

**TOWN OF LYONS, COLORADO  
RESOLUTION 2023-71**

**A RESOLUTION OF THE TOWN OF LYONS, COLORADO  
APPROVING A CONTRACT WITH FOCO TUBE & SUP, LLC  
TO OPERATE THE CONCESSION STAND IN LAVERN JOHNSON PARK**

**WHEREAS**, the Town of Lyons (the “Town”) is authorized under state law to contract for necessary services; and

**WHEREAS**, the Town requires certain professional services in LaVern Johnson Park related to the operation of the concession stand; and

**WHEREAS**, the Town has identified FoCo Tube & SUP, LLC (the “Contractor”) as the most qualified respondent; and

**WHEREAS**, the Contractor represents that it possesses the necessary qualifications to perform these services; and

**WHEREAS**, the Town has prepared the Professional Services Agreement with Ray’s River Rentals (the “Agreement”) to engage the Contractor to provide the necessary services attached hereto as **Exhibit A** and incorporated by reference; and

**WHEREAS**, the services to be provided under the Agreement are estimated to bring money to the Town in the form of sales tax and rental fees; and

**WHEREAS**, the Town of Lyons Board of Trustees desires to enter the Agreement under the terms and conditions set forth in **Exhibit A**.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS, COLORADO:**

Section 1. The above recitals are hereby incorporated by reference.

Section 2. The Town Board of Trustees hereby:

- (a) Approves the Agreement with FoCo Tube & SUP, LLC, in substantially the form attached hereto as **Exhibit A**.
- (b) Authorizes the Town Administrator and the Town Attorney, in consultation with the Mayor, to make such changes as may be necessary to correct any errors or language in the Agreement that do not increase the obligations of the Town.

(c) Authorizes the Mayor to execute the Agreement and the Town Clerk to attest the Agreement when in final form.

Section 3. This Resolution shall take effect immediately upon adoption by the Board of Trustees.

**ADOPTED this 6<sup>th</sup> day of November 2023.**

**TOWN OF LYONS**

\_\_\_\_\_  
Hollie Rogin, Mayor

ATTEST:

By:\_\_\_\_\_  
Dolores Vasquez, CMC - Town Clerk