Legislation Details (With Text)

File #:	CB 118725 **Version:** 1	**Name:**	CB 118725
Type:	Ordinance (Ord)	**Status:**	Passed
		In control:	City Clerk
On agenda:	8/8/2016		
Final Action:	8/17/2016	**Ord. No.**	Ord 125104

Title: AN ORDINANCE relating to the Seattle Department of Parks and Recreation; authorizing the Superintendent of Parks and Recreation to execute for and on behalf of the City an amendment to the existing Seacrest Boathouse Concession Agreement with Marination LLC, originally authorized by Ordinance 124112; authorizing the Superintendent to execute future amendments relating to concession fees as the Superintendent determines to be in the best interest of the City; and ratifying and confirming certain prior acts.

Sponsors: Debora Juarez

Indexes:

Attachments: 1. Att 1 - First Amendment to Seacrest Boathouse Concession Agreement, 2. Summary and Fiscal Note, 3. Summary Att A - 2014 Comparative Rental Information, 4. Summary Att B - 2016 Comparative Rental Information, 5. Presentation, 6. Signed Ordinance 125104, 7. Affidavit of Publication

Date	Ver.	Action By	Action	Result
8/17/2016	1	City Clerk	attested by City Clerk	
8/17/2016	1	Mayor	returned	
8/16/2016	1	Mayor	Signed	
8/12/2016	1	City Clerk	submitted for Mayor's signature	
8/8/2016	1	City Council	passed	Pass
8/4/2016	1	Parks, Seattle Center, Libraries, and Waterfront Committee	pass	Pass
7/11/2016	1	City Council	referred	
6/23/2016	1	Council President's Office	sent for review	
6/21/2016	1	City Clerk	sent for review	
6/21/2016	1	Mayor	Mayor's leg transmitted to Council	

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to the Seattle Department of Parks and Recreation; authorizing the Superintendent of Parks and Recreation to execute for and on behalf of the City an amendment to the existing Seacrest Boathouse Concession Agreement with Marination LLC, originally authorized by Ordinance 124112; authorizing the Superintendent to execute future amendments relating to concession fees as the Superintendent determines to be in the best interest of the City; and ratifying and confirming certain prior acts.

WHEREAS, Ordinance 124112, passed in February 2013, authorized the Superintendent of the Department of Parks and Recreation ("Superintendent") to enter into a six-year Concession Agreement ("Concession Agreement") with Marination LLC; and

WHEREAS, under the Concession Agreement, Marination LLC provided over $200,000 in capital improvements to the Seacrest Boathouse and currently manages and operates the Seacrest Boathouse as a restaurant and boat and recreation equipment rental facility for the public; and

WHEREAS, the payment to the Seattle Department of Parks and Recreation (DPR) in the current Concession Agreement requires Marination LLC to pay a monthly concession fee of ten percent of gross sales to DPR; and

WHEREAS, Marination LLC notified DPR that continuing to pay this ten-percent concession fee is unsustainable and will put its business operation at risk going forward and requested the Superintendent lower the concession fee to be more in line with market rates; and

WHEREAS, the Superintendent determined that it would be in the best interest of DPR to amend the Concession Agreement and modify the concession fees to ensure a sustainable concession remains in the Seacrest location, and determined that the impact of this action will not significantly impact revenues to DPR; and

WHEREAS, the Superintendent and Marination LLC expressly intend that upon authorization from this ordinance and signature by an authorized representative of both parties, certain concession fee terms of the Concession Agreement with Marination LLC shall be changed and retroactively effective as of the dates provided for in such amendment; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Superintendent of Parks and Recreation ("Superintendent") is authorized to execute, for and on behalf of The City of Seattle ("City"), an amendment to the Concession Agreement with Marination LLC, which was originally authorized by Ordinance 124112, substantially in the form of the First Amendment

to the Seacrest Boathouse Concession Agreement between The City of Seattle and Marination LLC, attached hereto as Attachment 1.

Section 2. The Superintendent is authorized to negotiate future amendments to the Concession Agreement with Marination LLC for the purpose of adjusting the concession fees due from Marination LLC as the Mayor or Superintendent deems to be in the best interest of the City.

Section 3. Any act consistent with the authority of this ordinance taken before its effective date is hereby ratified and confirmed.

Section 4. 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.

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Monica Martinez Simmons, City Clerk

(Seal)

Attachments:
Attachment 1 - First Amendment to the Seacrest Boathouse Concession Agreement between The City of Seattle and Marination LLC