



SEATTLE CITY COUNCIL

Legislative Summary

CB 118302

Record No.: CB 118302

Type: Ordinance (Ord)

Status: Attested by City Clerk

Version: 3

124761

In Control: City Clerk

File Created: 02/17/2015

Final Action: 05/01/2015

Title:

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Licata

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: jaci.dahlvang@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published: Yes No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Full Council	01/12/2015	referred	Finance and Culture Committee			
	Action Text: The Council Bill (CB) was referred to the Finance and Culture Committee						
	Notes: City Clerk Note: This Council Bill was introduced as version 4b. Version 4b is provided in the Full Text.						
1	Finance and Culture Committee	02/25/2015					
1	Finance and Culture Committee	03/06/2015					
1	Finance and Culture Committee	03/25/2015					
	Notes: Committee heard public testimony						
1	Finance and Culture Committee	04/03/2015	pass as amended		04/27/2015		Pass
	Action Text: The Committee recommends that Full Council pass as amended the Council Bill (CB).						
	In Favor: 2 Vice Chair Godden, Member Burgess						
	Opposed: 0						
	Abstain: 1 Chair Licata						

2 Full Council

04/27/2015 passed as amended

Pass

Action Text: The Motion carried and the Council Bill (CB) passed as amended by the following vote, and the President signed the Bill:

Notes: ACTION 1:

Motion was made by Councilmember Licata, duly seconded and carried, to amend Council Bill No. 118302; by substituting section 4.A. paragraph and presented in Proposed Amendment 1 as a supporting document.

A. U District Fund Area: Beginning at the centerline of Northeast Ravenna Boulevard at the centerline of 12th Avenue Northeast crossing of the eastern boundary of Interstate 5, proceed east along Northeast Ravenna Boulevard to the centerline of 17th Avenue Northeast; then south along 17th Avenue Northeast to the centerline of Northeast 56th Street; then east along Northeast 56th Street to the centerline of the alley between 17th Avenue Northeast and 18th Avenue Northeast; then south along this alley to the centerline of Northeast 45th Street; then west along Northeast 45th Street to the centerline of 15th Avenue Northeast; then south along 15th Avenue Northeast to the State Harbor Line of Portage Bay; then west along the State Harbor Line of Portage Bay to the centerline of Pasadena Place Northeast; then north along Pasadena Place Northeast to the intersection with the eastern boundary of Interstate 5; then north along the eastern boundary of Interstate 5 to the centerline of Northeast 47th Street; then east along Northeast 47th Street to the centerline of 9th Avenue Northeast; then north along 9th Avenue Northeast to the centerline of Northeast 55th Street; then east along Northeast 55th Street to the centerline of 12th Avenue Northeast; then north along 12th Avenue Northeast to the point of origin at the crossing of the centerline of Northeast Ravenna Boulevard.

ACTION 2:

Motion was made by Councilmemer Licata and duly seconded, to amend Council Bill No. 118302, Section 4.A. and Exhibit A accordingly, as shown below and as presented in Proposed Amendment 2 as a supporting document.

A. U District Fund Area: Beginning at the centerline of Northeast Ravenna Boulevard at the centerline of 12th Avenue Northeast, proceed east along Northeast Ravenna Boulevard to the centerline of 17th Avenue Northeast; then south along 17th Avenue Northeast to the centerline of Northeast 56th Street; then east along Northeast 56th Street to the centerline of the alley between 17th Avenue Northeast and 18th Avenue Northeast; then south along this alley to the centerline of Northeast 45th Street; then west along Northeast 45th Street to the centerline of 15th Avenue Northeast; then south along 15th Avenue Northeast to the State Harbor Line of Portage Bay; then west along the State Harbor Line of Portage Bay to the centerline of Pasadena Place Northeast; then north along Pasadena Place Northeast to the intersection with the eastern boundary of Interstate 5; then north along

the eastern boundary of Interstate 5 to the centerline of Northeast 47th Street; then east along Northeast 47th Street to the centerline of 9th Avenue Northeast; then north along 9th Avenue Northeast to the centerline of Northeast 50th Street; then east along Northeast 50th Street to the centerline of the alley between Roosevelt Way Northeast and 11th Avenue Northeast; then north along this alley to the centerline of Northeast 52nd Street; then east along Northeast 52nd Street Northeast 55th Street; then east along Northeast 55th Street to the centerline of 12th Avenue Northeast; then north along 12th Avenue Northeast to the point of origin at the crossing of the centerline of Northeast Ravenna Boulevard.

The Motion failed by the following vote:

In favor: Licata, O'Brien, Sawant - 3

Opposed: Bagshaw, Burgess, Godden, Harrell, Rasmussen - 5

ACTION 3:

Motion was made by Councilmember Licata and duly seconded, to amend Council Bill No. 118302, Section 4.A. and Exhibit A accordingly, as shown below and as presented in Proposed Amendment 3 as a supporting document.

A. U District Fund Area: Beginning at the centerline of Northeast Ravenna Boulevard at the centerline of 12th Avenue Northeast, proceed east along Northeast Ravenna Boulevard to the centerline of 17th Avenue Northeast; then south along 17th Avenue Northeast to the centerline of Northeast 56th Street; then east along Northeast 56th Street to the centerline of the alley between 17th Avenue Northeast and 18th Avenue Northeast; then south along this alley to the centerline of Northeast 45th Street; then west along Northeast 45th Street to the centerline of 15th Avenue Northeast; then south along 15th Avenue Northeast to the State Harbor Line of Portage Bay; then west along the State Harbor Line of Portage Bay to the centerline of Pasadena Place Northeast; then north along Pasadena Place Northeast to the centerline of Northeast 40th Street; then east along Northeast 40th Street to the centerline of 8th Avenue Northeast; then north along 8th Avenue Northeast to the centerline of Northeast 45th Street; then east along Northeast 45th Street intersection with the eastern boundary of Interstate 5; then north along the eastern boundary of Interstate 5 to the centerline of Northeast 47th Street; then east along Northeast 47th Street to the centerline of 9th Avenue Northeast; then north along 9th Avenue Northeast to the centerline of Northeast 55th Street; then east along Northeast 55th Street to the centerline of 12th Avenue Northeast; then north along 12th Avenue Northeast to the point of origin at the crossing of the centerline of Northeast Ravenna Boulevard.

The Motion failed by the following vote:

In favor: Licata, O'Brien, Sawant - 3

Opposed: Bagshaw, Burgess, Godden, Harrell, Rasmussen - 5

ACTION 4:

Motion was made and duly seconded to pass Council Bill No. 118302 as amended.

In Favor: 6 Councilmember Bagshaw, Council President Burgess, Councilmember Godden, Councilmember Harrell, Councilmember O'Brien, Councilmember Rasmussen

Opposed: 2 Councilmember Licata, Councilmember Sawant

- 3 City Clerk 04/28/2015 submitted for Mayor
Mayor's signature
Action Text: The Council Bill (CB) was submitted for Mayor's signature to the Mayor
Notes:
- 3 Mayor 05/01/2015 Signed
Action Text: The Council Bill (CB) was Signed
Notes:
- 3 Mayor 05/01/2015 returned City Clerk
Action Text: The Council Bill (CB) was returned to the City Clerk
Notes:
- 3 City Clerk 05/01/2015 attested by City Clerk
Action Text: The Ordinance (Ord) was attested by City Clerk
Notes:
-

CITY OF SEATTLE
ORDINANCE 124761
COUNCIL BILL 118302

1
2
3
4 AN ORDINANCE establishing a new University District Parking and Business Improvement
5 Area; levying special assessments upon owners of business property, multi-family
6 residential property, and mixed-use property within the area; providing for the deposit of
7 revenues in a special account and expenditures therefrom; providing for collection of and
8 penalties for delinquencies; providing for the establishment of a Ratepayers Advisory
9 Board; providing for an implementation agreement with a Program Manager;
10 disestablishing the current University District Parking and Business Improvement Area
11 that was established in 1996 by Ordinance 118412 ("1996 UDBIA"); suspending the
12 issuance of assessments and providing for the winding up of activities under the 1996
13 UDBIA; and providing for the distribution of remaining funds from and closing of the
14 1996 UDBIA account.

11 WHEREAS, chapter 35.87A RCW authorizes the City to establish business improvement areas
12 to provide special benefits to business and property owners within a defined geographic
13 area through the imposition of special assessments; and

14 WHEREAS, the current University District Parking and Business Improvement Area (1996
15 UDBIA), which was established in 1996 by Ordinance 118412 and amended by
16 Ordinance 120304, Ordinance 122212, and Ordinance 123995 to provide services and
17 amenities for Ratepayers paid for through a levy of special assessments, does not provide
18 for an expiration date; and

17 WHEREAS, the owners of businesses, multi-family residential, and mixed-use properties located
18 within the area and representing nearly 67 percent of the special assessments levied by
19 this ordinance filed a petition with The City of Seattle to establish a new and expanded
20 University District Parking and Business Improvement Area (University District BIA)
21 pursuant to chapter 35.87A RCW, a copy of which is filed in C.F. 313953; and

21 WHEREAS, to gauge the percentage of special assessments that were reflected in signed
22 petitions, City staff followed RCW 35.87A.010, and calculated the dollar amount of the
23 special assessment that each business, multi-family residential, or mixed-use property
24 would pay, and compared the dollar amount represented by signed petitions to the
25 estimated total for the entire proposed University District BIA, and the result was nearly
26 67 percent, which exceeds the threshold of 60 percent stated in RCW 35.87A.010; and

1 WHEREAS, the City Council adopted Resolution 31563, initiating a new and expanded
2 University District BIA via the Resolution method instead of the petition method as
provided for in RCW 35.87A.030; and

3 WHEREAS, pursuant to RCW 35.87A.040, the City Council on January 20, 2015 adopted
4 Resolution 31565 entitled 'A RESOLUTION of intention to establish a University
5 District Parking and Business Improvement Area, and fixing a date and place for a
6 hearing thereon', which stated its intention to establish the new and expanded University
7 District BIA, the proposed boundaries which include the 1996 UDBIA and the proposed
8 programs of which are intended to supersede the programs of the 1996 UDBIA, and
9 which set the date and time for a public hearing; and

10 WHEREAS, pursuant to RCW 35.87A.180, the City Council on January 20, 2015, adopted
11 Resolution 31564, which stated its intention to disestablish the 1996 UDBIA and set a
12 date and place for a public hearing; and

13 WHEREAS, the purpose of the new and expanded University District BIA is to enhance
14 conditions for the business, multi-family residential, and mixed-use properties by
15 performing activities that go beyond the basic services provided by The City of Seattle;
16 and

17 WHEREAS, as provided by Resolution 31565, the City Council, through its Finance and Culture
18 Committee, held a public hearing at 2 p.m. on February 25, 2015, in City Council
19 Chambers, City Hall, 600 Fourth Avenue, Seattle, Washington, 98104; and

20 WHEREAS, after hearing testimony that favored changing the boundaries of the proposed new
21 and expanded University District BIA, the Finance and Culture Committee held a second
22 public hearing at 2 p.m. on March 25, 2015, and mailed and published notice of this
23 public hearing as required under RCW 35.87A.070; and

24 WHEREAS, the testimony received at the two hearings resulted in the Council determining that
25 disestablishing the 1996 UDBIA and establishing a new and expanded University District
26 BIA is in the best interest of the owners of business, multi-family residential, and mixed-
27 use properties within the University District BIA's expanded boundaries; NOW,
28 THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Disestablished. The current University District Parking and Business
Improvement Area (1996 UDBIA) established in 1996 by Ordinance 118412, as amended by

1 Ordinances 120304, 122212, and 123995, shall be disestablished on the date that assessments
2 commence under Section 6 for the new and expanded University District Parking and Business
3 Improvement Area (University District BIA).

4
5 **Section 2.** 1996 UDBIA Assessments to Cease. No further 1996 UDBIA assessments
6 shall be made after the date that the 1996 UDBIA is disestablished.

7
8 **Section 3.** Winding up of Operations. The Director of the Department of Finance and
9 Administrative Services, or his designee (Director) is authorized to enter into an agreement with
10 the Program Manager of the 1996 UDBIA to provide for continuity of services and winding up
11 of operations of the 1996 UDBIA. All 1996 UDBIA program and management operations shall
12 cease after the date that the 1996 UDBIA is disestablished and all remaining funds, receivables,
13 and liabilities in the 1996 UDBIA Account shall immediately be transferred to the account
14 described in Section 8.
15

16
17 **Section 4.** Area Established. As authorized by Chapter 35.87A RCW, there is
18 established a University District BIA within the following boundaries, and two additional benefit
19 zones within the University District BIA boundary, as shown on the map attached as Exhibit A
20 (when a street or alley is named, the area boundary is the centerline of the right-of-way including
21 vacated portions unless otherwise specified in the description):
22

23 A. U District Fund Area: Beginning at the centerline of Northeast Ravenna Boulevard at
24 the centerline of 12th Avenue Northeast, proceed east along Northeast Ravenna Boulevard to the
25 centerline of 17th Avenue Northeast; then south along 17th Avenue Northeast to the centerline of
26

1 Northeast 56th Street; then east along Northeast 56th Street to the centerline of the alley between
2 17th Avenue Northeast and 18th Avenue Northeast; then south along this alley to the centerline
3 of Northeast 45th Street; then west along Northeast 45th Street to the centerline of 15th Avenue
4 Northeast; then south along 15th Avenue Northeast to the State Harbor Line of Portage Bay; then
5 west along the State Harbor Line of Portage Bay to the centerline of Pasadena Place Northeast;
6 then north along Pasadena Place Northeast to the intersection with the eastern boundary of
7 Interstate 5; then north along the eastern boundary of Interstate 5 to the centerline of Northeast
8 47th Street; then east along Northeast 47th Street to the centerline of 9th Avenue Northeast; then
9 north along 9th Avenue Northeast to the centerline of Northeast 55th Street; then east along
10 Northeast 55th Street to the centerline of 12th Avenue Northeast; then north along 12th Avenue
11 Northeast to the point of origin at the crossing of the centerline of Northeast Ravenna Boulevard.
12
13

14 B. South Ave Cleaning Area: Beginning at the intersection of Brooklyn Avenue
15 Northeast and Northeast 52nd Street, proceed east along Northeast 52nd Street to the centerline
16 of the alley between University Way Northeast and 15th Avenue Northeast; then south along the
17 alley to the centerline of Northeast 41st Street; then west along Northeast 41st Street to the
18 centerline of the alley between Brooklyn Avenue Northeast and University Way Northeast; then
19 north along the alley to a line extending from the southern property line of Parcel No.
20 1142001140, then west along the southern property lines of Parcel Nos. 1142001140,
21 1142000905, and 1142001020 to the centerline of 12th Avenue Northeast; then north along 12th
22 Avenue Northeast to the centerline of Northeast 45th Street; then east along Northeast 45th
23 Street to the centerline of the alley between 12th Avenue Northeast and Brooklyn Avenue
24
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1 Northeast; then north along the alley to the centerline of Northeast 50th Street; then east along
2 Northeast 50th Street to the centerline of Brooklyn Avenue Northeast; then north along Brooklyn
3 Avenue Northeast to the point of origin at the centerline of Northeast 52nd Street.

4
5 C. North Ave Cleaning Area: Beginning at the intersection of Northeast Ravenna
6 Boulevard and the alley between Brooklyn Avenue Northeast and University Way Northeast,
7 proceed east along Northeast Ravenna Boulevard to the centerline of the alley between
8 University Way Northeast and 15th Avenue Northeast; then south along the alley to the
9 centerline of Northeast 52nd Street; then west along Northeast 52nd Street to the centerline of
10 the alley between Brooklyn Avenue Northeast and University Way Northeast; then north along
11 the alley to the point of origin at the centerline of Northeast Ravenna Boulevard.
12

13
14 In case of a conflict between the descriptions of the areas and the map, the descriptions
15 shall control.

16
17 **Section 5.** Programs. Special assessment revenues shall be used for the following
18 component programs:

- 19
20 A. Cleaning and public safety;
21 B. Events and marketing;
22 C. Policy and advocacy, but not related to land use or zoning changes;
23 D. Economic development;
24 E. Planning;
25 F. Program management.
26

1 All such activities are supplemental to street maintenance and law enforcement provided
2 by the City and are not intended to displace any services regularly provided by municipal
3 government.

4
5 **Section 6. Levy of Special Assessments.** To finance the programs authorized in Section
6 5, there is levied upon and shall be collected from the owners of business property, multi-family
7 residential property (buildings containing four or more residential units), and mixed-use property
8 (multi-family residential and commercial) located within the boundaries of the University
9 District BIA described in Section 4, a five-year special assessment. The initial assessment
10 calculations will be based upon King County Assessor's Office records as of April 30, 2014.
11 Ratepayers will be assessed by the City of Seattle for five annual installments beginning with the
12 base year of authorization, by applying the following assessment rates to each Ratepayer:
13

14
15 A. U District Fund Area Base Formula = \$0.25 times the sum of:

- 16 1. (Total Taxable Value/\$1,000), plus
17 2. ((Total Appraised Value minus Total Taxable Value)/\$1000) x 25%.

18
19 Total Taxable Value and Total Appraised Value in these calculations shall be based on
20 Land + Improvements.

21
22 B. Cleaning Area Base Formulas. Ratepayers located in the North Ave Cleaning Area or
23 the South Ave Cleaning Area shall be assessed the following assessment rates, in addition
24 to the assessments under the U District Fund Area Base Formula:
25
26
27

1 1. North Ave Cleaning Area Base Formula = \$0.07 per Total Lot Square

2 Foot times the sum of:

3 a. (Total Taxable Value/Total Appraised Value); plus

4 b. ((Total Appraised Value – Total Taxable Value)/Total Appraised
5 Value) x 25%.

6 2. South Ave Cleaning Area Base Formula = \$0.12 per Total Lot Square

7 Foot times the sum of:

8 a. (Total Taxable Value/Total Appraised Value); plus

9 b. ((Total Appraised Value – Total Taxable Value)/Total Appraised
10 Value) x 25%.

11 Total Taxable Value and Total Appraised Value in these calculations shall be
12 based on Land + Improvements.

13 C. For all properties within the University District BIA for which the Taxpayer on record
14 is University of Washington, the aggregate assessment in the first assessment year will be
15 \$350,000. The base formulas in Subsections A and B, as well as the provisions in
16 Subsection F, shall not apply.

17 D. Except as provided in Subsection C, properties owned by governmental entities shall
18 not be assessed.

19 E. To maintain the current level of services and benefits provided by the University
20 District BIA, the Base Formula assessment rates for the U District Fund Area, North Ave
21

1 Cleaning Area, and South Ave Cleaning Area, and the University of Washington
2 aggregate assessment, shall be adjusted by an Inflationary Factor applied to each of the
3 assessment rates after the first year assessment. The Inflationary Factor will be the lesser
4 of three percent per year or the percentage change in the Consumer Price Index for All
5 Urban Consumers in Seattle-Tacoma-Bremerton (CPI-U-Seattle) between September
6 2014 and September of the year prior to the assessment year.

- 7
8 1. Second Year Assessment: The Inflationary Factor shall be calculated
9 using the lesser of three percent or the percentage change in the CPI-U-
10 Seattle between September 2014 and September 2015.
- 11 2. Third Year Assessment: The Inflationary Factor shall be calculated using
12 the lesser of six percent or the percentage change in the CPI-U-Seattle
13 between September 2014 and September 2016.
- 14 3. Fourth Year Assessment: The Inflationary Factor shall be calculated using
15 the lesser of nine percent or the percentage change in the CPI-U-Seattle
16 between September 2014 and September 2017.
- 17 4. Fifth Year Assessment: The Inflationary Factor shall be calculated using
18 the lesser of 12 percent or the percentage change in the CPI-U-Seattle
19 between September 2014 and September 2018.

20
21
22 F. "New Benefit Areas" shall be added to the assessment roll on an annual basis, and
23 will supersede the previous assessment for that parcel. A New Benefit Area is created
24 when a parcel's Net Building Square Footage increases as a result of either a new
25 building or expansion of an existing building, as recorded by the King County Assessor's
26

1 Office. The Base Formula for a New Benefit Area will be calculated for the following
2 assessment year using the most current available Total Taxable Value (Land +
3 Improvements) and Total Appraised Value (Land + Improvements).

4 No Inflationary Factor shall be assessed on a New Benefit Area in its first
5 assessment year. In each subsequent assessment year, the Inflationary Factor for any
6 New Benefit Area shall be the lesser of:

- 7 1. Three percent per year from the addition of the New Benefit Area to the
8 assessment roll, or
- 9 2. The percentage change in the CPI-U-Seattle from September of the year
10 prior to the addition of the New Benefit Area to the assessment roll to
11 September of the year prior to the assessment year.
12

13
14 G. King County Parcel No. 1142000905 is currently leased to Sound Transit for light rail
15 construction activities and, along with adjacent street right-of-way in Brooklyn Avenue
16 N.E. and N.E. 43rd Street, is fully walled-off and will not receive University District BIA
17 benefits in its current state. This parcel is exempt from assessment, but only while it
18 remains walled-off and inaccessible from street right-of-way.
19

20
21 H. Rate Changes. Changes in assessment rates other than as described in this section
22 shall only be authorized by ordinance consistent with RCW 35.87A.140 and with the
23 approval of the Ratepayers Advisory Board and shall not occur more than one time per
24 year.
25

1 **Section 7. Billing Schedule.** Special assessments shall be billed on a semi-annual basis.

2 The Director may change the billing frequency by directive to an interval no more frequent than
3 quarterly. The Director shall mail a copy of a directive issued under this section to all
4 Ratepayers not less than 90 days before the new billing due date is to take effect.

5
6 **Section 8. Deposit of Revenues.** There is in the City Treasury's Business Improvement
7 Area Fund a separate subaccount designated the University District BIA Account (called "the
8 Account"). The following monies shall be deposited in the Account:

- 9 A. All revenues from special assessments levied under this ordinance;
10 B. All income to the City from public events financed with special assessments;
11 C. Gifts and donations;
12 D. Interest and all other income from the investment of Account deposits; and
13 E. Reimbursements due to the Account.
14

15
16 **Section 9. Delinquent Payments.** If an assessment has not been paid within 30 days after
17 its due date, the Director shall send a reminder notice and add a \$5 processing fee. If the
18 assessment is not paid within 60 days after its due date, a delinquency charge shall be added in
19 the amount of ten percent of the assessment. All assessments that are not paid within 60 days of
20 the due date shall also bear interest from the due date at 12 percent per annum. The Director is
21 authorized to refer any unpaid assessments to a collection agency or to bring an action to collect
22 any unpaid assessments in any court of competent jurisdiction in King County.
23
24
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1 **Section 10.** Notices. Notices of assessment, installment payments, or delinquency, and
2 all other notices contemplated by this ordinance may be sent by ordinary mail or delivered by the
3 City to the address shown on the records of the Director, and, if no address is shown there, to the
4 address shown on the records of the County Assessor. Failure of the Ratepayer to receive any
5 mailed notice shall not release the Ratepayer from the duty to pay the assessment on the due date
6 and any interest, delinquency charges, and processing fees.
7

8 **Section 11.** Disputes. Any Ratepayer aggrieved by the amount of an assessment or
9 delinquency charge may on request obtain a meeting with the Director. If not satisfied, the
10 Ratepayer may appeal the matter to the City's Hearing Examiner in the manner provided for a
11 contested case under Chapter 3.02 of the Seattle Municipal Code. The Ratepayer has the burden
12 of proof to show that the assessment or delinquency charge is incorrect.
13
14

15 **Section 12.** Audit. The City may conduct random audits of Ratepayers to ensure that
16 assessments are being properly calculated and reported.
17

18 **Section 13.** Expenditures. Expenditures from the Account shall be made upon demand
19 and presentation of documentation of allowable expenses to the Director by the Program
20 Manager and shall be used exclusively for the programs as defined in Section 5. Revenue from
21 assessments for the North Ave Cleaning Area and the South Ave Cleaning Area shall be used
22 exclusively for cleaning in those areas.
23

24 **Section 14.** Ratepayers Advisory Board. The Director shall appoint an interim
25 Ratepayers Advisory Board comprised of Ratepayers, and residential and/or commercial tenants,
26

1 from the University District BIA within 30 days of the effective date of this ordinance. The
2 Director shall solicit recommendations from the Ratepayers and tenants in the BIA boundaries,
3 and shall appoint the interim board from that list. The interim Ratepayers Advisory Board will
4 recommend a permanent Ratepayers Advisory Board (the "Board") within 90 days of the
5 effective date of this ordinance. The composition of the Board shall be representative of the
6 entire geographic area of the University District BIA, as well as representative of all Ratepayer
7 classifications and sizes as well as residential and commercial tenants. For both the interim and
8 permanent Boards, no more than 35% of the members shall represent the University of
9 Washington, at least one member shall be a resident (owner or tenant), at least one other member
10 shall be a commercial tenant, and at least 80% of all the members shall be Ratepayers. At least
11 one member shall be a Ratepayer contributing less than 0.5% of the total assessment.
12
13

14 The Director shall appoint the permanent Board members from the list recommended by
15 the interim Ratepayers Advisory Board. The Director may appoint additional members to the
16 Board beyond those recommended by the interim Ratepayers Advisory Board to ensure a broad
17 representation of Ratepayers, provided that the additional members so appointed do not exceed
18 one-third of the entire membership of the Board.
19

20
21 The Board shall be responsible for adopting bylaws and policy guidelines; recommending
22 approval of budgets, expenditures, and programs; and for providing advice and consultation to
23 the Director and to the Program Manager.
24
25
26
27

1 The Board shall meet at least once quarterly; recommend an annual work program and
2 budget; address and discuss Ratepayer concerns and questions regarding the University District
3 BIA programs; and sponsor an annual Ratepayers' meeting. At a minimum, meetings of the
4 interim and permanent Boards shall be open to the public, with at least five days' advance notice
5 posted by the Program Manager on its website and also disseminated by any other means that the
6 Program Manager generally uses to communicate.

7
8 At the annual Ratepayers' meeting, the Board shall submit for approval its proposed work
9 plan and budget for the next year, and its recommendation regarding whether to continue with
10 the current Program Manager. The work plan, budget, and recommendation regarding whether
11 to continue with the current Program Manager must be approved by a vote of the Ratepayers
12 attending the meeting and submitted to the Director.
13

14
15 **Section 15. Administration.** The Director shall administer the program for the City with
16 authority to:

17
18 A. Collect the special assessments; refund special assessments when overpaid or
19 otherwise improperly collected; extend the deadline for payment; and waive delinquency
20 charges, processing fees, and interest whenever the delinquency results from extenuating
21 circumstances beyond the Ratepayer's control, such as a casualty loss causing premature
22 closure of the business or bankruptcy, or the total payment due to the City (exclusive of
23 delinquency charges and interest) is \$10 or less;
24
25
26
27

1 B. Calculate and collect the interest, delinquency charges, and processing fees for late
2 payments;

3 C. After receiving the recommendation of the Board, execute a program management
4 contract with a Program Manager for a term of up to five years; and
5

6 D. Accept advance payment of assessments by Ratepayers and donations for University
7 District BIA programs.
8

9 **Section 16.** Contract for Program Management. The Director is authorized to contract
10 with any local non-profit entity to act as the Program Manager. The Program Manager's duties,
11 subject to the approval of the Ratepayers at each annual meeting, will be to manage the day-to-
12 day operations of the University District BIA and to administer the projects and activities. It is
13 the intent of the City Council that the Director contract with the U District Partnership as the
14 initial Program Manager. Meetings of the Program Manager's board or a committee at which
15 University District BIA-funded activities are anticipated to be discussed shall be open to the
16 public, with at least five days' advance notice posted by the Program Manager on its website and
17 also disseminated by any other means that the Program Manager generally uses to communicate.
18
19

20
21 **Section 17.** Commencement of Assessments. Assessments shall commence as of May 1,
22 2015, or on the effective date of this ordinance, whichever is later.
23

24 **Section 18.** Request to Disestablish. Upon a petition signed by non-University of
25 Washington Ratepayers that pay 60 percent of the non-University of Washington special
26

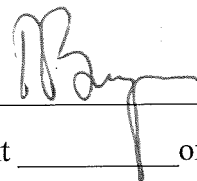
1 assessments, the Ratepayers Advisory Board shall request the City Council to disestablish the
2 University District BIA in accordance with Chapter 35.87A RCW.

3 **Section 19. Ratification and Confirmation.** The making of contracts and expenditures
4 and the sending of assessment notices pursuant to the authority and after passage but prior to the
5 effective date of this ordinance are hereby ratified and confirmed.
6

Section 20. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.


Passed by the City Council the 27th day of April, 2015, and signed by me in open session in authentication of its passage this

27th day of April, 2015.




President _____ of the City Council

Approved by me this 1st day of May, 2015.



Edward B. Murray, Mayor

Filed by me this 1st day of MAY, 2015.



Monica Martinez Simmons, City Clerk

(Seal)

Attachment:

Exhibit A: University District Business Improvement Area

Exhibit A: University District Business Improvement Area

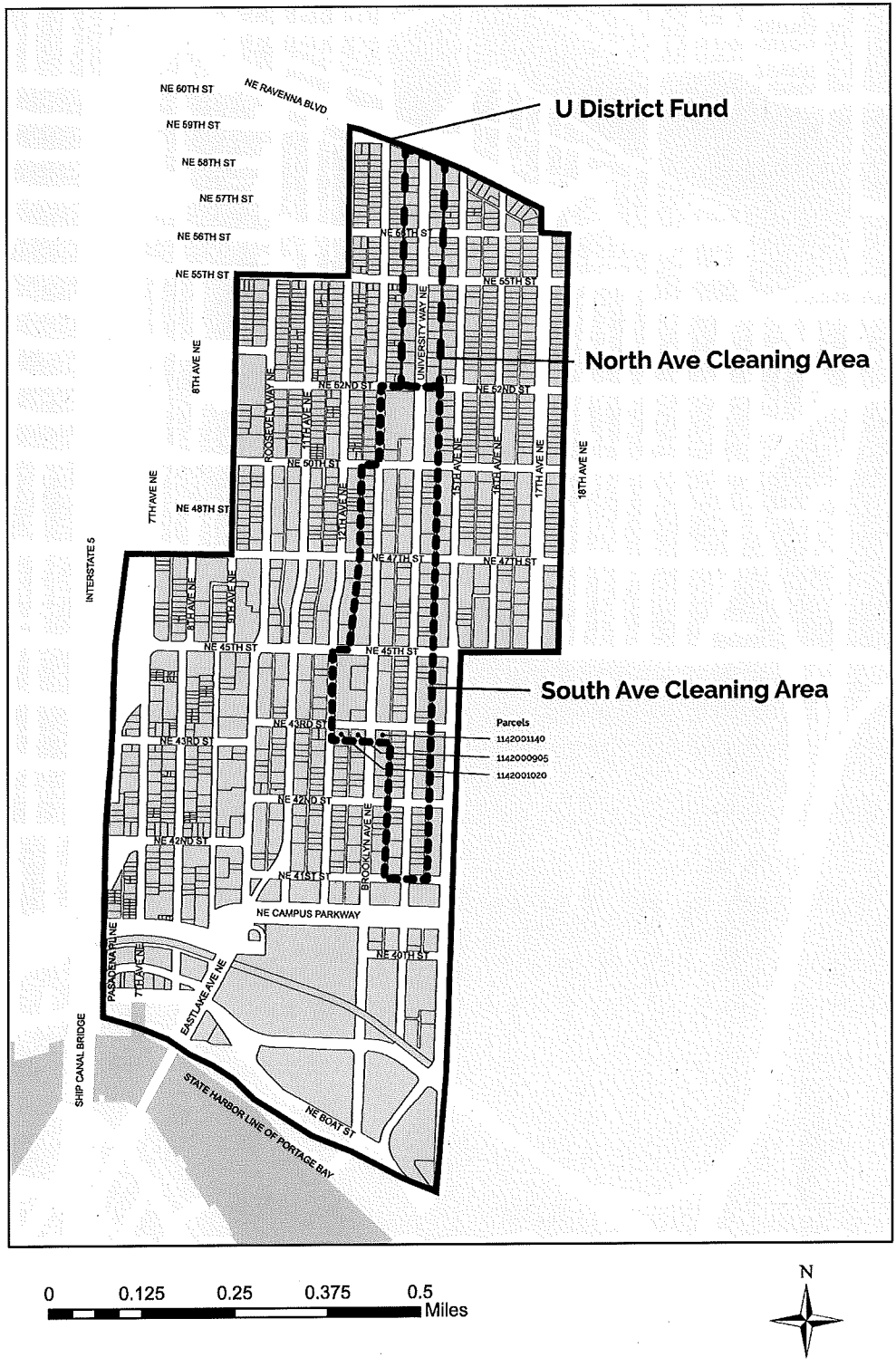


Exhibit A: University District Business Improvement Area
Representing the boundaries of the new and expanded BIA.

This map is for illustrative purposes only and is not intended to modify anything in the legislation.

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Finance and Administrative Services	Teri Allen/684-5226	Jennifer Devore/615-1328

Legislation Title:

AN ORDINANCE establishing a new University District Parking and Business Improvement Area; levying special assessments upon owners of business property, multi-family residential property, and mixed-use property within the area; providing for the deposit of revenues in a special account and expenditures therefrom; providing for collection of and penalties for delinquencies; providing for the establishment of a Ratepayers Advisory Board; providing for an implementation agreement with a Program Manager; disestablishing the current University District Parking and Business Improvement Area that was established in 1996 by Ordinance 118412 (“1996 UDBIA”); suspending the issuance of assessments and providing for the winding up of activities under the 1996 UDBIA; and providing for the distribution of remaining funds from and closing of the 1996 UDBIA account.

Summary of the Legislation:

This Ordinance disestablishes the current University District Parking and Business Improvement Area (“1996 UDBIA”), and creates a new and expanded University District Parking and Business Improvement Area (“University District BIA”), as allowed under RCW 35.87A. The University District BIA is expected to be funded by a special assessment levied on the owners of business, multi-family residential, and mixed use properties within its boundaries. The City would contract with a Program Manager to administer the activities set out in the University District BIA business plan. The new BIA Program Manager will be overseen by a Ratepayer Advisory Board, which would be broadly representative of the ratepayers in the University District BIA.

Background:

The 1996 UDBIA was established in 1996 by Ordinance 118412, as amended by Ordinances 120304, 122212, and 123995. This Ordinance is the final piece of legislation required to create a new and expanded University District BIA, as required by chapter 35.87A RCW. The City Council passed a resolution to initiate the formation of the University District BIA, as well as a resolution of intent that included the time, date and location of a public hearing. After the public hearing, the City Council agreed to go forward with this ordinance.

The U District Partnership developed a proposal for the continuation and expansion of the current BIA that it believes is efficient, accountable, and responsive to the area’s needs. The group collected signatures for a petition to form a Business Improvement Area that will allow for

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 FAS University District BIA FISC
 December 5, 2014
 Version #3

the implementation of the University District BIA business plan that would include the following program components:

- A. Events and marketing;
- B. Policy and advocacy;
- C. Cleaning and public safety;
- D. Economic development;
- E. Planning;
- F. Program management.

The petitioning effort resulted in a show of support by ratepayers who would pay nearly 65% of the total special assessment revenues. The special assessment will be levied upon owners of business, multi-family residential, and mixed use properties within its boundaries. The University of Washington, which owns several parcels within the proposed University District BIA, will pay a flat annual fee of \$350,000 (plus an inflationary factor in subsequent years), which is nearly 50% of the total annual assessments. Assessments will commence May 1, 2015, or the effective date of this ordinance, whichever is later. The new University District BIA will be overseen by a Ratepayer Advisory Board, which would be broadly representative of the ratepayers.

 This legislation does not have any financial implications.

 X **This legislation has financial implications.**

Appropriations:

Fund Name and Number	Department	Budget Control Level*	2014 Appropriation	2015 Anticipated Appropriation
TOTAL				

Appropriations Notes: No appropriation authority is required to expend these funds.

Anticipated Revenue/Reimbursement Resulting from this Legislation:

Fund Name and Number	Department	Revenue Source	2014 Revenue	2015 Revenue
1989x BIA- University District	Finance and Administrative Services	Ratepayer Assessments	\$0	\$ 495,000
TOTAL			\$0	\$ 495,000

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Revenue/Reimbursement Notes: The 2015 revenue amount represents ratepayer assessment collections for two-thirds of a full year, with assessments commencing on May 1, 2015. Estimated annual revenue for 2016 is \$743,000 plus inflationary adjustments. FAS would collect the assessments from the ratepayers, but the funds would then be kept by FAS only for reimbursement to the University District BIA.

Total Regular Positions Created, Modified, or Abrogated through this Legislation, Including FTE Impact:

Position Title and Department	Position # for Existing Positions	Fund Name & #	PT/FT	2014 Positions	2014 FTE	2015 Positions*	2015 FTE*
TOTAL							

Position Notes: None.

Do positions sunset in the future? Not applicable.

Spending/Cash Flow:

Fund Name & #	Department	Budget Control Level*	2014 Expenditures	2015 Anticipated Expenditures
1989x BIA-University District	Finance and Administrative Services	Not applicable.	\$0	\$ 495,000
TOTAL			\$0	\$ 495,000

Spending/Cash Flow Notes: The Department of Finance and Administrative Services will collect the BIA assessments from its ratepayers. FAS holds the funds solely for the purpose of reimbursing the University District BIA for administering staffing, projects, and other costs associated with the BIA.

Other Implications:

- a) **Does the legislation have indirect financial implications, or long-term implications?**
No.
- b) **What is the financial cost of not implementing the legislation?** None. The University District BIA is established as a revenue-neutral program.
- c) **Does this legislation affect any departments besides the originating department?**
No.
- d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?** None. Improvement area services are in addition to, and not a replacement of, basic City services, and are funded by assessments on the properties that benefit from the services. If the legislation is not passed, the services under the improvement area will not be provided.
- e) **Is a public hearing required for this legislation?** Yes. The public hearing date is set in the companion FAS University District BIA Intention to Establish resolution.
- f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?** Yes. The companion FAS University District BIA Intention to Establish resolution must be published to give notice of the public hearing for the ordinance.
- g) **Does this legislation affect a piece of property?** Yes.
- h) **Other Issues:** None.

List attachments to the fiscal note below: None.

STATE OF WASHINGTON -- KING COUNTY

--SS.

324504

No. 124761 124762

CITY OF SEATTLE, CLERKS OFFICE

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

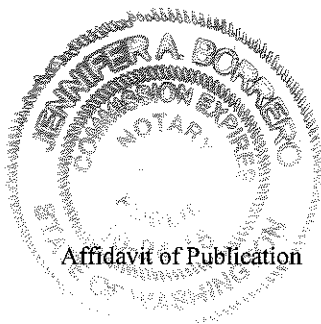
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:TITLE ONLY ORDINANCE

was published on

05/26/15

The amount of the fee charged for the foregoing publication is the sum of \$85.25 which amount has been paid in full.



Janet C. Borger

Subscribed and sworn to before me on

05/26/2015

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

Title Only Ordinances

The full text of the following legislation, passed by the City Council on April 27, 2015, and published below by title only, will be mailed upon request, or can be accessed at <http://clerk.seattle.gov>. For information on upcoming meetings of the Seattle City

Council, please visit <http://www.seattle.gov/council/calendar>.

Contact: Office of the City Clerk at (206) 684-8344.

ORDINANCE NO. 124760

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

ORDINANCE NO. 124761

AN ORDINANCE establishing a new University District Parking and Business Improvement Area; levying special assessments upon owners of business property, multi-family residential property, and mixed-use property within the area; providing for the deposit of revenues in a special account and expenditures therefrom; providing for collection of and penalties for delinquencies; providing for the establishment of a Ratepayers Advisory Board; providing for an implementation agreement with a Program Manager; disestablishing the current University District Parking and Business Improvement Area that was established in 1996 by Ordinance 118412 ("1996 UDBIA"); suspending the issuance of assessments and providing for the winding up of activities under the 1996 UDBIA; and providing for the distribution of remaining funds from and closing of the 1996 UDBIA account.

ORDINANCE NO. 124762

AN ORDINANCE relating to King County Conservation Futures Levy proceeds; authorizing the Mayor to amend the Interlocal Cooperation Agreement between the City of Seattle and King County authorized by City of Seattle Ordinance 114978; and authorizing the deposit of 2012 supplemental allocations, 2013 supplemental allocations, and 2014 allocations from King County Conservation Futures Levy proceeds into the City of Seattle's 2006 Parks Levy Fund.

Date of publication in the Seattle Daily Journal of Commerce, May 26, 2015.

5/26(324504)