



SEATTLE CITY COUNCIL

Legislative Summary

CB 119711

Record No.: CB 119711

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 126026

In Control: City Clerk

File Created: 10/29/2019

Final Action: 12/23/2019

Title: AN ORDINANCE relating to the Department of Finance and Administrative Services; authorizing the Director of Finance and Administrative Services, on behalf of Seattle Public Utilities, to negotiate and execute a real property lease amendment with Georgetown LLC, for yard space at 5821 First Ave South; and ratifying and confirming certain prior acts.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Bagshaw

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments: Att 1 – Second Amendment to Lease

Uploaded By: adrian.matanza@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

Yes

No

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	11/19/2019	Mayor's leg transmitted to Council	City Clerk			
1	City Clerk	11/19/2019	sent for review	Council President's Office			
	Action Text: The Council Bill (CB) was sent for review. to the Council President's Office						
1	Council President's Office	11/25/2019	sent for review	Finance and Neighborhoods Committee			
	Action Text: The Council Bill (CB) was sent for review. to the Finance and Neighborhoods Committee						
1	City Council	12/02/2019	referred	Finance and Neighborhoods Committee			

Legislative Summary Continued (CB 119711)

1 Finance and Neighborhoods Committee 12/11/2019 pass Pass

Action Text: The Committee recommends that City Council pass the Council Bill (CB).
In Favor: 3 Chair Bagshaw, Vice Chair González , Member Harrell
Opposed: 0

1 City Council 12/16/2019 passed Pass

Action Text: The Council Bill (CB) was passed by the following vote, and the President signed the Bill:
In Favor: 6 Councilmember Bagshaw, Councilmember González , Council President Harrell, Councilmember Juarez, Councilmember O'Brien, Councilmember Pedersen
Opposed: 0

1 City Clerk 12/17/2019 submitted for Mayor
Mayor's signature

1 Mayor 12/20/2019 Signed

1 Mayor 12/23/2019 returned City Clerk

1 City Clerk 12/23/2019 attested by City Clerk

Action Text: The Ordinance (Ord) was attested by City Clerk.

CITY OF SEATTLE

ORDINANCE 126026

COUNCIL BILL 119711

AN ORDINANCE relating to the Department of Finance and Administrative Services; authorizing the Director of Finance and Administrative Services, on behalf of Seattle Public Utilities, to negotiate and execute a real property lease amendment with Georgetown LLC, for yard space at 5821 First Ave South; and ratifying and confirming certain prior acts.

WHEREAS, in January 2006, Ordinance 122019 authorized Seattle Public Utilities (SPU) to enter into a seven-year lease agreement, with one extension, for materials yard space with the Georgetown LLC for property located at 5821 First Ave South, Seattle, Washington that expires in February 2020; and

WHEREAS, SPU, after an extensive search for a permanent yard, has determined that the existing leased yard location meets its current operational needs, and

WHEREAS, the property owner, Georgetown LLC, is willing to continue leasing the property to the City but will not consider a sale of the property; and

WHEREAS, the operational necessity for a south-end yard requires an amendment of the existing lease as SPU continues to search for a permanent materials yard; and

WHEREAS, FAS and SPU have determined that it would be best suitable for the City to amend the lease of 53,000 square foot yard space, for an additional five-year term with one extension, with Georgetown LLC to meet the space needs of SPU's Water Operations Division; and

WHEREAS, the Director of Finance and Administrative Services (FAS)'s authority under Seattle Municipal Code Section 3.127.020 is limited to negotiating and executing leases,

1 for and on behalf of the City, that do not exceed five years and that do not lease more
2 than 18,000 square feet of yard space; NOW, THEREFORE,

3 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

4 Section 1. The Director of Finance and Administrative Services (“Director”) or the
5 Director’s designee is authorized to negotiate and execute, for and on behalf of The City of
6 Seattle (“the City”), a lease amendment, with Georgetown LLC, substantially in the form of
7 Attachment 1 to this ordinance and identified as Lease Agreement, providing for the City’s use
8 and occupancy of the real property located at 5821 First Ave South in Seattle.

9 Section 2. The lease payments contemplated by the terms of any lease agreement or
10 amendment authorized in Section 1 of this ordinance shall be charged to the appropriate
11 expenditure allowance in the budget of the Department of Finance and Administrative Services
12 (FAS) and shall be reimbursed to FAS by the Seattle Public Utilities Department.

13 Section 3. Any act consistent with the authority of this ordinance taken after its passage
14 and prior to its effective date is ratified and confirmed.

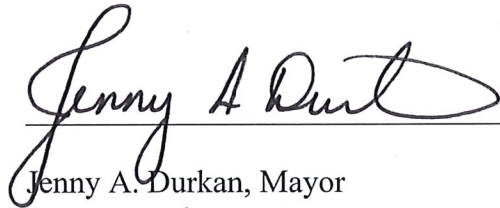
1 Section 4. This ordinance shall take effect and be in force 30 days after its approval by
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the 16th day of December, 2019,
5 and signed by me in open session in authentication of its passage this 16th day of
6 December, 2019.


7 

8 President _____ of the City Council

9 Approved by me this 20th day of December, 2019.

10 
11 Jenny A. Durkan, Mayor

12 Filed by me this 23rd day of December, 2019.

13 
14 for Monica Martinez Simmons, City Clerk

15 (Seal)

16
17 Attachments:
18 Attachment 1 – Second Amendment to Lease

SECOND AMENDMENT TO LEASE

THIS SECOND AMENDMENT TO LEASE (“First Amendment”), dated as of the _____ day of _____, 2019, is entered into by and between GEORGETOWN LLC, a Washington limited liability company, (the “Lessor”), and THE CITY OF SEATTLE, a municipal corporation of the State of Washington (the “City”).

RECITALS

A. The City and Lessor entered into that certain Lease Agreement executed on February 7, 2006 by the Director of Seattle Public Utilities (“Lease”), as approved by City Council Ordinance 122016, for the premises commonly known as 5821 First Avenue South, Seattle, Washington, containing approximately 53,000 square feet of land (the “Premises”). Capitalized terms not defined herein shall have the meanings assigned to them in the Lease.

B. The Lease commenced on March 1, 2006 for an initial seven-year term and was extended for a seven (7) year period commencing March 1, 2013.

C. The City wishes to renew the lease for an additional five-year term, and an option for a second five year-term, based upon an agreement between the Parties to adjust the Rent to a rate in line with current market conditions.

D. This lease amendment is subject to City Council approval.

AGREEMENT

Landlord and Tenant agree as follows:

1. Term. The Term of the Lease shall be extended for a period of five (5) years commencing March 1, 2020 and expiring February 28, 2025 (“Extension Term”). The Lease may be extended an additional five (5) year term, commencing March 1 2025 and expiring February 28, 2030, with a written notice sent to Landlord not sooner than 180 days and not less than 90 days to Lease Expiration.

2. Rent. Beginning with the commencement of the Extension Term, the Rent for the Premises shall be adjusted to THIRTEEN THOUSAND TWO HUNDRED FIFTY dollars (\$13,250) per month. The Rent shall be further adjusted at the beginning of the third (3rd), and fifth (5th) years of the Renewal Term by the cumulative percentage increase in the U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index for Seattle-Tacoma-Bremerton, All Urban Consumers (1982-1984=100) All Items, over the prior fixed rate period.

3. Effectiveness. Except as expressly amended herein, all other terms and conditions of the Lease shall remain in full force and effect.

EXECUTED as of the date set forth above.

“City”

The City of Seattle, a municipal
corporation of the State of Washington

By: _____
Name: _____
Title: _____

“Lessor”

Georgetown LLC, a
Washington limited liability company

By: _____
Name: _____
Title: _____

