

0125-ORD
11/25/97

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5043

AN ORDINANCE approving the expansion of the Bellevue Convention Center (Meydenbauer Center) and authorizing and directing the City Manager to execute a Joint Use Development Agreement with the Bellevue Convention Center Authority, Tochterman Investment Company, doing business as Tochterman Management Group, and Jeffrey J. Rhodes.

WHEREAS, in December, 1995, the City Council authorized the Bellevue Convention Center Authority (BCCA) to explore the feasibility of the expansion of the Bellevue Convention Center (Meydenbauer Center); and

WHEREAS, the BCCA Board, with the assistance of a Citizens Advisory Committee, completed a feasibility study and presented the study findings to the City Council in April and June of 1997; and

WHEREAS, the study concluded that the expansion of the Convention Center could be accomplished in the year 2005, given availability of hotel/motel taxes dedicated to expansion; and

WHEREAS, in June, 1997, the City Council authorized the City and the Bellevue Convention Center Authority to explore whether a joint development project proposed by a private developer involving property adjacent to the Convention Center would be an appropriate and cost-effective way to accomplish an earlier expansion of the Convention Center; and

WHEREAS, such a joint development project would involve three separate elements: expansion of the Convention Center and acquisition of fee title to the land under the existing center and the proposed expansion, financed by public debt; a private development including a first class hotel with approximately 400 to 600 rooms, an office building with approximately 500,000 to 600,000 square feet of gross floor area, retail shops, restaurants and multi-screen theaters with a total of approximately 250,000 to 300,000 square feet of gross floor area, and a pedestrian plaza, all financed privately; and a mixed use garage serving both the public and private development, financed by bonds issued by the Washington State Housing Finance Commission and secured by parking revenues and developer financial guarantees; and

WHEREAS, since that time City and BCCA staff have been involved in discussions with a private developer and the landowner to determine how such a joint development project might be accomplished in a financially prudent manner; and

WHEREAS, the City Council directed staff to prepare "Development Principles" to establish the financial parameters to be used in evaluating expansion of the Convention Center through such a joint development project; and

0125-ORD
11/25/97

WHEREAS, those Development Principles were presented to the City Council on September 22, 1997; and

WHEREAS, a hearing was held before the City Council on October 6, 1997, for the purpose of obtaining public testimony on the proposed Development Principles; and

WHEREAS, the Development Principles were approved by the City Council, with modifications based on testimony from the public received at the hearing, on October 13, 1997; and

WHEREAS, a final Joint Use Development Agreement, consistent with the Development Principles, was presented to the City Council on November 10, 1997; and

WHEREAS, a public hearing for the purpose of receiving public testimony on the Joint Use Development Agreement was held before the City Council on November 24, 1997; and

WHEREAS, the Joint Use Development Agreement sets forth the fundamental agreement and establishes the essential framework among the City, BCCA, Tochterman Investment Company, doing business as Tochterman Management Group, and Jeffrey J. Rhodes for the design, development, financing and construction of the Meydenbauer Center Expansion, adjoining private development and joint use parking garage, subject only to certain financial and design contingencies set forth therein; and

WHEREAS, the Joint Use Development Agreement is consistent with the City policies governing expansion of Convention Center through a joint use development project as set forth in the Development Principles, adopted October 13, 1997; and

WHEREAS, the City Council desires to implement those policies and provide for the expansion of Convention Center through the Joint Use Development Agreement; and

WHEREAS, it is financially feasible to expand the Convention Center at this time only if it is done in conjunction with a privately financed mixed use development as provided in the Joint Use Development Agreement; and

WHEREAS, expansion of Meydenbauer Center through the Joint Use Development Agreement will accelerate the availability to the Bellevue community of an expanded Center, enhance revenues from parking garage revenues available to the BCCA and reduce the risk of uncertainty of the expansion; and

WHEREAS, it is the intent of the City Council by this ordinance to prescribe the City's final policy and plan for the expansion of the Convention Center; now, therefore,

0125-ORD
11/25/97

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

Section 1. The purpose of this ordinance is to prescribe the City Council's final policy and plan for expansion of the Convention Center, subject only to such additional administrative actions as the Council may be required to take to implement the policy and plan hereby adopted and subject to satisfaction of such financing and design contingencies as are contained in the Joint Use Development Agreement.

Section 2. The City Manager is hereby authorized and directed to execute, on behalf of the City, the Joint Use Development Agreement among the City, BCCA, Tochterman Investment Company, doing business as Tochterman Management Group, and Jeffrey J. Rhodes, in substantially the form which has been given Clerk's Receiving No. 25100.

Section 3. This ordinance will take effect and be in force thirty (30) days after passage by the City Council.

PASSED by the City Council this 15th day of December, 1997, and signed in authentication of its passage this 15th day of December, 1997.

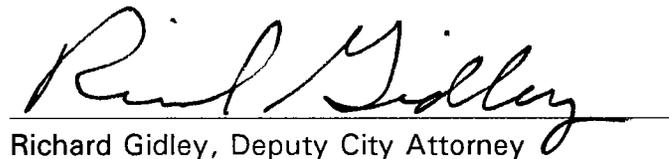
(SEAL)



Ronald E. Smith, Mayor

Approved as to form:

Richard L. Andrews, City Attorney



Richard L. Andrews, City Attorney

Attest:



Myrna L. Basich, City Clerk

Published December 5, 1997