

RESOLUTION R-2018-76

A RESOLUTION APPROVING AN EXTENSION OF A SERVICE AGREEMENT FOR FOOD AND BEVERAGE CONCESSIONAIRE BETWEEN THE CITY OF WHEATON AND CAFÉ ON THE PARK, LLC

WHEREAS, the City of Wheaton and Café on the Park, LLC (“CP, LLC”) entered into a service agreement (“Agreement”) for food and beverage concession at the Wheaton Public Library dated July 6, 2015; and

WHEREAS, CP, LLC, due to its build out, did not commence operations under the Agreement until April 2016; and

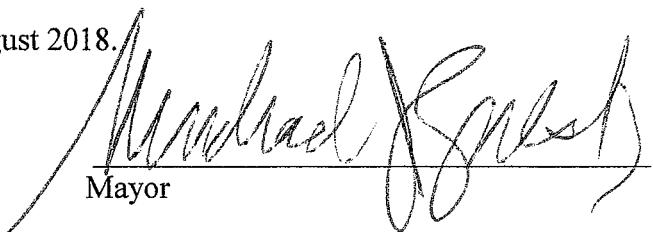
WHEREAS, the Agreement expired three (3) years within the calendar date of execution; and

WHEREAS, the Wheaton Library Board has recommended an extension of the Agreement for one (1) year; and

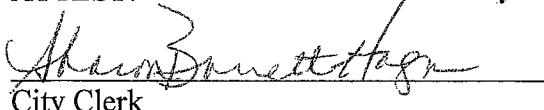
WHEREAS, the Corporate Authorities of the City of Wheaton deem it in the best interests of the City to grant a one (1) year extension of the Agreement in substantial conformance with the terms and conditions of the Agreement and the Extension Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the City Council of the City of Wheaton, DuPage County, Illinois, pursuant to its home rule authority, that the Mayor is hereby authorized to sign and the City Clerk is hereby directed to attest to that Service Agreement Extension of the Agreement attached hereto and incorporated herein as Exhibit 1.

ADOPTED this 6th day of August 2018.


Mayor

ATTEST:


Karen Bennett-Hagan
City Clerk

Roll Call Vote:

Ayes: Councilman Prendiville
Mayor Pro Tem Scalzo
Councilman Rutledge
Councilman Barbier
Councilwoman Fitch

Nays: None

Absent: Mayor Gresk
Councilman Suess
Motion Carried Unanimously

**SERVICE AGREEMENT EXTENSION BETWEEN THE CITY OF WHEATON, AN
ILLINOIS MUNICIPAL CORPORATION AND CAFÉ ON THE PARK, LLC**

THIS EXTENSION AGREEMENT is made and entered into this 6th day of August 2018, between the CITY OF WHEATON and CAFÉ ON THE PARK, LLC.

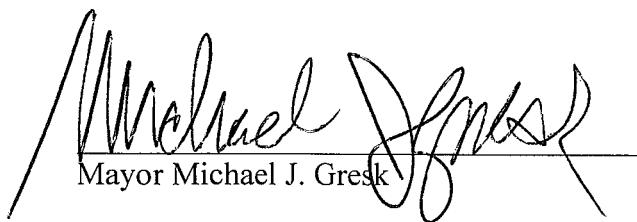
WHEREAS, the City of Wheaton and Café on the Park, LLC, entered into a Service Agreement for food and beverage concessions service at the Wheaton Public Library on about July 6, 2015 (Service Agreement); and

WHEREAS, the City of Wheaton and Café on the Park, LLC, wish to extend the Service Agreement to August 6, 2019, subject to the modifications set forth herein, and the terms and conditions as set forth in the Service Agreement.

NOW, THEREFORE, for the consideration of the payment of a Five Hundred Dollar (\$500.00) monthly fee to the City, and the Café of the Park, LLC being able to continue to operate at the Wheaton Public Library, the City of Wheaton and Café on the Park, LLC, agree:

1. That the termination date of the Service Agreement for Food and Beverage Concessions between the City of Wheaton and Café on the Park, LLC is hereby extended to August 6, 2019.
2. That other than the new termination date of August 6, 2019, and the right of the City to conduct a financial diligence review during 2018, for any service agreement extension beyond August 6, 2019, all terms, conditions and covenants set forth in the service agreement for food and beverage concessionaire between the City of Wheaton and Café on the Park, LLC, dated July 6, 2015, are hereby fully readopted and reconfirmed, as the terms of the

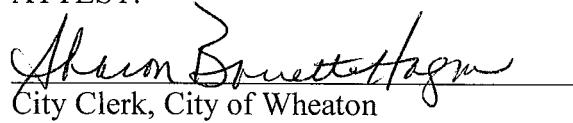
extended service agreement between the City of Wheaton and Café on the Park,
LLC.



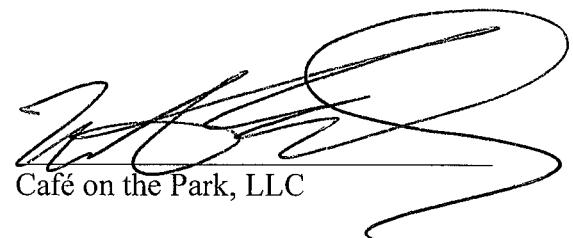
Mayor Michael J. Gresk

Date: August 16, 2018

ATTEST:



Aaron Bennett Hagan
City Clerk, City of Wheaton



Café on the Park, LLC

Subscribed and Sworn to before me
this 17th of August, 2018



Matthew Binder

Notary Public

