



Legislation Text

File #: CB 118626, Version: 1

CITY OF SEATTLE
ORDINANCE _____
COUNCIL BILL _____

AN ORDINANCE relating to the Seattle Department of Transportation; authorizing the Director of Transportation to enter into a lease agreement with the National Railroad Passenger Corporation for Amtrak's continued use and occupancy of a portion of King Street Station to provide passenger rail services.

WHEREAS, the City acquired King Street Station (Station) from the Burlington Northern and Santa Fe Railway Company (BNSF) by quitclaim deed dated February 15, 2008, King County Recorder's Number 20080215002336 (Deed); and

WHEREAS, under the Deed, the City's title to the Station is subject to Amtrak's rights in and to the Station pursuant to the Rail Passenger Service Act (49 U.S.C. § 24308) and the agreement between Amtrak and the predecessor in interest of BNSF dated September 1, 1996; and

WHEREAS, prior to the City's acquisition of the Station, Amtrak leased a portion of the Station from BNSF pursuant to a lease agreement dated February 27, 2003 (Assigned Lease); and

WHEREAS, as part of the transaction transferring ownership of King Street Station to the City, Amtrak, BNSF, and the City entered into a Consent and Agreement whereby BNSF assigned to the City its rights and obligations as landlord under the Assigned Lease and whereby Amtrak consented to the assignment and agreed to the City as landlord; and

WHEREAS, under the terms of the Assigned Lease, Amtrak was responsible for the maintenance and repair of the King Street Station to the extent necessary for Amtrak operations, and the landlord was not obligated to fund any capital costs associated with the leased premises; and

WHEREAS, since acquiring King Street Station, the City's Department of Transportation has constructed

extensive seismic upgrades, and renovated and restored historic elements throughout the Station, including throughout portions of the Station operated by Amtrak, utilizing a combination of funding from the City, federal, state, and private sources; and

WHEREAS, the City accepted state and federal funds for Station improvements under a grant agreement with the State of Washington, which agreement was authorized by Seattle City Council Ordinance 123829 (the Grant Agreement); and

WHEREAS, as a condition of the funding provided under the Grant Agreement, the City must make the Station available for Amtrak's use for a period of at least 20 years; and

WHEREAS, the Seattle Department of Transportation will continue to operate and maintain the Station on behalf of The City of Seattle, wishes to maintain the restored state of the landmark building, and intends to lease remaining spaces on the second and third floors to help cover the long-term costs of operating and maintaining the Station; and

WHEREAS, the City and Amtrak mutually desire to enter into a new lease agreement for Amtrak's use and occupancy of the first floor portion of the King Street Station; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Director of Transportation (Director) is authorized to execute, for and on behalf of The City of Seattle, a lease agreement with the National Railroad Passenger Corporation providing for its continued use of a portion of the King Street Station, substantially in the form of the King Street Station Lease Agreement between The City of Seattle and the National Railroad Passenger Corporation (Amtrak) that is attached to this ordinance as Attachment 1 (Agreement).

Section 2. The Director is authorized to make such minor additions, modifications, and amendments to the Agreement as the Director may deem necessary or advisable to carry out the purpose of this ordinance.

Section 3. 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 _____, 2016, and signed by me in open session in authentication of its passage this ____ day of _____, 2016.

President _____ of the City Council

Approved by me this ____ day of _____, 2016.

Edward B. Murray, Mayor

Filed by me this ____ day of _____, 2016.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:
Attachment 1 - King Street Station Lease between The City of Seattle and National Railroad Passenger Corporation (Amtrak)