

Ordinance No. 124300

Council Bill No. 117875

AN ORDINANCE establishing a five-year SoDo (South of Downtown) Parking and Business Improvement Area; levying special assessments upon owners of property within the area; providing for the deposit of revenues in a special account and expenditures therefrom; providing for collection of and penalties for delinquencies; providing for the establishment of a Ratepayers Advisory Board; providing for an implementation agreement with a Program Manager; and ratifying and confirming certain acts related thereto.

Related Legislation File: 31469, 31470

Date Introduced and Referred: <u>8.5.13</u>	To: (committee): <u>Government Performance and Finance</u>
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: <u>9/30/13</u>	Date Presented to Mayor: <u>10/1/13</u>
Date Signed by Mayor: <u>10.8.13</u>	Date Returned to City Clerk: <u>10.8.13</u>
Published by Title Only <input checked="" type="checkbox"/>	Date Vetoed by Mayor:
Published in Full Text	
Date Veto Published:	Date Passed Over Veto:
Date Veto Sustained:	Date Returned Without Signature:

The City of Seattle – Legislative Department

Council Bill/Ordinance sponsored by: TB

Committee Action:

Date	Recommendation	Vote
<u>8/7/2013</u>	<u>PASS</u>	<u>TB 3-0-0</u> <u>SC</u>
<u>9/18/2013</u>	<u>Pass as Amended</u>	<u>TB 3-0-2</u> <u>MO</u> <u>SC</u> <u>SB</u> <u>NL</u>

This file is complete and ready for presentation to Full Council.

Full Council Action:

Date	Decision	Vote
<u>Sept. 30, 2013</u>	<u>Passed as Amended</u>	<u>9-0</u>

Law Department

CITY OF SEATTLE

ORDINANCE 124300

COUNCIL BILL 117875

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3
4 AN ORDINANCE establishing a five-year SoDo (South of Downtown) Parking and Business
5 Improvement Area; levying special assessments upon owners of property within the area;
6 providing for the deposit of revenues in a special account and expenditures therefrom;
7 providing for collection of and penalties for delinquencies; providing for the
8 establishment of a Ratepayers Advisory Board; providing for an implementation
9 agreement with a Program Manager; and ratifying and confirming certain acts related
10 thereto.

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

14 WHEREAS, businesses and mixed-use properties located within the area that are subject to the
15 special assessments levied by this ordinance and that would pay 60 percent of the total
16 special assessments levied by this ordinance filed a petition with The City of Seattle to
17 establish a new SoDo Parking and Business Improvement Area (SoDo BIA) pursuant to
18 RCW 35.87A, a copy of which is filed in C.F. 313179; and

19 WHEREAS, the City Council adopted Resolution 31469, initiating a Parking and Business
20 Improvement Area via the Resolution method as provided for by RCW 35.87A.030; and

21 WHEREAS, pursuant to RCW 35.87A.040, the City Council adopted on September 3, 2013,
22 Resolution 31483 titled 'A Resolution of intention to establish a five-year SoDo (South
23 of Downtown) Parking and Business Improvement Area and fixing a date and place for a
24 hearing thereon, and superseding Resolution 31470'; and

25 WHEREAS, the purpose of the SoDo BIA is to enhance transportation, safety, and cleanliness
26 for the benefit of businesses, their patrons and employees by performing activities that go
27 beyond the basic services provided by The City of Seattle; and

28 WHEREAS, as provided by Resolution 31483, the City Council, through its Government
Performance and Finance Committee held public hearings on September 4 and
September 18, 2013, at 9:30 a.m., in City Council Chambers, 600 Fourth Avenue, Seattle,
WA, and the testimony received at those hearings resulted in the Council determining
that establishing the new SoDo BIA is in the best interest of the businesses and mixed-
use properties within the SoDo BIA's boundaries; NOW, THEREFORE,



BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

1
2 **Section 1.** Area Established. As authorized by Chapter 35.87A RCW, there is hereby
3 established a SoDo (South of Downtown) Parking and Business Improvement Area (“SoDo
4 BIA”), within the following boundaries as shown on the map attached as Exhibit A (when a
5 street or alley is named, the area boundary is the centerline of the right-of-way including vacated
6 portions unless otherwise specified in the description):
7

8 From the intersection of South Atlantic Street and Colorado Avenue South, proceed south
9 along Colorado Avenue South to the southwest corner of property parcel number 766207050;
10 then proceed east along the south line of property parcel number 766207050 to Utah Avenue
11 South; then proceed south along Utah Avenue South to South Walker Street; then proceed
12 southwest along the northwest line of property parcel number 7666207214 to Colorado Avenue
13 South; then proceed south on Colorado Avenue South to South Hanford Street; then proceed east
14 along South Hanford Street to 1st Avenue South; then proceed south along 1st Avenue South to
15 South Spokane Street; then proceed east along South Spokane Street to 2nd Avenue South; then
16 proceed south along 2nd Avenue South to South Dakota Street; then proceed west along South
17 Dakota Street to 1st Avenue South; then proceed south along 1st Avenue South to Diagonal Way
18 South; then proceed northeast along Diagonal Way South to 2nd Avenue South; then proceed
19 south along 2nd Avenue South to the Railroad Right-of-Way; then proceed southeast along the
20 Railroad Right-of-Way to the southwest corner of property parcel number 2024049006; then
21 proceed east along the south line of property parcel number 2024049006 to 6th Avenue South;
22 then proceed north along 6th Avenue South, crossing over South Spokane Street, continuing on
23 6th Avenue South to the north line of property parcel number 7666203810; then proceed east
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1 along the north line of property parcel number 7666203810 to the property parcel number
2 7666203850; then proceed north along the northwest line of property parcel number 7666203850
3 to where its northwest corner abuts the property parcel number 7666203785; then proceed east
4 along the north line of property parcel number 7666203850 to 8th Avenue South; then proceed
5 south along 8th Avenue South to Airport Way South; then proceed northeast along Airport Way
6 South to South Horton Street; then proceed east along South Horton Street to Interstate-5; then
7 proceed north along Interstate-5 to South Massachusetts Street (includes full property parcel
8 number 7666202860 in the northeast corner); then proceed west along South Massachusetts
9 Street to 6th Avenue South; then proceed north along 6th Avenue South to the northeast corner of
10 property parcel number 7666204640; then proceed east along the north property line of property
11 number 7666204640 to the northwest corner of this property; then proceed south along the
12 northwest line of property parcel number 7666204640 to the point where it lines up to the west
13 with the north line of property parcel number 7666204625; then proceed west, crossing over 5th
14 Avenue South, and continuing along the north line of property parcel number 7666204625 to 4th
15 Avenue South; then proceed south along 4th Avenue South to the north line of property parcel
16 number 7666204990; then proceed west along the north line of property parcel number
17 7666204990 to 3rd Avenue South; then proceed south along 3rd Avenue South to South Holgate
18 Street; then proceed west along South Holgate Street to Occidental Avenue South; then proceed
19 north along Occidental Avenue South to South Atlantic Street; then proceed west along South
20 Atlantic Street to Colorado Avenue South.
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1 In case of a conflict between the description of the area and the map, the description shall
2 control.

3
4 **Section 2.** Programs. Special Assessment revenues shall be used for the following
5 component programs:

- 6 1. Transportation
- 7 2. Security
- 8 3. Cleaning
- 9 4. Advocacy, marketing, communications, and networking for business development
10 within existing zoning
11

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

15 **Section 3.** Levy of Special Assessments. To finance the programs authorized in Section
16 2, there is levied upon and shall be collected from the owners of property located within the
17 boundaries of the SoDo BIA described in Section 1, a special assessment. Ratepayers will be
18 assessed by the City in five annual installments to be billed semi-annually beginning with the
19 base year of the authorization (2014), by applying an assessment rate to each Ratepayer as
20 described below:
21

- 22
23 A. In 2014 and 2015, the assessment rate on each property within the SoDo BIA will be
24 \$0.50 per \$1,000 of total taxable value based on 2013 King County records;
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1 B. In 2016, 2017, and 2018, the assessment rate will be \$0.50 per \$1,000 of total taxable
2 value based on 2015 King Country records;

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

5
6 **Section 4. Rate Changes.** Changes in the assessment rate other than those described in
7 Section 3 shall only be made by ordinance and as authorized in RCW 35.87A.140 with the
8 approval of the Ratepayers Advisory Board and shall not occur more than one time per year.
9

10 **Section 5. Collection Schedule.** Special assessments shall be collected on a semi-annual
11 basis. The Director of Finance and Administrative Services ("Director") or the Director's
12 designee may change the billing frequency by directive to an interval no less frequent than
13 quarterly. A copy of a directive issued under this Section shall be mailed to all Ratepayers not
14 less than 90 days before the new billing due date is to take effect.
15

16
17 **Section 6. Deposit of Revenues.** The Director will create, in the City Treasury's
18 Business Improvement Area Fund, a separate subaccount designated the SoDo BIA Account
19 (called "the Account"). The following monies shall be deposited in the Account:

20 A. All revenues from special assessments levied under this ordinance;

21 B. All income to the City from public events financed with special assessments;

22 C. Gifts and donations;

23 D. Interest and all other income from the investment of Account deposits;

24 E. Restitution moneys for expenditures made from the Account; and
25
26



1 F. Reimbursements due to the Account.

2 **Section 7.** Delinquent Payments. If an assessment has not been paid within 30 days after
3 its due date, the Director shall send a reminder notice and add a \$5 processing fee. If the
4 assessment is not paid within 60 days after its due date, a delinquency charge shall be added in
5 the amount of ten percent of the assessment. All assessments that are not paid within 60 days of
6 the due date shall also bear interest from the due date at 12 percent per annum. The Director is
7 authorized to refer any unpaid assessments to a collection agency or to bring an action to collect
8 any unpaid assessments in any court of competent jurisdiction in King County.
9

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11 **Section 8.** Notices. Notices of assessment, installment payments, or delinquency, and all
12 other notices contemplated by this ordinance may be sent by ordinary mail or delivered by the
13 City to the address shown on the records of the Director, and, if no address is shown there, to the
14 address shown on the records of the County Assessor. Failure of the Ratepayer to receive any
15 mailed notice shall not release the Ratepayer from the duty to pay the assessment on the due date
16 and any interest and delinquency charges.
17

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19 **Section 9.** Disputes. Any Ratepayer aggrieved by the amount of an assessment or
20 delinquency charge may on request obtain a meeting with the Director or the Director's designee.
21 If not satisfied, the Ratepayer may appeal the matter to the City's Hearing Examiner in the
22 manner provided for a contested case under Chapter 3.02 of the Seattle Municipal Code. The
23 Ratepayer has the burden of proof to show that the assessment or delinquency charge is
24 incorrect.
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1 **Section 10. Audit.** The City may conduct random audits of Ratepayers to ensure that
2 assessments are being properly calculated and reported.

3 **Section 11. Expenditures.** Expenditures from the Account shall be made upon demand
4 and presentation of documentation of allowable expenses to the Director by the Program
5 Manager and shall be used exclusively for the services as defined in Section 2, including the
6 reimbursement of costs reasonably incurred for the benefit of the SoDo BIA by the Ratepayers or
7 the Program Manager in the formation and creation of the SoDo BIA and its initial work
8 program.
9

10 **Section 12. Ratepayers Advisory Board.** The Director shall appoint an interim
11 Ratepayers Advisory Board comprised of Ratepayers from the SoDo BIA, business tenants from
12 within the SoDo BIA as voting members, and, as a non-voting member, a representative of the
13 Port of Seattle, within 30 days of the effective date of this ordinance. At least 20 percent (and no
14 fewer than two) of the voting members of the interim board shall be business tenants from within
15 the SoDo BIA. The Director shall solicit recommendations from the Ratepayers, and shall
16 appoint the interim board from that list. The interim board shall include Ratepayers who are also
17 members of the Manufacturing Industrial Council of Seattle. The interim Ratepayers Advisory
18 Board will recommend a permanent Ratepayers Advisory Board (the "Board") within 90 days of
19 the effective date of this ordinance. The composition of the Board shall be representative of the
20 varying sizes, locations, and types of property owners and businesses within the geographic area
21 of the SoDo BIA, including manufacturing and industrial property owners and businesses. As
22 part of the process of creating the permanent Board, the Director shall mail a letter to each
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1 Ratepayer and business tenant describing the newly-established SoDo BIA and the Ratepayers
2 Advisory Board, and soliciting interest in serving on the Board. The Director shall provide all
3 responses to this letter to the interim Ratepayers Advisory Board, which shall consider the
4 responses as it recommends the membership of the permanent Board. The Director shall appoint
5 the permanent Board members from the list recommended by the interim Ratepayers Advisory
6 Board. The Director may appoint additional members to the Board beyond those recommended
7 by the interim Ratepayers Advisory Board to ensure a broad representation of Ratepayers,
8 provided that the additional voting members so appointed do not exceed one-third of the entire
9 voting membership of the Board. The permanent Board shall include business tenants from
10 within the SoDo BIA as voting members, and a representative of the Port of Seattle as a non-
11 voting member. At least 20 percent (and no fewer than two) of the voting members of the
12 permanent Board shall be business tenants from within the SoDo BIA. At least 30 percent (and
13 no fewer than three) of the voting members of the permanent Board shall be Ratepayers who are
14 also members of the Manufacturing Industrial Council of Seattle.
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17
18 The Ratepayers Advisory Board shall be responsible for adopting bylaws and policy
19 guidelines, and for providing advice and consultation to the Director and to the Program
20 Manager.
21

22 The Ratepayers Advisory Board shall meet at least once quarterly; recommend an
23 annual work program and budget; address and discuss Ratepayer concerns and questions
24 regarding the SoDo BIA and programs; review all reports to be submitted to the Director by the
25 Program Manager; and sponsor an annual Ratepayers' meeting.
26



1 At the annual Ratepayers' meeting, the Board shall submit for approval its proposed
2 work plan and budget for the next year, and its recommendation regarding whether to continue
3 with the current Program Manager. The work plan, budget, and recommendation regarding
4 whether to continue with the current Program Manager must be approved by a majority vote of
5 the Ratepayers attending the meeting and submitted to the Director.
6

7 **Section 13. Administration.** The Director shall administer the program for the City with
8 authority to:
9

10 A. Collect the special assessments; refund special assessments when overpaid or
11 otherwise improperly collected; extend the deadline for payment and waive delinquency
12 charges and interest whenever the delinquency results from extenuating circumstances
13 beyond the Ratepayer's control, such as a casualty loss causing premature closure of the
14 business or bankruptcy, or the total payment due to the City (exclusive of penalty and
15 interest) is \$10 or less;
16

17 B. Calculate and collect the interest, penalties, and processing fees for late payments;
18

19 C. After receiving the recommendation of the interim Ratepayers Advisory Board,
20 execute a program management contract with a Program Manager; and
21

22 D. Accept and deposit advance payment of assessments by ratepayers; accept donations
23 from governmental agencies, the public, and owners and operators of businesses on land
24 that is developed or redeveloped during the existence of the SoDo BIA for SoDo BIA
25 programs.
26



1 **Section 14.** Contract for Program Management. The Director is authorized to contract
2 with any local non-profit entity to act as the Program Manager. The Program Manager's duties,
3 subject to the approval of the Ratepayers at each annual meeting, will be to manage the day-to-
4 day operations of the SoDo BIA and to administer the projects and activities. It is the intent of
5 the City Council that the Director contract with the SoDo Business Association as the initial
6 Program Manager. The selection of a Program Manager upon the recommendation of the
7 Ratepayers Advisory Board acting on behalf of the Ratepayers shall obviate compliance with the
8 consultant selection procedures of Seattle Municipal Code Chapter 20.50 and Section 20.42.050.
9

10
11 **Section 15.** Commencement of Assessments. Assessments shall commence as of
12 January 1, 2014, or on the effective date of this ordinance, whichever is later.
13

14 **Section 16.** Request to Disestablish. Upon a petition signed by Ratepayers that would
15 pay 60 percent of the proposed special assessments, the Ratepayers Advisory Board shall request
16 the City Council to disestablish the SoDo BIA in accordance with Chapter 35.87A RCW.
17

18 **Section 17.** Ratification and Confirmation. The making of contracts and expenditures
19 and the sending of assessment notices pursuant to the authority and after passage but prior to the
20 effective date of this ordinance are hereby ratified and confirmed.
21

22 **Section 18.** This ordinance shall take effect and be in force 30 days after its approval by
23 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
24 shall take effect as provided by Seattle Municipal Code Section 1.04.020.
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Passed by the City Council the 30th day of September, 2013, and signed by me in open session in authentication of its passage this 30th day of September, 2013.


President _____ of the City Council

Approved by me this 8th day of October, 2013.


Michael McGinn, Mayor

Filed by me this 8th day of October, 2013.


Monica Martinez Simmons, City Clerk

(Seal)

Attachment:

Exhibit A – SoDo BIA map



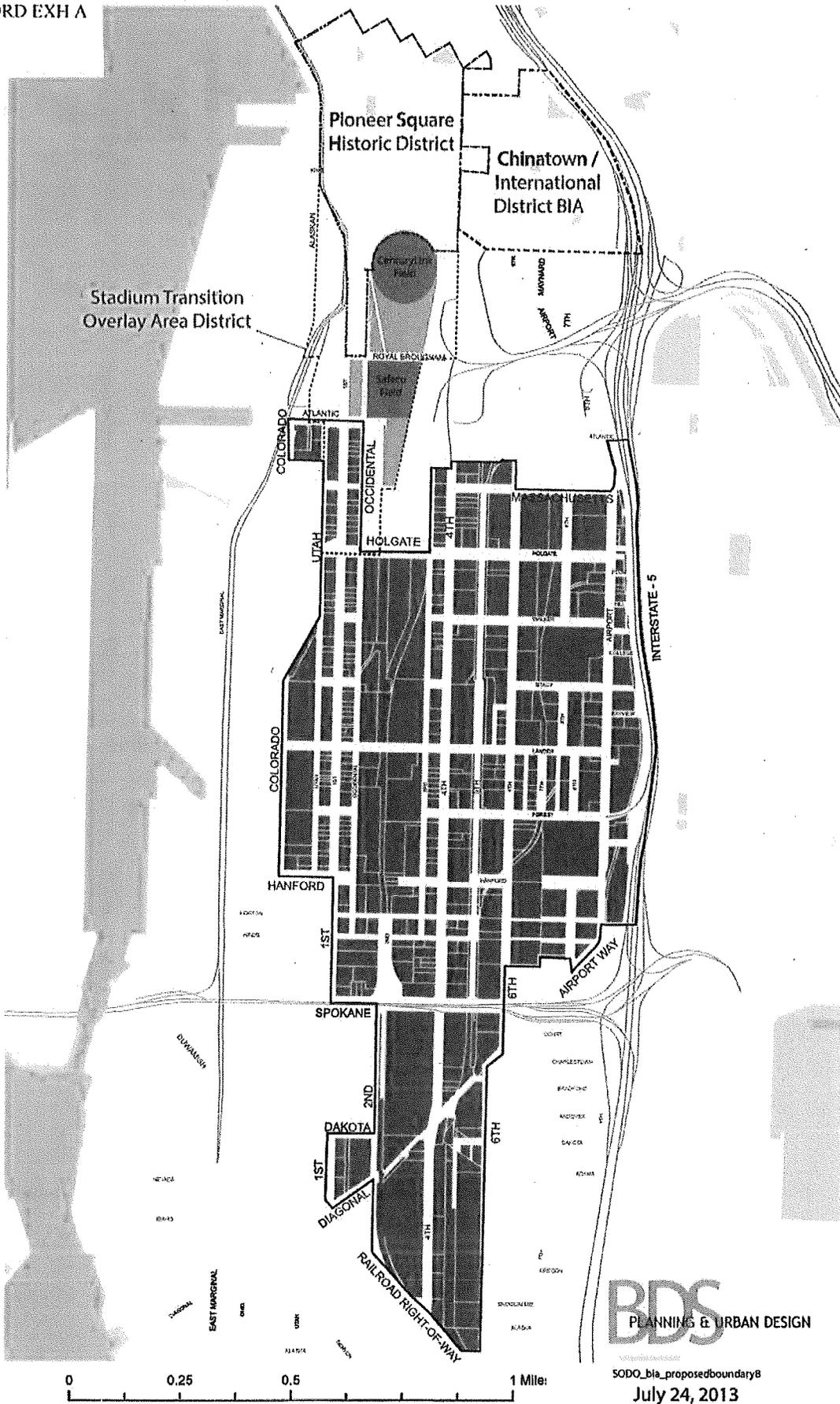


Exhibit A. SoDo BIA

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:

AN ORDINANCE establishing a five-year SoDo (South of Downtown) Parking and Business Improvement Area; levying special assessments upon owners of property within the area; providing for the deposit of revenues in a special account and expenditures therefrom; providing for collection of and penalties for delinquencies; providing for the establishment of a Ratepayers Advisory Board; providing for an implementation agreement with a Program Manager; and ratifying and confirming certain acts related thereto.

Summary of the Legislation:

This Ordinance creates a new SoDo (South of Downtown) Parking and Business Improvement Area (SoDo BIA), as allowed under RCW 35.87A. The SoDo BIA will be funded by a special assessment to be levied upon and collected from the owners of property within its boundaries. The City would contract with a Program Manager to administer the activities set out in the SoDo business plan. The SoDo BIA's Program Manager will be overseen by a Ratepayers Advisory Board, which would be broadly representative of the ratepayers in the area covered by the improvement area.

Background:

This Ordinance is the final piece of legislation that must be prepared, per RCW 35.87A, to create a new SoDo BIA. The City has passed a Resolution to initiate the formation of the SoDo BIA along with the passage of a Resolution of intent that included the time, date and location of a public hearing. After the public hearing, the City Council agreed to go forward with this ordinance.

In their recommendation for 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 new 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.

Please check one of the following:

This legislation does not have any financial implications.

This legislation has financial implications.

Appropriations:

Fund Name and Number	Department	Budget Control Level*	2013 Appropriation	2014 Anticipated Appropriation
TOTAL				

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

Anticipated Revenue/Reimbursement Resulting from this Legislation:

Fund Name and Number	Department	Revenue Source	2013 Revenue	2014 Revenue
198XX SoDo Business Improvement Area	Finance and Administrative Services	Ratepayer Assessments	\$ 0	\$ 500,000
TOTAL			\$ 0	\$ 500,000

Revenue/Reimbursement Notes: FAS would collect the assessments from the ratepayers, but the funds would then be kept by FAS only for reimbursement to the SoDo Business Improvement Area.

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

Position Title and Department	Position # for Existing	Fund Name	PT/FT	2013 Positions	2013 FTE	2014 Positions*	2014 FTE*



	Positions	& #					
	TOTAL						

Position Notes: None.

Do positions sunset in the future? Not applicable.

Spending/Cash Flow:

Fund Name & #	Department	Budget Control Level*	2013 Expenditures	2014 Anticipated Expenditures
198XX SoDo Business Improvement Area	Finance and Administrative Services	Not applicable	\$ 0	\$ 500,000
TOTAL			\$ 0	\$ 500,000

Spending/Cash Flow Notes: The Department of Finance and Administrative Services (FAS) will collect the SoDo BIA's assessments from its ratepayers. FAS holds the funds solely for the purpose of reimbursing the SoDo BIA, which would actually administer staffing, projects, and other costs associated with the BIA.

Other Implications:

- a) **Does the legislation have indirect financial implications, or long-term implications?**
No.
- b) **What is the financial cost of not implementing the legislation?**
None. The SoDo BIA is established as a revenue-neutral program.
- c) **Does this legislation affect any departments besides the originating department?**
No.
- d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?**
None. Improvement area services are in addition to, and not a replacement of, basic City services, and are funded by assessments on the properties that benefit from the services. If the legislation is not passed, the services under the improvement area will not be provided.
- e) **Is a public hearing required for this legislation?** Yes. The public hearing date is set in the companion FAS SoDo BIA intention resolution.



- f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?** Yes. The companion FAS SoDo BIA Intention resolution must be published to give notice of the public hearing for this ordinance.
- g) **Does this legislation affect a piece of property?** Yes.
- h) **Other Issues:** None.

List attachments to the fiscal note below: None.



City of Seattle
Office of the Mayor

July 16, 2013

Honorable Sally Clark
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Clark:

I am pleased to present the attached proposed Council Bill to establish a SoDo (South of Downtown) Parking and Business Improvement Area (SoDo BIA), which follows the passage of two related Resolutions recently passed by the City Council.

Over the past several months, a proposal was developed by local property owners in the SoDo neighborhood to form a new Business Improvement Area. A recent petitioning effort resulted in a 60% show of financial support of the proposal by owners of property, meeting the required demonstration of 60% in financial support from the responsible ratepayers. The formation of a new SoDo BIA will bring high-quality services to SoDo neighborhood to increase the economic viability of the area. The new SoDo BIA will be overseen by a Ratepayers Advisory Board, which will be broadly representative of the ratepayers within the improvement area.

In light of the strong ratepayer support for forming the SoDo BIA during the petitioning process, we anticipate ratepayers will support this initiative. Thank you for your consideration of this legislation. Should you have questions, please contact Teri Allen at 684-5226, or Fred Podesta at 386-0041.

Sincerely,

Michael P. McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council



CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL 117875

AN ORDINANCE establishing a five-year SoDo (South of Downtown) Parking and Business Improvement Area; levying special assessments upon owners of property within the area; providing for the deposit of revenues in a special account and expenditures therefrom; providing for collection of and penalties for delinquencies; providing for the establishment of a Ratepayers Advisory Board; providing for an implementation agreement with a Program Manager; and ratifying and confirming certain acts related thereto.

WHEREAS, RCW 35.87A 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, businesses and mixed-use properties located within the area that are subject to the special assessments levied by this ordinance and that would pay 60 percent of the total special assessments levied by this ordinance filed a petition with The City of Seattle to establish a new SoDo Parking and Business Improvement Area (SoDo BIA) pursuant to RCW 35.87A, a copy of which is filed in C.F. 313179; and

WHEREAS, the City Council adopted Resolution 31469, initiating a Parking and Business Improvement Area via the Resolution method as provided for by RCW 35.87A.030; and

WHEREAS, pursuant to RCW 35.87A.040, the City Council adopted on September 3, 2013, Resolution 31483 titled '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'; and

WHEREAS, the purpose of the SoDo BIA is to enhance conditions for the operation of those businesses and mixed-use properties by performing activities that go beyond the basic services provided by The City of Seattle; and

WHEREAS, as provided by Resolution 31483, the City Council, through its Government Performance and Finance Committee held public hearings on September 4 and September 18, 2013, at 9:30 a.m., in City Council Chambers, 600 Fourth Avenue, Seattle, WA, and the testimony received at those hearings resulted in the Council determining that establishing the new SoDo BIA is in the best interest of the businesses and mixed-use properties within the SoDo BIA's boundaries; NOW, THEREFORE,

THIS VERSION IS NOT ADOPTED

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

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2 **Section 1.** Area Established. As authorized by Chapter 35.87A RCW, there is hereby
3 established a SoDo (South of Downtown) Parking and Business Improvement Area (“SoDo
4 BIA”), within the following boundaries as shown on the map attached as Exhibit A (when a
5 street or alley is named, the area boundary is the centerline of the right-of-way including vacated
6 portions unless otherwise specified in the description):
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18 South; then proceed northeast along Diagonal Way South to 2nd Avenue South; then proceed
19 south along 2nd Avenue South to the Railroad Right-of-Way; then proceed southeast along the
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24
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28

THIS VERSION IS NOT ADOPTED

1 along the north line of property parcel number 7666203810 to the property parcel number
2 7666203850; then proceed north along the northwest line of property parcel number 7666203850
3 to where its northwest corner abuts the property parcel number 7666203785; then proceed east
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6 South to South Horton Street; then proceed east along South Horton Street to Interstate-5; then
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8 number 7666202860 in the northeast corner); then proceed west along South Massachusetts
9 Street to 6th Avenue South; then proceed north along 6th Avenue South to the northeast corner of
10 property parcel number 7666204640; then proceed east along the north property line of property
11 number 7666204640 to the northwest corner of this property; then proceed south along the
12 northwest line of property parcel number 7666204640 to the point where it lines up to the west
13 with the north line of property parcel number 7666204625; then proceed west, crossing over 5th
14 Avenue South, and continuing along the north line of property parcel number 7666204625 to 4th
15 Avenue South; then proceed south along 4th Avenue South to the north line of property parcel
16 number 7666204990; then proceed west along the north line of property parcel number
17 7666204990 to 3rd Avenue South; then proceed south along 3rd Avenue South to South Holgate
18 Street; then proceed west along South Holgate Street to Occidental Avenue South; then proceed
19 north along Occidental Avenue South to South Atlantic Street; then proceed west along South
20 Atlantic Street to Colorado Avenue South.
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1 In case of a conflict between the description of the area and the map, the description shall
2 control.

3 **Section 2.** Programs. Special Assessment revenues shall be used for the following
4 component programs:
5

- 6 1. Advocacy
- 7 2. Security
- 8 3. Cleaning
- 9 4. Transportation
- 10 5. Marketing
- 11 6. Business Development
- 12 7. Communications and Networking
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15 The listing of services is illustrative and not exclusive. All such services are supplemental to
16 street maintenance and law enforcement provided by the City and are not intended to displace
17 any services regularly provided by the City.
18

19 **Section 3.** Levy of Special Assessments. To finance the programs authorized in Section
20 2, there is levied upon and shall be collected from the owners of property located within the
21 boundaries of the SoDo BIA described in Section 1, a special assessment. Ratepayers will be
22 assessed by the City in five annual installments to be billed semi-annually beginning with the
23 base year of the authorization (2014), by applying an assessment rate to each Ratepayer as
24 described below:
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1 A. In 2014 and 2015, the assessment rate on each property within the SoDo BIA will be
2 \$0.50 per \$1,000 of total taxable value based on 2013 King County records;

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

5 C. Property owned and operated by a governmental organization and public utilities will
6 not be assessed.
7

8
9 **Section 4. Rate Changes.** Changes in the assessment rate other than those described in
10 Section 3 shall only be made by ordinance and as authorized in RCW 35.87A.140 with the
11 approval of the Ratepayers Advisory Board and shall not occur more than one time per year.
12

13 **Section 5. Collection Schedule.** Special assessments shall be collected on a semi-annual
14 basis. The Director of Finance and Administrative Services ("Director") or the Director's
15 designee may change the billing frequency by directive to an interval no less frequent than
16 quarterly. A copy of a directive issued under this Section shall be mailed to all Ratepayers not
17 less than 90 days before the new billing due date is to take effect.
18

19 **Section 6. Deposit of Revenues.** The Director will create, in the City Treasury's
20 Business Improvement Area Fund, a separate subaccount designated the SoDo BIA Account
21 (called "the Account"). The following monies shall be deposited in the Account:
22

23 A. All revenues from special assessments levied under this ordinance;

24 B. All income to the City from public events financed with special assessments;

25 C. Gifts and donations;
26

1 D. Interest and all other income from the investment of Account deposits;

2 E. Restitution moneys for expenditures made from the Account; and

3 F. Reimbursements due to the Account.
4

5 **Section 7. Delinquent Payments.** If an assessment has not been paid within 30 days after
6 its due date, the Director shall send a reminder notice and add a \$5 processing fee. If the
7 assessment is not paid within 60 days after its due date, a delinquency charge shall be added in
8 the amount of ten percent of the assessment. All assessments that are not paid within 60 days of
9 the due date shall also bear interest from the due date at 12 percent per annum. The Director is
10 authorized to refer any unpaid assessments to a collection agency or to bring an action to collect
11 any unpaid assessments in any court of competent jurisdiction in King County.
12
13

14 **Section 8. Notices.** Notices of assessment, installment payments, or delinquency, and all
15 other notices contemplated by this ordinance may be sent by ordinary mail or delivered by the
16 City to the address shown on the records of the Director, and, if no address is shown there, to the
17 address shown on the records of the County Assessor. Failure of the Ratepayer to receive any
18 mailed notice shall not release the Ratepayer from the duty to pay the assessment on the due date
19 and any interest and delinquency charges.
20
21

22 **Section 9. Disputes.** Any Ratepayer aggrieved by the amount of an assessment or
23 delinquency charge may on request obtain a meeting with the Director or the Director's designee.
24 If not satisfied, the Ratepayer may appeal the matter to the City's Hearing Examiner in the
25 manner provided for a contested case under Chapter 3.02 of the Seattle Municipal Code. The
26

1 Ratepayer has the burden of proof to show that the assessment or delinquency charge is
2 incorrect.

3
4 **Section 10. Audit.** The City may conduct random audits of Ratepayers to ensure that
5 assessments are being properly calculated and reported.

6
7 **Section 11. Expenditures.** Expenditures from the Account shall be made upon demand
8 and presentation of documentation of allowable expenses to the Director by the Program
9 Manager and shall be used exclusively for the services as defined in Section 2, including the
10 reimbursement of costs reasonably incurred for the benefit of the SoDo BIA by the Ratepayers or
11 the Program Manager in the formation and creation of the SoDo BIA and its initial work
12 program.

13
14 **Section 12. Ratepayers Advisory Board.** The Director shall appoint an interim
15 Ratepayers Advisory Board comprised of Ratepayers from the SoDo BIA, and, as a non-voting
16 member, a representative of the Port of Seattle, within 30 days of the effective date of this
17 ordinance. The Director shall solicit recommendations from the Ratepayers, and shall appoint
18 the interim board from that list. The interim board shall include Ratepayers who are also
19 members of the Manufacturing Industrial Council of Seattle. The interim Ratepayers Advisory
20 Board will recommend a permanent Ratepayers Advisory Board (the "Board") within 90 days of
21 the effective date of this ordinance. The composition of the Board shall be representative of the
22 varying sizes, locations, and types of property owners and businesses within the geographic area
23 of the SoDo BIA, including manufacturing and industrial property owners and businesses. As
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1 part of the process of creating the permanent Board, the Director shall mail a letter to each
2 Ratepayer describing the newly-established SoDo BIA and the Ratepayers Advisory Board, and
3 soliciting interest in serving on the Board. The Director shall provide all responses to this letter
4 to the interim Ratepayers Advisory Board, which shall consider the responses as it recommends
5 the membership of the permanent Board. The Director shall appoint the permanent Board
6 members from the list recommended by the interim Ratepayers Advisory Board. The Director
7 may appoint additional members to the Board beyond those recommended by the interim
8 Ratepayers Advisory Board to ensure a broad representation of Ratepayers, provided that the
9 additional voting members so appointed do not exceed one-third of the entire voting membership
10 of the Board. The permanent Board shall include a representative of the Port of Seattle as a non-
11 voting member. At least 30 percent (and no fewer than three) of the members of the permanent
12 Board shall be Ratepayers who are also members of the Manufacturing Industrial Council of
13 Seattle.
14
15

16
17 The Ratepayers Advisory Board shall be responsible for adopting bylaws and policy
18 guidelines, and for providing advice and consultation to the Director and to the Program
19 Manager.
20

21 The Ratepayers Advisory Board shall meet at least once quarterly; recommend an
22 annual work program and budget; address and discuss Ratepayer concerns and questions
23 regarding the SoDo BIA and programs; review all reports to be submitted to the Director by the
24 Program Manager; and sponsor an annual Ratepayers' meeting.
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1 At the annual Ratepayers' meeting, the Board shall submit for approval its proposed
2 work plan and budget for the next year, and its recommendation regarding whether to continue
3 with the current Program Manager. The work plan, budget, and recommendation regarding
4 whether to continue with the current Program Manager must be approved by a majority vote of
5 the Ratepayers attending the meeting and submitted to the Director.
6

7 **Section 13. Administration.** The Director shall administer the program for the City with
8 authority to:
9

10 A. Collect the special assessments; refund special assessments when overpaid or
11 otherwise improperly collected; extend the deadline for payment and waive delinquency
12 charges and interest whenever the delinquency results from extenuating circumstances
13 beyond the Ratepayer's control, such as a casualty loss causing premature closure of the
14 business or bankruptcy, or the total payment due to the City (exclusive of penalty and
15 interest) is \$10 or less;
16

17 B. Calculate and collect the interest, penalties, and processing fees for late payments;
18

19 C. After receiving the recommendation of the interim Ratepayers Advisory Board,
20 execute a program management contract with a Program Manager; and
21

22 D. Accept and deposit advance payment of assessments by ratepayers; accept donations
23 from governmental agencies, the public, and owners and operators of businesses on land
24 that is developed or redeveloped during the existence of the SoDo BIA for SoDo BIA
25 programs.
26

1 **Section 14.** Contract for Program Management. The Director is authorized to contract
2 with any local non-profit entity to act as the Program Manager. The Program Manager's duties,
3 subject to the approval of the Ratepayers at each annual meeting, will be to manage the day-to-
4 day operations of the SoDo BIA and to administer the projects and activities. It is the intent of
5 the City Council that the Director contract with the SoDo Business Association as the initial
6 Program Manager. The selection of a Program Manager upon the recommendation of the
7 Ratepayers Advisory Board acting on behalf of the Ratepayers shall obviate compliance with the
8 consultant selection procedures of Seattle Municipal Code Chapter 20.50 and Section 20.42.050.
9

10 **Section 15.** Commencement of Assessments. Assessments shall commence as of
11 January 1, 2014, or on the effective date of this ordinance, whichever is later.
12

13 **Section 16.** Request to Disestablish. Upon a petition signed by Ratepayers that would
14 pay 60 percent of the proposed special assessments, the Ratepayers Advisory Board shall request
15 the City Council to disestablish the SoDo BIA in accordance with Chapter 35.87A RCW.
16

17 **Section 17.** Ratification and Confirmation. The making of contracts and expenditures
18 and the sending of assessment notices pursuant to the authority and after passage but prior to the
19 effective date of this ordinance are hereby ratified and confirmed.
20

21 **Section 18.** This ordinance shall take effect and be in force 30 days after its approval by
22 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
23 shall take effect as provided by Seattle Municipal Code Section 1.04.020.
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Passed by the City Council the ____ day of _____, 2013, and
signed by me in open session in authentication of its passage this
____ day of _____, 2013.

President _____ of the City Council

Approved by me this ____ day of _____, 2013.

Michael McGinn, Mayor

Filed by me this ____ day of _____, 2013.

Monica Martinez Simmons, City Clerk

(Seal)

Attachment:
Exhibit A – SoDo BIA map

THIS VERSION IS NOT ADOPTED

CITY OF SEATTLE
ORDINANCE _____
COUNCIL BILL 117875

1
2
3
4 AN ORDINANCE establishing a five-year SoDo (South of Downtown) Parking and Business
5 Improvement Area; levying special assessments upon owners of property within the area;
6 providing for the deposit of revenues in a special account and expenditures therefrom;
7 providing for collection of and penalties for delinquencies; providing for the
8 establishment of a Ratepayers Advisory Board; providing for an implementation
9 agreement with a Program Manager; and ratifying and confirming certain acts related
10 thereto.

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

14 WHEREAS, at least 60 percent of the businesses and mixed-use properties located within the
15 area that are subject to the special assessments levied by this ordinance filed a petition
16 with The City of Seattle to establish a new SoDo Parking and Business Improvement
17 Area (SoDo BIA) pursuant to RCW 35.87A, a copy of which is filed in C.F. 313179; and

18 WHEREAS, the City Council adopted Resolution 31469, initiating a Parking and Business
19 Improvement Area via the Resolution method as provided for by RCW 35.87A.030; and

20 WHEREAS, pursuant to RCW 35.87A.040, the City Council adopted on August 12, 2013,
21 Resolution 31470 titled 'A Resolution of intention to establish a five-year SoDo (South
22 of Downtown) Parking and Business Improvement Area and fixing a date and place for a
23 hearing thereon;' and

24 WHEREAS, the purpose of the SoDo BIA is to enhance conditions for the operation of those
25 businesses and mixed-use properties by performing activities that go beyond the basic
26 services provided by The City of Seattle; and

27 WHEREAS, as provided by Resolution 31470, the City Council, through its Government
28 Performance and Finance Committee held a public hearing on September 4, 2013, at 9:30
a.m., in City Council Chambers, 600 Fourth Avenue, Seattle, WA, and the testimony
received at that hearing resulted in the Council determining that establishing the new
SoDo BIA is in the best interest of the businesses and mixed-use properties within the
SoDo BIA's boundaries; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

1 **Section 1. Area Established.** As authorized by Chapter 35.87A RCW, there is hereby
2 established a SoDo (South of Downtown) Parking and Business Improvement Area (“SoDo
3 BIA”), within the following boundaries as shown on the map attached as Exhibit A (when a
4 street or alley is named, the area boundary is the centerline of the right-of-way including vacated
5 portions unless otherwise specified in the description):

6 From the intersection of South Atlantic Street and Colorado Avenue South, proceed south
7 along Colorado Avenue South to the southwest corner of property parcel number 766207050;
8 then proceed east along the south line of property parcel number 766207050 to Utah Avenue
9 South; then proceed south along Utah Avenue South to South Walker Street; then proceed
10 southwest along the northwest line of property parcel number 7666207214 to Colorado Avenue
11 South; then proceed south on Colorado Avenue South to South Hanford Street; then proceed east
12 along South Hanford Street to 1st Avenue South; then proceed south along 1st Avenue South to
13 South Spokane Street; then proceed east along South Spokane Street to 2nd Avenue South; then
14 proceed south along 2nd Avenue South to South Dakota Street; then proceed west along South
15 Dakota Street to 1st Avenue South; then proceed south along 1st Avenue South to Diagonal Way
16 South; then proceed northeast along Diagonal Way South to 2nd Avenue South; then proceed
17 south along 2nd Avenue South to the Railroad Right-of-Way; then proceed southeast along the
18 Railroad Right-of-Way to the southwest corner of property parcel number 2024049006; then
19 proceed east along the south line of property parcel number 2024049006 to 6th Avenue South;
20 then proceed north along 6th Avenue South, crossing over South Spokane Street, continuing on
21 6th Avenue South to the north line of property parcel number 7666203810; then proceed east
22 along the north line of property parcel number 7666203810 to the property parcel number
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1 7666203850; then proceed north along the northwest line of property parcel number 7666203850
2 to where its northwest corner abuts the property parcel number 7666203785; then proceed east
3 along the north line of property parcel number 7666203850 to 8th Avenue South; then proceed
4 south along 8th Avenue South to Airport Way South; then proceed northeast along Airport Way
5 South to South Horton Street; then proceed east along South Horton Street to Interstate-5; then
6 proceed north along Interstate-5 to South Massachusetts Street (includes full property parcel
7 number 7666202860 in the northeast corner); then proceed west along South Massachusetts
8 Street to 6th Avenue South; then proceed north along 6th Avenue South to the northeast corner of
9 property parcel number 7666204640; then proceed east along the north property line of property
10 number 7666204640 to the northwest corner of this property; then proceed south along the
11 northwest line of property parcel number 7666204640 to the point where it lines up to the west
12 with the north line of property parcel number 7666204625; then proceed west, crossing over 5th
13 Avenue South, and continuing along the north line of property parcel number 7666204625 to 4th
14 Avenue South; then proceed south along 4th Avenue South to the north line of property parcel
15 number 7666204990; then proceed west along the north line of property parcel number
16 7666204990 to 3rd Avenue South; then proceed south along 3rd Avenue South to South Holgate
17 Street; then proceed west along South Holgate Street to Occidental Avenue South; then proceed
18 north along Occidental Avenue South to South Atlantic Street; then proceed west along South
19 Atlantic Street to Colorado Avenue South.
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24 In case of a conflict between the description of the area and the map, the description shall
25 control.
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1 **Section 2.** Programs. Special Assessment revenues shall be used for the following
2 component programs:

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

10
11
12 The listing of services is illustrative and not exclusive. All such services are supplemental to
13 street maintenance and law enforcement provided by the City and are not intended to displace
14 any services regularly provided by the City.

15
16 **Section 3.** Levy of Special Assessments. To finance the programs authorized in Section
17 2, there is levied upon and shall be collected from the owners of property located within the
18 boundaries of the SoDo BIA described in Section 1, a special assessment. Ratepayers will be
19 assessed by the City in five annual installments to be billed semi-annually beginning with the
20 base year of the authorization (2014), by applying an assessment rate to each Ratepayer as
21 described below:
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- 24 A. In 2014 and 2015, the assessment rate on each property within the SoDo BIA will be
25 \$0.50 per \$1,000 of total taxable value based on 2013 King County records;
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1 B. In 2016, 2017, and 2018, the assessment rate will be \$0.50 per \$1,000 of total taxable
2 value based on 2015 King Country records;

3 C. Property owned and operated by a governmental organization and public utilities will
4 not be assessed.
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7 Section 3 shall only be made by ordinance and as authorized in RCW 35.87A.140 with the
8 approval of the Ratepayers Advisory Board and shall not occur more than one time per year.
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10 **Section 5. Collection Schedule.** Special assessments shall be collected on a semi-annual
11 basis. The Director of Finance and Administrative Services ("Director") or the Director's
12 designee may change the billing frequency by directive to an interval no less frequent than
13 quarterly. A copy of a directive issued under this Section shall be mailed to all Ratepayers not
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21 B. All income to the City from public events financed with special assessments;
22 C. Gifts and donations;
23 D. Interest and all other income from the investment of Account deposits;
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1 F. Reimbursements due to the Account.

2 **Section 7. Delinquent Payments.** If an assessment has not been paid within 30 days after
3 its due date, the Director shall send a reminder notice and add a \$5 processing fee. If the
4 assessment is not paid within 60 days after its due date, a delinquency charge shall be added in
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16 and any interest and delinquency charges.
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21 If not satisfied, the Ratepayer may appeal the matter to the City's Hearing Examiner in the
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5 Manager and shall be used exclusively for the services as defined in Section 2, including the
6 reimbursement of costs reasonably incurred for the benefit of the SoDo BIA by the Ratepayers or
7 the Program Manager in the formation and creation of the SoDo BIA and its initial work
8 program.
9

10 **Section 12. Ratepayers Advisory Board.** The Director shall appoint an interim
11 Ratepayers Advisory Board comprised of Ratepayers from the SoDo BIA within 30 days of the
12 effective date of this ordinance. The Director shall solicit recommendations from the
13 Ratepayers, and shall appoint the interim board from that list. The interim Ratepayers Advisory
14 Board will recommend a permanent Ratepayers Advisory Board (the "Board") within 90 days of
15 the effective date of this ordinance. The composition of the Board shall be representative of the
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17 area of the SoDo BIA. The Director shall appoint the permanent Board members from the list
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19 members to the Board beyond those recommended by the interim Ratepayers Advisory Board to
20 ensure a broad representation of Ratepayers, provided that the additional members so appointed
21 do not exceed one-third of the entire membership of the Board.
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1 The Ratepayers Advisory Board shall be responsible for adopting bylaws and policy
2 guidelines, and for providing advice and consultation to the Director and to the Program
3 Manager.

4
5 The Ratepayers Advisory Board shall meet at least once quarterly; recommend an
6 annual work program and budget; address and discuss Ratepayer concerns and questions
7 regarding the SoDo BIA and programs; review all reports to be submitted to the Director by the
8 Program Manager; and sponsor an annual Ratepayers' meeting.

9
10 At the annual Ratepayers' meeting, the Board shall submit for approval its proposed
11 work plan and budget for the next year, and its recommendation regarding whether to continue
12 with the current Program Manager. The work plan, budget, and recommendation regarding
13 whether to continue with the current Program Manager must be approved by a majority vote of
14 the Ratepayers attending the meeting and submitted to the Director.
15

16
17 **Section 13. Administration.** The Director shall administer the program for the City with
18 authority to:

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

1 B. Calculate and collect the interest, penalties, and processing fees for late payments;

2 C. After receiving the recommendation of the interim Ratepayers Advisory Board,
3 execute a program management contract with a Program Manager; and

4 D. Accept and deposit advance payment of assessments by ratepayers; accept donations
5 from governmental agencies, the public, and owners and operators of businesses on land
6 that is developed or redeveloped during the existence of the SoDo BIA for SoDo BIA
7 programs.
8

9 **Section 14.** Contract for Program Management. The Director is authorized to contract
10 with any local non-profit entity to act as the Program Manager. The Program Manager's duties,
11 subject to the approval of the Ratepayers at each annual meeting, will be to manage the day-to-
12 day operations of the SoDo BIA and to administer the projects and activities. It is the intent of
13 the City Council that the Director contract with the SoDo Business Association as the initial
14 Program Manager. The selection of a Program Manager upon the recommendation of the
15 Ratepayers Advisory Board acting on behalf of the Ratepayers shall obviate compliance with the
16 consultant selection procedures of Seattle Municipal Code Chapter 20.50 and Section 20.42.050.
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20 January 1, 2014, or on the effective date of this ordinance, whichever is later.
21

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23 pay 60 percent of the proposed special assessments, the Ratepayers Advisory Board shall request
24 the City Council to disestablish the SoDo BIA in accordance with Chapter 35.87A RCW.
25
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2 and the sending of assessment notices pursuant to the authority and after passage but prior to the
3 effective date of this ordinance are hereby ratified and confirmed.

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5 **Section 18.** This ordinance shall take effect and be in force 30 days after its approval by
6 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
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Passed by the City Council the ____ day of _____, 2013, and
signed by me in open session in authentication of its passage this
____ day of _____, 2013.

President _____ of the City Council

Approved by me this ____ day of _____, 2013.

Michael McGinn, Mayor

Filed by me this ____ day of _____, 2013.

Monica Martinez Simmons, City Clerk

(Seal)

Attachment:
Exhibit A – SoDo BIA map

STATE OF WASHINGTON -- KING COUNTY

--SS.

303586

No.

CITY OF SEATTLE, CLERKS OFFICE

Affidavit of Publication

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

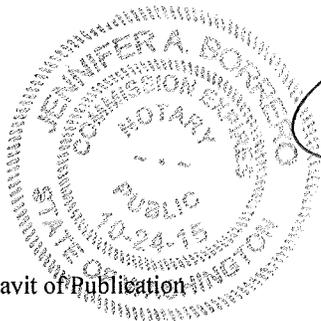
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:124304-320 TITLE ONLY

was published on

10/17/13

The amount of the fee charged for the foregoing publication is the sum of \$272.25 which amount has been paid in full.



Affidavit of Publication

Subscribed and sworn to before me on

10/17/2013

Notary public for the State of Washington,
residing in Seattle

City of Seattle

The full text of the following legislation, passed by the City Council on September 30, 2013, and published below by title only, will be mailed upon request, or can be accessed at <http://clerk.seattle.gov>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>. Contact: Office of the City Clerk at (206) 684-8344.

ORDINANCE NO. 124304

AN ORDINANCE repealing Chapter 6.255, relating to the distribution of yellow pages phone books, and amending Section 6.202.280 of the Seattle Municipal Code.

ORDINANCE NO. 124305

AN ORDINANCE relating to land use and zoning; amending Sections 23.49.178 and 23.66.140 of the Seattle Municipal Code to allow development in Pioneer Square meeting certain requirements to attain a maximum height of 130 feet if a freestanding manufactured public restroom structure is acquired and installed and amending provisions for green building performance and rooftop features.

ORDINANCE NO. 124306

AN ORDINANCE establishing a five-year SoDo (South of Downtown) Parking and Business Improvement Area; levying special assessments upon owners of property within the area; providing for the deposit of revenues in a special account and expenditures therefrom; providing for collection of and penalties for delinquencies; providing for the establishment of a Ratepayers Advisory Board; providing for an implementation agreement with a Program Manager; and ratifying and confirming certain acts related thereto.

ORDINANCE NO. 124307

AN ORDINANCE relating to land use and zoning, amending Section 23.45.516 of the Seattle Municipal Code to modify the criteria for lots eligible for additional height in Midrise zones.

ORDINANCE NO. 124308

AN ORDINANCE relating to City real property; authorizing the transfer of jurisdiction of certain property in Block 1, Wenzel Addition to the City of Seattle, commonly referred to as 1125 North 98th Street, from the Department of Information Technology to the City Light Department for electric system purposes; and authorizing the payment of true and full value by the City Light Department to the Department of Information Technology for this transfer.

ORDINANCE NO. 124309

AN ORDINANCE related to the 2013 Budget; amending Ordinance 124058, which adopted the 2013 Budget, including the 2013-2018 Capital Improvement Program (CIP); changing appropriations to various departments and budget control levels, and from various funds in the Budget; adding new projects; revising project allocations for certain projects in the 2013-2018 CIP; creating positions; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council.

State of Washington, King County

ORDINANCE NO. 124310

AN ORDINANCE authorizing, in 2013, acceptance of funding from non-City sources; authorizing the heads of the Executive Department, Seattle Police Department, Human Services Department, Department of Planning and Development, Department of Parks and Recreation, Department of Finance and Administrative Services, Department of Transportation, Seattle City Light, and Seattle Public Utilities to accept specified grants and private funding and to execute, deliver, and perform corresponding agreements; and ratifying and confirming certain prior acts.

ORDINANCE NO. 124311

AN ORDINANCE authorizing acceptance of donations from public and private sources in support of University District planning efforts, and increasing appropriation authority in the 2013 Adopted Budget contingent upon receipt of said donations; and ratifying and confirming certain prior acts.

ORDINANCE NO. 124312

AN ORDINANCE relating to rental registration and inspection; amending the title of Chapter 22.214 and Sections 22.214.010, 22.214.020, 22.214.030, 22.214.040, 22.214.045, 22.214.050, 22.214.060, 22.214.080, and 22.214.085; amending previously non-codified section 16 of Ordinance 124011; and adding new sections 22.214.086 and 22.214.087.

ORDINANCE NO. 124313

AN ORDINANCE relating to Seattle Public Utilities; prohibiting certain recyclable materials from disposal in commercial garbage; and amending subsections A and B of Section 21.36.082 of the Seattle Municipal Code.

ORDINANCE NO. 124314

AN ORDINANCE authorizing the Director of Finance and Administrative Services to enter into a lease agreement with the Port of Seattle, a Washington municipal corporation, for yard space to store jet grout spoils from the Elliott Bay Seawall Project, and ratifying and confirming certain prior acts.

ORDINANCE NO. 124315

AN ORDINANCE relating to the Department of Finance and Administrative Services; authorizing the Director of the Department of Finance and Administrative Services to execute an amendment to a lease last authorized by Ordinance 122662, extending the City's lease of office space at 220 Third Avenue South in Seattle from PTL Property LP; and ratifying and confirming certain prior acts.

ORDINANCE NO. 124316

AN ORDINANCE authorizing the Director of Finance and Administrative Services to enter into a lease agreement with Block 24 Seattle, LTD, L.P. for office space

in the Bank of America Fifth Avenue Plaza, for office use by various City Departments.

ORDINANCE NO. 124317

AN ORDINANCE relating to City employment; authorizing the execution of a memorandum of understanding between the City of Seattle, City Light Department and the International Brotherhood of Electrical Workers, Local 77; and ratifying and confirming prior acts.

ORDINANCE NO. 124318

AN ORDINANCE relating to City employment; authorizing execution of a collective bargaining agreement between the City of Seattle and the Seattle Police Dispatchers' Guild to be effective January 1, 2012 through December 31, 2013; providing payment therefor; and ratifying and confirming prior acts.

ORDINANCE NO. 124319

AN ORDINANCE relating to City employment commonly referred to as the Second Quarter 2013 Employment Ordinance; designating positions as exempt from Civil Service status, amending Seattle Municipal Code Section 4.13.010, renaming a discretionary pay program, and ratifying and confirming prior acts; all by a 2/3 vote of the City Council.

ORDINANCE NO. 124320

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

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