

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON
AUTHORIZING REIMBURSEMENT TO THE WASHINGTON CENTER FOR THE PERFORMING
ARTS FOR COSTS INCURRED TO RESURFACE AND MODIFY THE AUDITORIUM FLOOR**

WHEREAS, The Washington Center (Center) building is owned by the City of Olympia (City) and operated by The Washington Center for the Performing Arts (Center), a not-for-profit organization; and

WHEREAS, the City's goal of the Center is to operate a quality and financially sound performing arts center to be enjoyed and supported by the entire community; and

WHEREAS, with support from the City, the Center was awarded a \$1,464,000 *Building for the Arts Program* grant by the Washington State Department of Commerce for the significant renovation and upgrade to the Center's lobby and auditorium.

WHEREAS, the Center has planned a four-month shutdown to complete those renovations which offers a unique opportunity for the City to complete critical repairs, including resurfacing the auditorium floors, without interrupting Center operations; and

WHEREAS, the auditorium floor resurfacing must be intricately coordinated with other work being completed by the Center; and

WHEREAS, the City's Capital Facilities Plan allocated \$764,323.00 to resurface the Center's auditorium floor; and

WHEREAS, the current operating agreement between the City and the Center states that the City is responsible for "General Maintenance and Repair " of the facility and the Center is responsible for "Performance Related Maintenance and Repair;" however, some of the work necessary to complete this project cannot be easily defined as general maintenance or performance related; and

WHEREAS, for the purposes of this project only, the City and the Center agree that the City will reimburse the Center for the cost of the items listed in this Agreement up to the amount allocated for resurfacing the floor in the City's Capital Facilities Plan minus the costs for hazardous material testing and City labor needed to support the project; and

WHEREAS, the City Council finds it to be in the best interest of the City of Olympia for the Center to complete the work described below and reimburse the Center for associated costs;

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

1. The above-stated recitals are hereby adopted as findings of the Olympia City Council and are incorporated by this reference as though fully set forth herein.

2. The Olympia City Council hereby authorizes the City Manager or his designee to execute all documents necessary to reimburse the Center for costs associated with the following work:
 - Preparation of auditorium floors for resurfacing including removal of existing chairs and floor surfacing material.
 - Minor modifications necessary to facilitate installation of new chairs including modifications to maintain access required by the Americans with Disabilities Act.
 - Surface preparation of the auditorium floors.
 - Application of new floor finishing.
3. The City Manager or his designee is authorized to reimburse the Center for associated costs up to a maximum amount of \$744,297.39.

Note: The full amount available for work on the Center floor is \$764,323.00. To date the City has paid \$7,563.05 for hazardous materials testing and \$2,962.56 for City labor to support the project. The City estimates it will need approximately \$9,500.00 additional funds for Project Management. \$744,297.39 is available for the work items listed above.

4. The City Manager or his designee may further reimburse the Center for the following additional work provided that the total reimbursement does not exceed \$745,000.
 - Replacement of existing ventilation diffusers on the auditorium floor.
 - Installation of a cable raceway.
5. The City Manager is authorized and directed to execute on behalf of the City of Olympia the Memorandum of Agreement, and any other documents necessary to execute said Memorandum of Agreement, and to make any amendments or minor modifications as may be required and are consistent with the intent of the Memorandum of Agreement, or to correct any scrivener's errors.

PASSED BY THE OLYMPIA CITY COUNCIL this _____ day of _____ 2022.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

Mark Barber

CITY ATTORNEY