

RESOLUTION R- 4019

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELATING TO THE CONSTRUCTION AND OPERATION OF THE KIRKLAND PERFORMANCE CENTER.

Whereas, Kirkland Performance Center ("KPC"), Inc., a non-profit corporation for the development of a performing arts center in Kirkland, has requested use of the vacant old library for a performing arts center to be called the Kirkland Performance Center; and

Whereas, the City Council agrees that use of the old library as a theater would be of benefit to the general public; and

Whereas, KPC, Inc. has been fundraising to make it possible to renovate the old library for use as a performing arts center;

Now, therefore, be it resolved by the City Council of the City of Kirkland as follows:

Section 1 City intends to pay \$925,000 towards the actual construction costs of renovation once City is satisfied that KPC, Inc. has obtained the balance of the funding needed.

Section 2 City intends to grant \$100,000 to KPC, Inc. for the exclusive purpose of funding the position of a Fund Development Director.

Section 3 City intends that admissions tax revenue generated by the performing arts facility shall be dedicated to KPC, Inc. for the exclusive purpose of funding the aforementioned Fund Development Director position. Dedication of these funds shall be reviewed by the City after the first five years of such use.

Section 4 The City Council intends that the City enter into a Construction and Operating Agreement with KPC, Inc. which shall include provisions requiring KPC, Inc. to maintain a \$50,000 pledge reserve to be used as protection against unfulfilled pledges, and obtain a \$100,000 letter of credit from a financial institution acceptable to the City to be used if the pledge reserve is depleted.

Section 5 The City Council intends that the City enter into a lease agreement with KPC, Inc. under which the performing arts center can be managed and operated as a place for public entertainment and cultural events. The lease agreement shall be approved by the City Council prior to the start of construction. The lease agreement shall include provisions requiring KPC, Inc. to maintain a minimum \$200,000 operating reserve, and shall also include provisions requiring that any tenant improvements necessary for the successful functioning of a civic performing arts facility shall become property of the City when the lease expires or is terminated.

Passed by majority vote of the Kirkland City Council in regular,
open meeting this 2nd day of July, 1996.

Signed in authentication thereof this 2nd day of July,
1996.



MAYOR

Attest:



Deputy City Clerk

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