



RESOLUTION NO. 41813

1 A RESOLUTION relating to economic development; approving an Amended and
2 Restated Joint Use Agreement for the City-owned public parking garage
3 at 1801 Dock Street beneath the Museum of Glass to allow the Museum
4 to make structural and use changes to portions of the garage.

5 WHEREAS in the mid-1990s the City undertook acquisition and
6 environmental cleanup of the Thea Foss Waterway ("Waterway") including both
7 shoreline and in-water portions, and

8 WHEREAS the environmental cleanup was conducted under a Consent
9 Decree with the Washington State Department of Ecology which was approved by
10 the City Council in 1994, and the Consent Decree included a process for defining
11 site-specific cleanup plans for the properties on the Waterway shoreline, and

12 WHEREAS in addition to environmental cleanup, the City's goals for
13 redevelopment of the west side of the Waterway included public access,
14 destination cultural institutions, and mixed-use housing, and

15 WHEREAS an early partner in the redevelopment was the Museum of Glass
16 ("MOG"), and in 1997, per Resolution No. 33744, the City Council approved a
17 Development and Sale Back Agreement with MOG that included the City funding
18 the development of a public parking garage and plaza as the foundation for the
19 MOG, and

20 WHEREAS upon completion, the City purchased the garage and has owned
21 and operated it as public parking within the City's parking system for more than
22 twenty years under a Joint Use Agreement, and
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1 WHEREAS MOG now seeks approval of an Amended and Restated Joint
2 Use Agreement with the primary purpose of receiving the City's consent for the
3 MOG to construct alterations to portions of the garage and provide for MOG control
4 and operation of those altered portions going forward, and

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6 WHEREAS as consideration to the City for the reduction in public parking
7 stalls and the Museum's future operation and control of the renovated areas, the
8 Museum and the City will develop a comparative valuation considering the value of
9 the renovations to the City against the reduction in parking and City control; based
10 on this valuation the parties will administratively address any differences in value;
11 in addition, the Museum will provide a compressive indemnity against any claims
12 or costs arising out any environmental contamination associated MOG's proposed
13 construction, and

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15 WHEREAS the MOG's proposed construction will result in a reduction of
16 public parking stalls from 175 to 139, a net reduction of 36 stalls, and

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18 WHEREAS the MOG advises that the construction will include supporting
19 long-term functionality, enhancing visitor experience, and ensuring the building
20 continues to meet safety and accessibility standards, including structural upgrades
21 and modifications to the existing parking layout to improve circulation and meet
22 updated design requirements, and

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24 WHEREAS as consideration to the City for the loss of 36 public parking
25 stalls, and future operation and control of the reconstructed portions of the garage,
26 the MOG, in the Amended and Restated Joint Use Agreement, gives the City a



1 comprehensive indemnity against any claims or costs arising out of any
2 environmental contamination associated with MOG's proposed construction, and
3 WHEREAS approval of the Amended and Restated Joint Use Agreement
4 will allow for commencement of the permitting process, in which the City in its land
5 use regulatory capacity will thoroughly review the proposed plans for compliance
6 with the City code and all other applicable regulations, including any remaining
7 environmental requirements derived from the 1994 Consent Decree and
8 subsequent cleanup of Waterway parcels 7 and 8 on which the garage and MOG
9 are situated; Now, Therefore,
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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the Council of the City of Tacoma hereby approves entering into an
Amended and Restated Joint Use Agreement with the Museum of Glass,
substantially in the form of the draft agreement on file with the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney