



**Spokane Park Board
Riverfront Park Committee**

4pm p.m. Monday, February 10, 2025
Pavilion Conference Room/WebEx virtual meeting
Dial in: 408-418-9388
Access code: 2492 000 4395
Jonathan Moog – Riverfront Park Director

Committee members:

Gerry Sperling – Chair
Bob Anderson
Kevin Brownlee
Hannah Kitz

The Riverfront Park Committee meeting will be held in-person at the Pavilion Conference Room and virtually via WebEx at 4 p.m. on Monday, February 10, 2025. Committee members, staff, and presenters still have the option to participate virtually via WebEx during all meetings.

The public may listen to the meeting by calling 408-418-9388 and entering access code 2492 000 4395, when prompted.

Written public comment may be submitted via email or mail. Comments must be received no later than noon on February 10, 2025 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](#) – Amy Lindsey

Standing Report items

- A. January 2025 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 Risk Management at 509.625.6221, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or mlovmaster@spokanecity.org. Persons who are deaf or hard of hearing may contact Risk Management 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: February 10, 2025
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 type="radio"/> New <input type="radio"/> Renewal/ext. <input type="radio"/> Lease <input checked="" type="radio"/> Amendment/change order <input type="radio"/> Other	
City Clerks file (OPR or policy #)	OPR 2023-0551	
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 Amendment	
Begin/end dates	Begins: 05/11/2023	Ends: 12/31/2027 <input type="checkbox"/> 06/01/2525
Background/history: Levy Premium Foodservice provides concessionaire services for Pavilion Concerts. In support of these services Levy may subcontract with local caterers. The second contract amendment corrects the name of the U.S. Bureau of Labor Statistics Consumer Price Index report used to calculate the annual management fee adjustment, establishes a \$50,000 annual cap on administrative fees paid by the City to a third party, and outlines the contractor's 20% share of gross receipts collected by the third party for catering services.		
Motion wording: Approve a second amendment for Levy Premium Foodservice contract for park-wide 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: 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)		



CITY OF SPOKANE
PARKS AND RECREATION

REVENUE AGREEMENT AMENDMENT

Title: **EXCLUSIVE & NON-EXCLUSIVE
CONCESSIONAIRE & CATERING SERVICES
FOR CITY OF SPOKANE'S RIVERFRONT PARK**

This Contract Amendment is made and entered into by and between the **CITY OF SPOKANE PARKS AND RECREATION** as ("City"), a Washington municipal corporation, and **LEVY PREMIUM FOODSERVICE LIMITED PARTNERSHIP**, whose address is 980 N Michigan Avenue, Suite 400, Chicago, IL, 60611 as ("Contractor"), individually hereafter referenced as a "party", and together as the "parties".

WHEREAS, the parties entered into an Agreement where the City will receive Concessionaire & Catering Services in and for its Riverfront Park; and

WHEREAS, a change to the agreement is needed, thus, the original Contract needs to be formally Amended by this written document; and

NOW, THEREFORE, in consideration of these terms, the parties mutually agree as follows:

1. CONTRACT DOCUMENTS.

The Contract, dated May 22, 2023, and first amended June 9, 2023, any previous amendments, addendums and / or extensions / renewals thereto, are incorporated by reference into this document as though written in full and shall remain in full force and effect except as provided herein.

2. EFFECTIVE DATE.

This Contract Amendment shall become effective upon the signature of the Parties and shall run through the Term set forth in Section 1 of the Agreement.

3. AMENDMENTS

a. The last sentence of Section 4(a) of the Agreement is amended to read as follows:

... The Management Fee shall increase annually by the increase in the U.S. Bureau of Labor Statistics, Consumer Price Index West Region (CPI-W) Class B/C(1) Cities, Urban Workers for the preceding 12-month period.

b. A new Section 5(b)(P) of the Agreement is amended and restated to read as follows:

“(P) Administrative fees paid by the City to the Third-Party engaged under Section 6(b)(1) of this Agreement, which shall not exceed Fifty Thousand Dollars (\$50,000) per Contract Year.”

c. A new Section 6(B)(1)(a) shall be added to the Agreement as follows:

“a. The Contractor shall be entitled to Twenty Percent (20%) of the total gross receipts, less any applicable sales tax, collected by the Third-Party for the services performed under this Section 6(B). This amount shall be included in Gross Receipts. If the Third-Party ceases providing services under this Section 6(B) for any reason, and Contractor desires to engage a new third party subcontractor to provide the same or substantially similar services, the parties shall meet in good faith to mutually agree upon the fees for such replacement third party subcontractor, including administrative fees.”

IN WITNESS WHEREOF, in consideration of the terms, conditions and covenants contained, or attached and incorporated and made a part, the parties have executed this Contract Amendment by having legally binding representatives affix their signatures below.

**LEVY PREMIUM FOODSERVICE
LIMITED PARTNERSHIP**

**CITY OF SPOKANE
PARKS AND RECREATION**

By _____
Signature Date

By _____
Signature Date

Robert Ellis
Type or Print Name

Type or Print Name

President of its General Partner
Title

Title

Attest:

Approved as to form:

City Clerk

Assistant City Attorney