Those members of the public wishing to attend the meeting digitally are asked to please contact the Town Clerk Department at (970) 726-8081 ext. 208 or email djardee@wpgov.com for a conference call-in number and passcode.

WINTER PARK TOWN COUNCIL MEETING
Winter Park Town Hall – 50 Vasquez Road
Tuesday, June 2, 2020 – 5:30 p.m.

AGENDA

1. Meeting Call to Order
   a. Pledge of Allegiance
   b. Roll Call of Council Members

2. Town Hall Meeting

3. Consent Agenda
   a. Approval of May 19, 2020 Regular Meeting Minutes

4. Action Items
   a. Ordinance 537, An Ordinance Amending Sections 7-2-3 and 7-5D-2 of the Winter Park Town Code, to Allow for Boutique Hotels as a Permitted Use in C-1 Zone District, Second Reading and Public Hearing
   b. Resolution 1775, A Resolution Approving a Grant Agreement with State of Colorado to Accept Federal Coronavirus Aid, Relief, and Economic Security Act Grant Dollars
   c. Resolution 1776, A Resolution Amending the Contract with the Winter Park & Fraser Chamber of Commerce

5. Town Manager’s Report

6. Mayor’s Report

7. Town Council Items for Discussion
DATE: Tuesday, May 19, 2020

MEETING: Winter Park Town Council

PLACE: Town Hall Council Chambers and Zoom Conference Meeting

PRESENT: Mayor Nick Kutrumbos, Mayor Pro Tem Michael Periolat, Councilors Mike Davlin, Jennifer Hughes, Art Ferrari, Jeremy Henn, and Chris Seemann via phone, Town Manager Keith Riesberg, Assistant Town Manager Alisha Janes and Town Clerk Danielle Jardee

OTHERS PRESENT: Chief of Police Glen Trainor, Finance Director Lizbeth Lemley, Community Development Director James Shockey, Public Works Director Gerry Vernon, and Transit Director Michael Koch

1. Meeting Call To Order

Mayor Nick Kutrumbos called the meeting to order at 5:30 p.m.

Mayor Nick Kutrumbos read how Zoom meeting will proceed.

Mayor Nick Kutrumbos led those present in reciting the Pledge of Allegiance.

2. Town Hall Meeting (Public Comment)

No Comments.

3. Consent Agenda

3.a. Approval of May 5, 2020 Regular Meeting Minutes

Councilor Mike Davlin moved and Councilor Art Ferrari seconded the motion approving the Consent Agenda. Motion Carried: 7-0.

4. Action Items


Chief of Police Glen Trainor stated the Town has always had a Model Traffic Code, this ordinance just allows the Town to adopt the 2020 Model Traffic Code to align with State laws. Mayor Kutrumpos opened public hearing. Winter Park Resident Gary Behlen stated his concerns on the lack of signage that states the proper speed limits throughout Town. Chief Trainor stated Town can request CDOT (Colorado Department of Transportation) to post signs at Town’s limits. Councilor Art Ferrari asked what the speed limits are if no signage. Chief Trainor stated if there is no signage, residential is 25 MPH, commercial 35 MPH, and rural 45 MPH. Mayor Kutrumpos closed the public hearing.
Councilor Art Ferrari moved and Mayor Pro Tem Michael Periolat seconded the motion approving Ordinance 534, An Ordinance Repealing and Reenacting Chapter 3 of Title 4 of the Winter Park Town Code, Regulating Motor Vehicles and Traffic and Adopting by Reference the 2020 Edition of the Model Traffic Code for Colorado Municipalities. Motion carried by following roll call vote:

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4.b. Ordinance 536, An Ordinance Amending Chapter 4 of Title 3 of the Winter Park Town Code to Designate the Municipal Court as the Liquor Licensing Authority to Hear All Alleged Violations of the Alcoholic Beverage Code, Second Reading Public Hearing

Chief of Police Glen Trainor stated the Town Council serves as the Local Liquor Licensing Authority, this ordinance would allow the municipal judge to serve on the liquor licensing authority to hear disciplinary actions. Mayor Kutrumbos opened the public hearing, hearing no comments. Mayor Kutrumbos closed the public hearing.

Councilor Jeremy Henn moved and Councilor Art Ferrari seconded the motion to approve Ordinance 536, An Ordinance Amending Chapter 4 of Title 3 of the Winter Park Town Code to Designate the Municipal Court as the Liquor Licensing Authority to Hear All Alleged Violations of the Alcoholic Beverage Code, Second Reading Public Hearing. Motion carried by following roll call vote:

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4.c. Ordinance 537, An Ordinance Amending Sections 7-2-3 and 7-5D-2 of the Winter Park Town Code, To Allow for Boutique Hotels as a Permitted Use in the C-1 Zone District, First Reading

Community Development Director James Shockey stated this ordinance would be a text amendment to the Town Code to amend the C1 zone district to allow boutique hotels. Mr. Shockey stated boutique hotels fit that zone description and objective and provides a needed use in the Old Town area. Mr. Shockey stated boutique hotels are limited to no more than 50 rooms because of the proximity of land. Mr. Shockey stated notification was given and no comments have been submitted as of Friday, May 15, and Planning Commission approved this on May 12. Councilor Art Ferrari asked what other C1 zoning area would be affected by this ordinance. Mr. Shockey stated none, the only C1 zone district Town has is ten acres in Old Town. Councilor Mike Davlin asked what the characteristics of a boutique hotel are. Mr. Shockey stated something unique, not a chain hotel, and has something special to offer for example a spa or restaurant.

Councilor Mike Davlin moved and Councilor Jennifer Hughes seconded the motion approving Ordinance 537, An Ordinance Amending Sections 7-2-3 and 7-5D-2 of the Winter Park Town Code, To Allow for Boutique Hotels as a Permitted Use in the C-1 Zone District, First Reading. Motion carried by following roll call vote:

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4.d. **TABLED Resolution 1773, A Resolution Approving Fee Waivers for Public Works Facility**

Public Works Director Gerry Vernon stated this resolution was tabled on May 5 due to questions about what exact fees Town wanted to waive. Mr. Vernon stated Staff would like to waive Town’s building permit fees, plan review fees, and affordable housing fees. Mr. Vernon stated the other fee in question was the East Grand Fire Protection fee, Staff recommends paying that fee of $4,423.34 dollars

Councilor Art Ferrari moved and Mayor Pro Tem Michael Periolat seconded the motion approving Tabled Resolution 1773, A Resolution Approving Fee Waivers for Public Works Facility. Motion Carried: 7-0.

4.e. **Resolution 1774, A Resolution Approving Change Order #1 for the Public Works Facility**

Public Works Director Gerry Vernon stated with large construction projects there comes changes, the first change order totals $61,356.52 dollars for four items listed in the Staff memo. Councilor Jeremy Henn asked if the trash enclosure will last the life of the building. Mr. Vernon stated Planning Commission recommended it, but Council has the authority to put that condition aside. Council discussed trash enclosure further because of the cost.

Councilor Chris Seemann moved and Councilor Art Ferrari seconded the motion to remove the trash enclosure item from the first change order. Motion carried: 6-1.

Councilor Jeremy Henn moved and Councilor Mike Davlin seconded the motion Approving Change Order #1 with removed trash enclosure item for the Public Works Facility. Motion carried: 6-1.

4.f. **Emergency Ordinance 538, An Emergency Ordinance Temporarily Suspending the Disposable Bag Fee, Temporarily Suspending Certain Sections of the Town’s Sign Code Relating to Banners and Sandwich Boards, Waiving Design Review and Associated Fees for Temporary Outdoor Patios for Restaurants, and Authorizing the Town Clerk to Approve Temporary Modification of Liquor-Licensed Premises for Temporary Outdoor Patios for Restaurants**

Town Manager Keith Riesberg stated Staff has prepared an emergency ordinance to help assist businesses for reopening. Mr. Riesberg stated plastic bag fees will be suspended because reusable bags are not recommended right now due to COVID-19. Mr. Riesberg stated the other suspensions listed in ordinance will help restaurants. Mr. Reisberg stated Staff does recommend approval of emergency ordinance 538.

Councilor Art Ferrari moved and Councilor Jeremy Henn seconded the motion approving Emergency Ordinance 538, An Emergency Ordinance Temporarily Suspending the Disposable Bag Fee, Temporarily Suspending Certain Sections of the Town’s Sign Code Relating to Banners and Sandwich Boards, Waiving Design Review and Associated Fees for Temporary Outdoor Patios for Restaurants, and Authorizing the Town Clerk to Approve Temporary Modification of Liquor-Licensed Premises for Temporary Outdoor Patios for Restaurants. Motion carried by following roll call vote:

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Mayor Nick Kutrumbos stated there is still no variance yet from the County to open patios.
5. **Progress Reports**

5.a. **Community Partners**

*Nothing to Report.*

5.b. **Staff Reports**

*Nothing to Report.*

6. **Town Manager’s Report**

Town Manager Keith Riesberg stated Staff are working with the County on how businesses will reopen. Mr. Riesberg stated Town hopes to have an answer on the variance request from the State soon, once we have an answer, Town will reach out. Mr. Riesberg stated he did receive notice from CDOT that exit 232 will be closed today, May 19 and tomorrow, May 20.

7. **Mayor’s Report**

Mayor Nick Kutrumbos stated he has been in continuous discussions with Congressman Neguse, CML (Colorado Municipal League), and CAST (Colorado Association of Ski Towns) on the topic of economic recovery and continues to learn more. Mayor Kutrumbos stated he talked to HTA (Headwaters Trails Alliance) and the principles at Roam on keeping the Fraser River Trail open. Mayor Kutrumbos stated it is better to keep trails open by rerouting them, he will follow up with HTA. Councilor Art Ferrari stated Grand County Water and Sanitation will be closing Vasquez Road, June 1 for a project.

8. **Town Council Items for Discussion**

Councilor Jennifer Hughes stated an update from the TAC (Transit Advisory Committee) meeting about the funds Transit will be receiving from the CARES Act.

There being no further business to discuss, upon a motion regularly adopted, the meeting was adjourned at 6:30 p.m.

The next scheduled meeting of the Town Council will be Tuesday, June 2, 2020 at 5:30 p.m.

__________________________________________

Danielle Jardee, Town Clerk
The Town desires to allow for boutique hotels as a permitted use in the C-1 zone district based on the objective of this district and the strategies outlined in the Imagine Winter Park Plan. A boutique hotel typically contains fewer than 150 rooms and is often uniquely designed to take advantage of its location. The C-1 District of Town encompasses roughly ten acres in Old Town and is located within walking distance of Winter Park Resort and its resultant amenities such as restaurants, bars, retail establishments, and recreational opportunities.

Section 7-5D-1 in Town Code states the objective of the C-1 zone district: “To provide locations within the town for select tourist oriented commercial uses that, by virtue of proximity to recreational attractions, offer convenient specialized retail services for visitors thereto. (Ord. 317, Series of 2002)”. Staff feels boutique hotels are congruent with this objective, as they would provide overnight lodging to the northern area of Old Town, an area with few existing hotel accommodations; currently, the majority of hotels in Old Town are located in the southern Resort village core and are larger. Boutique hotels could provide a critical mass of activity to support additional commercial functions in this northern area, such as restaurants, bars, and retail establishments. Such smaller hotel types are better suited to coexist with the scale of existing multi-family developments.

There are several Strategies in the Imagine Winter Park Plan that support the inclusion of a boutique hotel as a permitted use in the C-1 zone district:

a. CC Strategy 1.1: Maintain a healthy balance of commercial development that can provide a multitude of services both for local residents and for guests.

b. CC Strategy 2.8: Build on Winter Park’s designations as “Mountain Bike Capital USA” and Colorado’s “Top Adventure Town” as a way to attract growth that supports our recreational heritage.

c. CC Strategy 3.8: Encourage new hotels to be constructed in the downtown core to increase diversity of accommodation, enhance vibrancy, and support retail and commercial uses (while this specifically states the downtown core, increasing accommodation units in Old Town will enhance vibrancy of the area and lead to additional retail uses in the Old Town commercial core).

d. EN Strategy 3.1: Encourage density in appropriate locations and clustering of development to maximize open space.
Section 7-2-3: DEFINITIONS
The following definition of “Boutique Hotel” is proposed to be added to read as follows and to appear in alphabetical order:

   BOUTIQUE HOTEL: a building or group of buildings containing a minimum of five (5) and a maximum of fifty (50) rooms designed for the temporary occupancy of guests for less than thirty (30) days, in exchange for a fee, with all rooms being accessible from a common area.

Section 7-5D-2: USES PERMITTED
“Boutique Hotel” is proposed to be added to the list of permitted uses in the C-1 Zone District.

Public Comment: This proposed zone text amendment has had proper public notification pursuant to Section 7-10-1.A of the Town Code. A Public Notice was published in the Middle Park Times on April 30, 2020, providing notification of the meeting and requesting comments.

As of May 15, no public comments have been received.

Planning Commission Recommendation: The Planning Commission reviewed the zone text amendment on May 12, 2020 and recommended to the Town Council approval.

Staff Recommendation: Staff recommends Town Council approve the zone text amendment with adoption of Ordinance 537, Series 2020.
TOWN OF WINTER PARK
ORDINANCE NO. 537
SERIES OF 2020

AN ORDINANCE AMENDING SECTIONS 7-2-3 AND 7-5D-2 OF THE WINTER PARK TOWN CODE, TO ALLOW FOR BOUTIQUE HOTELS AS A PERMITTED USE IN THE C-1 ZONE DISTRICT

WHEREAS, the Town desires to allow for boutique hotels as a permitted use in the C-1 zone district.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL FOR THE TOWN OF WINTER PARK, COLORADO, THAT:

Section 1. Section 7-2-3 of the Winter Park Town Code is hereby amended by the addition of a new definition of "boutique hotel" to read as follows and to appear in alphabetical order:

BOUTIQUE HOTEL: a building or group of buildings containing a minimum of five (5) and a maximum of fifty (50) rooms designed for the temporary occupancy of guests for less than thirty (30) days, in exchange for a fee, with all rooms being accessible from a common area.

Section 2. Section 7-5D-2 of the Winter Park Town Code is hereby amended by the addition of "Boutique Hotel" to the list of permitted uses in the C-1 zone district.

INTRODUCED, APPROVED ON FIRST READING, AND ORDERED PUBLISHED IN FULL this 19th day of May, 2020. A public hearing shall be held at the regular meeting of the Winter Park Town Council on the 2nd day of June, 2020 at 5:30 p.m., or as soon thereafter as possible, at the Winter Park Town Hall.

TOWN OF WINTER PARK

________________________________
Nick Kutrumbos, Mayor

ATTEST:

Danielle Jardee, Town Clerk

READ, ADOPTED AND ORDERED PUBLISHED on second and final reading by a vote of _____ to _____ on the ___ day of ____________, 2020.

TOWN OF WINTER PARK

ATTEST: _______________________
Nick Kutrumbos, Mayor

________________________________
Danielle Jardee, Town Clerk
Memorandum

To: Winter Park Town Council
From: Michael Koch, Transit Manager
Date: June 2nd, 2020
SUBJECT: CARES Act Grant Agreement

Background
Due to the economic impacts of the coronavirus global pandemic, Congress passed the Coronavirus Aid, Relief, and Economic Security (CARES) Act on March 27th, 2020.

The Colorado Department of Transportation (CDOT) received $39.7 million dollars from the FTA CARES Act specifically to provide aid to its rural public transit providers. In the first phase of this grant program, the Town of Winter Park was allocated $378,106 to help offset costs and losses related to COVID-19. Phase two numbers have not yet been finalized by CDOT. These dollars come with a 100% federal match, meaning no local match dollars are required to accept the grant. The funds are available until completely expended.

Town Staff Recommendation

Town Staff recommends the approval and execution of the grant agreement. The Transit Department is estimated to lose up to $1 million dollars in tax revenue and with no local match requirement for this grant, this will have a great impact on the Transit Department budget and allow The Lift to continue serving the community, uninterrupted.

It should be noted that these funds will only be covering operating expenses, as such, Fraser and Granby will continue to get their monthly invoices showing the cost of the service (which will then be zero’d out with grant dollars), but the management fee will still be assessed as there are staff costs to conduct grant administration and other coordination efforts for the system.
A RESOLUTION APPROVING A GRANT AGREEMENT WITH STATE OF COLORADO TO ACCEPT FEDERAL CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT GRANT DOLLARS

WHEREAS, the Town manages its own transit system known as The Lift;

WHEREAS, the Town collects tax dollars dedicated to the operation, management, and improvement of The Lift, and these dedicated tax dollars are leveraged as local matching dollars for state and federal grants;

WHEREAS, The Lift was awarded a grant in the amount of $378,106 from the Federal Transit Administration (FTA) Coronavirus Aid, Relief, and Economic Security (CARES) Act that will be distributed by the State of Colorado and is to be utilized for operating expenses; and

WHEREAS, the Town Council has reviewed the attached Grant Award Terms and Conditions labeled as Exhibit A.

NOW THEREFORE, BE IT RESOLVED by the Town Council of the Town of Winter Park, Colorado as follows:

Section 1. The Town Council hereby approves the State of Colorado Grant Agreement in substantially the form attached hereto, subject to final approval of the Town Attorney. Upon such approval, the Mayor is authorized to execute the Grant Agreement on behalf of the Town.

APPROVED AND PASSED this 2nd day of June, 2020 by a vote of ________ to ________.

TOWN OF WINTER PARK

Nick Kutrumbos, Mayor

ATTEST:

Danielle Jardee, Town Clerk
Background
On April 7, 2020 the Town Council approved the first amendment to the contract with the Chamber of Commerce to reduce the scope of work as a result of the COVID-19 pandemic. Since then the Town Council has had additional discussion with the Chamber regarding further modifications to the scope of services. The modifications to the scope of services will reduce the compensation paid to the Chamber by an additional $331,100. The reduction in compensation will be retained by the Town.

Analysis
As a result of the COVID-19 pandemic, the Chamber will change the scope and type of programs and events to be held in Winter Park. Instead of producing concert events, the Chamber will be producing events such as: Front Porch Fourth of July, Tequila and Tacos Tour, Uncorked Tour and Beer Tour. The Chamber will be undertaking other initiatives such as a business passport program and increasing marketing in advance of the ski season.

With the approval of the first contract amendment, the Town reduced the compensation by $100,000. The second contract amendment will further reduce the compensation by an additional $331,100. The reduction in compensation will be retained by the Town, which increases the Town’s General Fund ending balance for the fiscal year.

Section 1.B of the contract with the Chamber allows the scope of work to be adjusted by formal amendment. With this change in the scope of work, the Council will also be amending Section 3 of the contract to decrease the total compensation provided to the Chamber by an additional $331,100.
**Recommendation**
Staff recommends approval of Resolution 1776 approving the contract amendment with the Winter Park & Fraser Chamber of Commerce reducing the scope of work and decreasing the compensation by $331,100. Should the Town Council wish to authorize this amendment, the following motion should be made:

I move to approve Resolution 1776 amending the contract with Winter Park & Fraser Chamber of Commerce as presented.

Should the Town Council wish to deny the amendment, the following motion should be made:

I move to deny Resolution 1776 amending the contract with the Winter Park & Fraser Chamber of Commerce.

Should you have any questions or need additional information regarding this matter, please contact me.
A RESOLUTION AMENDING THE CONTRACT WITH THE WINTER PARK & FRASER CHAMBER OF COMMERCE

WHEREAS, the Town entered into a contract with the Winter Park & Fraser Chamber of Commerce (Chamber) to maintain the economic vitality of the Town and to provide community marketing, special event operation and promotion, and visitor center operation services;

WHEREAS, the need for these services has changed recently due to the impacts of the COVID-19 pandemic on Winter Park’s business community; and

WHEREAS, the Chamber agrees to amend the scope of work for the community marketing, special event operation and promotion, reducing the budget by an additional $331,100.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Winter Park, Colorado hereby approves the amendment to the contract with the Winter Park & Fraser Chamber of Commerce reducing the scope of services and the associated budget by an additional $331,100 and authorizes the Mayor to execute the amendment.

PASSED, ADOPTED AND APPROVED this 2nd day of June, 2020.

TOWN OF WINTER PARK

Nick Kutrumbos, Mayor

ATTEST:

Danielle Jardee, Town Clerk
SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

THIS AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT (the "Amendment") is made and entered into this 2\textsuperscript{nd} day of June, 2020 (the "Effective Date"), by and between the Town of Winter Park, a Colorado municipality with an address of P.O. Box 3327 Winter Park, CO 80482 (the "Town") and the Winter Park & Fraser Chamber of Commerce, a Colorado non-profit corporation a principal address of P.O. Box 3236, Winter Park, Colorado 80482 (the "Chamber") (each a "Party" and together the "Parties").

WHEREAS, on January 24, 2020 the Parties entered into a Professional Services Agreement (the "Agreement");

WHEREAS, on April 7, 2020 the Town Council approved the First Amendment to the Professional Service Agreement to reduce the total compensation by $100,000; and

WHEREAS, the Parties wish to amend the Agreement as set forth herein.

NOW, THEREFORE, for the consideration hereinafter set forth, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. The Scope of Services in Exhibit A to the Agreement is hereby amended to read as follows:
   
   • Marketing and Special Events Operations and Promotion - $721,900 shall be provided for the marketing of Winter Park and the Special Events Operation and Promotions. This scope shall include planning, promoting, implementing special events to include but not limited to: Front Porch Fourth of July, Tequila and Tacos Tour, Uncorked Tour and Beer Tour. Other actions required under this scope include retention of music acts for 2021 if possible, supporting outdoor events and races if permitted and increasing brand awareness through increased marketing. This scope shall also include the receipt of reservations and the programming of the Green Room located within the Rendezvous Event Center. Upon completion of the Special Event season, a report shall be made to the Town Council regarding the performance of the Special Events.

   • Security – This section is deleted in its entirety.

   • Spring festival marketing – This section is deleted in its entirety.

   • Blues Festival – This section is deleted in its entirety.

2. Section III. A of the contract is hereby amended to read as follows:
   
   A. In consideration for the completion of the Scope of Services by Contractor, the Town shall pay Contractor an amount not to exceed $930,700. This maximum amount shall include all fees, costs and expenses incurred by Contractor, and no additional amounts shall be paid by the Town for such fees, costs and expenses. Contractor shall be paid on quarterly basis upon the submittal of written invoices.

3. The remainder of the Agreement shall remain in full force and effect.
IN WITNESS WHEREOF, the Parties have executed this Amendment as of the Effective Date.

TOWN OF WINTER PARK, COLORADO

________________________________________
Keith Riesberg, Town Manager

ATTEST:

________________________________________
Danielle Jardee, Town Clerk

WINTER PARK & FRASER CHAMBER OF COMMERCE

________________________________________
Catherine Ross, Executive Director

STATE OF COLORADO )
) ss.
COUNTY OF GRAND )

The foregoing instrument was subscribed, sworn to and acknowledged before me this ___ day of June, 2020, by Catherine Ross as Executive Director of the Winter Park & Fraser Chamber of Commerce.

My commission expires:

(S E A L)

________________________________________
Notary Public