

under and across Thomas Street, east of 1st Avenue North and west of Warren Avenue North; and
WHEREAS, Seattle Arena Company, LLC has revised the construction plans related to KeyArena renovation to include permanent tensioned tie-backs appurtenant to and necessary for the functioning of the arena at Seattle Center that will remain in portions of Thomas Street; and

WHEREAS, the Director of SDOT (“Director”) reviewed Seattle Arena Company, LLC’s revised submitted plans and application materials for constructing the permanent tensioned tie-backs and the vehicle access tunnel, considered the factors listed in SMC 15.65.040.C., and all relevant environmental documents and recommends that the Seattle City Council grant conceptual approval of the amended term permit; and

WHEREAS, the City Council has considered the factors listed in SMC 15.65.040.C and the revised recommendation of the Director;

NOW, THEREFORE,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE MAYOR
CONCURRING, THAT:**

Section 1. The City Council finds that the proposed tunnel that would occupy area under Thomas Street and the permanent tensioned tie-backs that would occupy areas below-grade in Thomas Street (east of 1st Avenue North and west of 2nd Avenue North), as proposed by Seattle Arena Company, LLC and shown in the attached Exhibit A, is in the public interest and that no reasonable alternative exists.

Section 2. As conditions for obtaining final approval of a Significant Structure Term Permit to construct the tunnel and permanent tensioned tie-backs, Seattle Arena Company, LLC shall:

(1) Provide engineering and plans for additional review and permitting to SDOT, which the Director will circulate for review and comment to other City departments and to public and private utilities that may be affected by the installation of the tunnel and the permanent tensioned tie-backs;

(2) Provide a surety bond, indemnification agreement, and public liability insurance naming the City as

an additional insured or self-insurance, all of which are subject to approval by the City's Risk Manager;

(3) Pay all City permit fees;

(4) Obtain all necessary permits;

(5) Maintain and inspect the tunnel and permanent tensioned tie-backs; and

(6) Upon expiration of the permit remove the tunnel and tie-backs and restore the right-of-way to as good condition for public use as existed prior to constructing the tunnel and permanent tensioned tie-backs and in at least as good condition in all respects as the abutting portions of the public place, as required by SDOT right-of-way restoration standards or as specified by the Director or by the City Council pursuant to the provisions of the final term permit ordinance.

Section 3. After this resolution is adopted, SDOT shall draft an ordinance that grants final approval of the term permit and describes the proposed conditions of approval. The Council may approve, amend, or decline to adopt the ordinance.

Section 4. As recommended by the Director and the Mayor, conceptual approval of a term permit for constructing the tunnel under Thomas Street and permanent tensioned tie-backs in portions of Thomas Street, both being east of 1st Avenue and west of 2nd Avenue North, is GRANTED.

Adopted by the City Council the _____ day of _____, 2019, and signed by me in open session in authentication of its adoption this _____ day of _____, 2019.

President _____ of the City Council

The Mayor concurred the _____ day of _____, 2019.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2019.

Monica Martinez Simmons, City Clerk

(Seal)

Exhibit A - KeyArena Tie-Backs Area