

CITY OF SEATTLE

RESOLUTION 31481

A RESOLUTION of intention to establish a Pioneer Square Parking and Business Improvement Area, and fixing a date and place for a hearing thereon, and superseding Resolution 31473.

WHEREAS, the operators of businesses, or mixed-use properties that are subject to sixty percent or more of the special assessments that would be assessed upon the establishment of a Business Improvement Area filed a petition with The City of Seattle pursuant to Chapter 35.87A RCW, and said petition is filed in C.F. 313180; and

WHEREAS, upon reviewing the petition, the City Council determined it is in the best interests of the City to proceed, as permitted by Section 35.87A.030, under the Resolution method of creating a new and expanded Pioneer Square Parking and Business Improvement Area (PSBIA) instead of the petition method; and

WHEREAS, the City Council introduced Resolution 31472 on August 5, 2013, initiating the PSBIA; and

WHEREAS, the City Council wishes to declare its intent to establish the PSBIA, and to set a public hearing for the public and all affected persons to consider its establishment; and

WHEREAS, Resolution 31473, adopted on August 12, 2013, stated the intention to establish the PSBIA and set a public hearing date of September 4, 2013, but that resolution was inadvertently not published in accordance with state law; therefore the City Council will take testimony on the previously-publicized date of September 4, 2013, and this new resolution sets a date for an additional public hearing on September 18, 2013; and

WHEREAS, the boundary described in Resolution 31473 included Port of Seattle property even though there was no intent to impose PSBIA assessments on that property; therefore this new resolution revises the boundary to exclude the Port of Seattle property; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE MAYOR CONCURRING, THAT:

1 **Section 1.** The City Council of The City of Seattle declares its intention to establish a
2 Pioneer Square Parking and Business Improvement Area in accordance with Chapter 35.87A
3 RCW to be known as the Pioneer Square Business Improvement Area (PSBIA).
4

5 **Section 2.** The PSBIA shall be within the following boundaries as shown on the map
6 attached as Exhibit A (when a street or alley is named, the area boundary is the centerline of
7 the right-of-way including vacated portions unless otherwise specified in the description):
8 Beginning at the intersection of Occidental Avenue South and Railroad Way South, then south
9 along Occidental Avenue South to South Royal Brougham Way, then west along South Royal
10 Brougham Way to the east line of King County Parcel Number 7666207695 known as the Port
11 of Seattle Terminal, then north along the east lines of King County Parcel Numbers
12 7666207695, 7667800005, 7666207697, 7666202631, and 7666202630 to the Inner Harbor
13 line of Elliott Bay, then north along the Inner Harbor line to Columbia Street, then northeast
14 along Columbia Street to the alley between 1st Avenue and 2nd Avenue, then southeast along
15 the alley to Cherry Street, then northeast along Cherry Street to the alley between 2nd Avenue
16 and 3rd Avenue, then southeast along the alley to James Street, then northeast along James
17 Street to 3rd Avenue, then southeast along 3rd Avenue to Jefferson Street, then northeast along
18 Jefferson Street to 4th Avenue, then southeast along 4th Avenue to Terrace Street, then
19 northeast along Terrace Street to 5th Avenue, then southeast and south along 5th Avenue to
20 Yesler Way, then west along Yesler Way to 4th Avenue South, then south along 4th Avenue
21 South to South Jackson Street, then east along South Jackson Street to 5th Avenue South, then
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1 south along 5th Avenue South to South King Street, then west along South King Street to 4th
2 Avenue South, then west along the south edge of the historic Union Station building, then
3 south and northwest along the east and south edges of the properties adjoining the historic King
4 Street Station (King County parcel numbers 5247801190, 7666202635, 7666204886), then
5 west along the south line of the properties on the south side of South King Street (King County
6 parcel numbers 7666204878, 7953000000) to Occidental Avenue South, and then south along
7 Occidental Avenue South to the point of beginning.
8

9 In case of a conflict between the description of the area and the map, the description shall
10 control.
11

12 **Section 3.** Programs. Special Assessment revenues shall be used for the following
13 component programs:
14

- 15 1. Neighborhood and business advocacy
- 16 2. Economic development and retail recruitment
- 17 3. Marketing and promotion
- 18 4. Improving the built environment and pedestrian realm
- 19 5. Street civility, and public safety
- 20 6. Building neighborhood and organizational capacity

21 The listing of services is illustrative and not exclusive. All such activities are supplemental to
22 street maintenance and law enforcement provided by the City and are not intended to displace
23 any services regularly provided by municipal government.
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1 **Section 4. Ratepayers Advisory Board.** There shall be an advisory board whose
2 membership is comprised of Ratepayers representative of the variety of locations, sizes and
3 classifications of Ratepayers in the Area.

4
5 **Section 5. Levy of Special Assessments.** To finance the programs authorized in Section
6 3, there is levied upon and shall be collected from the operators of business property and mixed-
7 use property (multi-family residential and commercial) located within the boundaries of the
8 Pioneer Square Parking and Business Improvement Area described in Section 2, a special
9 assessment. Ratepayers will be assessed by the City in annual installments beginning with the
10 base year of the authorization (2014), by applying an annual assessment rate to each ratepayer as
11 described below:
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14 A. Data for the assessment calculation are reported by the ratepayer at the time of
15 collection and are subject to verification by the City of Seattle. These rates are called the
16 “Base Year Rates.”

17 B. Except as provided below, all uses will initially be assessed at \$0.20 x Occupied
18 Square Footage.

19 C. Warehouse/Industrial uses will be assessed at \$0.02 x Occupied Square Footage.

20 D. Parking uses will be assessed at \$30 per stall.

21 E. Group homes/day shelters will be assessed at \$0.01 x Occupied Square Footage.

22 F. Residential uses (other than group homes/day shelters) will not be assessed.

23 G. Governmental uses, public utilities, Union Station, and King Street Station and
24 related parcels (King County parcel numbers 5247801190, 7666202635, 7666204886),
25 will not be assessed.

1 H. Ratepayers will be assessed by the City in annual installments beginning with the
2 Base Year Rates (2014). Beginning in January 2015, and each January thereafter, the
3 assessment rate will increase by the lesser of 3% or the change in the Consumer Price
4 Index for All Urban Consumers in Seattle-Tacoma-Bremerton (CPI-U-Seattle) in the
5 previous year, to maintain approximately the same level of services and benefits as in the
6 base year.
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8 **Section 6.** A hearing shall be held on this matter before the Government Performance
9 and Finance Committee in the City Council Chambers, City Hall, 600 Fourth Avenue, 2nd Floor,
10 Seattle, Washington 98104 on Wednesday, September 18, 2013, at 9:30 a.m., or as soon
11 thereafter as the same may be heard. The City Council will hear all protests and receive all
12 evidence for or against the proposed action.
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15 **Section 7.** The City Clerk is requested to publish this Resolution of Intention in a
16 newspaper of general circulation in Seattle and mail a complete copy of this Resolution to each
17 prospective Ratepayer within the proposed area, at least ten days prior to the hearing. The notice
18 shall include a statement that a copy of the proposed ordinance, with attachments, may be
19 examined electronically at <http://www.seattle.gov/leg/clerk/> on the Internet, or in paper form at
20 the Office of the City Clerk, City Hall, 600 Fourth Avenue, 3rd Floor, Seattle, Washington
21 98104, or will be mailed upon request. .
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24 **Section 8.** Resolution 31473 is superseded.
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1 Adopted by the City Council the ____ day of _____, 2013, and
2 signed by me in open session in authentication of its adoption this _____ day
3 of _____, 2013.

4 _____
5 President _____ of the City Council

6
7 THE MAYOR CONCURRING:

8
9 _____
10 Michael McGinn, Mayor

11
12 Filed by me this ____ day of _____, 2013.

13
14 _____
15 Monica Martinez Simmons, City Clerk

16
17 (Seal)

18
19 Attachment:
20 Exhibit A: Pioneer Square BIA Map

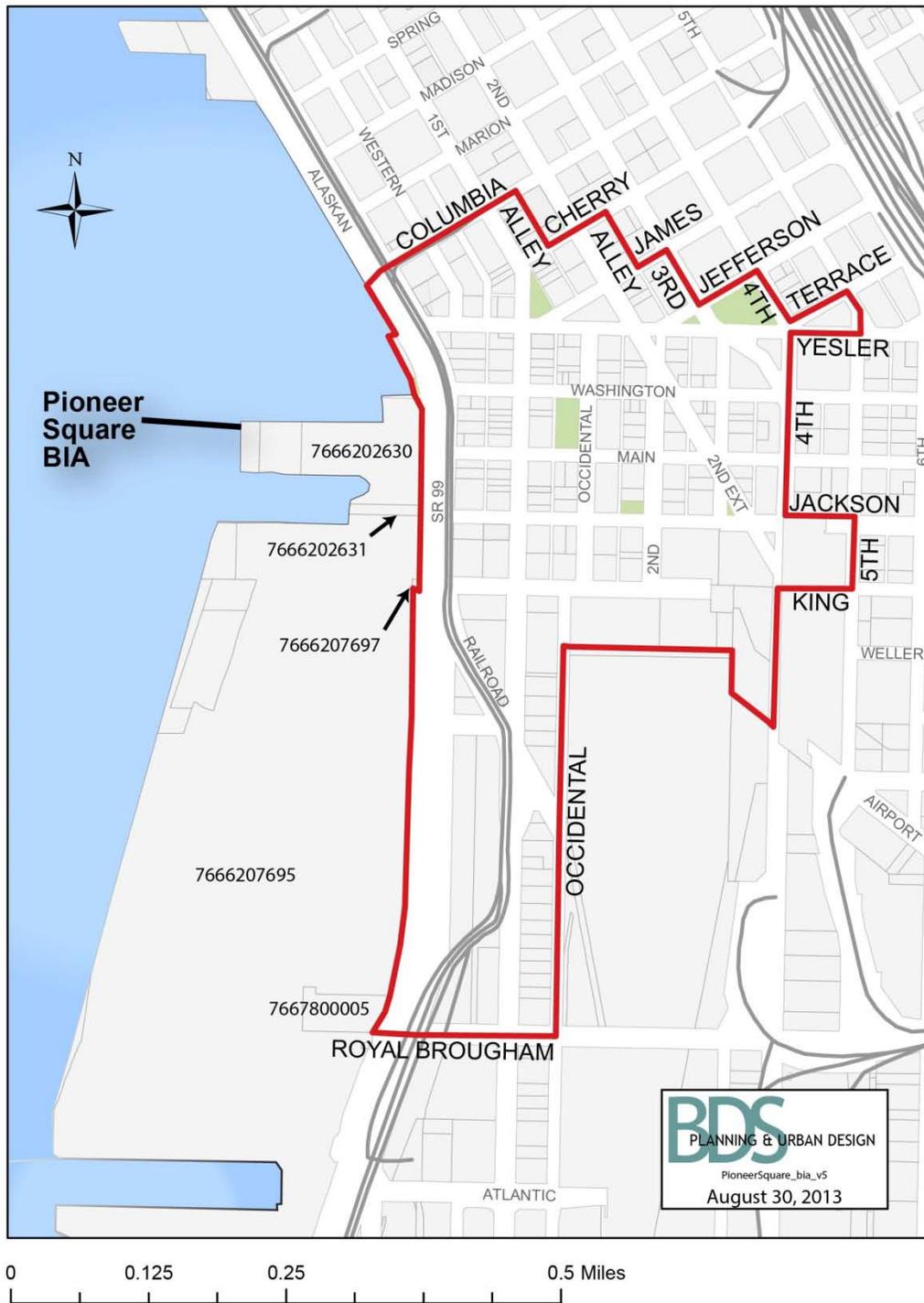


Exhibit A. Pioneer Square BIA

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:

A RESOLUTION of intention to establish a Pioneer Square Parking and Business Improvement Area, and fixing a date and place for a hearing thereon, and superseding Resolution 31473.

Summary of the Legislation:

This Resolution declares the intention to establish a new and expanded Pioneer Square Parking and Business Improvement Area (PSBIA), and is the second of two similar pieces of legislation that must be prepared, per RCW 35.87A. The City must pass this resolution to declare a public hearing date and place for the initiative. After the public hearing, the Council may propose a bill to create the PSBIA with a special assessment on operators of businesses or mixed-use properties within the boundaries of the PSBIA to pay for activities intended to increase economic vitality in the Area. This subsequent bill will likely establish the new PSBIA with the boundaries as shown in Exhibit A.

Resolution 31473, adopted on August 12, 2013, stated the intention to establish the PSBIA and set a public hearing date of September 4, 2013, but that resolution was inadvertently not published in accordance with state law. Therefore this new resolution sets a date for an additional public hearing on September 18, 2013, and supersedes Resolution 31473.

Background:

A proposal was put together recommending the continuation and expansion of the current PSBIA. The current Ratepayer Advisory Board developed a proposal that they believe to be efficient, accountable and responsive to the area's needs. The Board worked to collect signatures for a petition to form a Business Improvement Area that will allow for the implementation of the PSBIA business plan that would include the following program components:

1. Neighborhood and business advocacy
2. Economic development and retail recruitment
3. Marketing and promotion
4. Improving the built environment and pedestrian realm
5. Street civility and public safety
6. Building neighborhood and organizational capacity

The petitioning effort met the required 60% show of support by the affected ratepayers. The PSBIA is expected to be funded by a special assessment levied on operators of business or mixed use properties within its boundaries. The new PSBIA will be overseen by a Ratepayers Advisory Board, which would be broadly representative of the ratepayers in the area covered by the improvement district.

X **This legislation does not have any financial implications.**

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 PSBIA 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?

No.

f) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation? Yes. After adoption, this resolution must be published.

g) Does this legislation affect a piece of property? Yes.

h) Other Issues: None.

List attachments to the fiscal note below: None