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02/20/91

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4228

AN ORDINANCE approving the First Amended Design, Development, Construction, Financing and Operating Agreement; the First Amended Sublease of Ground Lease; and the First Amended Lease Purchase Agreement, all between the City of Bellevue and the Bellevue Convention Center Authority; and authorizing execution thereof by the City Manager.

WHEREAS, on December 4, 1989, the City Council adopted Ordinance No. 4093 authorizing execution of a Design, Development, Construction, Financing and Operating Agreement between the City of Bellevue and the Bellevue Convention Center Authority, which was executed by the City and the Authority and filed under Clerk's Receiving No. 14955; and

WHEREAS, on December 11, 1989, the City Council adopted Ordinance No. 4097 authorizing execution of a Lease Purchase Agreement and Sublease of Ground Lease between the City of Bellevue and the Bellevue Convention Center Authority, which were executed by the City and the Authority and filed, respectively, under Clerk's Receiving Nos. 14968 and 14969; and

WHEREAS, the City and the Authority now desire to amend those agreements; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The City Council hereby approves the following:

A. First Amended Design, Development, Construction, Financing and Operating Agreement between the City of Bellevue and the Bellevue Convention Center Authority, in substantially the form which has been given Clerk's Receiving No. 16315.

B. First Amended Lease Purchase Agreement between the City of Bellevue and the Bellevue Convention Center Authority, in substantially the form which has been given Clerk's Receiving No. 16316.

C. First Amended Sublease of Ground Lease between the City of Bellevue and the Bellevue Convention Center Authority, in substantially the form which has been given Clerk's Receiving No. 16317.

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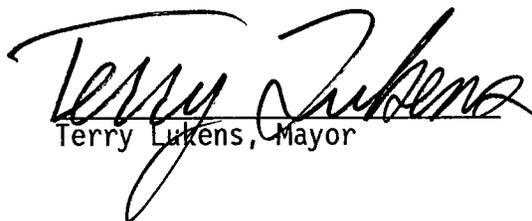
Section 2. The City Manager is authorized to execute the documents referenced above in Section 1 at such time as the remaining administrative matters necessary prior to their execution have been completed. The City Manager, prior to executing the documents, may approve such modifications thereof as are not material and as are consistent with the intent of the documents.

Section 3. The City Manager is further authorized to approve the Unadjusted Rent Schedule attached as Exhibit B to the First Amended Lease Purchase Agreement, subject to the terms of Section 5.3 of the First Amended Lease Purchase Agreement, and subject to prior approval by the City Manager of the construction bond terms and conditions as provided in Section VIII.A of the First Amended Operating Agreement.

Section 4. This ordinance shall take effect and be in force five days after its passage and legal publication.

PASSED by the City Council this 4th day of March, 1991, and signed in authentication of its passage this 4th day of March, 1991.

(SEAL)


Terry Lukens, Mayor

Approved as to form:

Richard L. Andrews, City Attorney


Richard L. Andrews, City Attorney

Attest:


Marie K. O'Connell, City Clerk

Published on: March 8, 1991