022, for the purpose of selling convenience, food, beverage, gift and vending merchandise at the Airport attached hereto as Exhibit B (as amended from time to time, the "Nuts on Clark Agreement"); and

**WHEREAS**, pursuant to Section 10.4(a)(i) of the Nuts on Clark Agreement, any transfer involving all of Nuts on Clark's interest in the Nuts on Clark Agreement is subject to the consent of City Council; and

**WHEREAS**, the City desires to approve of the 100% transfer of interest in the Nuts on Clark Agreement to Nuts on Clark-Midway Airport, Inc. ("Nuts on Clark-Midway"), in order for Nuts on Clark-Midway to operate a concession at the Airport pursuant to the Nuts on Clark Agreement (the "Nuts on Clark Transfer");

**WHEREAS**, the City and Nuts on Clark Union Station, Inc. ("Nuts on Clark – Union Station") entered into a Retail Concession Lease and License Agreement, dated August 22, 2007, for the purpose of selling convenience, food, beverage, gift and vending merchandise at the Airport attached hereto as Exhibit C (as amended from time to time, the "Nuts on Clark – Union Station Agreement"); and

**WHEREAS**, pursuant to Section 10.5(B)(i) of the Nuts on Clark – Union Station Agreement, any transfer involving all of Nuts on Clark – Union Station's interest in the Nuts on

Clark Agreement is subject to the consent of City Council (the "Nuts on Clark – Union Station Transfer"); and

**WHEREAS**, the City desires to approve of the 100% transfer of interest in the Nuts on Clark – Union Station Agreement to Nuts on Clark-Midway, in order for Nuts on Clark-Midway to operate a concession at the Airport pursuant to the Nuts on Clark – Union Station Agreement; and

**WHEREAS**, the City and CAVU Experiences (AMER) LLC (f/k/a MAG US Lounge Management LLC) ("CAVU") entered into an Automated Retail License Agreement, dated June 11, 2021, for the purpose of selling convenience, food, beverage, gift and vending merchandise at the Airport attached hereto as Exhibit D (as amended from time to time, the "CAVU Agreement"); and

**WHEREAS**, pursuant to Section 10.4(a)(i) of the CAVU Agreement, any transfer involving all of CAVU's interest in the CAVU Agreement is subject to the consent of City Council; and

**WHEREAS**, the City desires to approve of the 100% transfer of interest in the CAVU Agreement to Jabbbrrbox, LLC ("Jabbbrrbox"), in order for Jabbbrrbox to operate a concession at the Airport pursuant to the Jabbbrrbox Agreement (the "Jabbbrrbox Transfer"); now, therefore,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:**

**SECTION 1.** The above recitals are incorporated by reference as if fully set forth herein.

**SECTION 2.** The Commissioner of the Chicago Department of Aviation ("Commissioner") is hereby authorized to approve the Vosges Transfer, the Nuts on Clark Transfer and the Nuts on Clark – Union Station Transfer, and the Jabbbrrbox Transfer, pursuant to the Vosges Agreement, the Nuts on Clark Agreement, the Nuts on Clark – Union Station Agreement, and the CAVU Agreement, respectively.

**SECTION 3.** The Commissioner and such other City officials and employees as may be required are authorized to take such actions and execute such other documents as may be necessary or desirable to implement the objectives of this ordinance.

**SECTION 4.** This ordinance shall take effect upon its passage and approval.