



Legislation Details (With Text)

**File #:** CB 119964    **Version:** 1    **Name:** CB 119964  
**Type:** Ordinance (Ord)    **Status:** Passed  
**In control:** City Clerk

**On agenda:** 12/7/2020  
**Final Action:** 12/11/2020    **Ord. No.** Ord 126243

**Title:** AN ORDINANCE relating to the Seattle Center Department; authorizing the Seattle Center Director to execute the Third Amendment to the Facility Use and Occupancy Agreement between The City of Seattle and the Seattle Repertory Theater.

**Sponsors:** Debora Juarez

**Indexes:**

**Attachments:** 1. Att 1 - Seattle Repertory Theater Facility Use Agreement, 2. Att 2 - 3rd Amendment to Seattle Repertory Theater Facility Use Agreement, 3. Summary and Fiscal Note, 4. Presentation, 5. Signed Ordinance 126243, 6. Affidavit of Publication

Date	Ver.	Action By	Action	Result
12/11/2020	1	City Clerk	attested by City Clerk	
12/11/2020	1	Mayor	returned	
12/11/2020	1	Mayor	Signed	
12/10/2020	1	City Clerk	submitted for Mayor's signature	
12/7/2020	1	City Council	passed	Pass
12/1/2020	1	Public Assets and Native Communities Committee	pass	Pass
11/30/2020	1	City Council	referred	
11/24/2020	1	Council President's Office	sent for review	
10/20/2020	1	City Clerk	sent for review	
10/20/2020	1	Mayor	Mayor's leg transmitted to Council	

CITY OF SEATTLE

ORDINANCE \_\_\_\_\_

COUNCIL BILL \_\_\_\_\_

AN ORDINANCE relating to the Seattle Center Department; authorizing the Seattle Center Director to execute the Third Amendment to the Facility Use and Occupancy Agreement between The City of Seattle and the Seattle Repertory Theater.

WHEREAS, the Seattle Repertory Theater (SRT) was founded in 1963 and began operations in the Seattle Center Playhouse before moving to the Bagley Wright Theatre (BWT), making it one of the longest-standing resident organizations at Seattle Center; and

WHEREAS, Ordinance 118109, passed by the City Council in May 1996, authorized a 30-year Facility Use and Occupancy Agreement (“1996 Agreement”) between The City of Seattle (“City”) and SRT, which incorporated a new, second stage addition to the BWT, now known as the Leo Kreielsheimer Theatre, and provided a term for use of the BWT through May 31, 2026; and

WHEREAS, under the 1996 Agreement, as of June 1, 2009, SRT assumed full responsibility for operating and maintenance costs and building systems of the BWT, except for the roof and exterior shell, consistent with the structure of more recent agreements between Seattle Center and resident arts organizations; and

WHEREAS, the 1996 Agreement requires SRT to establish and maintain the Seattle Repertory Theatre Replacement Trust Fund (“Fund”) to be used solely for the replacement, maintenance, and repair of the BWT; and

WHEREAS, the impacts of COVID-19 have created an unprecedented challenge to SRT’s finances; and

WHEREAS, SRT desires to temporarily cease contributions to the Fund for two years and obtain the ability to utilize a portion of the Fund for operating expenses to mitigate the economic impacts of COVID-19; and

WHEREAS, in order to ensure SRT’s continued responsibility for the maintenance and operation of the BWT during and following the pandemic, the City and SRT wish to amend the 1996 Agreement to provide SRT with temporary financial relief and sustainability; NOW, THEREFORE,

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

Section 1. 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 of Seattle an amendment to the Facility Use and Occupancy Agreement, as amended, between Seattle Repertory Theater and The City of Seattle authorized by Ordinance 118109, which Agreement is attached hereto as Attachment 1. The amendment shall be substantially in the form of the Third Amendment to Facility Use and Occupancy Agreement between Seattle Repertory Theater and The City of Seattle, attached hereto as Attachment 2.

Section 2. 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 \_\_\_\_\_, 2020, and signed by me in open session in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Jenny A. Durkan, Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment 1 - Facility Use and Occupancy Agreement between Seattle Repertory Theatre and The City of Seattle, as amended

Attachment 2 - Third Amendment to Facility Use and Occupancy Agreement between Seattle Repertory Theater and The City of Seattle