



Legislation Text

File #: RES 18-610, **Version:** 2

Authorizing Spring Café Woodbury, LLC to use the Department of Parks and Recreation's Liquor licenses for the Como Lakeside Pavilion.

WHEREAS, the Saint Paul Department of Parks and Recreation holds Liquor On Sale, Liquor On-Sale Sunday, Liquor Service Area: Restaurant, Liquor Outdoor Service Area (Patio) and Entertainment (B) licenses for the Como Lakeside Pavilion, located at 1360 North Lexington Parkway in Saint Paul, and has applied for an outside service area license; and

WHEREAS, Minnesota Laws 1997, Chapter 129, Article 1, amending Minnesota Laws 1990, Chapter 554, Section 19 allows the sale and service of liquor pursuant to those licenses, with City Council approval, by persons who have contracted with the Department for the sale and service of alcohol; and

WHEREAS, Spring Cafe Woodbury, LLC has contracted with the City, through the Department of Parks and Recreation, to manage the Como Lakeside Pavilion; and

WHEREAS, the Department wishes to authorize Spring Cafe Woodbury, LLC to use its liquor licenses for the Como Lakeside Pavilion; now, therefore, be it

RESOLVED, that Spring Cafe Woodbury, LLC is authorized to use the Department of Parks and Recreation's Liquor licenses for the Como Lakeside Pavilion under the following terms and conditions.

1. Sales shall occur only during the hours and days of service permitted by State law, and within the liquor service area determined by the Department of Safety and Inspections.
2. Prudent care will be taken to ensure that all sales are made only to persons age 21 and over.
3. Prudent care will be taken to ensure that no sales are made to individuals who are or appear to be intoxicated.
4. Spring Cafe Woodbury, LLC agrees to defend and hold harmless the City of Saint Paul, its agents, officials, and employees from any and all liability for claims of injury, death, or property damage relating to or resulting from the sale, use, consumption, or distribution of alcoholic beverages on or about the premises managed and under control of Spring Cafe Woodbury, LLC. Spring Cafe Woodbury, LLC specifically agrees that it will take all steps required by the State of Minnesota to ensure that all persons involved in the sale, use, or distribution of alcoholic beverages on or about the premises, have received the required State of Minnesota training for serving and distributing alcohol. Such training shall include, but not be limited to: checking for proper identification before selling alcohol, not serving to minors, recognizing the signs of excessive consumption, and how to refuse to serve someone.
5. Any failure or negligence on the part of Spring Cafe Woodbury, LLC to comply with any rules, regulations, or training relating to the sale, use, or distribution of alcoholic beverages shall be the exclusive and sole liability of the Spring Cafe Woodbury, LLC and in no way shall that liability be transferred onto the City of Saint Paul.
6. Spring Cafe Woodbury, LLC shall obtain and keep in force dramshop insurance that names the City of Saint Paul, its employees, agents, and officers as additional insureds. This policy is in addition to any other

insurance required by the Management Agreement.