

**TOWN OF LYONS, COLORADO**  
**RESOLUTION 2023-28**

**A RESOLUTION OF THE TOWN OF LYONS, COLORADO APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH FOCO TUBE & SUP, LLC (RAY'S RIVER RENTALS) 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 d/b/a Ray's River Rentals (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 the Contractor (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, rental fees, and a percentage of profit; and

**WHEREAS**, the Town of Lyons Board of Trustees (the "Board") 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 Board hereby:

(a) Approves the Agreement with the Contractor, 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 1st day of May 2023.

**TOWN OF LYONS**

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Hollie Rogin, Mayor

ATTEST:

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