



**CITY OF SPOKANE PARK BOARD
RIVERFRONT PARK COMMITTEE**

4 p.m. Monday, June 5, 2023
Pavilion Conference Room/WebEx teleconferencing
Jonathan Moog – Riverfront Park Director

Committee Members:

X Gerry Sperling – Chair
X Kevin Brownlee
Hannah Kitz – Absent/Excused
Christina VerHeul – Absent/Excused

Park Board:

Bob Anderson
Jennifer Ogden

Parks Staff:

Fianna Dickson
Amy Lindsey
Rhett McCall
Jonathan Moog

Guests:

Steve Corker
Cole Taylor
Hal McGlathery
Bill Youngs

Summary

- The following item was approved for recommendation to the Park Board:
 - Levy Premium Foodservice contract amendment / Spokane Pavilion concessions and park-wide catering services
- King Cole Commemoration Project Update was presented as a discussion item by Steve Corker/Jonathan Moog
- 2024 Budget Priorities was presented as a discussion item by Jonathan Moog
- May 2023 operations report was presented by Jonathan Moog

The next regularly scheduled Riverfront Park Committee meeting is set for 4 p.m. July 10, 2023, in the Pavilion conference room, Riverfront Park, and virtually via WebEx.

Minutes

The meeting was called to order at 4:04 p.m. by committee chair Gerry Sperling.

Christina VerHeul and Hannah Kitz were marked as Absent/Excused and Gerry appointed Bob Anderson and Jennifer Ogden to fill in as voting members for today's meeting.

Public comment: None

Action Items:

- A. [Levy Premium Foodservice contract amendment / Spokane Pavilion concessions and park-wide catering services](#) – *Amy Lindsey* presented. The State Liquor Board has asked for two sentences to be added to the Levy concessionaire agreement. The first specifies that Levy staff or their subcontractors would be the ones serving alcohol. The second specifies that during blackout dates event organizers would have the ability to secure their own alcohol vendors under a special occasion license. This is not a change from existing practices, it simply adds the language to the contract so that it is established in writing.
- **Motion #1** – Gerry Sperling moved to recommend the Levy Premium Foodservice contract amendment / Spokane Pavilion concessions and park-wide catering services

Kevin Brownlee seconded.

The motion passed with unanimously (4-0 vote). It is proposed to place this as a consent item on the agenda for the June 8 Park Board meeting.

Discussion Items:

- A. King Cole Commemoration Project Update – *Steve Corker and Jonathan Moog* presented. Steve Corker provided a brief background of the purpose and process of the KCCP Committee over the past several years. A request for proposals for artists was issued and several proposals were submitted. The KCCP Committee has selected one of the proposals and is seeking insight from the RFP Committee members on their perspective of the selected proposal and the best steps to move forward. Cole Taylor and Bill Youngs, both members of the KCCP Committee, shared their perspective on the selected proposal. Members of the RFP Committee each provided their feedback on the selected proposal for the KCCP Committee to consider as they move forward.
- B. 2024 Budget Priorities – *Jonathan Moog* presented. Priorities for 2024 include: 1) Cost recovery, 2) 50th celebration of Expo, 3) Continuity of SkyRide operations, 4) Emphasis on Park safety, 5) Support Park partners, 6) Park beatification, 7) Marketing, and 8) Program improvement and reliability.

Standing Report Items:

- A. May 2023 Operations Report –*Jonathan Moog* presented. Highlights included: 1) a recap of the first concert of the season, success, and room for growth, 2) the Riverfront Eats program launched one month early this year and has been well attended, 3) Riverfront Moves, the free and open to the public fitness program has kicked off with a full summer schedule, 4), the kickoff breakfast for Bike to Work week was held at the North Bank Shelter, and 5) Spokane Living Magazine highlighted the Story Time at the Carrousel program in the latest issue.

Adjournment: The meeting was adjourned at 5:41 p.m.

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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