



SEATTLE CITY COUNCIL

Legislative Summary

CB 118841

Record No.: CB 118841

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125199

In Control: City Clerk

File Created: 09/21/2016

Final Action: 11/28/2016

Title: AN ORDINANCE relating to fees charged by the Seattle Center Department; modifying the fee range schedule from which the Seattle Center Director is authorized to set fees for use of Seattle Center facilities and property; and amending Section 17.16.015 of the Seattle Municipal Code to provide for adoption of future fee schedules by ordinance.

Notes:

Date
Filed with City Clerk: 11/28/2016

Mayor's Signature: 11/28/2016

Sponsors: Burgess

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments: Att A – Seattle Center Fee Range Schedule, Att A1 – Seattle Center Fee Range Schedule (markup)

Drafter: adam.schaefer@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

☐ Yes

☐ No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	09/26/2016	Mayor's leg transmitted to Council	City Clerk			
1	City Clerk	10/07/2016	sent for review	Council President's Office			
	Action Text: The Council Bill (CB) was sent for review. to the Council President's Office						
	Notes:						
1	Council President's Office	10/20/2016	sent for review	Select Budget Committee			
	Action Text: The Council Bill (CB) was sent for review. to the Select Budget Committee						
	Notes:						
1	Full Council	11/07/2016	referred	Select Budget Committee			
1	Select Budget Committee	11/16/2016	pass				Pass

Action Text: The Committee recommends that Full Council pass the Council Bill (CB).

Notes:

In Favor: 9 Chair Burgess, Member Bagshaw, Member Harrell, Member Herbold,
Member Juarez, Member Johnson, Member González , Member O'Brien,
Member Sawant

Opposed: 0

1 Full Council 11/21/2016 passed

Pass

Action Text: The Council Bill (CB) was passed by the following vote, and the President signed the Bill:

Notes:

In Favor: 9 Councilmember Bagshaw, Councilmember Burgess, Councilmember
González , Council President Harrell, Councilmember Herbold,
Councilmember Johnson, Councilmember Juarez, Councilmember
O'Brien, Councilmember Sawant

Opposed: 0

1 City Clerk 11/22/2016 submitted for Mayor
Mayor's signature

1 Mayor 11/28/2016 Signed

1 Mayor 11/28/2016 returned City Clerk

Action Text: The Council Bill (CB) was returned. to the City Clerk

Notes:

1 City Clerk 11/28/2016 attested by City
Clerk

Action Text: The Ordinance (Ord) was attested by City Clerk.

Notes:

CITY OF SEATTLE

ORDINANCE 125199

COUNCIL BILL 118841

AN ORDINANCE relating to fees charged by the Seattle Center Department; modifying the fee range schedule from which the Seattle Center Director is authorized to set fees for use of Seattle Center facilities and property; and amending Section 17.16.015 of the Seattle Municipal Code to provide for adoption of future fee schedules by ordinance.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Seattle Center Fee Range Schedule, last adopted by Ordinance 124628, is amended effective January 1, 2017 as shown in Attachment A1 to this ordinance. Effective January 1, 2017, the fee range schedule shown in Attachment A to this ordinance is adopted.

Section 2. Section 17.16.015 of the Seattle Municipal Code, last amended by Ordinance 124628, is amended as follows:

17.16.015 Use fee((s)) schedule, terms and conditions established ((-))

The Seattle Center Director is authorized to charge and collect fees for the use of certain Seattle Center facilities, services, and equipment for Events, as established in a fee schedule adopted, from time to time, by ordinance. ~~((provided to users thereof, and))~~ Additionally, the Director is authorized to condition such use on compliance with certain general terms, conditions, rules, and guidelines promulgated by the Director, ~~((as specified in the "Seattle Center Fee Range Schedule" ((Attachment A to the Ordinance introduced as Council Bill 118229, and))~~ consistent with the "Terms and Conditions for Events at Seattle Center" (Attachment B to ((the)) Ordinance 124628 ((introduced as Council Bill 118229))). Once adopted by ordinance, ((F))the Seattle Center Fee Range Schedule shall remain in effect until repealed or amended by a subsequent ordinance ~~((supersedes all prior fee range schedules to the extent they are inconsistent))~~.

Section 3. 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 21st day of November, 2016,
and signed by me in open session in authentication of its passage this 21st day of
November, 2016.



President _____ of the City Council

Approved by me this 28th day of November, 2016.


Edward B. Murray, Mayor

Filed by me this 28th day of NOVEMBER, 2016.



Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment A – Seattle Center Fee Range Schedule

Attachment A1 – Seattle Center Fee Range Schedule (markup)

Attachment A: Seattle Center Fee Range Schedule

Effective January 1, 2017

Facility	Use Fee Ranges Standard/Government Agency Events		Use Fee Ranges Spectator Events ⁴			
	EVENT DAY FEE ^{1 & 2 & 7}		Higher of: EVENT DAY FEE ⁷ PERCENTAGE OF NET GROSS SALES ³			
	MINIMUM	MAXIMUM	MINIMUM	MAXIMUM	MINIMUM	MAXIMUM
Armory Loft	\$520	\$4,000	NA	NA	NA	NA
Rooms 2 & 3	\$220	\$1,000	NA	NA	NA	NA
Rooms 1 & 4	\$140	\$1,000	NA	NA	NA	NA
Exhibition Hall	\$1,000	\$8,000	\$1,000	\$9,000	NA	NA
Fisher Pavilion	\$1,500	\$6,000	\$1,500	\$7,000	NA	NA
Seattle Center Pavilion	\$450	\$2,500	NA	NA	NA	NA
Next 50 Pavilion & Annex	\$450	\$4,000	NA	NA	NA	NA
International Fountain Pavilion	\$450	\$5,000	NA	NA	NA	NA
Armory Atrium	\$1,000	\$10,000	\$1,000	\$10,000	5%	15%
Marion Oliver McCaw Hall	\$3,000	\$10,000	\$2,300	\$6,500	5%	15%
KeyArena						
TICKETED EVENTS ⁸						
Upper/Lower Bowls	NA	NA	\$10,000 ⁵	\$25,000 ⁵	8%	15%
Reduced Configuration ⁶	NA	NA	\$5,000 ⁵	\$15,000 ⁵	8%	15%
FAMILY SHOWS ⁹						
Upper/Lower Bowls	NA	NA	\$5,000 ⁵	\$20,000 ⁵	8%	15%
Lower Bowl Only	NA	NA	\$5,000 ⁵	\$15,000 ⁵	8%	15%
NON-TICKETED EVENTS						
Upper/Lower Bowls	\$10,000 ⁵	\$40,000 ⁵	NA	NA	NA	NA
Reduced Configuration ⁶	\$5,000 ⁵	\$30,000 ⁵	NA	NA	NA	NA
SELF-TICKETED EVENTS ¹⁰						
Upper/Lower Bowls	\$10,000 ⁵	\$40,000 ⁵	NA	NA	NA	NA
Reduced Configuration ⁶	\$5,000 ⁵	\$30,000 ⁵	NA	NA	NA	NA
HIGH SCHOOL GRADUATIONS	\$5,000 ⁵	\$15,000 ⁵				
Reduced Configuration Only ⁶						
			Facility Surcharge Spectator Events and Consumer Shows			
KeyArena			Up to \$6 per ticket or per paid admission for all promoters			
McCaw Hall			Up to \$6 per ticket or per paid admission for all promoters			
Other Facilities			Up to \$6 per ticket or per paid admission for all promoters			

NOTES:

1. **Full Day Move-In/Out:** The Director may reduce the use fee for move-in and/or move-out on the days preceding and following an Event to as low as half the price of an Event day, provided that the Director may further reduce the use fee for move-in and/or move-out for KeyArena non-Ticketed Events.
2. **Partial day Move-In/Out:** The Director may reduce the use fee to as low as one quarter of the use fee for an Event day for move-in and move-out when only a small portion of the day is used.
3. **Net Gross Sales:** Net Gross Sales means the total amount of money received or receivable from the sale of admission tickets to a Spectator Event, less any applicable City Admission Tax, City B & O Tax, State Revenue Tax and Washington State Athletic Commission Tax due in connection with such Event, as substantiated by a certified box office statement.
4. **Use Fee Ranges for Spectator Events:** Licensee must pay the higher of the Event day fee or the percentage of Net Gross Sales. The Event day fee and the percentage of Net Gross Sales shall be set within the ranges established by the minimums and maximums set forth above in accordance with the Terms and Conditions for Events at Seattle Center. For example, a rental of the McCaw Hall Auditorium may be set within these ranges to be the higher of an Event day fee set at \$3,700 versus 9% of Net Gross Sales for the event.
5. **For 2nd day and succeeding days of events:** The Director may negotiate and reduce the use fee for the second and succeeding days of multi-day uses.
6. **Reduced Configuration:** “Reduced Configuration” means either lower bowl by itself or “Theater” set-up. “Theater,” for this purpose, means seating reduced by moving the stage further north in the KeyArena than its normal location, to a fixed location set by Seattle Center.
7. **High Value Dates:** The Director may charge premium rates of up to 50% more than the maximum Event day fee listed above for Events in any Facility on dates the Director designates as High Value Dates. A “High Value Date” means a holiday or a date on which Seattle Center is already hosting a major campus-wide event. Examples of High Value Dates include but are not limited to New Year’s Eve, the date of the Pride Festival, the date of the Seafair Torchlight Parade, or the date of the St. Patrick’s Day Dash.
8. **“Ticketed Events”** as used above refers to Spectator Events at KeyArena, such as concerts, sporting events, and speaker events, but does not include Family Shows.
9. **“Family Shows”** as used above means a Spectator Event at KeyArena whose target audience is children.
10. **“Self-Ticketed Events”** as used above refers to Spectator Events at KeyArena where admission or donations are collected only at the door and no advance ticketing services are used, or events using a pre-registration process for their attendees.
11. **Definitions.** Any capitalized word or phrase that is not defined in this Attachment shall have the meaning given in S.M.C 17.16.005 or in the Terms and Conditions for Events at Seattle Center.

Attachment A1: Seattle Center Fee Range Schedule (markup)

Effective January 1, ((2015)) 2017

Facility	Use Fee Ranges Standard/Government Agency Events		Use Fee Ranges Spectator Events ⁴			
	EVENT DAY FEE ^{1 & 2 & 7}		Higher of: EVENT DAY FEE ⁷ PERCENTAGE OF NET GROSS SALES ³			
	MINIMUM	MAXIMUM	MINIMUM	MAXIMUM	MINIMUM	MAXIMUM
Armory Loft	\$520	(((\$3,000)) \$4,000	NA	NA	NA	NA
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Upper/Lower Bowls	\$10,000 ⁵	\$40,000 ⁵	NA	NA	NA	NA
Reduced Configuration ⁶	\$5,000 ⁵	\$30,000 ⁵	NA	NA	NA	NA
SELF-TICKETED EVENTS ¹⁰						
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SUMMARY and FISCAL NOTE*

Department:	Contact Person/Phone:	Executive Contact/Phone:
Seattle Center	Donald Loseff, 684-7184	Anna Hurst, 233-7274

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to fees charged by the Seattle Center Department; modifying the fee range schedule from which the Seattle Center Director is authorized to set fees for use of Seattle Center facilities and property; and amending Section 17.16.015 of the Seattle Municipal Code to provide for adoption of future fee schedules by ordinance.

Summary and background of the Legislation: As part of the biennial budget process, Seattle Center adjusts various facility fees and facility charges across the campus. The fees for events are structured within ranges, identified in Attachment A, and the Department is requesting minor adjustments to some of these existing ranges to allow Seattle Center to stay competitive in the marketplace and maximize revenue. Adjusting the event fee ranges provides the Director with discretion to raise fees if the current event market allows the increase. In other words, when the Director becomes aware of market factors that will allow facility rental rates to be raised and still be competitive, a new rate schedule will be published. Alternatively, if economic conditions change for the worse, or if research indicates that a target client group is not being attracted, the Director may revise the rate schedule to lower fees within the adopted ranges in order to attract and retain business. Incentive fees for limited time periods may also be offered to stimulate interest in facilities. Rates may vary by event type, but all clients will pay the same facility rate when other conditions are identical (i.e., clients use the same facility for the same type of event for the same number of days).

2. CAPITAL IMPROVEMENT PROGRAM

☐ This legislation creates, funds, or amends a CIP Project.

3. SUMMARY OF FINANCIAL IMPLICATIONS

☒ This legislation has direct financial implications.

Budget program(s) affected:	Various			
Estimated \$ Appropriation change:	General Fund \$		Other \$	
	2017	2018	2017	2018
Estimated \$ Revenue change:	Revenue to General Fund		Revenue to Other Funds	
	2017	2017	2017	2018
			\$4,138,758	\$4,500,355
Positions affected:	No. of Positions		Total FTE Change	

	2017	2018	2017	2018
Other departments affected:				

3.a. Appropriations

☐ This legislation adds, changes, or deletes appropriations.

3.b. Revenues/Reimbursements

☒ This legislation adds, changes, or deletes revenues or reimbursements.

Anticipated Revenue/Reimbursement Resulting from this Legislation:

Fund Name and Number	Dept	Revenue Source	2017 Revenue	2018 Estimated Revenue
Seattle Center Operating Fund – 11410	Seattle Center	Facility Fees	\$3,084,343	\$3,297,077
Seattle Center Operating Fund – 11410	Seattle Center	Facility Surcharge	\$1,054,415	\$1,203,258
TOTAL			\$4,138,758	\$4,500,355

Revenue/Reimbursement Notes:

3.c. Positions

☐ This legislation adds, changes, or deletes positions.

4. OTHER IMPLICATIONS

- Does the legislation have indirect or long-term financial impacts to the City of Seattle that are not reflected in the above?
No.
- Is there financial cost or other impacts of not implementing the legislation?
Without this legislation, Seattle Center will not be able to take full advantage of market conditions to maximize revenues that support the department's operations.
- Does this legislation affect any departments besides the originating department?
No.
- Is a public hearing required for this legislation?
No.

- e) **Does this legislation require landlords or sellers of real property to provide information regarding the property to a buyer or tenant?**

No.

- f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**

No.

- g) **Does this legislation affect a piece of property?**

No.

- h) **Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities?**

There are no perceived implications for the principles of the Race and Social Justice Initiative.

- i) **If this legislation includes a new initiative or a major programmatic expansion: What are the long-term and measurable goals of the program? Please describe how this legislation would help achieve the program's desired goals.**

This legislation does not include a new initiative or major programmatic expansion.

- j) **Other Issues:**

List attachments/exhibits below:

STATE OF WASHINGTON -- KING COUNTY

--SS.

344222

No. 125197,98,99,125200,01,02

CITY OF SEATTLE, CLERKS OFFICE

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:TITLE ONLY ORDINANCES

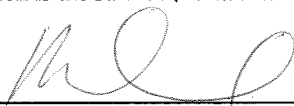
was published on

12/09/16

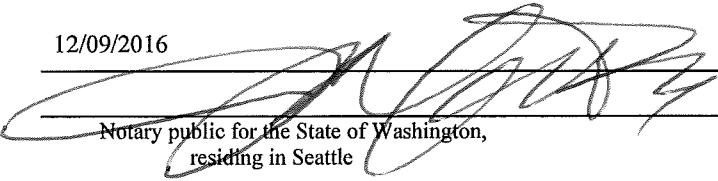
The amount of the fee charged for the foregoing publication is the sum of \$151.53 which amount has been paid in full.



Affidavit of Publication


Subscribed and sworn to before me on

12/09/2016


Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle Title Only Ordinances

The full text of the following legislation, passed by the City Council on November 21, 2016, and published below by title only, will be mailed upon request, or can be accessed at <https://seattle.legistar.com/Legislation.aspx>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>.

Contact: Office of the City Clerk at (206) 684-8344.

Ordinance 125197

AN ORDINANCE relating to contracting indebtedness; authorizing and providing for the issuance and sale of limited tax general obligation bonds to pay all or part of the costs of various elements of the City's capital improvement program and other City purposes approved by ordinance, to refinance certain outstanding City-guaranteed bonds of the Seattle Chinatown-International District Preservation and Development Authority, to provide a portion of the funds necessary to replace the Mercer Arena, and to pay the costs of issuance of the bonds; providing for certain terms, conditions, and covenants and the manner of sale of the bonds; authorizing certain agreements for the use of proceeds of the Bonds; and ratifying and confirming certain prior acts.

Ordinance 125198

AN ORDINANCE relating to the electric system of The City of Seattle; authorizing the issuance and sale of municipal light and power revenue bonds for the purposes of providing funds for certain additions and betterments to and extensions of the existing municipal light and power plant and system of the City, paying the costs of issuance of those bonds, and providing for the reserve fund requirement; providing for the terms, conditions, covenants, and manner of sale of those bonds; describing the lien of those bonds; and ratifying and confirming certain prior acts.

Ordinance 125199

AN ORDINANCE relating to fees charged by the Seattle Center Department, modifying the fee range schedule from which the Seattle Center Director is authorized to set fees for use of Seattle Center facilities and property; and amending Section 17.16.015 of the Seattle Municipal Code to provide for adoption of future fee schedules by ordinance.

Ordinance 125200

AN ORDINANCE authorizing, in 2016, acceptance of funding from non-City sources; authorizing the heads of the Executive Department, Seattle Department of Transportation, Seattle Fire Department, and Seattle Police Department to accept specified grants and private funding and to execute, deliver, and perform corresponding agreements; and ratifying and confirming certain prior acts.

Ordinance 125201

AN ORDINANCE amending Ordinance 124927, which adopted the 2016 Budget, including the 2016-2021 Capital Improvement Program (CIP); changing appropriations to various departments and budget control levels, and from various funds in the Budget; creating both exempt and nonexempt positions; modifying positions; adding new projects; making cash transfers between various City funds; revising project allocations for certain projects in the 2016-2021 CIP; lifting a proviso; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council.

Ordinance 125202

AN ORDINANCE relating to the Smith Cove project and the Capital Fund in the Department of Parks and Recreation; amending Ordinance 124909 to extend the duration of loan, increasing the loan amount to \$4 million and establishing the City's 2008 Parks and Green Spaces Levy as the lending

fund for the Smith Cove interfund loan; and authorizing the loan of funds from the City's 2008 Parks and Green Spaces Levy fund, or its participating funds, in the amount of \$4,000,000 to the Parks Capital Fund for bridge financing of other Seattle Parks District approved capital projects.

Date of publication in the Seattle Daily Journal of Commerce, December 9, 2016.

12/9(344222)