



Legislation Text

File #: CB 118459, **Version:** 2

CITY OF SEATTLE
ORDINANCE _____
COUNCIL BILL _____

AN ORDINANCE relating to the ground lease between The City of Seattle and Experience Music Project authorized under Ordinance 118336; authorizing the Seattle Center Director to execute a second amendment to the ground lease.

WHEREAS, in 1996, Seattle City Council enacted Ordinance 118336 authorizing the Seattle Center Director (Director) to execute a Memorandum of Understanding (MOU) with Experience Music Project regarding the development of the Experience Music Project at Seattle Center, and authorizing the Director to negotiate and enter into additional agreements, including a ground lease, consistent with the terms of the MOU; and

WHEREAS, Experience Music Project's full incorporated name is Experience Learning Community and its d/b/a name is Experience Music Project (EMP); and

WHEREAS, effective June 1, 1997, the City entered into the Ground Lease Between The City of Seattle (City) and Experience Music Project (Ground Lease), consistent with the terms of the MOU, for premises which EMP used to construct, maintain, and operate a museum to conserve, catalogue, and exhibit musical instruments, costumes, photographs, posters, and other objects which explore the history of rock and roll, popular music, and other various genres within the popular arts; and

WHEREAS, on May 27, 2010, the Director and EMP amended the Ground Lease to address certain matters consistent with the terms of the MOU; and

WHEREAS, the Ground Lease includes the right for EMP to be the sole facility on City-owned property at Seattle Center to operate a full service restaurant with a Class H liquor license, with the exception of

KeyArena, Mercer Arena, one Armory restaurant, and the property eventually sold by the City to the Bill and Melinda Gates Foundation; and

WHEREAS, EMP's exclusive rights with respect to liquor sales at the Seattle Center limits the City's options for attracting new investment and a mix of tenants consistent with the Century 21 Master Plan; and

WHEREAS, in September 2014, the Seattle Center Advisory Commission adopted Nonprofit Long Term Lease Guidelines (Guidelines) for the leasing of property and facilities at the Seattle Center to help provide consistency for long term leases with nonprofit organizations; and

WHEREAS, under the Guidelines the City is required to receive a fair return for the use of public assets and the City may agree upon alternative methods of payment of rent to realize such return; and

WHEREAS, EMP has agreed to release its exclusive rights with respect to liquor sales, in part, in consideration for the ability to pay rent with cash and public benefits; and

WHEREAS, EMP and the City mutually desire to modify the terms of the Ground Lease to provide for EMP's payment of rent through measureable public benefits as well as cash, and to release EMP's liquor exclusivity rights; 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 June 1, 1997 Ground Lease Between The City of Seattle and Experience Learning Community d/b/a Experience Music Project substantially in the form of the Second Amendment to Ground Lease Between The City of Seattle and Experience Music Project attached as Attachment 1.

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 _____, 2015, and
signed by me in open session in authentication of its passage this
____ day of _____, 2015.

President _____ of the City Council

Approved by me this ____ day of _____, 2015.

Edward B. Murray, Mayor

Filed by me this ____ day of _____, 2015.

Monica Martinez Simmons, City Clerk

(Seal)

Attachment 1: Second Amendment to Ground Lease Between The City of Seattle and Experience Music
Project