

RESOLUTION NO. M-2389

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON,
APPROVING A DELEGATED STATE RENTAL AGREEMENT BETWEEN THE CITY OF
OLYMPIA AND THE EVERGREEN STATE COLLEGE (TESC), FOR 112 4TH AVENUE
WEST**

WHEREAS, on December 17, 2018, the City of Olympia acquired title to the real property at 112 4th Ave. W, Olympia, WA, the former location of Ben Moore's Restaurant. Because of its location and zoning, the property is a suitable location for use as a venue for lectures, events, and educational programming and as an art studio, performance space, and a Café, all of which are consistent with the needs and objectives in the City of Olympia's Downtown Strategy; and

WHEREAS, the City and TESC wish to enter into a rental agreement, by which the City will rent the 112 4th Ave. W property to TESC. By doing so, the City and TESC will introduce TESC as a fixture to downtown Olympia, and during the course of this rental agreement, the parties will continue to collaborate on perspective future partnerships to advance this objective; and

WHEREAS, TESC will utilize the property subject to the rental agreement for lecture series, events, and educational programming, and one or more non-profit users may use the space for activities such as event programming, art studio, performance space, and a café; and

WHEREAS, it is anticipated that TESC will enter into a user agreement(s) with one or more organizations to utilize the premises subject to the Rental Agreement; and

WHEREAS, the Department of Enterprise Services is granted authority to lease property under RCW 43.82.010, the Director of the Department of Enterprise Services is also granted authority to delegate the leasing function to agencies, and the Director has so delegated the authority for a rental agreement for 112 4th Ave West; and

WHEREAS, the parties deem it to be in the best public interest to enter into this Rental Agreement;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL DOES HEREBY RESOLVE as follows:

1. The Olympia City Council hereby approves the form of the Delegated State Rental Agreement between the City of Olympia and The Evergreen State College. for lease of 112 4th Avenue West, and the terms and conditions contained therein.

2. The City Manager is authorized and directed to execute on behalf of the City of Olympia the Rental Agreement, and any other documents necessary to execute said Agreement, and to make any amendments or minor modifications as may be required and are consistent with the intent of the Agreement, or to correct any scrivener's errors.

PASSED BY THE OLYMPIA CITY COUNCIL this 15th day of November 2022.

C. Selby
MAYOR

ATTEST:

Sean Krizer
CITY CLERK

APPROVED AS TO FORM:

Michael M. Young
DEPUTY CITY ATTORNEY