

ORDINANCE No. 115110

COUNCIL BILL No. 107936

ORDINANCE

AN ORDINANCE establishing a Central Water-front Business Improvement Area; providing for the levy of special assessments upon business within the area, the deposit of revenues in a special account, and expenditures therefrom; providing for an implementing agreement; and making a conditionally reimbursable appropriation from the General Fund therefor by three-fourths vote of the City Council.

Law Department

The City of Seattle--Legislative Department

REPORT OF COMMITTEE

Honorable President:

Your Committee on Finance, Budget & Administration

to which was referred the within Council Bill No. 107936 report that we have considered the same and respectfully recommend that

COMPTROLLER FILE No. _____

Introduced: <u>April 30, 1990</u>	By: <u>S. BOONSA</u>
Referred: <u>April 30, 1990</u>	To: <u>Finance, Budget & Administration</u>
Referred:	To:
Reported: <u>JUN 1 1 1990</u>	Second Reading: <u>JUN 1 1 1990</u>
Third Reading: <u>JUN 1 1 1990</u>	Signed: <u>JUN 1 1 1990</u>
Presented to Mayor: <u>JUN 1 8 1990</u>	Approved: <u>JUN 1 5 1990</u>
Returned to City Clerk: <u>JUN 1 5 1990</u>	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

PASS 3-0 6/6

Vote 9-0

OK

Committee Chair

CP# 107936

ORDINANCE 115110

AN ORDINANCE establishing a Central Waterfront Business Improvement Area; providing for the levy of special assessments upon business within the area, the deposit of revenues in a special account, and expenditures therefrom; providing for an implementing agreement; and making a conditionally reimbursable appropriation from the General Fund therefor by three-fourths vote of the City Council.

WHEREAS, the owners and/or operators of businesses subject to sixty percent or more of the special assessments levied by this ordinance filed a petition with The City of Seattle to establish a Business Improvement Area pursuant to RCW Chapter 35.87A, which is filed in C.F. ____; and pursuant thereto, the City Council adopted Resolution 28174, declaring its intent to establish a Central Waterfront Business Improvement Area; and

WHEREAS, the Central Waterfront Business Improvement Area (BIA) established herein is for the purpose of enabling businesses within the Area to enhance conditions for the operation of those businesses. The budget of the BIA shall be dedicated to activities in addition to basic services provided by The City of Seattle. Services provided by The City of Seattle shall not be reduced because of BIA activities and shall at all times be maintained at or above a level consistent with services provided to comparable business areas within the city.

WHEREAS, as provided by Resolution 28174 (published in the Daily Journal of Commerce, April 19, 1990, 1990), the City Council held a public hearing thereon on MAY 2, 1990, at 9:30 A.M./p.m. in the City Council Chambers, 11th Floor, Seattle Municipal Building, Seattle. At the conclusion of the hearing, the City Council voted to establish the area as proposed in the petition. Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. District Established. As authorized by RCW Chapter 35.87A, there is hereby established a Central Waterfront Business Improvement Area within the boundaries described below and 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. The District shall have two zones as follows:

Zone A shall be described as that area west of Alaskan Way from and including Pier 47 (South Jackson Street) and including Pier 71 (Bay Street);

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to the outer harbor line. It is called the "Pier Area."

Zone B shall be the area east of Alaskan Way beginning at
Bay Street from Alaskan Way to Elliott Avenue
Elliott Avenue from Bay Street to Pine Street
Pine Street from Elliott to Western Avenue
Western Avenue from Pine Street to a point 153 feet north of Union Street and extending easterly from that point to Post Alley
Post Alley from a point 153 feet north of Union Street to Madison Street
Madison Street from Post Alley to Western Avenue
Western Avenue from Madison Street to Marion Street
Marion Street from Western Avenue to Post Alley
Post Alley from Marion Street to Columbia Street
Columbia Street from Post Alley to Alaskan Way.

It is called the "Uplands Area."

Section 2. Programs. Special Assessment Revenues shall be used for these component programs, (a) a "Marketing Program," (b) a "Common Area Maintenance Program," and (c) a "Water Cleanup Program" supported by their own account.

(a) The Marketing Program promotes the "Central Waterfront Area" as a place to visit, to shop, and to come for other activities, and/or as a site for business to locate in, through such services as the following:

- (1) Decorating and beautifying public places in the Central Waterfront Area;
- (2) Sponsoring and promoting public events which are to take place in the Central Waterfront Area;
- (3) Advertising and promoting retail trade activities in the Central Waterfront Area including restaurants and hotels;
- (4) Maintaining information and directional signing for pedestrians, as distinct from traffic control devices;

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(5) Improving public relations, generating favorable publicity for the Central Waterfront Area and general promotion of the Central Waterfront Area;

(b) The Common Area Maintenance Program maintains the appearance of the Central Waterfront Area as a clean and inviting area for doing business (these activities are restricted to the "Pier Area"), through such services as the following:

- (1) Sweeping sidewalks in the Central Waterfront Area;
- (2) Cleaning and erasing graffiti in the Central Waterfront Area;
- (3) Maintaining flowers and greenery in public parks and right-of-ways in the Central Waterfront Area;
- (4) Providing and cleaning receptacles in the Central Waterfront Area for litter from the public; and
- (5) Providing additional security for people in the Central Waterfront Area, if needed.

(c) The Water Cleanup Program maintains the open water of the Central Waterfront Area, through such services as the following:

- (1) Pickup of small floating debris in the Central Waterfront Pier Area;
- (2) Marking and/or removal of large floating debris which may inhibit or endanger recreational or commercial use of the Central Waterfront Pier Area.

The listing of services are illustrative and not exclusive.

All such activities are supplemental to street

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maintenance provided by the City and are not to displace any services regularly provided by municipal government.

Section 3. Levy of Special Assessments. To finance the component programs authorized in Section 2, there is levied and shall be collected an annual special assessment upon the businesses in the Central Waterfront Area as contemplated by and within the limitations of Section 4 and with the exceptions in Section 5:

Zone A (Piers 47-71, West of Alaskan Way)

		MARKETING PROGRAM	RATE PAYER
	<u>Type of Use or Area</u>		
A.	Individual retail sales or restaurant spaces including dedicated pier apron use	\$0.10 s.f.	Business Owner
B.	Other developed business space (including Government facilities e.g. aquarium, ferry terminal, fire station and offices)	\$0.05 s.f.	Pier Owner
C.	Pier aprons (including Park and Public access areas)	-----	
D.	Permanent business moorage (per foot measured at waterline)	\$2.50 per foot	Business Owner
E.	Water-related tour operations without vessels	\$1,000	Business Owner
F.	Transient moorage	-----	
G.	Commercial hotel	\$20.00 per room	Business Owner
H.	Parking garages and surface parking lots	\$5.00 per space	Parking Operator

AREA B (Upland Property East of Alaskan Way)

		MARKETING PROGRAM	RATE PAYER
	<u>Type of Use or Area</u>		
A.	Individual retail sales or restaurant spaces, commercial motels, banks	\$0.05 s.f.	Property Owner
B.	Other developed business space (e.g. office, storage)	\$0.03 s.f.	Property Owner
C.	Commercial hotel	\$20 per room	Business Owner
D.	Parking garages and surface parking lots	\$5.00 per space	Parking Operator

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Zone A (Piers 47-71, West of Alaskan Way)

		COMMON AREA MAINTENANCE PROGRAM	RATE PAYER
<u>Type of Use or Area</u>			
A.	Individual retail sales or restaurant spaces, including dedicated pier apron use	\$0.05 s.f.	Business Owner
B.	Other developed business space (including Government facilities e.g. aquarium, ferry terminal, fire station and offices)	\$0.03 s.f.	Pier Owner
C.	Pier aprons (including park and public access areas)	\$0.02	Pier Owner
D.	Permanent business moorage (per foot measured at waterline)	\$0.50 per foot	Business Owner
E.	Water-related tour operations without vessels	----	
F.	Transient moorage	\$40.00 per slip	Moorage Operator
G.	Commercial hotel	\$10.00 per room	Business Owner
H.	Parking garages and surface parking lots	\$2.00 space	Parking Operator

Zone A (Piers 47-71, West of Alaskan Way)

		WATER CLEANUP PROGRAM	RATE PAYER
<u>Type of Use or Area</u>			
I.	Open water	\$0.02 s.f.	Pier Owner

Section 4. Calculation of and limitations upon assessments.

- a) The total assessment shall be the sum of the assessment for each program under Section 3.
- b) The minimum assessment per year upon any ratepayer shall be One Hundred Fifty Dollars (\$150).
- c) Floor space assessed under one classifications shall not be reassessed under another. The applicable assessment rate shall be determined in this sequence using the first rate to apply: (a) individual retail sales or restaurant spaces; (b) other developed business space; (c) pier aprons; (d) parking areas; and (e) other uses.

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d) Concessions, leased departments, or restaurants in office buildings and hotels, are assessed as separate business enterprises, whenever the occupancy has a separate City business license and appears to the public as an independently-operated enterprise.

e) If multiple activities or uses are undertaken in a single business space, the predominant activity or usage determines the classification.

f) If an owner of a building or of a business retains or franchises an independent contractor to manage or operate the structure or enterprise, respectively, collection shall be made from the owner unless the independent contractor agrees with the City to make payment or the owner can show that the contractor is obliged by a lease or contract to pay the special assessment.

Section 5. Exemptions. No special assessments shall be levied upon and collected from:

- (1) Organizations eligible for charitable contribution under the United States Internal Revenue Code (26 USC 170(c);
- (2) Contractors constructing or rehabilitating buildings in the Central Waterfront Area on account of structures or work in progress in the Area and owners of structures under construction or rehabilitation, which are closed to occupancy;
- (3) Sponsors of public events and concessionaires, and vendors or entertainers, who engage in business activities in the area for less than 30 days in aggregate per year;
- (4) Governmental agencies including the

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waterfront streetcar except however by agreement The City of Seattle, Port of Seattle and the Washington State Department of Transportation shall be subject to assessment;

- (5) Newsstands in street right-of-way;
- (6) The owners and/or residents of residential condominium units or apartment buildings used for residential purposes within the District; and
- (7) In Zone B, the portion of buildings where more than 90 percent of the building is used for utilities, wholesaling, distributing, manufacturing or research and development.

Section 6. Collection Schedule. Insofar as consistent with this ordinance and RCW Chapter 35.87A, special assessments shall be collected on an annual basis or in such a manner deemed appropriate by the Director of Community Development.

Section 7. Deposit of Revenues. There is hereby established in the City Treasury's Business Improvement Area Fund, a separate account designated the Central Waterfront Business Improvement Area Account (called "the Account"). The Account shall have three separate sub-accounts: a Marketing Program Account, a Common Area Maintenance Program Account and a Water Cleanup Program Account. The following monies shall be deposited in the Account:

- (a) All revenues from special assessments levied under this ordinance, apportioned between sub-accounts as contemplated by Section 2;
- (b) All income to the City from public events financed with special assessments;

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- (c) Gifts and donations for the Account;
- (d) Interest and all other income from the investment of Account deposits; and
- (e) Restitution moneys for expenditures made from the Account and reimbursements due to the Account.

Section 8. Expenditures. Expenditures from the Account shall be made upon vouchers drawn by the Director of Community Development and shall be used exclusively for the statutory purposes each as more fully defined in Section 2 and the petition to establish the area (C.F.):

Section 9. Ratepayers Advisory Group. The Downtown Seattle Association and the Waterfront Action Committee, subject to approval of the Director of Community Development shall appoint an interim Central Waterfront Business Improvement Area Ratepayers Board comprised of ratepayers from the Area. The interim Ratepayers Advisory Board will recommend and the Department of Community Development will implement procedures to establish a permanent Ratepayers Board to take office no later than December 31, 1990. Procedures shall be designed to insure inclusion of members representative of the classifications subject to assessment, geographic zones as defined in Section 1, and to include representatives from the government agencies specified in Section 5(3). The interim Ratepayers Advisory Board shall also develop and promulgate bylaws or rules to guide the operation of the Ratepayers Board. The Director of Community Development may appoint additional members to the Ratepayer Board to ensure that a broad representation of ratepayers is provided.

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1 The Ratepayers Board shall be responsible for
2 providing advice and consultation to the Department of
3 Community Development and to the DSA, initially, and
4 any individual or agency hired to manage the day-to-day
5 operations of the Business Improvement Area program on
6 all matters related to the operation of the Business
7 Improvement Area program. Specifically, the Ratepayers
8 Board will meet regularly; approve an annual work
9 program and budget; address and discuss ratepayer
10 concerns and questions regarding the BIA district and
11 program; review all reports submitted to the Department
12 of Community Development by the Program Manager; and
13 sponsor an annual ratepayers meeting.

14 Section 10. Administration. The Director of
15 Community Development shall administer the program for
16 the City with authority to:

- 17 (a) Classify ratepayers within the types of use under
18 Section 3; and resolve ambiguities in the
19 application of rates.
- 20 (b) Collect the special assessments; refund special
21 assessments when overpaid or paid for the same
22 area by more than one ratepayer; and extend the
23 deadline for payment and/or waive delinquency
24 charges and interest whenever the delinquency is a
25 result of a failure by the City to provide a
26 statement of the amount due or non-payment results
27 from extenuating circumstances beyond the rate-
28 payer's control, such as a casualty loss causing
premature closure of the business or bankruptcy.
- (c) Determine and apply the interest rate for late
payments contemplated by Section 11.

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- (d) Establish a schedule of proportionate payments for new ratepayers first becoming subject to the assessment.
- (e) Subject to advice and direction of the Ratepayers Advisory Board, execute an annual program management contract with the Downtown Seattle Association or a suitable substitute program manager.
- (f) After consultation and with the advice of the BIA Ratepayers Board, take such other actions as necessary and appropriate to carry out the program with special assessments; and
- (g) Under the City administrative Code (SMC Chapter 3.01) adopt, publish, and enforce rules, consistent with this ordinance, for carrying out its provisions.

Section 11. Annual Budget. After consultation with the Program Manager and the Ratepayers Advisory Board, the Director shall submit to the Budget Director on or before March 31st of each year a statement of the projects and activities to be conducted during the ensuing fiscal year; the proposed program budget; and a statement of the assessment rates and business classifications requested for financing the proposed budget. A summary for the comments and recommendations received during such consultations shall accompany the Director's submission to the City Budget Director, and the Mayor's recommended budget to the City Council.

Section 12. Delinquent Payments. If an assessment has not been paid within thirty (30) days after its due date and the ratepayer had been making prompt payment in the past, the Director shall send a reminder notice and add a five dollar (\$5) processing fee.

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However, if (a) the assessment is not paid within sixty (60) days after its due date or (b) the assessment was not paid within thirty (30) days and the ratepayer has been late on one of the previous two payments, a delinquency charge shall be added in the amount of ten percent (10%) of the assessment in addition to the processing fee. All assessments, which are not paid within sixty (60) days, shall also bear interest from the date payment was due at twelve percent (12%) per annum. The director is authorized to bring an action to collect any unpaid assessments in the Seattle Municipal Court as a civil action, or in the discretion of the Director, in the Seattle District Court.

Section 13. Contract For Program Management. The Director is authorized and directed to contract with the Downtown Seattle Association or a suitable substitute as recommended by the Ratepayers at the annual meeting to administer the projects and activities. The Director shall initially contract with the Downtown Seattle Association or any suitable successor for payment for managing and administering projects and activities on a cost-reimbursement basis, with an allowance for overhead and management, the contract with the Downtown Seattle Association or any suitable successor shall be classified as an arrangement under SMC Section 20.46.110C; the Association shall make a good faith effort to equitably utilize the services of women's and minority business enterprises and shall report on its efforts to the Director. Mandatory set-asides of SMC 20.46.090 shall not apply.

Section 14. Rate Changes. Any change in the assessment rate shall only be made by ordinance and as authorized in RCW 35.87A.130-.140. No increase shall

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occur in the assessment rate unless recommended by the Ratepayers Advisory Board.

To prevent reduction in services due to inflation in prices the City may from time to time, upon the recommendation of the Ratepayers Advisory Board and by ordinance, increase or reduce assessment rates, to reflect changes in the purchasing power of money, as measured by Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) published by the United States, Department of Labor, Bureau of Labor Statistics or a suitable comparable index recommended by the Ratepayers Advisory Board.

Section 15. Notices. Notices of assessment, installment payment, or delinquency, and all other notices contemplated by this ordinance may be sent by ordinary mail or delivered by the City to the address shown on the records of the Director of Community Development, and, if no address is shown there, to the address shown on the records of the City maintained for business or utility tax purposes under Seattle Municipal Code Chapters 5.44 and 5.48. Failure of the ratepayer to receive any mailed notice shall not release the ratepayer from the duty to pay the assessment, or except as authorized by Section 10(b), from payment on the due date and any delinquency charges.

Section 16. Disputes. Any ratepayer, aggrieved by the amount of an assessment or delinquency charge, may, on request, obtain a meeting with the Director or senior assistant, designated by the Director to act on his or her behalf; and, if not satisfied, the ratepayer may appeal the matter to the City's Hearing Examiner in the manner provided for a contested case under the

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City's Administrative Code, Seattle Municipal Code Chapter 3.02.

Section 17. Interim Appropriation. To provide for expenditures authorized in Section 3 as recommended by the Mayor and the Director of Community Development, the sum of Thirty Thousand Dollars (\$30,000), or so much thereof as may be necessary is hereby appropriated from the General Fund, to be reimbursed unless the City's 1991 Budget provides otherwise from the Business Improvement Area Fund with revenues from special assessments no later than December 31, 1990. To provide for the payment of special assessments levied during 1990 against properties of The City of Seattle, the sum of Six Thousand Dollars (\$6,000), or so much as may be necessary is hereby appropriated from the general fund. Upon vouchers drawn by the Director of Community Development, the City Comptroller is authorized to draw and the City Treasurer to pay the necessary warrants, and to make the appropriate transfers.

Section 18. Commencement of Assessments. Assessment shall commence as of July 1, 1990.

Section 19. Ratification and Confirmation. The making of contracts and expenditures, and the sending of assessment notices pursuant to the authority and prior to the effective date of this ordinance are hereby ratified and confirmed.

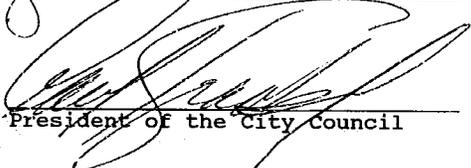
Section 20. The foregoing appropriations are made to meet actual necessary expenditures of the City for which insufficient appropriations have been made due to causes which could not reasonably have been foreseen at the time of the adoption of the 1990 Budget; Now, Therefore, in accordance with RCW 35.32A.060, by reason

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of the facts above stated, this ordinance shall take effect and be in force thirty (30) days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under provisions of the City Charter.

PASSED by three-fourths vote of all the members of the City Council the 11th day of June, 1990, and signed by me in open session in authentication of its passage this 11th day of June, 1990.



President of the City Council

Approved by me this 15th day of June, 1990.



Mayor

Filed by me this 15th day of June, 1990.

Attest: Howard J. Brooks

City Comptroller and City Clerk

(SEAL)

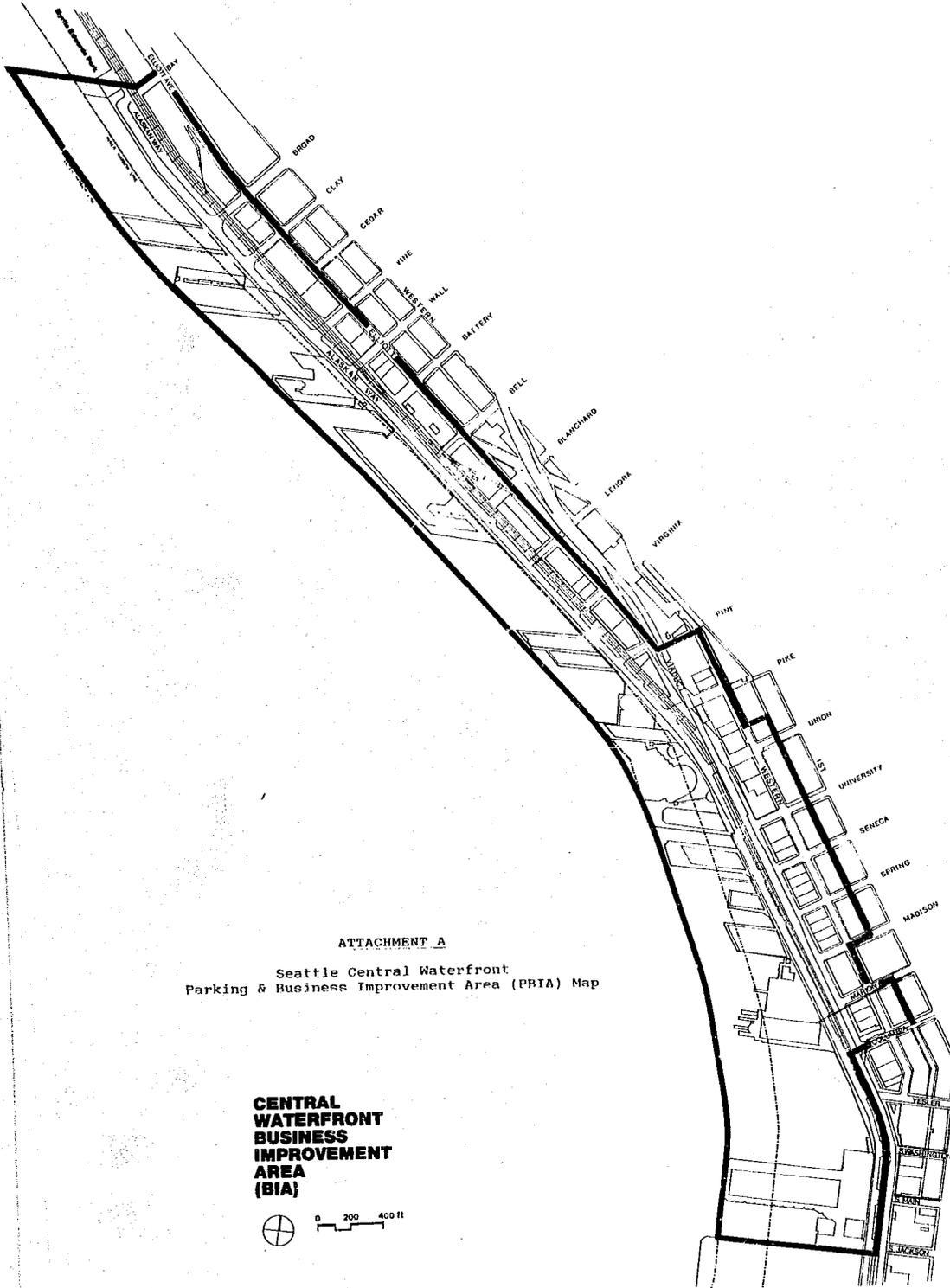
Published _____

By Margaret Carter

City Clerk

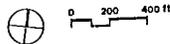
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ATTACHMENT A
 Seattle Central Waterfront
 Parking & Business Improvement Area (PBIA) Map

**CENTRAL
 WATERFRONT
 BUSINESS
 IMPROVEMENT
 AREA
 (BIA)**



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MAR 20 1990
SECURITY

February, 1990

PETITION TO ESTABLISH:

APR 20 1990

Seattle Central Waterfront
Parking & Business Improvement Area

TO THE CITY COUNCIL OF THE CITY OF SEATTLE:

We, the owners/operators of businesses, buildings and piers located within the proposed area, hereby petition the City of Seattle to establish a Parking and Business Improvement Area as authorized by RCW Chapter 35.87A within the boundaries as described in Attachment A. Within these boundaries, there shall be two zones. Zone A shall be described as that area west of Alaskan Way from and including Pier 47 to and including Pier 71. Zone B shall be described as that area east of Alaskan Way and shall include all other property as indicated in Attachment A.

To improve retail business and the general economic climate of the Seattle Central Waterfront area, the City of Seattle would levy special assessments upon businesses, buildings and piers within the area; deposit the funds in a special City fund; and, pass them through to the Downtown Seattle Association (DSA) for activities that benefit our area, as outlined in the following paragraphs:

1. The City of Seattle would levy special annual assessments upon each business, property and pier in the area for the purposes of operating a program pursuant to those activities outlined in RCW Chapter 35.87A.
2. The City of Seattle would levy the special annual assessments by applying an assessment rate against each business, building and pier for the purposes of operating a Marketing and Common Area Maintenance program. Each program has a separate formula to be applied to each business, building and pier as described in Attachment B.
3. A minimum assessment of \$150.00 (one hundred-fifty dollars) will be applied to every business, building and pier within the boundaries.
4. The annual assessment with the District program will be approximately \$175,000.
5. The assessment formula used in establishing this PBIA shall be subject to review at the Annual Meeting of the Central Waterfront PBIA. Any subsequent increases of the assessment formula shall be based on the increase, if any, on the Consumer

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Price Index (CPI) for the metropolitan Seattle area. The percentage of increase in the assessment formula shall be computed as follows:

$$\frac{(\text{Ending CPI} - \text{Beginning CPI})}{(\text{Beginning CPI})} \times 100 = \text{Percentage of Increase}$$

6. The following would be exempt:

- A. Organizations qualified for charitable contributions under the United States Internal Revenue Code (26 USC X 170 (c)) such as religious agencies.
- B. Concessionaires at public events, vendors or entertainers in District streets and parks who engage in business in the area less than 30 days per year.
- C. The owners and/or residents of residential condominium units or apartment buildings used for residential purposes within the District.
- D. In Zone B, all buildings where more than 90 percent of the building is used for utilities, wholesaling, distributing or manufacturing.

7. Uses of revenue and projects undertaken should come within the general scope of decorating public places; common area maintenance; security; advertising, special events, promotions and other District marketing programs; and, professional management of all of these activities as allowed by the RCW Chapter 35.87A.

8. The City of Seattle will collect all funds and remit all the funds to the DSA under the terms of a contractual arrangement. The DSA shall be responsible for the carrying out of the above mentioned activities which are financed through the special assessments. It is understood that a portion of the funds will be retained by the DSA for overhead and management services.

Business/Property	Address	Owner's Signature
<u>Madore Building</u>	<u>1501 WESTERN AVE</u>	<u>CORNERSTONE Columbia Dev. Co. as Madore Leasehold</u> by <u>Thomas D. B.</u>
<u>1201 WESTERN Building</u>	<u>1201 WESTERN AVE</u>	<u>CORNERSTONE TPI Ltd Partnership</u> by <u>CORNERSTONE Columbia Dev. Co.</u> by <u>Thomas D. B.</u>

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8. The City of Seattle will collect all funds and remit all the funds to the DSA under the terms of a contractual arrangement. The DSA shall be responsible for the carrying out of the above mentioned activities which are financed through the special assessments. It is understood that a portion of the funds will be retained by the DSA for overhead and management services.

Business/Property	Address	Owner's Signature
OCEANIC BUILDING	84 UNIVERSITY	HARBOR DEVELOPMENT Co. Denny P Omlow - V.P.
POST ALLEY COURT	1406 WESTERN AVENUE	HARBOR DEVELOPMENT Co. Denny P Omlow - V.P.

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Seattle Central Waterfront
 PBIA Petition
 Page 3

Business/Property	Address	Owner's Signature
84 UNIVERSITY	1400 WESTERN AVENUE	HARBOR DEVELOPMENT Co. Denny P Oulou - V.P.
BLOCK 179 - PARKING	1200 WESTERN AVENUE	HARBOR DEVELOPMENT Co. Denny P Oulou - V.P.
Block 188	911 Western Ave	H.M.A. C.P. MARITIME ASSOCIATE
1524 ALASKAN WAY ASSOCIATES	1524 ALASKAN WAY	John F. White, Manager
REPUBLIC PARKING BLK 192 (WII)	8005 Western	Gary Beck oper
REPUBLIC PARKING WATERFRONT 2	1011 Western	Gary Beck oper
REPUBLIC PARKING WATERMARK	1100 Western	Gary Beck oper.
REPUBLIC PARKING HILLCLIMB CT		Gary Beck oper.

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Business/Property	Address	Owner's Signature
Seattle Harbor Tours Pier 55 SUITE 201	Seattle Wash 98101	<i>Thomas C. Thompson</i>

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Seattle Central Waterfront
PBIA Petition
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Business/Property

Address

Owner's Signature

The Olde Curiosity Shop

PIER 54
1001 ALASKAN WAY
SEATTLE, WA 98104-1023

Joseph R. James

3/30/90

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Business/Property	Address	Owner's Signature
PIKE PLACE MARKET PRESERVATION AND DEVELOPMENT AUTHORITY	85-PIKE STREET ROOM 500 SEATTLE, WA 981	Michael J. Small Executive Director

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Business/Property	Address	Owner's Signature
<u>Tillicum Village + Tours</u>	<u>Pier 55-56</u>	<u>Mark A. Witt</u>
<u>The Frankfurter</u>	<u>Pier 54 ⁷/₈</u>	<u>David Porter President</u>

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Business/Property	Address	Owner's Signature
<i>The Blue Whale</i>	<i>14th Alley Dr. P-20</i>	<i>Paul [Signature]</i>

Seattle Central Waterfront
PBIA Petition
Page 2

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Business/Property

Address

Owner's Signature

Gray Line Water Signalling Pier 57 Wynne C. Brown

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Seattle Central Waterfront
PBIA Petition
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Business/Property

Address

Owner's Signature

IVARS Pier 54

Pier 54 Seattle, Wa 98104

Scott King PRES.

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70
+ 5070

Seattle Central Waterfront
PBIA Petition
Page 2

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Business/Property	Address	Owner's Signature
<u>Peer 70</u>	<u>2815 Alaskan Way</u>	<u>[Signature]</u>

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Seattle Central Waterfront
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Business/Property	Address	Owner's Signature
<i>Uncredited Bookstore</i>	<i>2815 N Jackson Way Seattle WA 98121</i>	<i>Joseph W. ...</i>

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Seattle Central Waterfront
 PBIA Petition
 Page 3

Business/Property	Address	Owner's Signature
ELLIOTTS	PIER 56	James Aitken
SAND PIPER	PIER 59	James Aitken
QUINCY'S	PIER 59	James Aitken
TRIDENT IMPORTS	PIERS 55/56	Charles Peterson
Mega Marine	Donna	Barbara Mayo
Jonahs Glass	Pier 55	Arvidson
Solstice	Pier 55	[Signature]
Credite Northwest	Pier 55	Daren Fitzmaurice
Waterfront Landmark	Pier 55	Renee G. Howell
Dixon's Restaurant		[Signature]

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Seattle Central Waterfront
PBIA Petition
Page 3

Business/Property Address Owner's Signature

HIGHLAND ART STUDIO 2815 ALASKA WAY ^{PIER 20} *[Signature]*

Multiple horizontal lines for additional entries.

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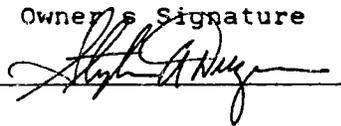
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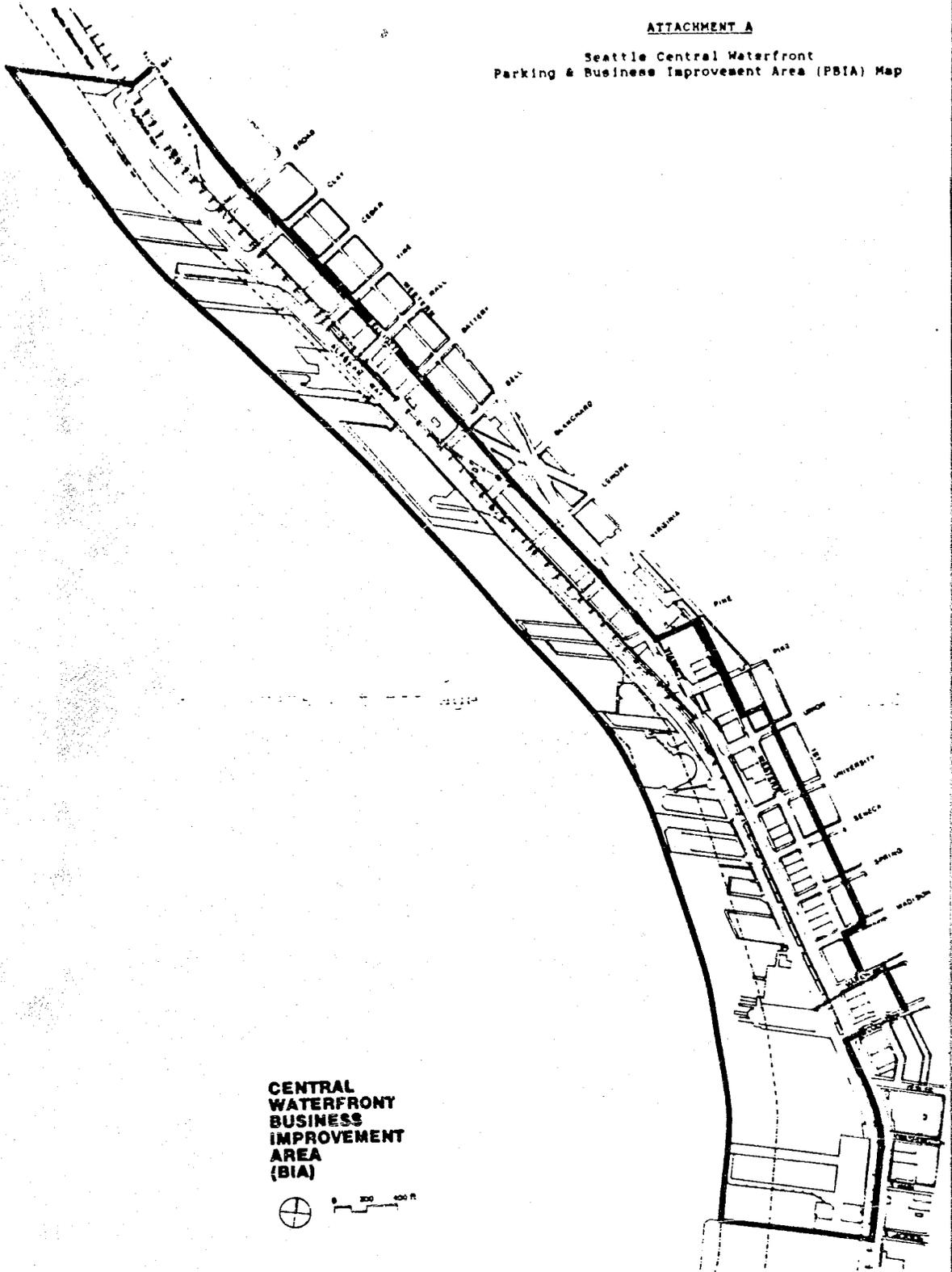
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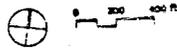
Business/Property	Address	Owner's Signature
<u>Immunes Bldg</u>	<u>51 University St.</u>	<u></u>

ATTACHMENT A

**Seattle Central Waterfront
Parking & Business Improvement Area (PBA) Map**



**CENTRAL
WATERFRONT
BUSINESS
IMPROVEMENT
AREA
(BIA)**



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ATTACHMENT B

Seattle Central Waterfront Parking & Business Improvement Area
 Annual Assessment Formula

	MARKETING	CAM	RATE PAYER
Zone A (Piers 47 -71, West of Alaskan Way)			
A. Individual retail sales or restaurant spaces including dedicated pier apron use	\$0.10 sq. ft.	\$0.05 sq. ft.	Business Owner
B. Other developed business space	\$0.05 sq. ft.	\$0.03 sq. ft.	Pier Owner
C. Pier aprons	_____	\$0.02 sq. ft.	Pier Owner
D. Permanent business moorage (measured at waterline)	\$2.50 per vessel ft. lgth.	\$0.50 per vessel ft. lgth.	Business Owner
E. Water-related tour operations without vessels	\$1,000.00	_____	Business Owner
F. Transient moorage	_____	\$40.00 per slip	Moorage Operator
G. Commercial hotel	\$20.00 per room	\$10.00 per room	Business Owner
H. Parking garages and surface parking lots	\$5.00 space	\$2.00 space	Parking Operator
I. Open water	_____	\$0.02 sq. ft.	Pier Owner

AREA B (Upland Property East of Alaskan Way)

A. Individual retail sales or restaurant spaces, commercial motels, banks	\$0.05 sq. ft.	_____	Property Owner
B. Other developed business space (e.g. office and storage)	\$0.03 sq. ft.	_____	Property Owner
C. Commercial hotel	\$20 per room	_____	Business Owner
D. Parking garages and surface parking lots	\$5.00 per space	_____	Parking Operator

Request for Legislation

1. Statement of Program Objectives

This legislation would establish the Central Waterfront Business Improvement Area. The ordinance conforms with the other ordinances establishing the Pioneer Square, West Seattle Junction, Broadway and Retail Core BIA programs. These self assessment districts provide programs to improve the economic climate of their areas.

2. Dollar Amount Requested

An interim appropriation of \$30,000 is requested to allow program startup prior to the initial collection of district assessments. The startup loan would be repaid from assessments prior to December 31, 1991.

An appropriation of \$5,750 is requested to pay the City of Seattle assessment due during 1990.

3. Fund Source

The General Fund.

4. Program Commitment

The passage of the ordinance will expand the BIA program as contemplated in the City's 1990 budget. The program will institute some actions contemplated in the City's Harborfront Plan.

5. New Positions

None requested.

6. Facilities or Equipment Required

No new facilities or equipment is requested.

7. Program Evaluation Criteria

DCD will contract with the Downtown Seattle Association to manage the Central Waterfront BIA program. Part of the contract requires an annual review and report of the program to the ratepayers.

8. Alternative Funding

There is no appropriate funding alternative available.

(PK1)

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Seattle Department of
Community Development

David Moseley, Director
Norman B. Rice, Mayor



April 9, 1990

RECEIVED OMB
APR 10 1990

The Honorable Paul Kraabel, President
Seattle City Council
Municipal Building, Room 1100
600 Fourth Avenue
Seattle, Washington 98104

84 5404

VIA: Andrew Lofton, Director, OMB

Re: Resolution and Ordinance to Establish the Central
Waterfront Business Improvement Area (BIA)

Dear Council President Kraabel:

Attached please find the resolution of intention to establish a BIA special assessment district for the Central Waterfront area. The resolution will fix a hearing to "hear all protests and receive evidence for or against the proposed action." The hearing is mandated by RCW 35.87A. Also attached is the enabling ordinance to establish the district.

The Waterfront Action Committee and the Downtown Seattle Association have presented us with sufficient signatures on their petition requesting that the City create a BIA district. We have reviewed the petition and have prepared the attached legislation with the guidance of the Law Department.

We have briefed Councilmember Sibonga and tentatively scheduled the hearing for the May 2 Finance, Budget and Management Committee meeting. If you have questions, please contact John Chaney at 684-0224.

Sincerely,


Rona Zevin
Acting Director

RZ:jcl

Attachment

STATE OF WASHINGTON - KING COUNTY

27757
City of Seattle

-ss.

No.

City of Seattle
TITLE-ONLY PUBLICATION
 The full text of the following ordinances, passed by the Seattle City Council on June 11, 1990, and published here by title only, will be mailed, at no cost, upon request for two months after this publication. For further information, contact the Seattle City Clerk at 684-4344.

ORDINANCE 115109
 AN ORDINANCE relating to renovation and improvements to City Facilities; making an appropriation from the City Facilities Renovation and Improvement Construction Fund for a previously approved project, the renovation of Fire Station No. 39.

ORDINANCE 115110
 AN ORDINANCE establishing a Central Waterfront Business Improvement Area; providing for the levy of special assessments upon business within the area; the deposit of revenues in a special account; and expenditures therefrom; providing for an implementing agreement; and making a conditionally reimbursable appropriation from the General Fund therefor by three-fourths vote of the City Council.

ORDINANCE 115112
 AN ORDINANCE relating to the Seattle Public Library, making an appropriation from the Cumulative Reserve Fund for replacing carpets in the downtown library.

ORDINANCE 115113
 AN ORDINANCE relating to the Seattle Public Library, making an appropriation from the Cumulative Reserve Fund, Major Maintenance Subfund, to be partially reimbursed from the Bonneville Power Administration, for downtown Library Piping project.

ORDINANCE 115114
 AN ORDINANCE relating to the Department of Administrative Services, authorizing the sale of certain real property in Howe's Addition to The City of Seattle which is considered surplus to the needs of the City.

ORDINANCE 115115
 AN ORDINANCE relating to the Seattle Public Library, making appropriations from the Cumulative Reserve Funds for and authorizing certain library projects.

Publication ordered by **NORWARD J. BROOKS**, Comptroller and City Clerk.
 Date of official publication in Daily Journal of Commerce, Seattle, June 21, 1990. 6/21(27757)

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

T/O 115109, 110, 112, 113, 114, 115

was published on
06/21/90

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

M. Skjoten

 Subscribed and sworn to before me on
 JUN 21 1990

Devin Ray

 Notary Public for the State of Washington,
 residing in Seattle

Affidavit of Publication

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STATE OF WASHINGTON - KING COUNTY

25629
City of Seattle

-ss.

No.

City of Seattle

**NOTICE OF PUBLIC HEARING
CENTRAL WATERFRONT BUSINESS
IMPROVEMENT AREA**

The Waterfront Action Committee and the Downtown Seattle Association have secured petition signatures in excess of the 60% requirement to request the establishment of a Business Improvement District for the Seattle Central Waterfront. A final community briefing has been scheduled prior to the public hearing to answer any questions about the District.

COMMUNITY BRIEFING. Wednesday, April 25, 1990, 3:00 p. m. - Pier 54, Ivar's Acres of Clams - Duwamish Room.

Additional information may be requested by contacting Tracy Wasielewski, Downtown Seattle Association, 623-0349.

The Seattle City Council has scheduled a public hearing before the Finance, Budget and Management Committee. The purpose of the hearing is to hear any protests and receive evidence for and against the establishment of the BIA District.

PUBLIC HEARING. Wednesday, May 2, 1990, 9:30 a. m., Municipal Building, City Council Chambers, 600 Fourth Avenue.

Written comments may be submitted prior to the hearing. Questions about the Public Hearing may be directed to John Channey, Manager, Business Improvement Area Program, DCD 700 Third Avenue, Seattle, WA 98104, 624-0224.

Date of publication in the Seattle Daily Journal of Commerce, April 19, 1990.

Affidavit of Publication

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N/PH WTRFRNT BUSINESS IMPROV.

was published on
04/19/90

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

M. Swept

Subscribed and sworn to before me on

APR 19 1990

Alan Ray

Notary Public for the State of Washington,
residing in Seattle

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City of Seattle

Executive Department-Office of Management and Budget

Andrew J. Lofton, Director
Norman B. Rice, Mayor

#11,185 

April 9, 1990

COPY RECEIVED

APR 10 1990

The Honorable Mark Sidran
City Attorney
City of Seattle

SEATTLE CITY ATTORNEY

Amy

Dear Mr. Sidran:

The Mayor is proposing to the City Council that the enclosed legislation be adopted.

REQUESTING DEPARTMENT: Community Development

SUBJECT: An ordinance establishing a Central Waterfront Business Improvement Area; providing for the levy of special assessments upon business within the area, the deposit of revenues in a special account, and expenditures therefrom; providing for an implementing agreement; and making a reimbursable appropriation therefor.

Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation to your office for review and drafting.

After reviewing this request and any necessary redrafting of the enclosed legislation, return the legislation to OMB. Any specific questions regarding the legislation can be directed to Hazel Bhang, 4-8080.

Sincerely,

Norman B. Rice
Mayor

by

Hazel H Bhang for

ANDREW J. LOFTON
Budget Director

AL/hb/lwb

Enclosure

cc: Director, DCD

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.