



Legislation Text

File #: RES 21-815, **Version:** 1

Approving the license agreement as the form for execution regarding the real estate commonly referred to as the downtown Saint Paul Farmers Market; and, further, authorizing the execution of license agreement documents accordingly (District 17, Ward 2).

WHEREAS, the City of Saint Paul owns property bounded by Fourth Street and Fifth Street and Broadway Street and Wall Street, commonly referred to as the Farmers Market; and

WHEREAS, the Farmers Market serves as a venue for farmers market operating Saturday and Sunday from April to December, for parking facility and operations, and for other events when are where the venue is not otherwise being used for parking or for the Farmers Market; and

WHEREAS, due to COVID-19, the need for parking operations throughout downtown Saint Paul have decreased including the Farmers Market location; and

WHEREAS, the City seeks to maximize the use of the Farmers Market venue to the fullest extent possible for the use and benefit of the public as long as those uses do not conflict with either the farmers market or parking facility or related needs and uses; and

WHEREAS, Big River Pizza, Inc. has expressed an interest in using the Farmers Market venue as furthered detailed in the accompanying License Agreement draft and other persons have also expressed interest in the space for various event purposes; now, therefore, be it

RESOLVED, that:

Section 1. Approval and Execution of License Agreements.

1.01 Approval of License Agreements. For the year of 2021, the City Council hereby approves the License Agreement, substantially in the form presented to the Council and attached hereto, together with any related documents necessary in connection therewith, including without limitation all documents, exhibits, certifications or consents referenced in or attached to the License Agreement (hereinafter collectively referred to as "License Agreement Documents") for events or activities undertaken at the Farmers Market. The License Agreement Documents are subject to revision in order to conform the documents to the specific activities authorized at the Farmers Market.

1.02 Execution of License Agreement Documents. For the year of 2021, the Mayor or Deputy Mayor, the Director or Deputy Director for the Planning and Economic Department of the City of Saint Paul and the Director of the Office of Financial Services (the "Authorized Officers"), with the Saint Paul City Attorney or the City Attorney's designee approving as to form, are hereby authorized, in their discretion and at such time, if any, as they may deem appropriate, to execute, on behalf of the City, the License Agreement Documents, and to carry out, on behalf of the City, directly or through one or more appointed designees, the City's obligations thereunder when all conditions precedent thereto have been satisfied. The approval hereby given to the License Agreement Documents includes approval of such additional details therein as may be necessary and appropriate and such modifications thereof, deletions therefrom and additions thereto as may be necessary and appropriate and approved by the Saint Paul City Attorney, the appropriate City staff person (s) or by the Authorized Officers authorized herein to execute or accept, as the case may be, said documents

prior to their execution; and said Authorized Officers or staff members are hereby authorized to approve said changes on behalf of the City. The execution of any instrument by the Authorized Officers shall be conclusive evidence of the approval of such document in accordance with the terms hereof. This Resolution shall neither constitute an offer nor an acceptance; rather, the Licensed Documents shall not be effective until the date of execution thereof as provided herein. In the event of absence or disability of either Authorized Officer, any of the License Agreement Documents authorized by this Resolution to be executed may be executed without further act or authorization of the City Council by any duly designated acting official, or by such other officer or officers of the City Council as, in the opinion of the Saint Paul City Attorney, may act in their behalf.