

**TOWN OF FRISCO  
COUNTY OF SUMMIT  
STATE OF COLORADO  
RESOLUTION 23-21**

A RESOLUTION OF THE TOWN OF FRISCO, COLORADO, APPROVING THE FRISCO BAY MARINA FOOD AND BEVERAGE CONCESSIONAIRE AGREEMENT AND THE FRISCO BAY MARINA FOOD AND BEVERAGE CONCESSIONAIRE'S LEASE, EACH WITH THE ISLAND GRILL, INC., FOR USE OF THE FRISCO BAY MARINA FOOD AND BEVERAGE BUILDING.

WHEREAS, under Colorado Revised Statutes ("C.R.S.") section 31-15-713, the Town has the authority to lease any real estate owned by the Town, together with the facilities thereon, when deemed by the Town Council to be in the best interests of the Town; and

WHEREAS, Frisco operates the Frisco Bay Marina, including the provision of boat slips and launching, trailer storage, marketing, winterizing and winter storage but wishes to contract out the provision of certain other services; and

WHEREAS, it is the goal of the Frisco Town Council to provide visitors and citizens with a quality food and beverage at the Marina; and

WHEREAS, Concessionaire provides food and beverage services and facilities; and

WHEREAS, On May 14, 2019, the Town and Concessionaire entered into (i) that certain Lease of the Food and Beverage Building at the Frisco Bay Marina dated to be effective as of May 14, 2019 ( the Existing Lease"); and ( ii) that certain Frisco Bay Marina Concessionaire Agreement and License (the Existing Agreement"); and

WHEREAS, under the Existing Lease and the Existing Agreement, Concessionaire has provided food and beverage services and facilities and the parties desire that Concessionaire continue to provide such services and facilities at the Frisco Bay Marina; and

WHEREAS, Concessionaire desires to make improvements in 2023 to the premises that it leases from the Town of Frisco, including the addition of a modular beer cooler with glycol and a true tap system, which improvements will be fixtures and become a part of the real property owned by the Town upon their installation; and

WHEREAS, Concessionaire will pay for the improvements and Frisco will reimburse Concessionaire for the improvements over the initial term and first renewal term of the lease and concessionaires agreements.

NOW, THEREFORE, IT IS HEREBY RESOLVED AND ORDERED BY THE TOWN COUNCIL OF THE TOWN OF FRISCO, COLORADO THAT:

Section 1. Concessionaire and Lease Agreements Authorized. The attached Frisco Bay Marina Concessionaire Agreement (“Concessionaire Agreement”) and Frisco Bay Marina Food and Beverage Concessionaire’s Lease (“Lease Agreement”), each by and between the Town of Frisco and the Island Grill, Inc., a Colorado corporation, is hereby approved. The Mayor and the Town Clerk are hereby authorized to execute the Concessionaire Agreement and Lease Agreement, and any and all other documents that may be necessary to effectuate the terms thereof.

Section 2. Effective Date. This Resolution shall take effect immediately upon adoption.

PASSED AND APPROVED THIS 23rd DAY OF MAY, 2023.

TOWN OF FRISCO, COLORADO

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Hunter Mortensen, Mayor

ATTEST:

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Stacey Nell, Town Clerk