



Req. #8181

RESOLUTION NO. 34904

1
2 WHEREAS the Harold E. LeMay Museum ("Museum"), a private nonprofit
3 corporation, is planning to construct a world-class national automobile museum in
4 the City of Tacoma as a permanent home for Harold E. LeMay's vintage collection
5 of automobiles, carriages, fire trucks, and thousands of other artifacts of Americana
6 ("Collection"), and
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8 WHEREAS the Collection is cited in the *Guinness Book of World Records*
9 as the largest private automobile collection in the world, and
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11 WHEREAS construction of the Museum in Tacoma will result in many
12 benefits to the citizens of the City, including attracting local, national, and
13 international visitors to the City, and
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15 WHEREAS the Museum desires to locate on a portion of the City-owned
16 Tacoma Dome property that is of sufficient size to accommodate both the new
17 museum and expanded public parking to serve both the Museum and the Tacoma
18 Dome, and
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20 WHEREAS the Tacoma 2010 Project ("Project") and the City's Economic
21 Development Program recognize cultural facilities as tourist attractions and key
22 components in the economic revitalization of Tacoma, and
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24 WHEREAS the City's adopted Tacoma Dome Area Plan identifies, as policy
25 LUD 5, that the City should actively pursue opportunities for providing new
26 destination attractions to the Tacoma Dome Core Development Area, and
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WHEREAS the Project identified the private sector as the prime force in developing Tacoma and also identified that a commitment to appropriate “partnerships” was a keystone to the Project, and

WHEREAS ensuring that the Collection remains in Tacoma will be in support and promotion of economic development and prosperity, and

WHEREAS the City wishes to cooperate with Harold E. LeMay in the development and site planning for the Museum in Tacoma, and

WHEREAS the Board of Directors of the Museum has approved a Letter of Intent (“Letter”) identifying the general terms upon which a binding agreement may be reached with the Museum regarding its siting on the City’s Tacoma Dome parking lot property (“Property”), which Property is the recommended location for the Museum by the City’s LeMay Museum Task Force and, within the Dome District Development Analysis, a redevelopment and visioning study completed earlier this year, and

WHEREAS the Letter delineates the conditions under which the Museum could enter into an option agreement to acquire the property from the City, and

WHEREAS by approving the Letter, the City Council moves the Museum project forward for further negotiation of an option agreement consistent with the Letter of Intent, and a development agreement between the City and the Museum, which agreement will be subject to the City Council approval; Now, Therefore,

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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the Letter of Intent on file in the office of the City Clerk is hereby approved.

BE IT FURTHER RESOLVED that the proper officers of the City are hereby authorized to negotiate a binding option agreement with the Harold E. LeMay Museum for the purposes hereinabove enumerated, on terms and conditions consistent with the approved Letter of Intent.

BE IT FURTHER RESOLVED that the proper officers of the City are hereby authorized to negotiate a development agreement, which agreement will be subject to the City Council approval.

Adopted SEP 19 2000

Doris Sorum

Attest: City Clerk

[Signature]
Mayor

Approved as to form and legality:

[Signature]
Assistant City Attorney



REQUEST FOR ORDINANCE OR RESOLUTION

CITY CLERK USE

Request #:	8181
Ordinance #:	
Resolution #:	34904

1. DATE: August 8, 2000

2. REQUESTING DEPARTMENT/DIVISION/PROGRAM Tacoma Economic Development Dept.	3. CONTACT PERSON (for questions): Donna L. Datsko	PHONE/EXTENSION X5218
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4. PREPARATION OF A RESOLUTION IS REQUESTED FOR THE CITY COUNCIL MEETING OF TUESDAY, AUGUST 29, 2000. *Sept. 19,*

5. SUMMARY TITLE/RECOMMENDATION: (A concise sentence, as it will appear on the Council Agenda)

Authorizing execution of a "letter of intent" with the Harold E. LeMay museum for use of the Tacoma dome parking lots to site a new museum facility.

6. BACKGROUND INFORMATION/GENERAL DISCUSSION: (Why is this request necessary? Are there legal requirements? What are the viable alternatives? Who has been involved in the process?)

The "Letter of Intent" (LOI) identifies the general terms upon which a binding agreement can be reached with the Harold E. LeMay Museum regarding the siting of the museum on the city's Tacoma Dome parking lot property. The Dome parking lots were the recommended location for the Museum by the City's LeMay Museum Task Force and within the "Dome District Development Analysis," a redevelopment and visioning study completed earlier this year. The LOI delineates the conditions under which the Museum would enter into an "option agreement" to acquire the property from the City.

By signing the LOI, the City Council moves the Harold E. LeMay Museum project forward for further negotiation of a binding agreement between the City and the Museum. That agreement would also be subject to City Council approval.

7. FINANCIAL IMPACT: (Future impact on the budget.)

There is no immediate impact on the budget. Future impact, if any, would be defined within the binding agreement that would come before the City Council for review and approval.

8. LIST ALL MATERIAL AVAILABLE AS BACKUP INFORMATION FOR THE REQUEST AND INDICATE WHERE FILED:

Source Documents/Backup Material	Location of Document
Letter of Intent	City Clerk's Office
Dome District Development Analysis (March 2000)	TEDD
Market Support and Feasibility Study (May 1999)	TEDD

9. FUNDING SOURCE: (Enter amount of funding from each source)

Fund Number & Name:	State \$	City \$	Other \$	Total Amount
NA				

If an expenditure, is it budgeted? Yes No Where? Org #

2000 AUG 8 PM 1:15
 CITY CLERK'S OFFICE
 RECEIVED
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10. ATTORNEY CONTACT: (Enter Name of Attorney that you've been working with): Steve Victor

<i>Juli Wilkerson</i> JULI WILKERSON Department Director/Utility Division Approval	Approved as to Availability of Funds Director of Finance	<i>Nancy Jorster</i> Nancy Jorster City Manager/Director Utilities Approval
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City of Tacoma
Tacoma Economic Development Department

August 30, 2000

Eric LeMay, Executive Director
Harold E. LeMay Museum,
a Washington Non-Profit Corporation
PO Box 44459
Tacoma, WA 98444

Re: Siting of Harold E. LeMay Museum

Dear Mr. LeMay:

The purpose of this letter is to set out the general terms upon which the City of Tacoma, Washington, (the "City") believes a binding agreement will ultimately be reached with the Harold E. LeMay Museum (the "Museum") regarding the siting of the Museum on property currently owned by the City as a part of the Tacoma Dome facility. The terms which we believe will be incorporated into the agreement are as follows:

1. Scope of Museum Project. The project, as presently proposed, will be the construction of a world-class automobile museum for the display, preservation and interpretation of the automobile and its influence on popular culture and on Washington transportation history. The project is anticipated to be constructed in a substantially similar manner as that shown in elevation drawings identified as the "Preliminary Project Study", dated November 11, 1999, and in the "LeMay Museum Master Plan" adopted by the Museum board March, 2000. The project includes a 203,000 square foot museum, museum surface parking of 335 stalls, a public plaza which is connected to the Tacoma Dome, and a 272,000 square foot storage and display area commonly referred to as the "Tower of Horsepower" ("Project").
2. Site of Museum Project. The project will be sited on property that is presently used as Tacoma Dome Parking Lot "A" and part of Lot "B" ("Museum Site").
3. Option to Acquire the Site. The City will give the Museum a three -year option to acquire the Museum Site ("Option Agreement") that may be extended by mutual agreement. There will be no monetary payment by the Museum for the option. However, the option will stipulate that the Museum will not solicit, negotiate for, option, acquire, or otherwise secure a different Museum Site during the term of the Option Agreement. If the Museum does so, the City, in its sole discretion, may terminate the option. The option will further stipulate that the location of any interim Museum facility, preview center or new public display area must receive the prior approval of the City, which approval will not be unreasonably withheld. The City further acknowledges that that the current viewing locations of museum vehicles are acceptable.

4. Conditions For Exercise Of The Option: The Museum may exercise the option to acquire the Museum Site at any time during the term of the Option Agreement if all of the following conditions are met:

- A. The Museum has completed Design Development Documents, as defined by the American Institute of Architects, for the Project and identified the cost of construction. Design Development Documents are drawings and other documents that fix and describe the size and character of the project, including architectural, structural, mechanical, and electrical systems, materials and other necessary elements of the project. Based on the Design Development Documents, the Museum will identify the cost of construction of the project.
- B. The Museum has raised, or otherwise acquired seventy-five percent (75%) of the identified cost of construction.
- C. The Museum owns or has control over at least 600 museum-quality vehicles, consistent with the goals of the Museum's master plan adopted by the Museum's board in March 2000 (attached hereto and incorporated herein by reference.).
- D. The Museum has entered into a Development Agreement with the City. The Development Agreement will include:
 - i. Design review and approval of the Museum's Design Development Documents by the City for compatibility of use with other existing or planned developments in the Tacoma Dome area and for consistency with the Museum concept as outlined in the "LeMay Museum Master Plan, March 2000".
 - ii. A plan developed by the Museum for replacement of the displaced Tacoma Dome parking that is acceptable to the City including timing, location, and allocation of parking revenue.
 - iii. The benefits that the citizens of Tacoma will receive from the Museum.
 - iv. The timing of construction and opening of the Museum.

5. Consideration for Acquisition of the Museum Site. The Museum will make no monetary payment, but shall furnish appropriate and sufficient consideration to the City for the acquisition of the Museum site.

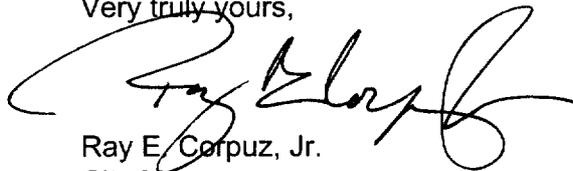
6. Deed to the Museum Site. The deed to the Museum site will contain a

restriction that the property may only be used as the site of an automobile Museum. If the Museum is not constructed, or ceases to operate as an automobile Museum, ownership of the property and all appurtenant structures including any Museum and structured parking will revert to City ownership.

By signing this letter neither party is making, or committing to make, any final or binding agreement, however, both parties wish to proceed with negotiation of a binding agreement and believe that this letter sets out the basic terms upon which such an agreement may be reached. Both parties understand that any agreement is entirely subject to approval of both the Tacoma City Council and the Board of Directors of the Harold E. LeMay Museum.

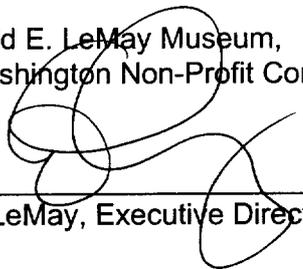
If this letter sets out the terms upon which the Harold E. LeMay Museum is willing to proceed, please countersign and return to me. The date at which this item can appear on a City Council agenda will depend upon when it is returned. We will do everything to expedite its inclusion on the Council's agenda.

Very truly yours,



Ray E. Corpuz, Jr.
City Manager

Harold E. LeMay Museum,
a Washington Non-Profit Corporation



By: _____
Eric LeMay, Executive Director

By: Harold E. LeMay
Board Chair

By: Eric LeMay
Secretary

Date: Sept 5, 2000

Resolution No. 34904

Adopted: SEP 19 2000

Maker of Motion: Phelps

Seconded: McGavick

Roll Call Vote:

MEMBERS	AYES	NAYS	ABSTAIN	ABSENT
Mr. Crowley	✓			
Mr. De Forrest	✓			
Mr. Evans	✓			
Mr. Kirby	✓			
Dr. McGavick	✓			
Mr. Miller				✓
Ms. Moss				✓
Mr. Phelps	✓			
Mayor Ebersole	✓			

MEMBERS	AYES	NAYS	ABSTAIN	ABSENT
Mr. Crowley				
Mr. De Forrest				
Mr. Evans				
Mr. Kirby				
Dr. McGavick				
Mr. Miller				
Ms. Moss				
Mr. Phelps				
Mayor Ebersole				