

# CITY OF SPOKANE PARK BOARD RIVERFRONT PARK COMMITTEE

4 p.m. Monday, November 8, 2021 WebEx teleconferencing meeting Jonathan Moog – Riverfront Park Director

**Committee Members:** 

X Nick Sumner – Chair X Gerry Sperling X Hannah Kitz X Kevin Brownlee Park Board:

Jennifer Ogden

Guests:

Chris Wright

Parks Staff:

Fianna Dickson

Berry Ellison

Garrett Jones

Amy Lindsey Rhett McCall

Jonathan Moog

## **Summary**

- The committee passed the following recommendations for the Park Board's approval consideration:
  - King Cole Commemorative Project intent, scope, and schedule
  - Brett Sports & Entertainment consultant agreement (not to exceed \$20,000/annually for the life of the contract)
- The Riverfront Venue Grant Program was presented as an information item.
- The October 2021 operations report was presented.

The next regularly scheduled Riverfront Park Committee meeting is set for 4 p.m. Monday, Dec. 6, 2021.

## **Minutes**

The meeting was called to order at 4:01 p.m. by committee chair Nick Sumner.

Public comment: None

### **Action Items**:

- A. <u>King Cole Commemorative Project intent, scope, and schedule</u> *Berry Ellison* presented. The intent of the project is both recognize the vision and contribution of King Cole, and to commemorate the 50<sup>th</sup> anniversary of Expo '74 and the contributions of several other stakeholders. King Cole is currently recognized by the wooden bridge anchoring the southeast entrance to the Park by the Convention Center. The committee is proposing an expanded King Cole Way that would head north and west through the Park passing several existing markers from Expo '74. The proposal also includes an art piece that may be interactive, sculptural, kinetic, illuminated at night, or some combination of those elements creating an iconic gateway into Riverfront Park. The art piece is expected to be located on, or adjacent to, the existing wood bridge. The art piece will anchor the expanded King Cole Way which would incorporate an artistic wayfinding/interpretive signage treatment and/or elements that include acknowledgment of historic structures and key Expo '74 stakeholders. The proposed budget would not exceed \$225,000. The proposed timeline would have a request for qualifications released in December 2021, culminating in an unveiling in May 2024. Feedback included wanting to ensure the placement of any pieces do not conflict with programming in the Park and the possibility of the unveiling falling within the timeline of the 50<sup>th</sup> anniversary events that are currently being developed.
- <u>Motion #1</u> Nick Sumner moved to recommend the King Cole Commemorative Project intent, scope, and schedule be approved to submit to the Park Board.

Kevin Brownlee seconded.

The motion carried unanimously (4-0 vote).

The committee agreed to place this as a regular action item on the agenda at the Nov. 11 Park Board meeting.

- B. <u>Brett Sports & Entertainment consultant agreement (not to exceed \$20,000/annually for the life of the contract)</u> *Jonathan Moog* presented. City commenced an agreement with Brett Sports and Entertainment (BSE) in 2017 for sponsorship and promotional sales consulting. In the course of this agreement BSE secured a title sponsorship with Numerica and is entitled to twenty percent (20%) of the proceeds paid annually over 10 years. The term of the initial and subsequent renewals of BSE agreement have ended and the city is seeking a ratification of this agreement as a means to continue issuing annual commission payments. The proposal is an administrative closure to the agreements and links them for the auditors and legal team, and establishes a payment vehicle for the next eight payments.
  - Motion #2 Nick Sumner moved to recommend Brett Sports & Entertainment consultant agreement (not to exceed \$20,000/annually for the life of the contract) be approved to submit to the Park Board.

Gerry Sperling seconded.

The motion carried unanimously (4-0 vote).

The committee agreed to place this as a consent action item on the agenda at the Nov. 11 Park Board meeting.

### Informational items:

A. Riverfront Venue Grant Program – Amy Lindsey presented. Riverfront is launching a new venue grant program that provides venue rental waivers to community event organizers. The goal of the program is to support community-centric businesses, organizations and individuals seeking to produce free public events at Riverfront Park. Up to three (3) grantees will be eligible for up to \$10,000 per year in cumulative waived venue rental fees. The program was developed to encourage public events that support cultural initiatives and offer the community an informational, educational, or entertaining experience. Applications will be accepted from Dec. 1, 2021, to Feb. 1, 2022 and grantees notified no later than Feb. 15, 2022. The selection committee will be made up of five (5) members representing key stakeholder groups including Parks & Recreation, Downtown Spokane Partnership, City Council, Park Board, and the Spokane Parks Foundation. The current criteria include: 1) Is the event a new event to the Park; 2) Is the event free and open to the public; 3) Does the event promote cultural activities/awareness or highlight an underserved cultural group; 4) Does the event fill a void (not a duplicate of a current Park event); and 5) What is the potential reach.

## **Standing report items:**

A. October 2021 operations report – Jonathan Moog presented. Highlights included: 1) Fall Fest brought several performers and events this year; 2) Spo-Candy crawl brought kids to the Park over Halloween weekend to solve a riddle and earn a treat bag; 3) the Jerry Quinn recognition on Oct. 13; 4) the Theme Stream is flowing as repairs are complete; 5) the preparation for the ICE season is underway with a projected opening of Nov. 19 for passholders (weather permitting); 6) upcoming events including the Winter Market returning on the 10<sup>th</sup>, the ribbon cutting for the renovated Veteran's Memorial on the 11<sup>th</sup>, and the Numerica Tree Lighting on the 27<sup>th</sup>; and 7) the Holiday Tree Walk will return and the Park will be lit again this holiday season.

**<u>Adjournment:</u>** The meeting was adjourned at 4:48 p.m.

The next regularly scheduled Riverfront Park Committee meeting is set for 4 p.m. Monday, Dec. 6, 2021.

# Spokane Park Board Briefing Paper



Committee	Riverfront	
Committee meeting date	November 8, 2021	
Requester	Berry Ellison	Phone number: 509-625-6276
Type of agenda item	Consent Discussio	n Information • Action
Type of contract/agreement	New	sion Amendment/change order Other
City Clerks file (OPR or policy #)		
Item title: (Use exact language noted on the agenda)	King Cole Commemorative Pro	oject intent, scope and schedule
Begin/end dates	Begins: 11/11/2021	Ends: 06/30/2024 Open ended
Background/history: This project is intended to recognize the extraordinary vision and contribution of King Cole and other contributors to rejuvenating Spokane in the early 1970s. Currently King Cole is recognized by the naming of "King Cole Way" which is located at the southeast corner of the park and consists of a wide wooden pedestrian bridge crossing the south channel of the Spokane River.  An expanded King Cole Way will include Art that may be interactive, sculptural, kinetic, illuminated at night, or some combination of those elements creating an iconic Gateway into Riverfront Park. The art piece is expected to be located on, or adjacent to, the existing wood bridge. The art piece will anchor the expanded King Cole Way which would incorporate an artistic way-finding/interpretive signage treatments and/or elements that includes acknowledgment of historic structures and key Expo '74 stakeholders.  The project is intended to be funded by private donations raised by the KCCP Committee.  Motion wording:  Move to approve the King Cole Commemorative Project intent, scope and schedule  Approvals/signatures outside Parks:  Yes  No  If so, who/what department, agency or company:		
Name:	Email address:	Phone:
Distribution: Parks – Accounting Parks – Pamela Clarke Requester: Garrett Jones Grant Management Department/Name:  Fiscal impact: • Expenditure	chris@d jmoog@ bellison	@spokanecity.org cjwrightlaw.com @spokanecity.org o@spokanecity.org n@spokanecity.org
Amount: \$0	Budget code:	
Vendor:	ty of Spokane ACH	(for new contractors/consultants/vendors Forms (for new contractors/consultants/vendors

### Public Art - King Cole / Expo Commemoration Art Project

#### PROJECT INTENT AND DESCRIPTION

This project is intended to accomplish two things through the art and site improvements. First, to recognize the extraordinary vision and contribution of King Cole to rejuvenating Spokane in the early 1970s, a person who nearly single-handedly secured Spokane's designation as a World's Fair site in 1974 (aka Expo '74). Second, to commemorate the 50<sup>th</sup> anniversary of Expo '74 and the contributions of several other stakeholders in ensuring that Expo '74 became a reality.

Currently King Cole is recognized by the naming of "King Cole Way" which is located at the southeast corner of the park and consists of a wide wooden pedestrian bridge crossing the south channel of the Spokane River.

The KCCP envisions an expanded King Cole Way including Art that is interactive, sculptural, kinetic, illuminated at night, or some combination of those elements creating an iconic Gateway into Riverfront Park. The art piece is expected to be located on, or adjacent to, the existing wood bridge. The art piece will anchor the expanded King Cole Way which would incorporate an artistic way-finding treatment and/or elements that includes acknowledgement of historic structures and key Expo '74 stakeholders including Jim Cowles, U.S. Senator Warren Magnuson, Senator "Scoop" Jackson, and former U.S. Speaker Thomas Foley, the contribution of the Spokane Tribe, and the Railroad Lines once on Havermale Island.

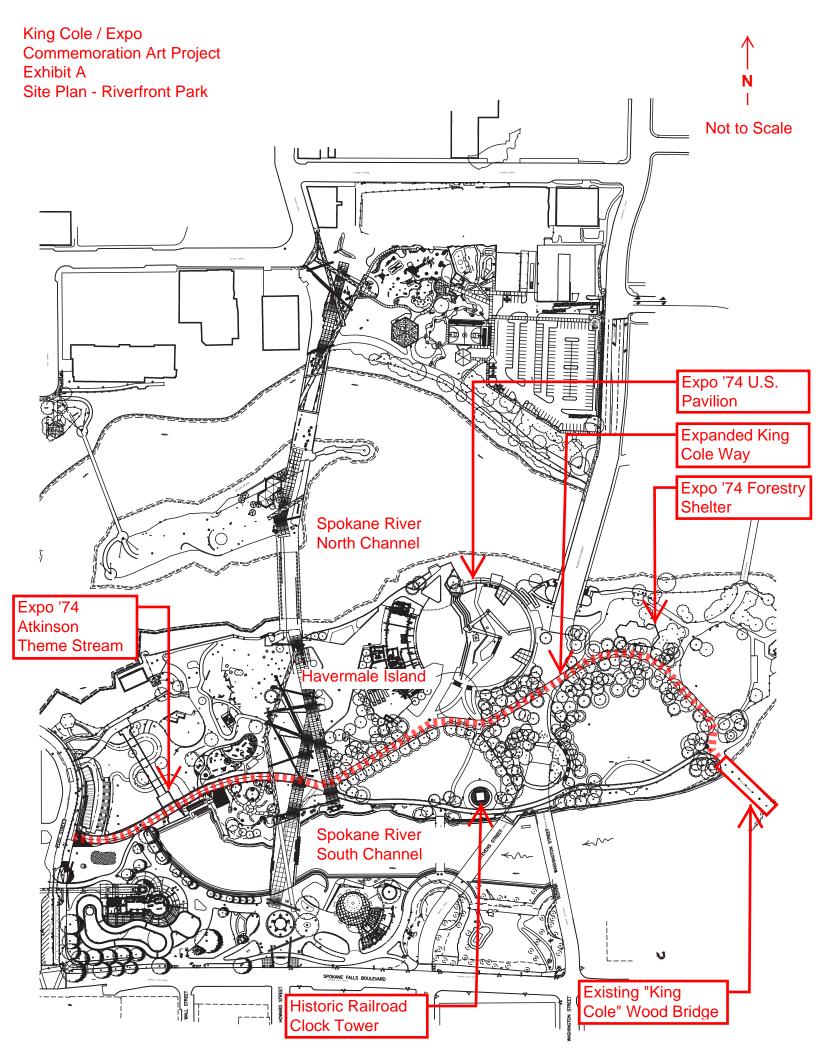
#### PROJECT SCOPE AND SITE DESCRIPTION:

The artist will be encouraged to consider any location on or north of the wood bridge for the art piece, but the final location would reside on King Cole Way. The selected location may be either in the open space or on the bridge so long as the piece would not interfere with the flow of pedestrian traffic. The site boundary is indicated on the attached map. The art piece will be made of durable materials suited to an urban location, materials that require minimal annual maintenance.

The selected artist will be responsible for the design, fabrication, and installation of the artwork within the given project budget. The contract will be two-phased, awarded separately, as follows:

**Phase I will not to exceed \$25,000.** The selected artist will be asked to develop a design proposal for the Gateway art piece and King Cole Way design that will include illustrations and presentation materials, design, preliminary engineering, cost estimating, travel and lodging, etc.

**Phase II will not to exceed \$200,000.00.** Phase II scope of work will be specific to the Gateway art piece including final engineering, permit approval, materials and fabrication, installation, sales tax, insurance etc. to deliver the project as designed.



### PROPOSED SCHEDULE

2021	
June 2021	Formation of KCCP
September 9, 2021	Status Report, Initial presentation to Park Board
November 2021	KCCP Approval of Draft RFQ and Revised Timeline
	Finalize Review and Approval of Process
	<ul> <li>Coordination Between JAC and KCCP</li> <li>Agreement on JAC / Park Board Role</li> </ul>
	Present RFQ and Schedule to KCCP, Riverfront Park Committee and JAC for Review and Comment
December 2021	Revise RFQ and Schedule as needed.
	Offer to KCCP, JAC, and Riverfront Park Committee for Action.
	Release of RFQ.
2022	
January 2022	Begin Work on Standing Task Items:  • Fundraising Plan / Goals  • Confirm 501(c)(3) Strategy  • Identify source of Artist / RFP seed money
February 11, 2022	RFQ Responses due from Artist Teams.
	Begin review of RFQ Submissions.
March 2022	Complete review of RFQ Submissions. Create shortlist of top Artist Teams.
	Begin drafting RFP. Offer to KCCP, JAC, and Riverfront Park Committee.
April 4, 2022	Finalize and release RFP to Selected Artist(s)
May 16, 2022	RFP Submissions Due
	Combined JAC and KCCP Review
June 6, 2022	Artist Teams Presentations/Interviews
	Begin Public Outreach / Comment Process

July 2022	Finalize Public Outreach / Comment Process	
July 11, 2022	Artist Team Selection by KCCP, JAC, and Riverfront Park Committee Presentation/Review	
	Negotiate 2-Phase (Design/Build) Contract with Artist Team	
August 11, 2022	Offer Artist Team Contract (Phase I "Design" Only) to Park Board for Approval	
September 2022	Possible Kick-Off / Fundraising Event (50 year anniversary of Council vote)	
October 2022	30% Design and Cost Estimate Due from Artist Team	
November 2022	Offer 30% Design to KCCP, JAC, and Riverfront Park Committee for Approval	
2023	Disco October Prog. Francis	
Year-Long	Plan Celebration Events Monitor Art Process	
	Continue Fundraising	
	Continue Fundraising	
February 2023	60% Design and Cost Estimate due from Artist Team	
April 2023	90% Design and Cost Estimate due from Artist Team	
	Review and Approval by KCCP, JAC, and Riverfront Park Committee	
May 11, 2023	Offer Artist Team Contract (Phase II	
	"Fabrication") to Park Board for Approval	
May 2023	Begin Art Fabrication and Permit Process	
Aug-Dec 2023	Begin Site Improvements (Earthworks, Lighting & Electrical, Flatwork, etc.)	
2024	2.000.10di, Fiatwork, 6to.)	
Spring 2024	Event Planning Complete	
April 10, 2024	Art Fabrication, Placement/Install Substantially Complete	
May 1, 2024	Commemoration Piece(s) complete	
May 4, 2024 (Saturday)	Unveiling / Dedication / Celebration	

# Spokane Park Board Briefing Paper



Committee	Riverfront Park Committee		
Committee meeting date	November 8, 2021		
Requester	Jonathan Moog Phone number: 625-6243		
Type of agenda item	Consent Discussion Information • Action		
Type of contract/agreement	New Renewal/extension Amendment/change order Othe		
City Clerks file (OPR or policy #)	2018-0043		
<b>Item title</b> : (Use exact language noted on the agenda)	Brett Sports & Entertainment consultant agreement (not to exceed \$20,000/annually for the life of the contract)		
Begin/end dates	Begins: 01/01/2021 Ends: 12/31/2028 Open ended		
Background/history:  City commenced an agreement with Brett Sports and Entertainment (BSE) in 2017 for sponsorship and promotional sales consulting. In the course of this agreement BSE secured a title sponsorship with Numerica and is entitled to twenty percent (20%) of the proceeds paid annually over ten years. The term of the initial and subsequent renewals of BSE agreement have ended and the city is seeking a ratification of this agreement as a means to continue issuing annual commission payments.			
Motion wording: Approve Brett Sports & Entertainment consultant agreement (not to exceed \$20,000/annually for the life of the contract)			
<b>Approvals/signatures outside Parks:</b> If so, who/what department, agency or c			
Name: Dave Pier	Email address: dpier@spokanechiefs.com Phone: 509-981-8720		
Distribution: Parks – Accounting Parks – Pamela Clarke Requester: Jonathan Moog Grant Management Department/Name:			
Fiscal impact:   Expenditure	Revenue		
Amount: \$18,000 annually	Budget code: 1400-30210-76103-54201		
Vendor: • Existing vendor  Supporting documents:  Quotes/solicitation (RFP, RFQ, RFB)  Contractor is on the City's A&E Roster - O			

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# <u>City of Spokane</u> Parks and Recreation Department

#### RATIFICATION OF CONSULTANT AGREEMENT

### Title: RIVERFRONT FACILITY TITLE SPONSORSHIP AND PROMOTIONAL SALES CONSULTING

This Ratification of Consultant Agreement ("Ratification") is made and entered into by and between the CITY OF SPOKANE PARKS AND RECREATION DEPARTMENT as ("City"), a Washington municipal corporation, and BRETT SPORTS & ENTERTAINMENT, INC., whose address is West 700 Mallon Avenue, Spokane, Washington, 99201, as ("Consultant"), individually hereafter referenced as a "party", and together as the "parties".

WHEREAS, the parties entered into a Consultant Agreement, having a term commencing November 3, 2017 and ending on June 30, 2018, wherein the Consultant agreed to provide the City of Spokane's Parks Department with Sponsorship and Promotional Sales Consulting services for Riverfront Park (the "Consultant Agreement"); and

WHEREAS, pursuant to the Consultant Agreement, the City agreed to pay Consultant a commission of twenty (20) percent of all gross revenue generated from sponsorships sold by the Consultant during the term of the Consultant Agreement, and further providing that commissions on multi-year sponsorship contracts sold by the Consultant would continue to be paid to the Consultant for the term of the sponsorship agreement(s); and

WHEREAS, during the term of the Consultant Agreement, Consultant successfully executed a title sponsorship agreement with Numerica Credit Union ("Numerica") for the facility known as Numerica Skate Ribbon and SkyRide;

WHEREAS, with Consultant's help, the City entered into a Sponsorship Agreement with Numerica dated February 14, 2019, and thereafter amended in April 2020 ("Sponsorship Agreement");

WHEREAS, the Sponsorship Agreement is for a period of ten (10) years, commencing in 2019 and, as amended, ending March 31, 2030; and

WHEREAS, Consultant has received commission payments for 2019 and 2020, and Consultant will be entitled to commission payments for eight more years assuming Numerica performs under the Sponsorship Agreement; and

WHEREAS, the parties wish to ratify and memorialize the City's payment obligation to Consultant with respect to the remaining commission payments to be made by the City to Consultant under the Sponsorship Agreement;

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

#### 1. RATIFICATION OF CONSULTANT AGREEMENT.

The Consultant Agreement, having a term commencing on November 3, 2017, and any previous amendments, renewals and / or extensions / thereto, is hereby acknowledged, approved, ratified and confirmed by the parties.

#### 2. CLARIFICATION OF CONSULTANT AGREEMENT.

- a. Pursuant to Section 4(a) of the Consultant Agreement, the City is required to pay the Consultant a commission of twenty (20) percent of all gross revenue generated from sponsorships sold by the Consultant during the term of the Consultant Agreement, including commissions on multi-year sponsorships that continue after expiration of the Consultant Agreement.
- b. The parties acknowledge and agree that, during the term of the Consultant Agreement, and with the Consultant's help, the City entered into a sponsorship Agreement with Numerica Credit Union, dated February 14, 2019 (and subsequently amended in April 2020) for the facility presently known as Numerica Skate Ribbon and SkyRide.
- c. Under the Numerica Sponsorship Agreement, Numerica is to pay the City an annual sponsorship fee of ninety thousand and 00/100 dollars (\$90,000.00) for a period of ten (10) years with an additional annual payment of ten thousand and 00/100 dollars (\$10,000.00) for each year prior to 2028 during which Post Street is renamed by the City to Numerica Parkway for at least (6) six months.
- d. Pursuant to the Consultant Agreement, the City has made two commission payments of eighteen thousand and 00/100 dollars (\$18,000.00) each to Consultant out of sponsorship fees paid by Numerica for calendar years 2019 and 2020, the receipt of which Consultant hereby acknowledges.
- e. The parties acknowledge and agree that, as long as Numerica continues to perform under the Sponsorship Agreement, Consultant shall be entitled to receive commission payments per the terms of the Consultant Agreement through the year 2028 (the initial term of the Sponsorship Agreement) according to the terms of the Consultant Agreement. Following the initial term of the Sponsorship Agreement, the City shall have no further payment obligation to Consultant.

#### 4. DEBARMENT AND SUSPENSION.

The Contractor has provided its certification that it is in compliance with and shall not contract with individuals or organizations which are debarred, suspended, or otherwise excluded from or ineligible from participation in Federal Assistance Programs under Executive Order 12549 and "Debarment and Suspension", codified at 29 CFR part 98.

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/Extension by having legally-binding representatives affix their signatures below.

BRETT SPORTS & ENTERTAINMENT, INC.	CITY OF SPOKANE PARKS AND RECREATION DEPARTMENT		
By	By		
Signature Date	Signature Date		
Type or Print Name	Type or Print Name		
Title	Title		
Attest:	Approved as to form:		
City Clerk	Assistant City Attorney		
Attachments that are part of this Agreement:			
Attachment A – Certification Regarding Debarmer	nt		

21-215

# ATTACHMENT A CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION

- 1. The undersigned (i.e., signatory for the Subrecipient / Contractor / Consultant) certifies, to the best of its knowledge and belief, that it and its principals:
  - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;
  - b. Have not within a three-year period preceding this contract been convicted or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, making false claims, or obstruction of justice;
  - c. Are not presently indicted or otherwise criminally or civilly charged by a government entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and.
  - d. Have not within a three-year period preceding this contract had one or more public transactions (federal, state, or local) terminated for cause or default.
- 2. The undersigned agrees by signing this contract that it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction.
- 3. The undersigned further agrees by signing this contract that it will include the following clause, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions:

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions

- 1. The lower tier contractor certified, by signing this contract that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.
- 2. Where the lower tier contractor is unable to certify to any of the statements in this contract, such contractor shall attach an explanation to this contract.
- 4. I understand that a false statement of this certification may be grounds for termination of the contract.

Name of Subrecipient / Contractor / Consultant (Type or Print)	Program Title (Type or Print)
Name of Certifying Official (Type or Print)	Signature
Title of Certifying Official (Type or Print)	Date (Type or Print)

# Spokane Park Board Briefing Paper



Committee	RFP Commi	ttee		
Committee meeting date	11-8-2021			
Requester	Amy Lindsey	y	Phone number: 509-20	9-6956
Type of agenda item	O Consent	Discussion	<ul><li>Information</li></ul>	Action
Type of contract/agreement	O New (	Renewal/extension	Amendment/change orde	r 💽 Other
City Clerks file (OPR or policy #)	N/A			
Item title: (Use exact language noted on the agenda)	Riverfront S	pokane Venue Grant Pr	ogram	
Begin/end dates	Begins:	End	ds:	Open ended
Background/history: Riverfront is launching a new venue grant program that provides venue rental waivers to community event organizers. The goal of the program is to support community-centric businesses, organizations and individuals seeking to produce free public events at Riverfront Park. Up to three (3) grantees will be eligible for up to \$10,000 per year in cumulative waived venue rental fees. The program was developed to encourage public events that support cultural initiatives and offer the community an informational, educational, or entertaining experience.				
Motion wording: Riverfront staff would like to brief the board on a new annual Riverfront Venue Grant Program and seek selection committee participation from one member of the board.				
<b>Approvals/signatures outside Parks:</b> If so, who/what department, agency or convame:	Yes ompany: N/A Email add		Phone:	
Distribution: Parks – Accounting Parks – Pamela Clarke Requester: Grant Management Department/Name:				
Fiscal impact:  Expenditure  Amount:	Reven	ue Budget code:		
Vendor: Existing vendor  Supporting documents: Quotes/solicitation (RFP, RFQ, RFB) Contractor is on the City's A&E Roster - CUBI: Business license exp		W-9 (for no	ew contractors/consultants/vendo s (for new contractors/consultants/ Certificate (min. \$1 million in Gene	/vendors

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