



# SEATTLE CITY COUNCIL

## Legislative Summary

CB 118747

Record No.: CB 118747

Type: Ordinance (Ord)

Status: Passed

Version: 3

Ord. no: Ord 125151

In Control: City Clerk

File Created: 06/30/2016

Final Action: 10/07/2016

**Title:** AN ORDINANCE establishing a new Ballard 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; and providing for an implementation agreement with a Program Manager.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Burgess

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments: Ex A - Ballard Improvement Area

Drafter: [theresa.barreras@seattle.gov](mailto:theresa.barreras@seattle.gov)

Filing Requirements/Dept Action:

### History of Legislative File

Legal Notice Published:  Yes  No

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	07/12/2016	Mayor's leg transmitted to Council	City Clerk			
	Action Text:		The Council Bill (CB) was Mayor's leg transmitted to Council. to the City Clerk				
	Notes:						
1	City Clerk	07/12/2016	sent for review	Council President's Office			
	Action Text:		The Council Bill (CB) was sent for review. to the Council President's Office				
	Notes:						

- 1 Council President's Office 07/15/2016 sent for review Affordable Housing, Neighborhoods, and Finance Committee  
Action Text: The Council Bill (CB) was sent for review. to the Affordable Housing, Neighborhoods, and Finance Committee  
Notes:
- 1 Full Council 07/25/2016 referred Affordable Housing, Neighborhoods, and Finance Committee  
Action Text: The Council Bill (CB) was referred. to the Affordable Housing, Neighborhoods, and Finance Committee  
Notes:
- 1 Affordable Housing, Neighborhoods, and Finance Committee 09/07/2016. discussed  
Action Text: The Council Bill (CB) was discussed.
- 1 Affordable Housing, Neighborhoods, and Finance Committee 09/21/2016 pass as amended Pass  
Action Text: The Committee recommends that Full Council pass as amended the Council Bill (CB).  
Notes:  
In Favor: 3 Chair Burgess, Vice Chair Herbold, Member Johnson  
Opposed: 0
- 3 Full Council 10/03/2016 passed Pass  
Action Text: The Council Bill (CB) was passed by the following vote, and the President signed the Bill:  
Notes:  
In Favor: 7 Councilmember Bagshaw, Councilmember Burgess, Councilmember González , Council President Harrell, Councilmember Johnson, Councilmember Juarez, Councilmember O'Brien  
Opposed: 0
- 3 City Clerk 10/05/2016 submitted for Mayor's signature Mayor
- 3 Mayor 10/07/2016 Signed
- 3 Mayor 10/07/2016 returned City Clerk
- 3 City Clerk 10/07/2016 attested by City Clerk  
Action Text: The Ordinance (Ord) was attested by City Clerk.  
Notes:
-

**CITY OF SEATTLE**

**ORDINANCE** 125151

**COUNCIL BILL** 118747

AN ORDINANCE establishing a new Ballard 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; and providing for an implementation agreement with a Program Manager.

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

WHEREAS, on April 25, 2016, the City Council adopted Resolution 31657, adopting updated policies regarding the establishment and management of Business Improvement Areas to address the increased complexity, number and size of BIAs, combined with a goal for a wider variety of ratepayers and services, and to require additional analysis during the development of BIAs and expanded policies to govern the quality of proposals; and

WHEREAS, planning and outreach for the proposed Ballard BIA preceded adoption of Resolution 31657, which amended BIA policies. Consequently, some elements of the proposed BIA are inconsistent with current policies; and

WHEREAS, Council expects future proposals to establish or modify a BIA shall be developed and analyzed to be more consistent with the policies adopted in Resolution 31657; and

WHEREAS, the owners of businesses, multi-family residential, and mixed-use properties located within the area and representing nearly 60 percent of the special assessments levied by this ordinance filed a petition with The City of Seattle to establish a new Ballard Parking

1 and Business Improvement Area (Ballard Business Improvement Area) pursuant to  
2 chapter 35.87A RCW, a copy of which is filed in C.F. 319875; and

3 WHEREAS, the owners of parcel numbers 2768303245, 2768303229, and 2768303190, known  
4 as the “Ballard Blocks,” which are outside of the boundaries proposed in the petition,  
5 submitted a letter of support, after petitions had been circulated, requesting their  
6 properties be added to the Ballard Business Improvement Area; and

7 WHEREAS, to gauge the percentage of special assessments that were reflected in signed  
8 petitions, City staff followed RCW 35.87A.010, and calculated the dollar amount of the  
9 special assessment that each business, multi-family residential, or mixed-use property  
10 would pay, and compared the dollar amount represented by signed petitions and letters of  
11 support to the estimated total for the entire proposed Ballard Business Improvement  
12 Area, including the Ballard Blocks, and the result was nearly 63 percent, which exceeds  
13 the threshold of 60 percent stated in RCW 35.87A.010; and

14 WHEREAS, the City Council adopted Resolution 31686, initiating a new Ballard Business  
15 Improvement Area, including Ballard Blocks via the resolution method instead of the  
16 petition method as provided for in RCW 35.87A.030; and

17 WHEREAS, pursuant to RCW 35.87A.040, the City Council on Monday, August 1, 2016,  
18 adopted Resolution 31685 entitled “A RESOLUTION of intention to establish a Ballard  
19 Parking and Business Improvement Area, and fix a date and place for a hearing thereon,”  
20 which stated its intention to establish the new and expanded Ballard Business  
21 Improvement Area, the proposed boundaries and the proposed programs, and which set  
22 the date and time for a public hearing; and

1 WHEREAS, the purpose of the new Ballard Business Improvement Area is to enhance  
2 conditions for the business, multi-family residential, and mixed-use properties by  
3 performing activities that go beyond the basic services provided by The City of Seattle;  
4 and

5 WHEREAS, as provided by Resolution 31685, the City Council, through its Affordable Housing,  
6 Neighborhoods and Finance Committee, held a public hearing at 9:30 a.m. on September  
7 7, 2016 at City Council Chambers, City Hall, 600 Fourth Avenue, 2<sup>nd</sup> Floor, Seattle,  
8 Washington, 98104; and

9 WHEREAS, the testimony received at that hearing resulted in the Council determining that  
10 establishing a new Ballard Business Improvement Area is in the best interest of the  
11 owners of business, multi-family residential, and mixed-use properties within the Ballard  
12 Business Improvement Area's boundaries; NOW, THEREFORE,

13 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

14 **Section 1.** Area Established. As authorized by chapter 35.87A RCW, there is established  
15 a Ballard Business Improvement Area within the following boundaries as shown on the map  
16 attached as Exhibit A to this ordinance (when a street or alley is named, the area boundary is the  
17 centerline of the right-of-way including vacated portions unless otherwise specified in the  
18 description):

19 Beginning at the intersection of NW Market Street and 28th Avenue NW, proceed east  
20 along NW Market Street to 26th Avenue NW. Proceed north along 26th Avenue NW to NW  
21 56th Street. Proceed east along NW 56th Street to the western boundary of the property at the  
22 northwest corner of the intersection at 24th Avenue NW and NW 56th Street. Proceed north  
23 along the western boundary of the property at the northwest corner of the intersection at 24th  
24 Avenue NW and NW 56th Street to the northern boundary of the property at the northwest  
25 corner of the intersection at 24th Avenue NW and 56th Street. Proceed east along the northern  
26 boundary of the property at the northwest corner of the intersection at 24th Avenue NW and NW  
27 56th Street to the western boundary of the property at the southwest corner of the intersection at  
28 24th Avenue NW and NW 57th Street. Proceed north along the western boundary of the property

1 at the southwest corner of the intersection at 24th Avenue NW and NW 57th Street to the  
2 northern boundary of the property at the southwest corner of the intersection at 24th Avenue NW  
3 and NW 58th Street. Proceed east along NW 58th Street to 22nd Avenue NW including the two  
4 most eastern properties adjoining NW 58th Street on the south side, then south to include the  
5 three most eastern properties adjoining NW 57th Street on the north side. Proceed east along NW  
6 57th Street to 20th Avenue NW. Proceed south along 20th Avenue NW until the northern  
7 boundary of the property at the northeast corner of the intersection at NW 56th Street and 20th  
8 Avenue NW. Proceed east along the northern boundaries of the properties adjoining NW 56th to  
9 17th Avenue NW. Proceed south along 17th Avenue NW to NW 56th Street. Proceed east along  
10 NW 56th Street to 15th Avenue NW. Proceed south along 15th Avenue NW to NW Market  
11 Street. Proceed west along NW Market Street to 17th Avenue NW. Proceed south along 17th  
12 Avenue NW to NW Ione Pl. Proceed southwest along NW Ione Place to Russell Avenue NW.  
13 Proceed northwest along Russell Avenue NW to NW Market Street. Proceed southwest along the  
14 southeastern boundary of the property at the southwest corner of the intersection at NW Market  
15 Street and Russell Avenue NW to Leary Avenue NW. Proceed northwest along Leary Avenue  
16 NW until the southeastern boundary of the property at the southeast corner of the intersection at  
17 22nd Avenue NW and NW Market Street. Proceed southwest along the southeastern boundary of  
18 the property at the southeast corner of the intersection at 22nd Avenue NW and NW Market  
19 Street to the northeastern boundary of the property at the northeast corner of the intersection at  
20 22nd Avenue NW and Ballard Avenue NW. Proceed southeast along the northeastern boundary  
21 of the property at the northeast corner of the intersection at 22nd Avenue NW and Ballard  
22 Avenue NW to include all of the properties adjoining Ballard Avenue NW up to NW Vernon  
23 Place. Proceed northeast along NW Vernon Place to Leary Avenue NW. Proceed southeast on  
24 Leary Avenue NW to 20th Avenue NW. Proceed south along 20th Avenue NW to the  
25 northeastern boundary of the property at the northeast corner of the intersection at 20th Avenue  
26 NW and Ballard Avenue NW. Proceed southeast along the northeastern boundary at the  
27 northeast corner of the intersection at 20th Avenue NW and Ballard Avenue NW to NW Ione  
28 Place. Proceed southwest on NW Ione Place to Ballard Avenue NW. Proceed northwest along  
29 Ballard Avenue NW to the northwestern boundary of the property at the northwest corner of  
30 Shilshole Avenue NW and 20th Avenue NW. Proceed southwest along the northwestern  
31 boundary of the property at the northwest corner of Shilshole Avenue NW and 20th Avenue NW  
32 to the southwestern boundary of the property at the southwest corner of the intersection at  
33 Ballard Avenue NW and 20th Avenue NW. Proceed northwest along Ballard Avenue NW to  
34 include all properties adjoining Ballard Avenue NW on the south side to NW Market Street.  
35 Proceed southwest along NW Market Street to include all properties adjoining NW Market Street  
36 to Shilshole Avenue NW. Proceed west along Shilshole Avenue NW to 24th Avenue NW.  
37 Proceed south along 24th Avenue NW to NW 54th Street. Proceed west along NW 54th Street to  
38 28th Avenue NW. Proceed north along 28th Avenue NW to NW Market Street.

39 Beginning at the intersection NW 45th Street and 15th Avenue NW, proceed north along  
40 15th Avenue NW to NW 46th Street. Proceed east along NW 46th Street to the eastern parcel  
41 boundary of 2768303225. Proceed north along the eastern parcel boundary of 2768303225,  
42 following the parcel boundary west and south to NW 46th Street. Proceed west along NW 46th  
43 Street to 15th Avenue NW. Proceed north along 15th Avenue NW to the southern parcel  
44 boundary of 2768303135. Proceed east and then north along the western property boundary of  
45 parcel 2768303135 to NW Ballard Way. Proceed east along NW Ballard Way to 14th Avenue

1 NW. Proceed south along 14th Avenue NW to NW 45th Street. Proceed west along NW 45th  
2 Street to 15th Avenue NW.

3 In case of a conflict between the descriptions of the areas and the map, the descriptions  
4 shall control.

5 **Section 2.** Programs. Special assessment revenues shall be used for the following  
6 component programs:

- 7 A. Clean Environment;
- 8 B. Public Safety/Public Health Enhancement;
- 9 C. Marketing and Promotions;
- 10 D. Advocacy, Urban Design, and Transportation;
- 11 E. Business Development and Retention;
- 12 F. Management.

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

16 **Section 3.** Levy of Special Assessments. To finance the programs authorized in Section 2  
17 of this ordinance, there is levied upon and shall be collected from the owners of business  
18 property, multi-family residential property (buildings containing four or more residential units),  
19 and mixed-use property (multi-family residential and commercial), located within the boundaries  
20 of the Ballard Business Improvement Area described in Section 1 of this ordinance, a seven-year  
21 special assessment. The initial assessment calculations will be based upon King County  
22 Assessor's Office records as of April 1, 2015. Ratepayers will be assessed by The City of Seattle  
23 for seven annual installments beginning with the base year of authorization, by applying the  
24 following assessment rates to each ratepayer:

1           A.     First Year Assessment =  $(\$0.52 \times (\text{Total Appraised Value}/\$1,000)) + (\$0.12 \times$   
2     Total Lot Square Feet). Total Appraised Value in these calculations shall be based on Land +  
3     Improvements. This calculation is called the “Base Formula.” Modifications or limitations to the  
4     First Year Assessments are described below. To the extent that ratepayers are eligible for  
5     multiple assessment ceilings, the lowest applicable rate applies.

6           B.     The assessment ceiling for owned and rental multi-family residential units is \$90  
7     per unit per year. This ceiling applies to all multi-family residential buildings containing four or  
8     more residential units whether or not the building is located on one or multiple property parcels  
9     and/or the ratepayer has combined or intends to combine multiple parcels.

10          C.     The assessment ceiling for building square footage is \$0.20 per square foot for  
11     any property with a Floor Area Ratio that is 0.5 or more. Floor Area Ratio in these calculations  
12     shall be based on Building Square Feet divided by Total Lot Square Feet.

13          D.     If the Total Appraised Value (Land + Improvements) and Total Taxable Value  
14     (Land + Improvements) in the King County Assessor’s records are not equal due to tax  
15     exemption status, the following rules apply:

16           1.     If the Total Taxable Value is zero, then the First Year Assessment =  
17      $[(\$0.52 \times (\text{Total Appraised Value} / \$1,000)) + (\$0.12 \times \text{Total Lot Square Feet})] \times 25\%$ .

18           2.     If the Total Taxable Value is not zero, the First Year Assessment =  
19      $(\$0.52 \times (\text{Total Taxable Value} / \$1,000)) + (\$0.12 \times (\text{Total Lot Square Feet} \times \text{Total Taxable}$   
20     Value / Total Appraised Value)) +  $[(\$0.52 \times (\text{Total Appraised Value} - \text{Total Taxable Value} /$   
21      $\$1,000)) + (\$0.12 \times (\text{Total Lot Square Feet} \times ((\text{Total Appraised Value} - \text{Total Taxable Value}) /$   
22     Total Appraised Value)) x 25%].



1           E.       Any properties owned by governmental entities shall be subject to assessment  
2 based on the assessment rates described above if the governmental entity is operating as a  
3 business. At the time of formation, there are no properties owned by governmental entities that  
4 are subject to assessment.

5           F.       To maintain the current level of services and benefits provided by the Ballard  
6 Business Improvement Area, the assessment rates shall be adjusted by an Inflationary Factor  
7 applied to each of the assessment rates after the first year assessment. The Inflationary Factor  
8 will be the lesser of three percent per year or the percentage change in the Consumer Price Index  
9 for All Urban Consumers in Seattle-Tacoma-Bremerton (“CPI-U-Seattle”) between October  
10 2016 and October of the year prior to the assessment year.

11                   1.       Second Year Assessment: The Inflationary Factor shall be calculated  
12 using the lesser of three percent or the percentage change in the CPI-U-Seattle between October  
13 2016 and October 2017.

14                   2.       Third Year Assessment: The Inflationary Factor shall be calculated using  
15 the lesser of six percent or the percentage change in the CPI-U-Seattle between October 2016  
16 and October 2018.

17                   3.       Fourth Year Assessment: The Inflationary Factor shall be calculated using  
18 the lesser of nine percent or the percentage change in the CPI-U-Seattle between October 2016  
19 and October 2019.

20                   4.       Fifth Year Assessment: The Inflationary Factor shall be calculated using  
21 the lesser of 12 percent or the percentage change in the CPI-U-Seattle between October 2016  
22 and October 2020.

1                   5.       Sixth Year Assessment: The Inflationary Factor shall be calculated using  
2 the lesser of 15 percent or the percentage change in the CPI-U-Seattle between October 2016  
3 and October 2021.

4                   6.       Seventh Year Assessment: The Inflationary Factor shall be calculated  
5 using the lesser of 18 percent or the percentage change in the CPI-U-Seattle between October  
6 2016 and October 2022.

7           G.       “New Benefit Areas” shall be added to the assessment roll on an annual basis, and  
8 will supersede the previous assessment for that parcel. A New Benefit Area is created when a  
9 parcel’s Net Building Square Footage increases as a result of either a new building or expansion  
10 of an existing building, as recorded by the King County Assessor’s Office. The Base Formula for  
11 a New Benefit Area will be calculated for the following assessment year using the most current  
12 available King County Assessor’s Office records.

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

16                   1.       Three percent per year from the addition of the New Benefit Area to the  
17 assessment roll, or

18                   2.       The percentage change in the CPI-U-Seattle from October of the year  
19 prior to the addition of the New Benefit Area to the assessment roll to October of the year prior  
20 to the assessment year.

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 approval of  
23 the Ratepayers Advisory Board and shall not occur more than one time per year.

1           **Section 4. Billing Schedule.** Special assessments shall be billed on a semi-annual basis.  
2 The Director of The City of Seattle’s Department of Finance and Administrative Services (“FAS  
3 Director”) may change the billing frequency by directive to an interval no more frequent than  
4 quarterly. The FAS Director shall mail a copy of a directive issued under this section to all  
5 ratepayers not less than 90 days before the new billing due date is to take effect.

6           **Section 5. Deposit of Revenues.** There is in the City Treasury’s Business Improvement  
7 Area Fund a separate subaccount designated the Ballard Business Improvement Area Account  
8 (called “the 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           **Section 6. Delinquent Payments.** If an assessment has not been paid within 30 days after  
15 its due date, the FAS Director shall send a reminder notice and add a \$5 processing fee. If the  
16 assessment is not paid within 60 days after its due date, a delinquency charge shall be added in  
17 the amount of ten percent of the assessment. All assessments that are not paid within 60 days of  
18 the due date shall also bear interest from the due date at 12 percent per annum. The FAS Director  
19 is authorized to refer any unpaid assessments to a collection agency or to bring an action to  
20 collect any unpaid assessments in any court of competent jurisdiction in King County.

21           **Section 7. Notices.** Notices of assessment, installment payments, or delinquency, and all  
22 other notices contemplated by this ordinance, may be sent by ordinary mail or delivered by the  
23 City to the address shown on the records of the FAS Director, and, if no address is shown there,

1 to the address shown on the records of the County Assessor. Failure of the ratepayer to receive  
2 any mailed notice shall not release the ratepayer from the duty to pay the assessment on the due  
3 date and any interest, delinquency charges, and processing fees.

4 **Section 8. Disputes.** Any ratepayer aggrieved by the amount of an assessment or  
5 delinquency charge may on request obtain a meeting with the FAS Director. If not satisfied, the  
6 ratepayer may appeal the matter to the City’s Hearing Examiner in the manner provided for a  
7 contested case under Chapter 3.02 of the Seattle Municipal Code. The ratepayer has the burden  
8 of proof to show that the assessment or delinquency charge is incorrect.

9 **Section 9. Audit.** The City may conduct random audits of ratepayers to ensure that  
10 assessments are being properly calculated and reported.

11 **Section 10. Expenditures.** Expenditures from the Account shall be made upon demand  
12 and presentation of documentation of allowable expenses to the FAS Director by the Program  
13 Manager and shall be used exclusively for the programs as defined in Section 2 of this ordinance.

14 **Section 11. Ratepayers Advisory Board.** The Director of The City of Seattle’s Office of  
15 Economic Development (“OED Director”) shall appoint an interim Ratepayers Advisory Board  
16 comprised of ratepayers from the Ballard Business Improvement Area within 30 days of the  
17 effective date of this ordinance. The OED Director shall solicit recommendations from the  
18 ratepayers, and shall appoint the interim board from that list. The interim Ratepayers Advisory  
19 Board will recommend a permanent Ratepayers Advisory Board (the “Board”) within 90 days of  
20 the effective date of this ordinance. The composition of the Board shall be representative of the  
21 entire geographic area of the Ballard Business Improvement Area, as well as representative of all  
22 ratepayer classifications and sizes as well as residential representatives and commercial tenants.

1 Specifically, no less than one-third of the members shall represent commercial ratepayers and no  
2 less than one-third of the members shall represent multi-family residential ratepayers.

3 The OED Director shall appoint the permanent Board members from the list  
4 recommended by the interim Ratepayers Advisory Board. The OED Director may appoint  
5 additional members to the Board beyond those recommended by the interim Ratepayers  
6 Advisory Board to ensure a broad representation of ratepayers, provided that the additional  
7 members so appointed do not exceed one-third of the entire membership of the Board.

8 The Board shall be responsible for adopting bylaws and policy guidelines; recommending  
9 approval of budgets, expenditures, and programs; and for providing advice and consultation to  
10 the FAS Director and to the Program Manager.

11 The Board shall meet at least once quarterly; recommend an annual work program and  
12 budget; address and discuss ratepayer concerns and questions regarding the Ballard Business  
13 Improvement Area programs; and sponsor an annual ratepayers' meeting. At a minimum,  
14 meetings of the interim and permanent Boards shall be open to the public, with at least five days'  
15 advance notice posted by the Program Manager on its website and also disseminated by any  
16 other means that the Program Manager generally uses to communicate.

17 At the annual ratepayers' meeting, the Board shall submit for approval its proposed work  
18 plan and budget for the next year, and its recommendation regarding whether to continue with  
19 the current Program Manager. The work plan, budget, and recommendation regarding whether to  
20 continue with the current Program Manager must be approved by a vote of the ratepayers  
21 attending the meeting and submitted to the FAS Director.

22 The Board and Program Manager shall evaluate the Ballard Business Improvement  
23 Area's programs and services and shall report their findings to the City Council when a request

1 to modify or renew the Ballard Business Improvement Area is proposed, or in five years from  
2 the time of formation, whichever is sooner.

3 **Section 12.** Administration. The FAS Director shall administer the program for the City  
4 with authority to:

5 A. Collect the special assessments; refund special assessments when overpaid or  
6 otherwise improperly collected; extend the deadline for payment; and waive delinquency  
7 charges, processing fees, and interest whenever the delinquency results from extenuating  
8 circumstances beyond the ratepayer's control, such as a casualty loss causing premature closure  
9 of the business or bankruptcy, or the total payment due to the City (exclusive of delinquency  
10 charges and interest) is \$10 or less;

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

13 C. After receiving the recommendation of the Board, execute a program  
14 management contract with a Program Manager for a term of up to seven years; and

15 D. Accept advance payment of assessments by ratepayers and donations for Ballard  
16 Business Improvement Area programs.

17 **Section 13.** Contract for Program Management. The FAS Director is authorized to  
18 contract with any local non-profit entity to act as the Program Manager. The Program Manager's  
19 duties, subject to the approval of the ratepayers at each annual meeting, will be to manage the  
20 day-to-day operations of the Ballard Business Improvement Area and to administer the projects  
21 and activities. It is the intent of the City Council that the FAS Director contract with the Ballard  
22 Alliance as the initial Program Manager.

1           **Section 14.** Commencement of Assessments. Assessments shall commence as of January  
2 1, 2017, or on the effective date of this ordinance, whichever is later.

3           **Section 15.** Request to Disestablish. Upon a petition signed by ratepayers that would pay  
4 60 percent of the proposed special assessments, the Ratepayers Advisory Board shall request that  
5 the City Council disestablish the Ballard Business Improvement Area in accordance with  
6 Chapter 35.87A RCW.

7           **Section 16.** Ratification and Confirmation. The making of contracts and expenditures and  
8 the sending of assessment notices pursuant to the authority and after passage but prior to the  
9 effective date of this ordinance are hereby ratified and confirmed.

1           **Section 17.** This ordinance shall take effect and be in force 30 days after its approval by  
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it  
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4           Passed by the City Council the 3<sup>rd</sup> day of October, 2016,  
5 and signed by me in open session in authentication of its passage this 3<sup>rd</sup> day of  
6 October, 2016.

7 

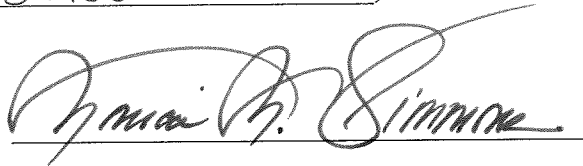
8 President \_\_\_\_\_ of the City Council

9 Approved by me this 7<sup>th</sup> day of October, 2016.

10 

11 Edward B. Murray, Mayor

12 Filed by me this 7<sup>th</sup> day of OCTOBER, 2016.

13 

14 Monica Martinez Simmons, City Clerk

15 (Seal)

16 Attachments:  
17 Exhibit A - Ballard Improvement Area  
18





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STATE OF WASHINGTON -- KING COUNTY

--SS.

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342910

No. TITLE ONLY

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 12<sup>th</sup> day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

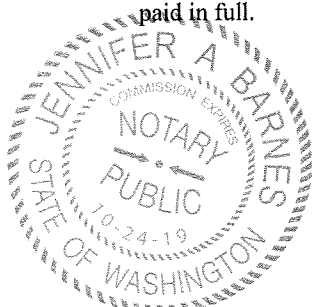
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:125151-125168,125170

was published on

10/28/16

The amount of the fee charged for the foregoing publication is the sum of \$39.88 which amount has been paid in full.



Affidavit of Publication

  
\_\_\_\_\_  
Subscribed and sworn to before me on

10/28/2016

\_\_\_\_\_  
Notary public for the State of Washington,  
residing in Seattle

# State of Washington, King County

## City of Seattle

The full text of the following legislation, passed by the City Council on October 3, 2016, and published below by title only, will be mailed upon request, or can be accessed at <http://seattle.legistar.com>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>.

### Ordinance 125151

AN ORDINANCE establishing a new Ballard 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; and providing for an implementation agreement with a Program Manager.

### Ordinance 125152

AN ORDINANCE relating to the West Seattle Junction Parking and Business Improvement Area; modifying the assessment rates; and amending Ordinance 113326, as previously amended by Ordinances 119639, 120570, and 121758, in accordance therewith.

### Ordinance 125153

AN ORDINANCE relating to Seattle Public Utilities; authorizing the Director of Seattle Public Utilities to acquire, accept, and record on behalf of the City of Seattle both temporary and permanent property rights from abutting property owners located along the alignment of the planned combined sewage storage tunnel between 24th Avenue NW and Shilshole Avenue NW and Interlake Avenue North and North 35th Street that are necessary or convenient to construct, operate and maintain the Ship Canal Water Quality Project, through negotiation or eminent domain (condemnation); placing the real property rights acquired under the jurisdiction of the Seattle Public Utilities and designating the property rights acquired for utility and general municipal purposes; authorizing payment of all other costs associated with acquisition; and ratifying and confirming certain prior acts.

### Ordinance 125154

AN ORDINANCE relating to historic preservation; imposing controls upon the Mount Baker Park Presbyterian Church, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 26.32 of the Seattle Municipal Code.

### Ordinance 125155

AN ORDINANCE related to appropriations for the Office of Arts & Culture; amending Ordinance 124927, which adopted the 2016 Budget; and lifting a proviso imposed on the Office of Arts & Culture's Capital Arts Budget Control Level by Seattle City Council Green Sheet 47-1-B-1.

### Ordinance 125156

AN ORDINANCE relating to the Seattle Fuel Gas Code; amending Section 22.420.010 of the Seattle Municipal Code and adopting by reference Chapters 2 through 8 of the 2015 International Fuel Gas Code, and amending those chapters; adopting a new Chapter 1 for the Seattle Fuel Gas Code related to administration, permitting, and enforcement; and repealing Sections 2-3 of Ordinance 124276.

### Ordinance 125157

AN ORDINANCE relating to the Seattle Plumbing Code; amending Section 22.502.016 of the Seattle Municipal Code and adopting by reference Chapter 51-56 of the Washington Administrative Code with amendments, except Sections 51-56-008 and 51-56-010; adopting a new Chapter 1 related

to administration, permitting, and enforcement; and repealing Ordinance 124615 and Sections 3-12 of Ordinance 124274.

### Ordinance 125158

AN ORDINANCE relating to the Seattle Existing Building Code; amending Section 22.110.010 of the Seattle Municipal Code; adopting by reference Chapters 2 through 5, 7 through 11, 14 through 16, A1, A3, A4, and A6 of the 2015 International Existing Building Code; amending certain of those chapters, and adopting a new Chapter 1 related to administration, permitting, and enforcement; and repealing Sections 2-17 of Ordinance 124283.

### Ordinance 125159

AN ORDINANCE relating to the Seattle Energy Code; amending Section 22.700.010 of the Seattle Municipal Code; adopting by reference Chapters 51-11C and 51-11R of the Washington Administrative Code, and amending certain sections of those chapters; and repealing Ordinance 124614 and Sections 2-9 of Ordinance 124284.

### Ordinance 125160

AN ORDINANCE relating to the Seattle Residential Code; amending Section 22.150.010 of the Seattle Municipal Code; and adopting by reference Chapters 2 through 10, 12 through 24, Section P2904, Chapter 44, and Appendices F and U of the 2015 International Residential Code (IRC), and amending certain of those chapters; adding a new Chapter 1 to the IRC related to administration, permitting, and enforcement; and repealing Sections 2 through 20 of Ordinance 124282.

### Ordinance 125161

AN ORDINANCE relating to the Seattle Building Code; amending Section 22.100.010 of the Seattle Municipal Code; adopting by reference Chapters 2 through 29, Chapters 31 through 35, and Chapter 36 of the 2015 International Building Code, and amending certain of those chapters; adopting a new Chapter 1 related to administration, permitting, and enforcement; adopting a new Chapter 30 related to elevators and conveying systems; and repealing Sections 2 through 27 of Ordinance 124278.

### Ordinance 125162

AN ORDINANCE relating to the Seattle Mechanical Code; amending Section 22.400.010 of the Seattle Municipal Code and adopting by reference Chapters 2 through 9 and Chapters 11 through 16 of the 2015 International Mechanical Code with amendments; and adopting a new Chapter 1 related to administration, permitting, and enforcement; and repealing Sections 2 through 14 of Ordinance 124276.

### Ordinance 125163

AN ORDINANCE relating to land use and zoning; adding a new Chapter 23.58D to the Seattle Municipal Code (SMC); amending SMC Sections 23.40.060, 23.41.004, 23.41.012, 23.42.056, 23.46.610, 23.46.616, 23.48.021, 23.48.221, 23.48.230, 23.49.011, 23.49.023, 23.49.180, 23.50.033, 23.66.140, 23.84.A.014, 23.88.010, and 23.90.018; and repealing SMC Sections 23.45.626 and 23.49.020; to revise the Living Building Pilot Program and reorganize, consolidate, and update standards when meeting the green building standard is a condition of a permit.

### Ordinance 125164

AN ORDINANCE relating to City employment; creating a compensation program for the position of Seattle Public Utilities General Manager/Chief Executive Officer; specifying provisions for the administration of said compensation program; and ratifying and confirming certain prior acts.

### Ordinance 125165

AN ORDINANCE relating to the City of Seattle's solid waste system; removing the sunset date for a five cent pass-through charge for certain recyclable paper bags; requiring certain compostable bags to be labeled and tinted green; adding a defini-

tion for compostable; and amending Section 21.36.100 of the Seattle Municipal Code.

### Ordinance 125166

AN ORDINANCE relating to Seattle Public Utilities; declaring certain real property rights relating to sewer facility easements within property bound by 25th Avenue NE, NE 49th Street, 30th Avenue NE, and NE 45th Street in Seattle as being surplus to the City's utility needs; authorizing the Director of Seattle Public Utilities to relinquish such easement rights and to accept a new easement from University Village Limited Partnership for a City-owned sanitary sewer facility; and ratifying and confirming certain prior acts.

### Ordinance 125167

AN ORDINANCE relating to City employment, commonly referred to as the Third Quarter 2016 Employment Ordinance; designating positions as exempt from Civil Service status; returning a position to Civil Service status; and ratifying and confirming certain prior acts; all by a 2/3 vote of the City Council.

### Ordinance 125168

AN ORDINANCE relating to the Department of Finance and Administrative Services; authorizing the Director of Finance and Administrative Services, on behalf of the City, to negotiate and execute real property lease agreements and amendments to existing lease agreements with the U.S. General Services Administration, for warehouse space in the Federal Center South Complex located at 4735 East Marginal Way South; and ratifying and confirming certain prior acts.

### Ordinance 125170

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

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