



**Spokane Park Board
Riverfront Park Committee**

4pm p.m. Monday, June 5, 2023
Pavilion Conference Room/WebEx virtual meeting
Dial in: 408-418-9388
Access code: 2485 374 1985
Jonathan Moog – Riverfront Park Director

Committee members:

Gerry Sperling – Chair
Christina VerHeul
Hannah Kitz
Kevin Brownlee

The Riverfront Park Committee meeting will be held in the Pavilion Conference Room with virtual access via WebEx teleconferencing at 4 p.m. Monday, June 5. The public will be able to listen to the meeting by calling 408-418-9388 and entering the access code 2485 374 1985, when prompted.

Written public comment may be submitted via email or mail. Comments must be received no later than noon on June 5 by email to spokaneparks@spokanecity.org or mail to: Spokane Park Board, 5th floor City Hall, 808 West Spokane Falls Blvd., Spokane, Washington 99201. Submitted public comments will be presented to committee members prior to the meeting.

Agenda

Call to order

Public comment

Action items

- A. [Levy Premium Foodservice contract amendment / Spokane Pavilion concessions and park-wide catering services](#) – Amy Lindsey

Discussion items

- A. King Cole Commemoration Project Update – Steve Corker/Jonathan Moog
- B. 2024 Budget Priorities – Jonathan Moog

Standing Report items

- A. May 2023 Operations Report – Jonathan Moog

AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION: The City of Spokane is committed to providing equal access to its facilities, programs and services for persons with disabilities. Individuals requesting reasonable accommodations or further information may call, write, or email Human Resources at 509.625.6383, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or dmoos@spokanecity.org. Persons who are deaf or hard of hearing may contact Human Resources through the Washington Relay Service at 7-1-1. Please contact us forty-eight (48) hours before the meeting date.

Spokane Park Board

Briefing Paper



Committee	Riverfront Park Committee	Committee meeting date: June 5, 2023
Requester	Amy Lindsey	Phone number: 509-209-6956
Type of agenda item	<input type="radio"/> Consent <input type="radio"/> Discussion <input type="radio"/> Information <input checked="" type="radio"/> Action	
Type of contract/agreement	<input checked="" type="radio"/> New <input type="radio"/> Renewal/ext. <input type="radio"/> Lease <input type="radio"/> Amendment/change order <input type="radio"/> Other	
City Clerks file (OPR or policy #)		
Master Plan Goal, Objective, Strategy (Click HERE for link to adopted plan)	Revenue sources and funding	Master Plan Priority Tier: Partnerships (pg. 171-175)
Item title: (Use exact language noted on the agenda)	Levy Premium Foodservice contract / Spokane Pavilion concessions	
Begin/end dates	Begins: 05/11/2023	Ends: 12/31/2027 <input type="checkbox"/> 06/01/2525
Background/history: The Washington State Liquor and Cannabis Board (WSLCB) has requested additional language in the Levy-Parks concession agreement and park catering agreement regarding alcohol service at the Spokane Pavilion. The additional language would allow subcontractors to serve alcohol for catered events using Levy's Sports and Entertainment Liquor license.		
Motion wording: Move to approve a the first amendemnt for Levy Premium Foodservice contract for Spokane Pavilion concession services.		
Approvals/signatures outside Parks: <input checked="" type="radio"/> Yes <input type="radio"/> No If so, who/what department, agency or company: Levy Premium Foodservice Name: Rob Ellis Email address: rellis@levyrestaurants.com Phone: 404-456-8456		
Distribution: jmoog@spokanecity.org Parks – Accounting Parks – Sarah Deatrich Requester: Amy Lindsey Grant Management Department/Name:		
Fiscal impact: <input type="radio"/> Expenditure <input checked="" type="radio"/> Revenue Amount: \$800,000 Budget code: 1400-54354-76901-36282		
Vendor: <input type="radio"/> Existing vendor <input checked="" type="radio"/> New vendor Supporting documents: <input checked="" type="checkbox"/> Quotes/solicitation (RFP, RFQ, RFB) <input checked="" type="checkbox"/> W-9 (for new contractors/consultants/vendors) <input type="checkbox"/> Contractor is on the City's A&E Roster - City of Spokane <input checked="" type="checkbox"/> ACH Forms (for new contractors/consultants/vendors) <input checked="" type="checkbox"/> UBI: 602-587-692 Business license expiration date: 4/30/24 <input checked="" type="checkbox"/> Insurance Certificate (min. \$1 million in General Liability)		

FIRST AMENDMENT TO REVENUE AGREEMENT

THIS FIRST AMENDMENT TO REVENUE AGREEMENT (this “**Amendment**”) is effective as of _____, 2023 (the “**Effective Date**”), between the City of Spokane, a Washington State municipal corporation (“**City**”), and Levy Premium Foodservice Limited Partnership (“**Contractor**”).

RECITALS

A. City and Contractor entered into that certain Revenue Agreement effective as of May 11, 2023 (the “**Agreement**”). Capitalized terms used but not defined in this Agreement shall have the meaning set forth in the Agreement.

B. City and Contractor desire to modify the terms of the Agreement pursuant to the terms and conditions of this Amendment.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual promises of the parties and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Section 6(B)(1) of the Agreement is amended to read as follows:

“Contractor will, at its discretion, engage a third party (“Third-Party”) to provide services for certain private catered events held at the Pavilion and that all alcohol for such events will be provided by Contractor and sold under Contractor’s liquor license **and served by Contractor’s employees and independently contracted staff acting under Contractor’s direction.**”

2. Section 7 of the Agreement is amended to read as follows:

“The City shall have thirteen (13) event days per year for non-exclusive concessionaire use (blackout days) at the Spokane Pavilion in which City or City-approved event organizer may select alternative vendors; food and beverage service providers to include alcohol sales and service as allowed by the Washington State Liquor and Cannabis Board. **For the avoidance of doubt, alternative vendors selected by the City or City-approved event organizer to sell or serve alcohol on blackout days will only be permitted to operate (1) under an approved Special Occasion License or Banquet Permit and no other liquor license or permit, and (2) only while Contractor is not serving alcohol.** For the avoidance of doubt, the provision of food and beverage services for park events in which an organization or individual rents and outdoor venue for a public community event, or City produced event, is outside the scope of this Agreement. Park event organizer may select alternative food and beverage service providers provided that the event does not take place at the Spokane Pavilion.”

3. No Further Modification. Except as expressly amended by this Amendment, all of the terms, conditions, covenants and agreements in the Agreement shall remain in full force and effect. In the event of any conflict between the provisions of the Agreement and the provisions of this Amendment, the provisions of this Amendment shall govern and control.

4. Counterparts. This Amendment may be executed in any number of counterparts, each of which shall constitute an original, but all of which together shall constitute a single instrument. Execution of this Amendment may be by manual signature, scanned copy of a manual signature, electronic signature, or any other electronic means authorized by law.

[signatures appear on the following pages]

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the Effective Date.

CITY:

CITY OF SPOKANE

By: _____
Name: Garrett Jones
Title: Director, Parks and Recreation

CONTRACTOR:

LEVY PREMIUM FOODSERVICE LIMITED PARTNERSHIP

By: _____
Name: Rob Ellis
Title: President