

**CITY OF SEATTLE**

**ORDINANCE \_\_\_\_\_**

COUNCIL BILL 117922

AN ORDINANCE authorizing the Director of Finance and Administrative Services to enter into a lease agreement with Block 24 Seattle, LTD, L.P. for office space in the Bank of America Fifth Avenue Plaza, for office use by various City Departments.

WHEREAS, in April 2007, Ordinance 122367 authorized the predecessor department to the Department of Finance and Administrative Services (FAS) to lease office space for the Seattle Department of Transportation at 800 Fifth Avenue; and

WHEREAS, Block 24 Seattle, LTD, L.P. is the current owner and landlord for that property; and

WHEREAS, various City Departments need additional office space that cannot be accommodated within City-owned buildings for the foreseeable future; and

WHEREAS, FAS evaluated proposals to provide office space in the vicinity of City Hall and the Seattle Municipal Tower, the best of which was from Block 24 Seattle, LTD, L.P. for leased office space in the Bank of America Fifth Avenue Plaza; and

WHEREAS, Seattle Municipal Code Section 3.127.020.C.1 requires City Council approval of lease agreements that involve more than 5,000 square feet of office space in any single building. NOW, THEREFORE,

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

Section 1. As requested by the Director of Finance and Administrative Services and recommended by the Mayor, said Director is hereby authorized to execute, for and on behalf of the City of Seattle, a lease agreement with Block 24 Seattle, LTD, L.P., generally in the form of Exhibit 1, attached hereto and identified as "Lease Agreement," providing for the City of Seattle's tenancy and occupancy of a portion of the real property located at 800 Fifth Avenue in Seattle.

Section 2. The Director is further authorized to make technical, conforming, or otherwise nonmaterial changes and to negotiate material changes which could benefit the City in the Lease Agreement and other ancillary documents authorized to be executed herein; and to execute,

1 deliver, administer, perform and enforce such amendments and ancillary agreements or  
2 documents, and take such other actions as the Director deems appropriate or necessary to carry  
3 out the terms and provisions of, and complete the transactions contemplated by, this ordinance;  
4 with the form of such documents and agreements requiring the approval of the City Attorney's  
5 Office.

6 Section 3. Prior to executing any material changes to the Lease Agreement or other  
7 ancillary documents authorized to be executed herein, the Director of Finance and  
8 Administrative Services shall provide written notice to the Chair of the Government Performance  
9 and Finance Committee (or its successor committee). The Chair of the Government Performance  
10 and Finance Committee (or its successor committee) shall determine whether further Council  
11 review is warranted before any such material changes are executed.

12 Section 4. Prior to executing options in the Lease Agreement to lease any space beyond  
13 the "initial premises," as defined in the Lease Agreement, the Director of Finance and  
14 Administrative Services shall provide written notice to the Chair of the Government Performance  
15 and Finance Committee (or its successor committee). The Chair of the Government Performance  
16 and Finance Committee (or its successor committee) shall determine whether further Council  
17 review is warranted before any such options are executed.

18 Section 35. The maximum term of the Lease Agreement is for ten years, beginning on  
19 February 1, 2014, and expiring on January 31, 2024. Additionally, the Director or his or her  
20 successor is further authorized to extend the term of the lease for up to two additional five year  
21 extensions as determined by the Director to be in the best interest of the City.

22 Section 36. The rental payments contemplated by the terms of the Lease Agreement  
23 authorized in Section 1 hereof shall be charged to the appropriate expenditure allowance or  
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1 allowances in the budget of the Department of Finance and Administrative Services and shall be  
2 reimbursed to that Department by the Departments that are utilizing the leased space.

3 Section 47. This ordinance shall take effect and be in force 30 days after its approval by  
4 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it  
5 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

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7 Passed by the City Council the \_\_\_\_ day of \_\_\_\_\_, 2013, and  
8 signed by me in open session in authentication of its passage this  
9 \_\_\_\_ day of \_\_\_\_\_, 2013.

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12 \_\_\_\_\_  
13 President \_\_\_\_\_ of the City Council

14 Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2013.

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16 \_\_\_\_\_  
17 Michael McGinn, Mayor

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19 Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2013.

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

23 (Seal)

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25 Exhibit 1: Lease Agreement