

AMENDMENT 2
MEMORANDUM OF UNDERSTANDING
CONCERNING RENOVATION AND EXPANSION OF THE SEATTLE
AQUARIUM AND DEVELOPMENT OF THE CENTRAL WATERFRONT PROJECT
EFFECTIVE AS OF _____

Definition

- The term “Aquarium Expansion Project,” whose definition encompassed renovations of Pier 59 and Pier 60; a new structure on the Aquarium Plaza; and a new south wing in the original “Memorandum of Understanding Concerning Renovation and Expansion of the Seattle Aquarium and Development of the Central Waterfront Project,” shall now be described as “Ocean Pavilion” and shall only apply to the construction of a new building on the Aquarium Plaza at the base of Overlook Walk.

The Seattle Aquarium is a key element of the Waterfront Seattle vision, and the Seattle Aquarium Society (SEAS) has been an important part of the civic effort behind the waterfront from its inception. The City of Seattle remains committed to its long-standing partnership with SEAS and supports an expansion that will broaden its services to residents and visitors to the city. In the short term, the City supports the Aquarium’s efforts to expand in the following ways:

Design Collaboration and Support

- The City supports the Aquarium’s expansion and will support the advancement of the Ocean Pavilion to 30% design. Advancement of the design to the 30% level is consistent with the purposes of Master Plan adoption in Resolution 31603 by enabling development of information sufficient for initiating environmental review. A decision on whether to approve the proposed Ocean Pavilion would only be made following completion of environmental review of the project.
- To assist with development of the 30% design, the City will make the waterfront design team and its consultants available to ensure close coordination and collaboration between the Overlook Walk design and the design of the Ocean Pavilion concept, for the benefit of the parties and the public that will utilize each facility. Among the benefits from a coordinated design is the ability to enhance the transportation functions of the site via the Ocean Pavilion project.
- In a 2013 Memorandum of Understanding (MOU), approved by the Seattle City Council in Ordinance 124121, the City and Aquarium committed to a 1:1 match for engineering, design and consultant services through the completion of the Aquarium Expansion Project “concept” design. The Aquarium will provide the necessary funds to complete a 30% design for the Ocean Pavilion, as defined above, and achieve a 1:1 match of City and SEAS investment in the design, making possible future contributions by the City following authorization of City Council.

- The Aquarium recognizes that the City shall continue to advance the Overlook Walk according to the City's current schedule. Both parties understand and agree that the Overlook Walk and Ocean Pavilion will be designed and constructed as independent projects.
- The Office of the Waterfront and SEAS commit to regular practical reporting and communication between their respective executives.

Funding Plan

- The City and SEAS will work in partnership to develop an overall funding plan for the Ocean Pavilion concept that incorporates a combination of public and philanthropic sources. A City commitment of funding for the project will be determined based on this funding plan.
- This commitment of City funding, together with an acknowledgment of the planning and design expenses previously expended by both parties, will be memorialized in an amended or new MOU in early 2018 and a subsequent Project Development Agreement (PDA) will be developed between the City and SEAS.

The City and SEAS agree to the following general timeline for the work described above:

- Complete a 30% design of the Ocean Pavilion by December 2017. During that time, the parties will also work to develop a funding plan.
- Negotiate an amended MOU and forward it for the City Council's consideration in early 2018. The parties anticipate that this MOU will memorialize an agreement between the City and SEAS on the funding plan and project budget and scope based on the completed 30% design for the Ocean Pavilion, for the purpose of allowing environmental review and permitting to proceed for the Ocean Pavilion. The parties anticipate this MOU will also make additional City funds available to help in completing the project's design.
- Complete 60% design in 2018, following approval of an amended MOU.
- If the Ocean Pavilion has been approved following environmental review, the Parties will negotiate a PDA and forward it for City Council's consideration in 2019 to advance the project to construction.

DATED this ____ day of _____, 2017.

THE CITY OF SEATTLE,
a Washington municipal corporation

By

By

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SEATTLE AQUARIUM SOCIETY,
A 501(c)3 non-profit organization

Concurring

Robert Davidson
CEO, Seattle Aquarium Society