



Legislation Text

File #: CB 119549, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to the Seattle Center Department; authorizing the Seattle Center Director to execute an amendment to the facility use agreement with Force 10 Hoops, LLC, authorized by Ordinance 125323 for use and occupancy of KeyArena for playing of professional women’s basketball games; making findings of fact about the value provided by professional women’s basketball in Seattle; amending the relocation payment structure in the agreement; and exempting the amendment from the requirements of Chapter 20.47 of the Seattle Municipal Code.

WHEREAS, Seattle has been home to the Women’s National Basketball Association (WNBA) team the Seattle Storm (“Storm”) since the Storm’s inaugural season in 2000; and

WHEREAS, the Storm has consistently contributed to civic pride and community spirit; and

WHEREAS, the Storm provides a demonstrable expression of Seattle’s commitment to both diversity and gender equity; and

WHEREAS, in recognition of the positive community impact of three-time WNBA champions the Storm, in 2018 the Seattle City Council adopted Resolution 31840, which designated a portion of vacated 2nd Avenue North on the Seattle Center campus as “Seattle Storm Way”; and

WHEREAS, in 2008, Force 10 Hoops, LLC (“F10H”), a locally owned company and the first all-female ownership group to win a professional sports title, purchased the Women’s Basketball Club of Seattle and the Storm from the owners of the Seattle Supersonics; and

WHEREAS, on July 18, 2017, pursuant to Ordinance 125323, The City of Seattle (“City”) and F10H executed a Facility Use Agreement (“Storm Agreement”) for F10H’s use and occupancy of portions of KeyArena (“Arena”) for the presentation and broadcasting of all Storm home basketball games; and

WHEREAS, the Storm Agreement is intended to provide for the continuation of sustainable, local ownership of the Storm and for the maximum use of the Arena both now and in the future, while providing sufficient flexibility to allow the City to redevelop the Arena and implement its Century 21 Plan; and

WHEREAS, redevelopment of the Arena is anticipated to be beneficial to both the Storm and the City in the long term; and

WHEREAS, on September 25, 2018, pursuant to Ordinance 125669, the City entered into a Development Agreement, Lease Agreement, and Seattle Center Integration Agreement (“Transaction Documents”), with Seattle Arena Company for the design, construction, lease, and operation of the Arena at Seattle Center; and

WHEREAS, the Transaction Documents affirm the value and importance of maintaining the presence of a WNBA team in the Seattle region, and the Lease Agreement requires that Seattle Arena Company assume the City’s rights and obligations pursuant to the Storm Agreement no later than the opening of the redeveloped Arena; and

WHEREAS, when the Arena is closed due to redevelopment, the Storm Agreement requires the Storm to play home games at another venue and provides that F10H shall receive relocation payments for lost revenue and additional costs as compensation; and

WHEREAS, the City and F10H wish to modify the Storm Agreement to modify the terms and conditions of such relocation payments to incentivize the Storm to play home games in Seattle and to provide for sustainability of the Storm during the period of Arena closure; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The City Council finds that women’s professional basketball provides a valuable contribution to the civic pride and social and economic environment of Seattle; that women’s professional basketball teams have a long history in Seattle and attract an ardent group of fans; and that Seattle benefits from having the home

court of the women's professional basketball team Seattle Storm ("Storm") at Seattle Center.

Section 2. The City Council finds that an agreement that allows for continued sustainable local ownership of the Storm provides a significant benefit to Seattle because it ensures that after construction is complete, the renovated arena at Seattle Center will continue to be a venue for the playing and viewing of professional women's basketball, which in turn enhances the value of the facility and supports the vitality of Seattle Center as a place to delight and inspire the human spirit.

Section 3. To provide for sustainable local ownership of the Storm during the renovation of the arena at Seattle Center and to encourage home games to be played in Seattle to the maximum extent feasible, the City Council finds it is necessary and desirable to amend and restructure the relocation payments payable under the Facility Use Agreement between The City of Seattle ("City") and Force 10 Hoops, LLC authorized by Ordinance 125323 (the "Storm Agreement").

Section 4. As requested by the Seattle Center Director and recommended by the Mayor, the Seattle Center Director or the Director's designee is authorized to execute for and on behalf of the City an amendment to the Storm Agreement with Force 10 Hoops, LLC, substantially in the form of the agreement attached hereto as Attachment A and identified as "Amendment No. 1 to the Facility Use Agreement between The City of Seattle and Force 10 Hoops, LLC for the Use of KeyArena for Professional Women's Basketball" ("Amendment No. 1").

Section 5. The City Council finds that the benefits outlined in Sections 1 and 2 of this ordinance and F10H's obligations under the Master Agreement provide sufficient and fair value to the City and are consistent with the principles of Seattle Municipal Code Chapter 20.47. Additionally, the City Council finds that the requirements of Seattle Municipal Code Chapter 20.47 are not applicable to the relocation payments under Amendment No. 1. For the avoidance of doubt, the City Council exempts Amendment No. 1 from the requirements of Seattle Municipal Code Chapter 20.47.

Section 6. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if

not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

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

President _____ of the City Council

Approved by me this _____ day of _____, 2019.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2019.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment A - Amendment No. 1 to the Facility Use Agreement between The City of Seattle and Force 10 Hoops, LLC for the Use of KeyArena for Professional Women's Basketball