Teri Allen / Martha Lester
FAS SoDo BIA Intention - New RES
August 27, 2013
Version #5

CITY OF SEATTLE
RESOLUTION 31483

A RESOLUTION of intention to establish a five-year SoDo (South of Downtown) Parking and Business Improvement Area and fixing a date and place for a hearing thereon, and superseding Resolution 31470.

WHEREAS, the owners of properties that are subject to 60 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. 313179; 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 RCW, under the Resolution method of creating a new SoDo Parking and Business Improvement Area (SoDo BIA) instead of the petition method;

WHEREAS, the City Council introduced Resolution 31469 on August 5, 2013, initiating the SoDo BIA; and

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

WHEREAS, Resolution 31470, adopted on August 12, 2013, stated the intention to establish the SoDo BIA 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; NOW, THEREFORE,

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

Section 1. The City Council of The City of Seattle declares its intention to establish the SoDo (South of Downtown) Parking and Business Improvement Area in accordance with Chapter 35.87A RCW, to be known as the SoDo BIA.

Section 2. The SoDo BIA shall be within the following boundaries as shown on the map attached as Exhibit A (when a street or alley is named, the area boundary is the centerline of the right-of-way including vacated portions unless otherwise specified in the description):

From the intersection of South Atlantic Street and Colorado Avenue South, proceed south along Colorado Avenue South to the southwest corner of property parcel number 766207050; then proceed east along the south line of property parcel number 766207050 to Utah Avenue South; then proceed south along Utah Avenue South to South Walker Street; then proceed southwest along the northwest line of property parcel number 7666207214 to Colorado Avenue South; then proceed south on Colorado Avenue South to South Hanford Street; then proceed east along South Hanford Street to 1st Avenue South; then proceed south along 1st Avenue South to South Spokane Street; then proceed east along South Spokane Street to 2nd Avenue South; then proceed south along 2nd Avenue South to South Dakota Street; then proceed west along South Dakota Street to 1st Avenue South; then proceed south along 1st Avenue South to Diagonal Way South; then proceed northeast along Diagonal Way South to 2nd Avenue South; then proceed south along 2nd Avenue South to the Railroad Right-of-Way; then proceed southeast along the Railroad Right-of-Way to the southwest corner of property parcel number 2024049006; then proceed east along the south line of property parcel number 2024049006 to 6th Avenue South; then proceed north along 6th Avenue South, crossing over South Spokane Street, continuing on 6th Avenue South to the north line of property parcel number 7666203810; then proceed east along the north line of property parcel number 7666203810 to the property parcel number

7666203850; then proceed north along the northwest line of property parcel number 7666203850 to where its northwest corner abuts the property parcel number 7666203785; then proceed east along the north line of property parcel number 7666203850 to 8th Avenue South; then proceed south along 8th Avenue South to Airport Way South; then proceed northeast along Airport Way South to South Horton Street; then proceed east along South Horton Street to Interstate-5; then proceed north along Interstate-5 to South Massachusetts Street (includes full property parcel number 7666202860 in the northeast corner); then proceed west along South Massachusetts Street to 6th Avenue South; then proceed north along 6th Avenue South to the northeast corner of property parcel number 7666204640; then proceed east along the north property line of property number 7666204640 to the northwest corner of this property; then proceed south along the northwest line of property parcel number 7666204640 to the point where it lines up to the west with the north line of property parcel number 7666204625; then proceed west, crossing over 5th Avenue South, and continuing along the north line of property parcel number 7666204625 to 4th Avenue South; then proceed south along 4th Avenue South to the north line of property parcel number 7666204990; then proceed west along the north line of property parcel number 7666204990 to 3rd Avenue South; then proceed south along 3rd Avenue South to South Holgate Street; then proceed west along South Holgate Street to Occidental Avenue South; then proceed north along Occidental Avenue South to South Atlantic Street; then proceed west along South Atlantic Street to Colorado Avenue South.

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

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

1. Advocacy
2. Security
3. Cleaning
4. Transportation
5. Marketing
6. Business Development
7. Communications and Networking

The listing of services is illustrative and not exclusive. All such services are supplemental to street maintenance and law enforcement provided by the City and is not intended to displace any services regularly provided by the City.

Section 4. Ratepayers Advisory Board. There shall be an advisory board comprised of Ratepayers representative of the varying sizes, and locations, and types of property owners and businesses within the geographic area of the SoDo BIA.

Section 5. Levy of Special Assessments. To finance the programs authorized in Section 3, there is proposed to be levied upon and shall be collected from the owners of property located within the boundaries of the SoDo BIA described in Section 2, a special assessment. Ratepayers will be assessed by the City in five annual installments to be billed semi-annually beginning with

the base year of the authorization (2014), by applying an assessment rate to each Ratepayer as described below:

A. In 2014 and 2015, the assessment rate on each property within the SoDo BIA will be $0.50 per $1,000 of total taxable value based on 2013 King County records;

B. In 2016, 2017, and 2018, the assessment rate will be $0.50 per $1,000 of total taxable value based on 2015 King Country records;

C. Property owned and operated by a governmental organization and public utilities will not be assessed.

Section 6. A hearing shall be held on this matter before the Government Performance and Finance Committee in the City Council Chambers, City Hall, 600 Fourth Avenue, 2nd Floor, Seattle, Washington 98104 on Wednesday, September 18, 2013, at 9:30 a.m., or as soon thereafter as the same may be heard. The City Council will hear all protests and receive all evidence for or against the proposed action.

Section 7. The City Clerk is requested to publish this Resolution in a newspaper of general circulation in Seattle and mail a complete copy of this Resolution to each prospective Ratepayer within the proposed area, at least ten days prior to the hearing. The notice shall include a statement that a copy of the proposed ordinance, with attachments, may be examined electronically at http://www.seattle.gov/leg/clerk/ on the Internet, or in paper form at the Office

of the City Clerk, City Hall, 600 Fourth Avenue, 3rd Floor, Seattle, Washington 98104, or will be mailed upon request. .

Section 8. Resolution 31470 is superseded.

Adopted by the City Council the ____ day of _____, 2013, and signed by me in open session in authentication of its adoption this_____ day of _____, 2013.

_____
President _____of the City Council

THE MAYOR CONCURRING:

_____
Michael McGinn, Mayor

Filed by me this ____ day of _____, 2013.

_____
Monica Martinez Simmons, City Clerk

(Seal)

Attachment:
Exhibit A – SoDo BIA map

Teri Allen
FAS SoDo BIA Intention RES EXH A
July 25, 2013
Version #4

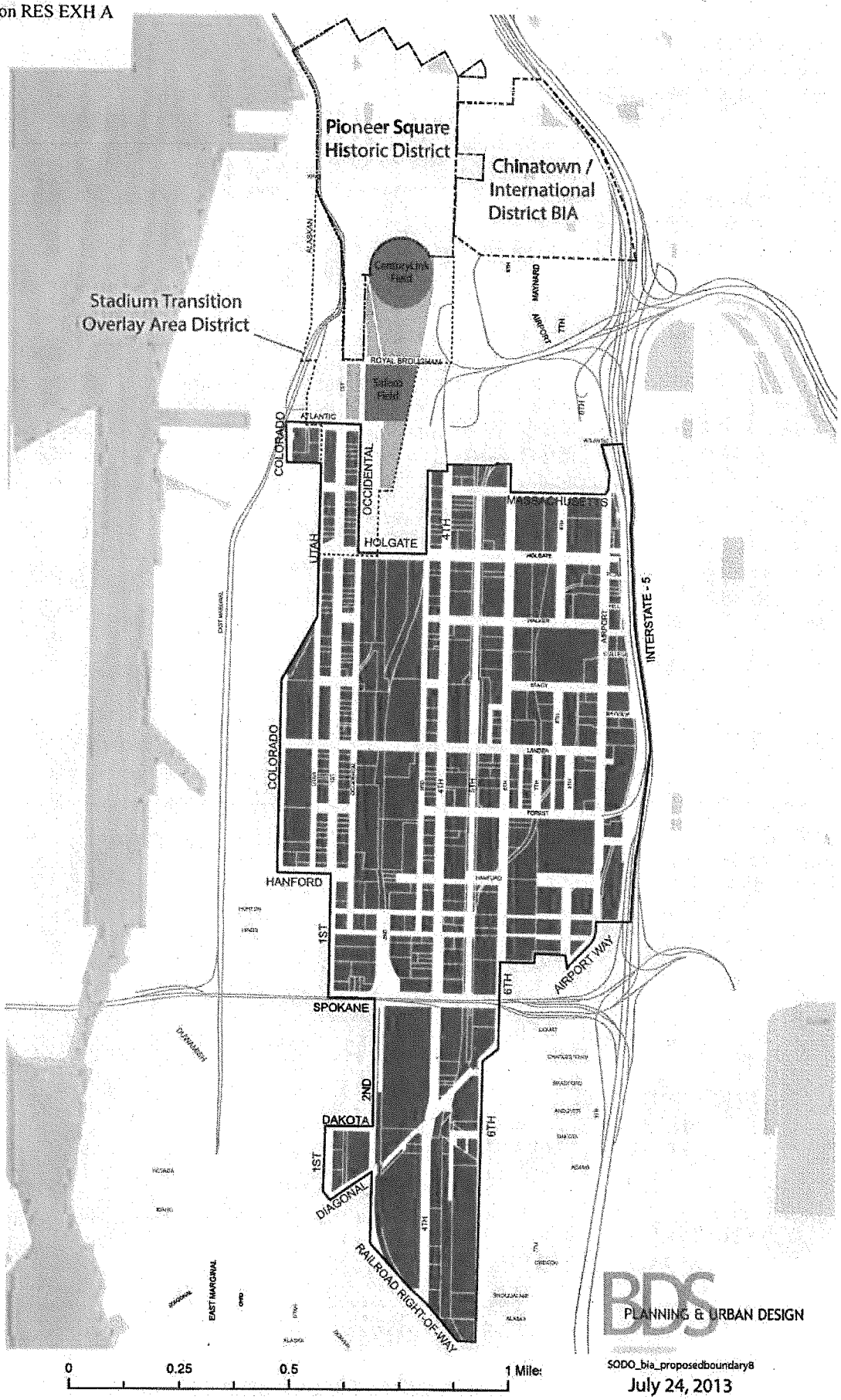

Exhibit A. SoDo BIA

Form revised: December 12, 2012

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 five-year SoDo (South of Downtown) Parking and Business Improvement Area and fixing a date and place for a hearing thereon, and superseding Resolution 31470.

Summary of the Legislation:
This Resolution is the second of two similar pieces of legislation that must be prepared, per RCW 35.87A, to form a new SoDo Parking and Business Improvement Area ("SoDo BIA"). This resolution declares the public hearing date and place for the initiative. After the public hearing, the Council may propose a bill to create the SoDo BIA with a special assessment on the owners of property within the boundaries of the SoDo BIAto pay for activities intended to increase economic vitality in the Area. This subsequent bill will likely establish the new SoDo BIA with the boundaries as shown in Exhibit A to the Resolution.

Resolution 31470, adopted on August 12, 2013, stated the intention to establish the SoDo BIA 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 31470.

Background:
A proposal was put together recommending the formation of the SoDo BIA. The local property owners developed a proposal that they believe to be efficient, accountable and responsive to the area's needs. The group worked to collect signatures for a petition to form a Business Improvement Area that will allow for the implementation of the SoDo business plan that would include the following program components:

1. Advocacy
2. Security
3. Cleaning
4. Transportation
5. Marketing
6. Business Development
7. Communications and Networking

The petitioning effort resulted in an approximate 60% show of support by more than 250 of the affected ratepayers. This meets the required demonstration of 60% financial support from the responsible ratepayers.

The SoDo BIA is expected to be funded by a special assessment levied on the owners of property within its boundaries. The SoDo BIA 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 SoDo BIAis 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.