City of Franklin
Beer Board Cover Page

Beer Board Meeting Date 11/13/2018 Permit # 18-43

Owner/Applicant California Pizza Kitchen, Inc.

On Prem X	Off Prem	On & Off	Special Event

Name of Business/Event **California Pizza Kitchen**
Special Event Date(s)/Hours

Location of Business/Event 1800 Galleria Blvd, #1162
Franklin, TN 37067

Mailing Address Christopher Brooks, Paralegal
12181 Bluff Creek Dr. - 5th Floor
Playa Vista, CA 90094
Phone 310-342-4677

Primary Contact Brandon Parker
Managing Agent Brandon Parker
Email

Review Sign Off:

Police Y Fire Y BNS Y

COMMENTS

Inside Galleria Mall
Restaurant and Indoor Patio Dining

Temporary Permit at 10-9-18

Permit # 18-43

18-43

APPLICATION FOR BEER PERMIT
STATE OF TENNESSEE
CITY OF FRANKLIN

PURSUANT TO SECTION 8 CHAPTER 2 OF THE CODE OF THE CITY OF FRANKLIN, TENNESSEE, AND THE REQUIREMENTS OF 57-5-101 ET. SEQ. OF THE TENNESSEE CODE ANNOTATED, I HEREBY MAKE APPLICATION FOR:

✓ ON PREMISES PERMIT
___ OFF PREMISES PERMIT
___ ON AND OFF PREMISES PERMIT
___ MANUFACTURER'S OR DISTRIBUTOR'S PERMIT
___ SPECIAL EVENTS PERMIT DATE OF EVENT_____
HOURS OF EVENT_____

DATE PERMIT NEEDED 10-9-18

PERMITS SHALL BE ISSUED TO THE OWNER OF THE BUSINESS, WHETHER A PERSON, FIRM, CORPORATION, JOINT-STOCK COMPANY, SYNDICATE, OR ASSOCIATION.

1. Owner (Applicant) California Pizza Kitchen, Inc

Person __ Firm __ Corp ✓ LLC __ Joint-stock co. __ Syndicate __ Association __

2. List all persons, firm, joint-stock companies, syndicates, or associations having at least a 5% ownership interest in the business (attach additional sheet, if needed). Please give name and address.

CPK Holdings, Inc

3. If the applicant is a corporation, are they authorized to do business in the State of Tennessee? yes

4. Under what trade name will this business operate?

California Pizza Kitchen

City of Franklin business account number 100129504

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See Application Cover Sheet

5. Location of the business by street address. For special event, list location of the event.

_____

Phone number of the business _____

6. Please give the following information on the person who will be managing the business. This person is an owner _____ or a managing agent _____.

Name _____

Drivers license # _____ State _____

Date of birth _____ Soc. Sec. # _____

Home phone # _____ Daytime phone # _____

Email _____

7. Specify the identity, address and daytime contact phone number of the person to receive annual privilege tax notices and any other communication from the City.

Name _____ Title _____

Mailing Address _____

City, State, Zip _____

Daytime contact phone number _____

Email _____

8. Will the permit be used to operate two or more restaurants or other businesses under the same permit as permitted by T.C.A. Section 57-5-103(a)(4) within the same building? Yes ____ No ____.

If so, specify number ____. List the names of the restaurants or other businesses and describe their location (use additional sheet if necessary)

_____

9. Do you own the premises on which you will operate? No.
If no, please give the name and address of the property owner.

10. Has any person having at least 5% ownership interest, managers or employees of the business been convicted of any violation of beer or alcoholic beverage laws or any crime (other than minor traffic violations) within last ten (10) years? No If so, give particulars of each charge, court and date convicted.

11. Has this owner or the owners organization had a beer permit revoked, suspended, or denied in the State of Tennessee? Yes ___ No ✓ If so, please give date, place and cause of said revocation.

12. Give the name and address of the former beer permittee at this establishment.

N/A

13. Give applicant's history of involvement in the beer business, if any.

Restaurant only

14. Give applicant's employment record for the past 10 years.

Full Service Restaurant for over 35 years

15. What is the exact nature of the business in which you are applying for a beer permit? (Restaurant, tavern, motel, etc.)

Full Service Restaurant

16. Will a full course menu be served? Yes

17. Will separate and sanitary facilities be maintained for men and for women? Yes

18. Will dancing be allowed on your premises? NO
If yes, do you acknowledge that section 9-102 of the Franklin Municipal Code prohibits the operation of establishments allowing dancing between 1:30 AM and 8:00 AM? _____

TRAINING POLICY:
All beer applications must have a training policy submitted with application. This policy must include training regarding the sale of beer to minors.

19. Please read the following and upon signature of this application, you do understand and agree to comply if you are granted a permit.

(a) You will not sell beer or similar beverages except at the place or places for which the beer board has issued your permit.
(b) You will not sell beer or any like beverage except in accordance with the terms of said permit.
(c) If this application is made for permit to sell and not for consumption on the premises, you will not sell for consumption on the premises and not allow consumption on the premises.
(d) You will rigidly enforce the law against sales to minors.
(e) You will prohibit gambling at your establishment and understand that the conduct of such activities on the premises will result in revocation of your permit.
(f) You will secure a certificate or statement from the health department or health officer that the premises covered by the application meet the requirements of the ordinances of the City of Franklin and the laws of the State of Tennessee.
(g) You will not attempt to transfer this permit to anyone else.
(h) You will display this permit in a prominent place in your establishment.
(i) You will not sell or distribute beer between the hours of 3:00 AM and 6:00 AM (8:00 AM for on premises consumption) during the week and between the hours of 3:00 AM Sunday and 12:00 Noon Sunday (10:00 AM for on premises consumption).
(j) You will prohibit the congregation at your establishment of those who reasonably appear to be intoxicated, lawless, rowdy, or prostitutes.
(k) You will not allow any liquor with alcoholic content of greater than five percent (5%) to be consumed on the premises.

(l) You will not allow any sale or delivery of beer for consumption on the premises outside of the building, it being the intention to prohibit the sale of beer by what is commonly known as "curb service" or "curb sales" of beer.

(m) You will comply with all requirements of section 2-201 through 2-229 of the municipal code of the City of Franklin.

A non-refundable $250 fee must accompany this application and the application shall be submitted at least fifteen (15) days prior to the Beer Board meeting at which it is to be considered. If the application is approved you are required to provide documentation of sales tax registration to the city within ten days of approval. Any applicant making false statement in this application shall forfeit his permit and shall not be eligible to receive any permit for a period of ten years.

A privilege tax of $100 is imposed on the business of selling, distributing, storing or manufacturing beer in this state effective January 1, 1994 and each successive January 1. Any holder of a beer permit issued after January 1, 1994 shall pay a pro rata portion of this annual tax when the permit is issued.

I hereby make application to the City of Franklin Beer Board for a beer permit.

The signing of this application acknowledges that I am aware of the laws prohibiting the sale of beer to minors.

I hereby certify that no person having at least a 5% ownership interest, nor any person to be employed in the distribution or sale of beer in my establishment has been convicted of any violation of the beer or alcoholic beverage laws or any crime involving moral turpitude within the past 10 years.

I am also aware that I shall not be issued a permit or my permit shall be revoked if my business location causes traffic congestion or interferes with schools, churches, or other public places of public gathering, or otherwise interferes with public health, safety and morals.

Signature of Applicant/Owner (or Authorized Corporate Officer)

On behalf of: California Pizza Kitchen, Inc.
Name of Business Entity

Sworn to and subscribed before me this 1st day of October, 2018

CHRISTOPHER MICHAEL BROOKS
Commission # 2127042
Notary Public - California
Los Angeles County
My Comm. Expires Sep 18, 2019

Notary Public

My Commission Expires: 9-18-19

Official Use Only

Application Fee $ 250.00 Date Paid 10-2-18

Privilege Tax $ 25.00 Date Paid 10-2-18

Board Meeting Date 11, 13, 18

Alcohol Awareness Workbook

Why do we focus on responsible alcohol sales?

As a server at California Pizza Kitchen, satisfying the needs of your guests and showing that you genuinely care are among your most important job duties.

This concern for the well being of our guests must also extend to the service of alcoholic beverages. Alcohol abuse and its toll on society are frightening.

Drunk drivers are responsible for approximately half of all the driving fatalities in the U.S. each year. Alcohol is also implicated in up to 70% of all drowning deaths and in about 30% of all suicides.

Americans are also becoming increasingly concerned about alcohol-related traffic accidents.

Each day more than 70 citizens are killed in driving accidents in which alcohol is a factor. In addition, the leading cause of death for young people between the ages of 16 and 24 is alcohol-related traffic accidents. More than 40% of all deaths in this age category are caused by accidents in which alcohol was a factor.

The hospitality industry is concerned about this issue.

In the United States, it is a *privilege* to hold a liquor license. Along with this privilege, the licensee assumes many responsibilities. One step toward fulfilling those responsibilities is to develop and practice procedures for monitoring the service of alcohol. We want you to be aware of the policies and laws so you may successfully serve your guests.

We designed this workbook to provide you with a working knowledge of Alcohol Service. By the time you have completed this workbook you will be able to answer a number of important questions:

- **Who is responsible when serving alcohol?**
- **How do I avoid an Illegal sale to a minor?**
- **How do I recognize, monitor and deal with intoxicated guests?**
- **Do we have a "Designated Driver Program"?**

When you feel comfortable about your role in creating a safe environment for our guests, we'll ask you to sign the CPK "Alcohol Beverage Policy Contract." You will not be able to work a shift until you sign this agreement, so pay attention as you read and complete this workbook. And ask questions: we want to make sure you feel comfortable and confident when selling alcoholic beverages.

Who is responsible if someone gets hurt?

A Case Study

Joni is a server at Carey's Irish Pub & Grill. Joe is a regular guest who comes into Carey's at least twice a week. Joe usually has "a couple of drinks." Tonight, Joe seems a little unsteady. Joni asks if he's OK and Joe responds positively. Joni doesn't push it, after all, Joe is a good tipper and a regular. It was probably just her imagination. Throughout the next hour, Joe orders one more drink and Joni serves it. She notices him fumbling a little with his coat as he's leaving. She asks again if he is OK: he replies "yes." Joni tells him to be careful driving home.

On his way home Joe hits little Billy, a neighborhood boy crossing the street. The boy is killed, and so is Joe. Since the little boy's parents are grief stricken and can't sue Joe, they decide to sue the owner of Carey's. Third party liability allows them to do this because it was the last place he stopped before heading home. They also decide to sue the manager on duty that night. But they don't stop there: they decide to go after 18 year old Joni! In fact, they want to press charges for involuntary manslaughter, a charge that carries a mandatory 5-10 year jail sentence if convicted.

Give your own opinion on the following questions:

1. Was Joe intoxicated when he entered Carey's pub? Why or why not?

_____

_____

_____

2. Who is really responsible for little Billy's death?

_____

_____

3. Do Billy's parents have a good case against Carey's? Why or why not?

_____

_____

_____

4. Could they really convict Joni of involuntary manslaughter?

_____

_____

5. What could Joni have done differently in regard to her alcohol service with Joe?

_____

_____

_____

Answers

1. There is no way to know for certain if Joe was intoxicated without checking his blood alcohol level, but his behavioral signs indicated he may have been.

2. Everyone named in the lawsuit is legally responsible: Carey's owner, the manager on duty, and the person who served the drinks. Their degree of responsibility varies from state to state.

3. With the limited facts, it does seem Billy's parents have a good case. It appears Joe was already intoxicated and was served anyway. The manager was not informed and Joe was allowed to leave and get behind a wheel after he did show behavioral warning signs of intoxication.

4. In some states the person serving alcohol to an already intoxicated individual who later injures or kills someone due to his/her drunkenness may be held as an accessory to the incident. In all states, such incidents are met with extremely high fines that range from $500 - $5,000 dollars.

5. Joni could have done many things:
   a) Observed Joe longer before serving him.
   b) Informed a manager immediately.
   c) Asked Joe if he had already been at another bar or restaurant.
   d) Refused to serve him.
   e) Logged the incident in the restaurant logbook.
   f) Called him a cab.

We'll discuss these choices further in the upcoming pages.

The bottom line is that *when you serve alcohol to a guest you are taking on a legal responsibility.* This is why it is important to understand what your responsibilities are before you serve an alcoholic beverage.

What's considered an Illegal Sale?

There are two types of alcoholic beverage sales that are usually considered to be illegal:

- Sales to minors.
- Sales to individuals who appear to already be intoxicated.

How do I avoid an Illegal sale to a minor?

Understand your location's legal age requirements

It is unlawful to serve alcoholic beverages to any person who is not of legal age. Age requirements vary throughout our worldwide locations, and range from 18 to 21 years old. Depending on the location, violations may result in arrests, suspension, and/or revocation of a liquor license. In most states, separate from any action against CPK, a criminal prosecution against the server is brought, and if convicted, a permanent record is created against that person.

You are required to verify legal age by checking any of the following proper identifications:

- State issued picture driver's license
- State issued picture I.D. card
- Military picture I.D. card
- Foreign Government issued picture I.D.
- Passport

Some government agencies mark the license of minor drivers with some identifying characteristic. These may include a different color photograph background, a profile photograph, or the words "Minor," "Provisional," or "Under 21" printed on the license.

There are serious fines and restrictions enforced by the State Liquor Control authorities when it is determined that a minor has been served liquor.

Be sure to check with your management for the details of your state's fines.

Know what to look for

If a guest appears *under the age of thirty,* it is your legal responsibility to check his/her I.D. Be very polite when asking to verify a guest's age:

"May I please see some identification? Perhaps a state issued drivers license?"

Always hold I.D.'s in your hand when checking them. Feel for uneven surfaces and alterations.

Legal I.D.'s must have the following:

- A birth date that indicates that the person is of age.
- A recognizable picture
- A current expiration date (not expired)
- An indication that the I.D. has been issued by a government agency

Know how to spot a fake

- Look for tampering—altered photos, dates, etc.
- Check for miss-matched typing.
- Make sure there is some indication of government agency involvement—a seal or hologram.

If you do get a false I.D., politely excuse yourself and speak to the manager on duty.

Remember, no matter how insistent guests are about their age, if they appear under the age of thirty you must check their legal I.D. If a guest becomes offended, explain politely that it's the law and always invite him/her to speak directly with a manager. It's your job to be safe rather than sorry.

Know your states take on Non-Alcoholic Beverages
Can I serve non-alcoholic beers to minors?

In some states yes; in some, no. Check with your manager and/or local Alcoholic Beverage Commission to see what your state's policy is.

Non-Alcoholic beers are defined as beverages that contain 1% or less alcohol by volume.

Have I been paying attention?

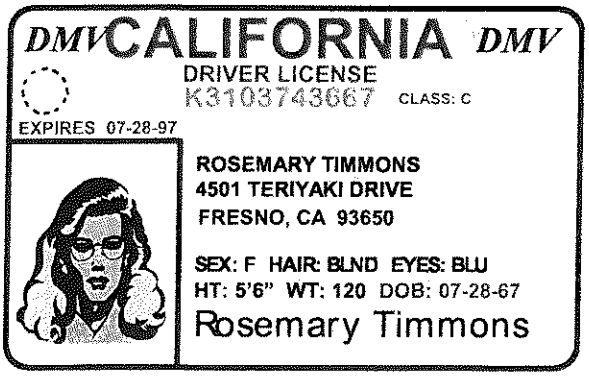
1. What is your local state fine for serving alcohol to a minor? _____ _____ (Hint: ask your manager!)

2. What are the two types of alcoholic beverage sales considered to be illegal?

   a) _____

   b) _____

3. Circle the five proper identifications that CPK accepts to verify legal age requirements:
   - Driver's license
   - Driver's permit
   - State-issued picture driver's license
   - State-issued picture I.D. card
   - Birth certificate
   - Social Security Card
   - Military Picture I.D. Card
   - Passport
   - Foreign government-issued picture I.D.
   - College I.D. card



4. Using the I.D. picture above, draw lines to identify the items a legal I.D. must have. Write on each line what it is.

5. A young man and his girlfriend are sitting in your section, both appear to be in their late twenties. They order alcoholic beverages and you ask to see their I.D.'s. The young woman produces an I.D., which you see is legal, but the young man says he has forgotten his I.D.

a) How do you respond?

_____

_____

_____

b) The young man becomes more insistent. He swears he is of age, and if you don't bring him a drink he won't be tipping you. How would you respond?

_____

_____

_____

6. Circle One

Can non-alcoholic beer be sold to minors? Yes No

What defines a "Non-alcoholic beer?"

_____

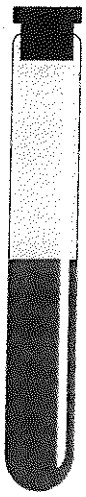
_____

_____

How do I know when a person has had too much?

Understand B.A.C. (Blood Alcohol Concentration)

In addition to prohibiting sales to minors, it is illegal to serve an alcoholic beverage to an apparently intoxicated person. If you feel a guest is intoxicated before you've served him/her, inform a manager on duty.



Blood Alcohol Concentration (or BAC) is the "Legal" specification for defining intoxication.

Most states classify a person as legally intoxicated when the alcohol concentration in their blood reaches a specified level of 0.08 grams of alcohol per 100 milliliters of blood or higher.

How do you know if your guest's BAC is .05 or 0.10? You don't. To judge a guest's intoxication level, you must rely on behavioral cues that indicate visible intoxication.

Time is also an important factor. Two or three drinks consumed over a two-hour period may not pose the same concern as that same number of drinks over a one-hour period. But, once again, these are only approximations. You must use your judgment and follow the procedures established by CPK.

How many drinks can a person be served before becoming intoxicated? There is no precise answer to this question because so many factors may influence the effects of alcohol. All other factors being equal, the heavier the guest, the lower the B.A.C.; the smaller the person, the higher the B.A.C. The chart on the previous page illustrates this concept.

KNOW YOUR LIMITS

CHART FOR RESPONSIBLE PEOPLE WHO MAY SOMETIMES DRIVE AFTER DRINKING!

APPROXIMATE BLOOD ALCOHOL CONTENT

BODY WEIGHT IN POUNDS

DRINKS	1	2	3	4	5	6	7	8
100	.04	.09	.13	.18	.22	.26	.31	.35
120	.04	.07	.11	.15	.18	.22	.26	.29
140	.03	.06	.09	.13	.16	.19	.22	.25
160	.03	.06	.08	.11	.14	.17	.19	.22
180	.02	.05	.07	.10	.12	.15	.17	.20
200	.02	.04	.07	.09	.11	.13	.15	.18
220	.02	.04	.06	.08	.10	.12	.14	.16
240	.02	.04	.06	.07	.09	.11	.13	.15
	INFLUENCED RARELY		POSSIBILITY			DEFINITELY		

One drink is 1 1/4 oz. of 80-proof liquor, 12 oz. of beer, or 4 oz of table wine.

THE SUREST POLICY IS...
DON'T DRIVE AFTER DRINKING

The type of drink doesn't matter. The alcohol content is equal. One beer, one glass of wine, or one shot: it's all the same—11/4 oz. of alcohol.

Know the physical and behavioral signs of inebriation

You know that it is illegal to serve alcohol to an intoxicated person. You also know that most laws define an intoxicated person in terms of a specific blood-alcohol concentration. What you need to know now is how to become a responsible server by recognizing the visible and obvious behavioral signs of intoxication.

Some of the physical and behavioral signs of inebriation include:

- slurred speech
- drooping eyelids, unfocused vision
- uncontrolled movement
- loud or offensive conduct
- relaxed inhibitions
- impaired judgment
- slowed reactions
- decrease coordination

If you are confronted with an intoxicated guest, **inform a manager immediately.**

How do I deal with an intoxicated guest?

Know the Seven Steps to Dealing With An Intoxicated Guest

Despite all of your efforts, a guest may move into the RED zone and should not be served additional alcohol. Since "cutting a person off" is a difficult and sometimes unpleasant task, it is important that you are certain your guest should not be served another drink. Don't make this decision on your own: ask another server, bartender, or your manager to observe the guest. If both of you agree, discuss your options for stopping alcohol service with your manager.

If you decide to cut someone off, use these steps:

1. **Remove alcohol.** Remove alcohol from the sight and reach of the intoxicated guest.
2. **Be non-judgmental.** Never say, "You're Drunk." Don't appear as if you are blaming the guest. Be courteous:
   "We care about your safety."
   "We want you to get home safely."
   "You and I didn't make the rules, but we're stuck with them."
   "I'm sorry, but if I served you another drink, I could be fined."
   "I'm sorry, but I've served you all I can."
   "I've served you as much as the manager will let me."
   "The local police are cracking down, and I can't serve you another drink."
3. **Be firm.** Once you've decided to "cut-off" a guest, he/she should be cut off! Don't bargain, and don't get drawn into explanations, defenses, or arguments. It's best to make the statement and then walk away.
4. **Alert a backup.** Even if you feel completely comfortable about cutting someone off, be sure that another person knows what's happening. You never know what could happen, and you may need a witness later.
5. **Keep a personal record.** If an incident does arise involving an intoxicated guest, have the manager record the information. Review the forms and procedures used by CPK with your manager.
6. **Do not be intimidated.** If you are harassed, the manager may ask this guest to leave. We reserve the right to refuse service to anyone.
7. **Call a taxicab.** Discuss this option with the manager; each location has a listing of local taxicabs available.

Remember if you're uncomfortable making a determination regarding your guests, you should
always **contact your manager immediately.**

Exercise #6- Dealing with Intoxicated Guests

A) Fill in the blanks:

When dealing with an intoxicated guest you should:

1. _____ alcohol from the sight and _____ of the guest.

2. Don't appear as if you are _____ the guest.

3. Once you've decided to _____ _____ a guest he should be

   _____.

4. Alert a _____.

5. Keep a personal _____ of what you have done. Notify a _____ and suggest they do the same.

6. Do not allow a guest to _____ you.

<u>Bonus Question:</u>

What should you do if you're uncomfortable with a guest's response to you, or you're uncertain of how to handle a situation?

_____

Do we have a designated driver program?

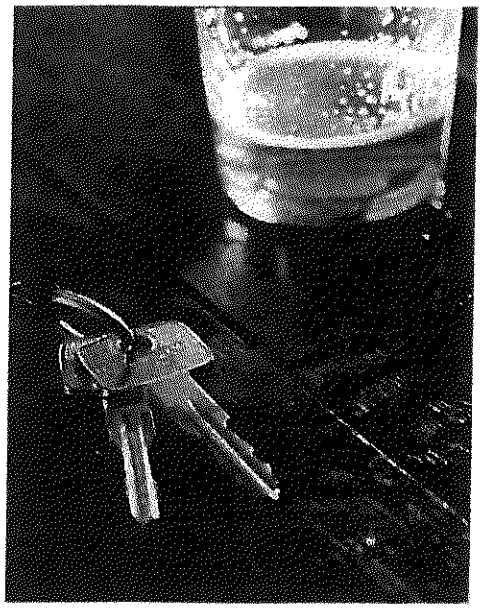
California Pizza Kitchen supports and participates in the Designated Driver Program. We believe that it is in everyone's best interest to keep our guests and our roads safe.

The details for the program follow:

- To participate in the program, your guest must inform you that he/she is the "Designated Driver."
- You should inform the manager on duty which guest is the "Designated Driver."
- The "Designated Driver" will receive free sodas from the gun, coffee, iced coffee, hot tea, iced tea or lemonade.
- Bottled beverages and espresso drinks are not included in this offer.

The free drinks should be entered on the guest check and then adjusted by a manager.

If the Designated Driver decides to have an alcoholic beverage with his/her meal, any free beverages already given should be charged to the bill.



Alcohol Awareness Contract

California Pizza Kitchen is committed to the responsible service of alcoholic beverages to our guests. We are also committed to actions that will help reduce drunk driving. Accordingly, all employees are required to follow the procedures listed below:

1. No employees will serve an alcoholic beverage to any person less than 21 years of age or to any person who is visibly intoxicated.
2. In order to be served an alcoholic beverage, any guest who appears to be under 30 years* of age is required to present documentation to validate their age is at least 21 years old. Acceptable documentation is a driver's license with photo or photo identification issued by a governmental agency.
   a. The employee will check the identification to ascertain that it is authentic. The manager should be informed if there is any appearance of forgery or tampering.
   b. In the absence of authentic identification, or in case of doubt, the employee will refuse service of alcoholic beverages to the guest.**

   *** SCHAUMBURG, IL LOCATION ONLY** requires guests who appear under 40 years of age to present documentation to validate their age is at least 21 years old.

   **** SCHAUMBURG, IL LOCATION ONLY** In the absence of authentic identification, or in case of doubt, the employee should ask for a second form of identification. The first must be a valid government issued ID. The second can be anything with the guest's name on it (e.g., credit card, library card, etc.). In the absence of authentic identification, or in case of doubt, the employee will refuse service of alcoholic beverages to the guest.
3. It is the employee's responsibility to notify a manager immediately when a guest shows visible signs of intoxication. The manager will then inform the guest that further service of alcoholic beverages is no longer legal and suggest alternative refreshments.
4. Any guest showing visible signs of intoxication will be urged to use the alternative transportation provided by the establishment. If, after strong urging, he or she refuses, a reasonable attempt should be made to obtain the keys to his or her car.
5. If, despite these efforts, the intoxicated guest leaves in his or her car, the license plate number should be noted and the appropriate law enforcement officials should be notified.
6. After refusing service to any patron, employees will note the appearance and clothing of the individual involved. A form will then be obtained from the manager, filled out and filed in the logbook.
7. All drinks will be measured according to restaurant policy.
8. No employee will serve more than one drink to a guest at one time.
9. No employee will serve several drinks to a guest during a short interval.
10. All employees who serve alcoholic beverages will participate in a designated alcohol awareness training program when beginning employment at California Pizza Kitchen.

I have completed the Alcohol Awareness workbook and read this policy statement. I understand what is required in regard to responsible alcoholic beverages service and promise to follow these rules.

Employee Name (Printed)	Employee Signature
ADP #	Date

Please remove this contract and turn it into your manager who will place it in your personnel file.