AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

AgendaTitle:
Third Amendment to Food and Beverage/Retail Lease Agreement Signed on October 20th, 2009; The Gunnisack, LLC; Operation of Food and Beverage Service within the Air Carrier Terminal Building; 12/18/13 thru 4/7/14

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement: Gunnisack & Gunnison County

Term Begins: 10/20/2009 **Term Ends:** 4/7/2014 **Grant Contract #:**

Summary:
Third Amendment to Food & Beverage Lease Agreement. A review of last ski season's (12-13) restaurant operating performance was made & it is not recommended to provide a subsidy this season. The subsidy last season was an amount not to exceed $10,000. alternatively, request amendment of Gunnisack Airport Restaurant hours from 6:30 am - 5:30 pm to 11 am - Actual Take Off time of last daily departure.

Fiscal Impact: ?

Submitted by: S. Ross **Submitter's Email Address:** Sross@gunnisoncounty.org

Finance Review: (●) Required ( ) Not Required

Comments:

This amendment changes operating hour requirements and doesn't have a financial obligation component for the County.

Reviewed by: GUNCOUNTY1\LNIENHUESER Discharge Date: 11/14/2013

County Attorney Review: (●) Required ( ) Not Required

Comments:

Reviewed by: GUNCOUNTY1\ATREZISE Discharge Date: 11/19/2013 Certificate of Insurance Required Yes ( ) No (●)

County Manager Review:

Comments:

Reviewed by: GUNCOUNTY1\MBIRNIE Discharge Date: 11/19/2013

(●) Consent Agenda ( ) Regular Agenda ( ) Worksession Time Allotted:

Agenda Date: 11/26/2013 Follow Up Agenda Date:

Revised April 2013

THIRD AMENDMENT TO FOOD AND BEVERAGE/RETAIL LEASE AGREEMENT SIGNED ON OCTOBER 20TH, 2009

WHEREAS, the Board of County Commissioners of Gunnison County, Colorado entered into an Agreement with David and Lisa Jacobson dba The Gunnisack LLC for the operation of food and beverage service within the Air Carrier Terminal Building; and

WHEREAS, it has been determined that after reviewing the 2012 – 2013 ski season Gunnisack Airport Restaurant financial operating performance as provided for in the Second Amendment to the Food and Beverage/Retail Lease Agreement, the provision of an operating subsidy is not recommend for the 2013 – 2014 ski season; and

WHEREAS, it has been determined that the operating hours of the Gunnisack Airport Restaurant be amended for the 2013 – 2014 ski season; and

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners have agreed to modify the Food and Beverage/Retail Lease Agreement dated October 20th, 2009 for the winter season beginning December 18th, 2013 and ending April 7th, 2014 as follows:

1. The Board of County Commissioners agree to amending the Gunnisack Airport Restaurant hours from 06.30am thru 05.30pm, to 11.00am thru Actual take-off time of last daily scheduled airline departure.
2. All other terms and conditions of the Food and Beverage/Retail Lease Agreement dated October 20th, 2009 and the first amendment to such Agreement remain in full force and effect

In witness whereof, the parties hereto have set their hand and seals on

_____ of _____, 2013.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

_____

Paula Swenson, Chairperson

_____
Phil Chamberland, Commissioner

_____ Attest: _____
Jonathan Houck, Commissioner

GUNNISACK, LLC

_____
David Jacobson

_____
Lisa Jacobson