

FRANKLIN COUNTY RESOLUTION 2018 164

BEFORE THE BOARD OF COMMISSIONERS  
FRANKLIN COUNTY, WASHINGTON

**RE: RESCIND RESOLUTION 2017-341 AND AMEND RESOLUTION 2017-274 PERSONAL SERVICES CONTRACT FOR TRAC CENTER CATERING SERVICES WITH S&S HOSPITALITY, INC. AND ADDING EXHIBIT A.1. CONCERNING ALCOHOL SALES**

**WHEREAS**, Resolution 2017-274 approved a Personal Services Contract for the TRAC Center Catering Services with S&S Hospitality Inc.;

**WHEREAS**, Resolution 2017-341 allowed S&S Hospitality to be responsible for Social Market (not public) Alcohol Sales;

**WHEREAS**, S&S Hospitality has agreed to apply for a Sports and Entertainment Facility Liquor License naming TRAC Center as the location of serves and an interested party per WAC 314.07.035(6) so that they can manage all alcohol related sales at the TRAC Center; and,

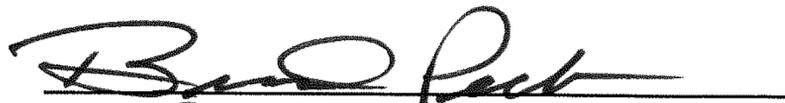
**WHEREAS**, pursuant to RCW 36.01.010 and RCW 36.32.120 the legislative authority of each county is authorized to enter into contracts on behalf of the county and have the care of county property and management of county funds and business; and

**WHEREAS**, the Board of Franklin County Commissioners constitutes the legislative authority of Franklin County and desires to authorize the amendment of the Personal Services Contract for TRAC Catering as being in the best interest of Franklin County.

**NOW, THEREFORE, BE IT RESOLVED** that the Franklin County Commissioners hereby authorizes rescinding Resolution 2017 -341 and amending Resolution 2017-274 the Personal Services Contract with S&S Hospitality for the catering services at the TRAC Center by adding the addition of Exhibit A.1 Alcohol Sales. This will be effective upon the approval of the S&S Hospitality, Inc. Sports and Entertainment Facility Liquor License naming TRAC Center as the location of services and as an interested party as per WAC 314.07.035(6) through December 31, 2020.

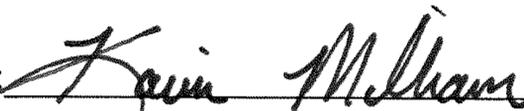
APPROVED this 29 day of MAY, 2018.

**BOARD OF COUNTY COMMISSIONERS  
FRANKLIN COUNTY, WASHINGTON**

  
Chair

  
Chair Pro Tem

  
Member

Attest:   
Clerk of the Board

Originals: Clerk of the Board

Copy: TRAC and S&S Hospitality, Inc

# Exhibit A.1

## "Scope of Services and Compensation"

4. CG will be responsible for the care and replacement of TRAC owned small wares listed and inventoried above in III.vi.1.
- vii. TRAC will provide a Manager on Duty for each event; this will be the point of contact for the Client. The Manager on Duty will try and resolve issues as they come up and will bring CG in as needed for food and beverage concerns.
- viii. CG will have access to the Facility as specified by the Event Manager for any given event. This access will be shown on the Banquet Event Order for such event.
- ix. CG is responsible for having a representative present for any deliveries made to the TRAC. TRAC personnel will not sign or be responsible for any deliveries for CG.
- x. CG will provide Liquor Liability Insurance naming TRAC, Franklin County & City of Pasco as additional insured. The amount of the insurance shall match the TRAC's Liquor and Excess Liability Insurance which is currently \$5,000,000.
- xi. CG will provide a copy of their current Sports and Entertainment Facility Liquor License. CG has agreed they will not need to seek the optional Catering Endorsement (RCW 66.24.570 (4) (a)).
- xii. CG will add Franklin County dba TRAC as an interested party on the Sports and Entertainment Facility Liquor License as per WAC 314.07.035(6).
- IV. TRAC Kitchen Utilization – as specified in Exhibit A of this agreement and will include the Ice Machine.
- V. Tenant Improvements
- i. Future tenant Improvements installed at the sole expense of CG would need advanced approval of the TRAC.

This Exhibit will not be fully executed without a resolution approved by the Franklin County Commissioners. The parties below agree to the Scope of Services and Compensation as outlined in Exhibit A.1 and understand Exhibit A.1 is an addition to Res 2017 – 217 Personal Services Contract for the TRAC Center Catering Services with S&S Hospitality, Inc and will follow the language outlined in the Personal Services Contract and Exhibit A signed by both parties.

For TRAC Center:

For S&S Hospitality, Inc DBA CG Public House and Catering

  
\_\_\_\_\_  
Tom French, General Manager

  
\_\_\_\_\_  
Shirley Simmons, Owner

6-5-2018  
\_\_\_\_\_  
Date Signed

June 5 2018  
\_\_\_\_\_  
'Date Signed

# Exhibit A.1

## “Scope of Services and Compensation”

- I. Definitions:
  - i. CG = S&S Hospitality, Inc dba CG Public House and Catering
  - ii. TRAC = Franklin County dba TRAC Center
  - iii. Alcohol Related Sales = All Alcohol Sales, Corkage Fee (opening wine or champagne), bar minimum fees, bar setup fees etc. at the TRAC Center.
  - iv. Commission Fee- 30% of Gross Alcohol Related Sales net of sales tax.
  - v. Bar Menu Pricing – The standard pricing for well, premium, wine, kegs, champagne or special requests.
  - vi. Events = Public or Private, Invitation only, not open to the public.
- II. Fee Structure:
  - i. CG will pay TRAC 30% of Alcohol Related Sales net of sales tax:
    - 1. Gross Alcohol Sales will be based on a Reconciliation of CG’s Point of Sale System to the received cash and credit cards. A copy of the reconciliation will be supplied to TRAC for auditing purposes.
    - 2. Corkage fee will apply to the number of bottles corked charged to the customer
    - 3. For no-host bars CG will send the 30% with terms of net 15.
    - 4. For hosted bars and other alcohol related charges, TRAC will bill the client full price plus tax and CG will invoice TRAC less the Commission fee.
- III. Services Required, Conditions and Instructions
  - i. CG will provide alcohol related sales for all events that require such at the TRAC Center.
  - ii. CG will recommend bar menu pricing for alcohol related sales that will be published in the TRAC Catering Menus presented by CG Catering.
  - iii. CG will purchase all alcoholic beverages, mixers and supplies needed to successfully provide a no host or hosted bar at events as contracted by TRAC.
  - iv. CG will provide all labor associated with all alcoholic beverage set-ups, service, and clean up; this is not limited to but will include dishwashers, supervisors, bartenders, Alcohol Security, etc.
  - v. CG will be involved with the planning to go over the specific details surrounding the alcohol sale portion of contracted events.
  - vi. CG will not be involved in any event set up (Audio visual, pipe and drape, tables, chairs etc.) other than alcohol related set up which includes bar tops, cash registers, credit card machines, alcohol, mixers, glasses, ice etc.. TRAC will be responsible for placement of the portable bar.
    - 1. CG will have access to all TRAC owned small wares including glassware.
    - 2. CG will have access to portable bars.
    - 3. Inventories of equipment and small wares will be conducted by a member of each party to this contract prior to the start of this contract and each year thereafter. Lost, destroyed or broken items from the inventory will have to be accounted for per County policy.

# Agenda Summary Report (ASR)

## Franklin County Board of Commissioners

<b>DATE SUBMITTED:</b> May 24, 2018	<b>PREPARED BY:</b> Tiffany Coffland
<b>Meeting Date Requested:</b> Next Available	<b>PRESENTED BY:</b> Tom French
<b>ITEM:</b> (Select One) <input checked="" type="checkbox"/> Consent Agenda	<input type="checkbox"/> Brought Before the Board Time needed:
<b>SUBJECT:</b> Approval of Amending Res 2017-274 TRAC Center Catering Service with S&S Hospitality, INC to include the selling of alcohol at all events at the TRAC Center. And rescinding resolution 2017-341.	
<b>FISCAL IMPACT:</b> TRAC would receive 30% for all alcohol related sales associated with the TRAC Center. TRAC will no longer have pay staff or purchase and maintain alcohol related inventory. S&S Hospitality would apply for a Sports and Entertainment Facility Liquor License showing Franklin County dba TRAC as an interested party and the location of services.	
<b>BACKGROUND:</b> On September 6, 2017, per resolution 2017-274 S&S Hospitality took over the Catering Service for the TRAC Facility. On November 20, 2017, per resolution 2017-341 the Board approved S&S Hospitality to provide for Social Market (non-public) Alcohol Sales for events they catered.  With their expertise in the area of Food & Beverage it makes better business sense to have S&S Hospitality manage all areas of Food & Beverage at the TRAC Center.  We also found out that per RCW 66.24.690 Caterer's License which S&S Hospitality holds, that they are prohibited from catering events (selling Alcohol) at locations that are already licensed to sell liquor under RCW Chapter 66.24. TRAC is licensed under RCW Chapter 66.24.570 Sports entertainment facility license (SEF) – Fee – Caterer's endorsement – Financial arrangements – Reporting.  Per Beth Lehman, Customer Service & Support Manager at the WSLCB, In order for S&S Hospitality to provide alcohol services at all Events at the TRAC, they would have to apply for a SEF license. Per WAC 314-07-035(6), TRAC would be named an interested party on the license and shown as the location for the license. S&S Hospitality would be the licensee based on WAC 314-07-035(4). This process could take 90 to 120 days due to S&S Hospitality submitting a new operating plan. If the County ever decides to not have S&S Hospitality run the alcohol services, the TRAC will have to reapply for the license again in order to remove S&S Hospitality as well as turn in a new operating plan which may take another 90 to 120 days.  Based on the Chief Civil Deputy's recommendation S&S Hospitality shall carry the same amount of Liquor Liability as the TRAC Center, which they have agreed to do. Our Chief Civil Deputy also recommended TRAC continue its Liquor Liability and Excess Liability Insurance since the facility will still be named on the Sports and Entertainment Facility Liquor License. The Risk Pool does not cover us for selling/serving alcohol and it is the Chief Civil Deputy's opinion that having S&S handle all of the alcohol, rather than TRAC employees, spreads out the liability.	
<b>RECOMMENDATION:</b> We recommend that the Board of Franklin County Commissioners rescind Resolution 2017 -341 and authorize the amendment of Resolution 2017-274 the Personal Services Contract with S&S Hospitality for the catering services at the TRAC Center by adding the addition of Exhibit A.1 Alcohol Sales. This will be effective upon the approval of the S&S Hospitality, Inc. Sports and Entertainment Facility Liquor License naming TRAC Center as the location of services and as an interested party as per WAC 314.07.035(6) through December 31, 2020.	

**COORDINATION:**

Keith Johnson, County Administrator

Jennifer Johnson, Chief Civil Deputy

**ATTACHMENTS:** (Documents you are submitting to the Board)

1. Resolution
2. Exhibit A.1
3. WAC 314-07-035
4. RCW 66.24.570
5. RCW 66.24.690

**HANDLING / ROUTING:** (Once document is fully executed it will be imported into Document Manager. Please list name(s) of parties that will need a pdf)

TRAC, S&S Hospitality, Inc (kyle@cgcatering.com)

*I certify the above information is accurate and complete.*

\_\_\_\_\_  
Name, Title