

RESOLUTION # 20-14

Recommending to the Saint Paul City Council approval of reduction of O'REILLY CUSTOM 4, LLC, d/b/as Dock and Paddle ("Manager") contractual payment to City for the period April 1, 2020 and March 31, 2021 and allow for reduced hours of operation during this period.

WHEREAS, the Saint Paul Parks and Recreation Commission ("Commission") is an appointed body established to advise the Mayor and City Council on long-range and city-wide matters related to Parks and Recreation; and

WHEREAS, the City and Manager entered into an Agreement on February 20, 2018 for management of the Como Lakeside Pavilion and surrounding areas which terminates on December 31, 2023; and

WHEREAS, the Agreement incorrectly references the managing entity as O'REILLY CUSTOM 3, LLC; and

WHEREAS, in May of 2020 the d/b/a name was changed to Dock and Paddle; and

WHEREAS, that agreement requires Manager pay the City a percentage of its Monthly Gross Revenue as well as meet an Annual Minimum Payment, and requires the onsite restaurant operate within certain times and on certain days during the Off-Peak Season.; and

WHEREAS, Minnesota's Emergency Executive Order 20-01 Declaring a Peacetime Emergency and Coordinating Minnesota's Strategy to Protect Minnesotans from COVID-19 severely impacted Manager's operations; and

WHEREAS, Manager wishes to amend the Agreement to allow for a one-year reduction in payments to City for the period April 1, 2020 and March 31, 2021 and the ability to reduce Off-Peak Season hours during this time; and

WHEREAS, the Department of Parks and Recreation has reviewed year-over-year revenue and projections from Manager and believes these changes to be necessary and to be in the public good; and

WHEREAS, Saint Paul Administrative Code requires that any lease of parkland or recreation facilities which will be for a period of more than one year be approved by the City Council following a hearing before the Parks and Recreation Commission; and

WHEREAS, the Commission finds that Dock and Paddle is an important Saint Paul business experiencing financial hardship as a result of the COVID-19 pandemic, and that supporting them during this difficult time serves a public purpose by helping to ensure they can continue to serve the Saint Paul community into the future.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Parks and Recreation Commission recommends that the City Council of the City of Saint Paul authorize the appropriate City officials to enter into the attached Amendment.

Adopted by the Saint Paul Parks and Recreation Commission on September 10, 2020:

Approved: Yes

Yeas 7

Nays 0

Absent 2

Attested to by:

Elizabeth L McDonald

Staff to the Parks and Recreation Commission