

Ordinance No. 124528

# The City of Seattle – Legislative Department

*Richard Lewis*

Council Bill No. 118093

Council Bill/Ordinance sponsored by: \_\_\_\_\_

AN ORDINANCE relating to the West Seattle Junction Parking and Business Improvement Area; modifying the assessment rates; modifying the boundaries; and amending Ordinance 113326, as previously amended by Ordinances 115997, 119539, 120570 and 121758.

## Committee Action:

Date	Recommendation	Vote

PASS 4-0 M, J, W, TR, TB 7/9/14 (LH)

Related Legislation File: Res 31522

Date Introduced and Referred: <u>5/12/14</u>	To: (committee): <u>Finance and Culture</u>
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: <u>7/14/14</u>	Date Presented to Mayor: <u>7/16/14</u>
Date Signed by Mayor: <u>7/18/14</u>	Date Returned to City Clerk: <u>7/18/14</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:

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

## Full Council Action:

Date	Decision	Vote
<u>7/14/14</u>	<u>Passed</u>	<u>8-0 (excused: Burgess)</u>

*Law Department*

**CITY OF SEATTLE**  
**ORDINANCE** 124528  
**COUNCIL BILL** 118093

1  
2  
3  
4 AN ORDINANCE relating to the West Seattle Junction Parking and Business Improvement  
5 Area; modifying the assessment rates; modifying the boundaries; and amending  
6 Ordinance 113326, as previously amended by Ordinances 115997, 119539, 120570 and  
7 121758.

8 WHEREAS, in 1987, through Ordinance 113326, the City of Seattle established the West Seattle  
9 Junction Parking and Business Improvement Area (West Seattle BIA), providing for the  
10 levy of special assessments upon businesses within the West Seattle BIA for the purpose  
11 of enhancing conditions for operation of those businesses; and

12 WHEREAS, in 1991, the City Council passed Ordinance 115997, revising the list of exemptions  
13 from special assessments for certain types of businesses; and

14 WHEREAS, in 1999, the City Council passed Ordinance 119539, increasing the original  
15 assessment rates for the West Seattle BIA; and in 2001, the City Council passed  
16 Ordinance 120570, further increasing the assessment rates; and

17 WHEREAS, on March 28, 2005, the City Council passed Ordinance 121758, increasing West  
18 Seattle BIA parking assessment rates by 25% and all other assessment rates by 10% for  
19 the purpose of preventing reduction in services due to inflation in service costs; and

20 WHEREAS, in 2012, the ratepayer advisory board for the West Seattle Junction Association,  
21 which oversees the West Seattle BIA, voted to modify the assessment rates and to modify  
22 the 'Zone C' parking boundaries; and

23 WHEREAS, the City has reviewed the modification area to insure that it is in accordance with  
24 RCW 35.87A.075; and

25 WHEREAS, pursuant to RCW 35.87A.040, the City Council on June 2, 2014 adopted Resolution  
26 31522, titled 'A RESOLUTION of intention to modify the assessment rates and modify  
27 the boundaries for the West Seattle Junction Parking and Business Improvement Area';  
28 and

WHEREAS, on June 25, 2014, in accordance with RCW 35.87A.075 and 35.87A.140, the City  
Council held a public hearing regarding the modification proposal of the West Seattle  
BIA's assessment rates and 'Zone C' parking boundaries; NOW, THEREFORE,



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

2 **Section 1.** Section 1 of Ordinance 113326 is amended as follows:

3  
4 Section 1. District Established. As authorized by RCW Chapter 35.87A, there is hereby  
5 established a West Seattle Junction Parking and Business Improvement Area within the  
6 boundaries described below and as shown on the map attached as Exhibit "A". (When a street or  
7 alley is named, the area boundary is the centerline of the right-of-way). The District shall have  
8 two areas and a parking zone overlay as follows:  
9

10 \* \* \*

11 **Zone C Parking**

12  
13 Beginning at the intersection of SW Edmunds Street and 42nd Avenue SW, then north  
14 along 42nd Avenue SW to the north property line of Parcel #1333100000, then east along the  
15 property line to the alley between 42nd Avenue SW and 41st Avenue SW, then north along the  
16 alley to the north property line of Parcel #0952005960, then west along the property line to 42nd  
17 Avenue SW, then west along the north property line of Parcel #0952006070 to the alley between  
18 42nd Avenue SW and California Avenue SW, then west along the north property line of Parcel  
19 #0952006200 to California Avenue SW, then west along the north property line of Parcel  
20 #7904700106 to the ally between California Avenue SW and 44th Avenue SW, then south along  
21 the alley to SW Oregon Street, then west along SW Oregon Street to Glenn Way SW, then  
22 southeast along Glenn Way SW to the alley between 45th Avenue SW and 44th Avenue SW,  
23 then south along the alley to SW Edmunds Street, then east along SW Edmunds Street to Erskine  
24



1 Way SW, then southwest along Erskine Way SW to Lewis Place SW, then east along the south  
2 property line of Parcel #3902100220 to California Avenue SW, then north along California  
3 Avenue SW to the south property line of Parcel #7579201005, then east along the property line  
4 to the alley between California Avenue SW and 42nd Avenue SW, then north along the alley to  
5 SW Edmunds Street, then east along SW Edmunds Street to the point of the beginning.

6  
7 ~~((East: 42<sup>nd</sup> Avenue S.W. between the center of the right-of-way of S.W. Edmunds~~  
8 ~~extending two blocks to the center of the right-of-way of S.W. Oregon, to the center of the right-~~  
9 ~~of-way of 42<sup>nd</sup> Avenue S.W.~~

10  
11 ~~West: Glenn Way S.W. between the center of the right-of-way of S.W. Oregon and a line~~  
12 ~~extending from the northern tip of lot line 16, block 3, Holbrook and Clark's Addition, to the~~  
13 ~~center of the right-of-way of Glenn Way S.W., and extending from the western lot line of lots~~  
14 ~~16-24, of block 3, Holbrook and Clark's Addition, and continuing along the western lot lines of~~  
15 ~~lots 1-24, block 3, Central Park Addition, and extending to the center of the right-of-way of S.W.~~  
16 ~~Edmunds.~~

17  
18  
19 ~~North: S.W. Oregon between the center of the right-of-way of 45<sup>th</sup> Avenue S.W., to a line~~  
20 ~~extending from the western lot line of lot 6, block 2, Sparkman and McLean's First Addition, to~~  
21 ~~the center of the right-of-way of S.W. Oregon; and continuing along the western lot line of lots 5,~~  
22 ~~6, and halfway through lot 4, block 2 Sparkman and Melean's First Addition, and continuing~~  
23 ~~halfway through lot 4, block 2, Sparkman and Melean's First Addition, to the center of the right-~~  
24 ~~of-way of California Avenue S.W. and continuing along the southern lot line of lot 12, block 48,~~





1 ~~Sparkman and Melean's First Addition, and continuing along the eastern lot line of lots 13-24,~~  
2 ~~block 48, Sparkman and Melean's First Addition to the center of the right of way of S.W.~~  
3 ~~Oregon and continuing along the center of the right of way of S.W. Oregon to the center of the~~  
4 ~~right of way of 42<sup>nd</sup> Avenue S.W.~~

5  
6 ~~South: S.W. Edmonds between a line extending from the eastern lot line of lot 22, block 1,~~  
7 ~~Central Park Addition, and continuing along the eastern lot line of lots 1,2,3, block 6, Scenic~~  
8 ~~Park Addition, and continuing along the northern lot line of lot 4, block 6, Scenic Park Addition,~~  
9 ~~and continuing along the northern lot line of lot 4, block 6, Scenic Park Addition, and extending~~  
10 ~~to the center of the right of way of California Avenue S.W. and continuing along the eastern lot~~  
11 ~~line of lot 1, and halfway through lot 2, block 5, Kirkwood Addition and continuing along in a~~  
12 ~~westerly direction halfway through lot 2, block 5, Kirkwood Addition, and extending to the~~  
13 ~~center of the right of way of Erskine Way S.W., and continuing along the center of the right of~~  
14 ~~way of Erskine Way S.W., to a line extending from the southern lot line of lot 6, block 2,~~  
15 ~~Kirkwood Addition and continuing along the southern lot line of lot 6, block 2, Kirkwood~~  
16 ~~Addition, and continuing along the southern lot line of lot 6, block 2, Kirkwood Addition, and~~  
17 ~~extending to the center of the right of way of S.W. Edmunds to a line extending from the~~  
18 ~~western lot line of lot 25, block 3, Central park Addition.))~~

19  
20  
21  
22 **Section 2.** Section 3 of Ordinance 113326, as previously amended by Ordinance 115997,  
23 is amended as follows:

24  
25 Section 3. Exemptions. No special assessments shall be levied upon and collected from:

26 \* \* \*



1 (5) Fraternal organizations; social service agencies; and education facilities; and

2 (6) Businesses that qualify for exemption from City of Seattle Business and  
3 Occupation tax, ~~((; and~~

4  
5 ~~(7) New businesses for the first year of operation. During the second year of~~  
6 ~~operation, these businesses shall be assessed 50% of their assessment rate and~~  
7 ~~100% during their third year of operation. This exemption shall not apply to any~~  
8 ~~assessment due for the parking assessment in Zone C levied under Section~~  
9 ~~2.1(f).))~~  
10

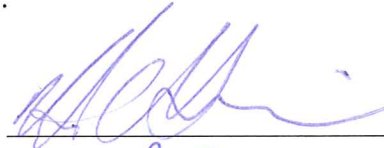
11 **Section 3.** The untitled map attached to Ordinance 113326, representing Exhibit "A", is  
12 deleted in its entirety and replaced with a new Exhibit A, "West Seattle BIA" map, which is  
13 attached to this ordinance. In case of a conflict between the description of the West Seattle BIA  
14 and the map, the description shall control.  
15

16  
17 **Section 4.** This ordinance shall take effect and be in force 30 days after its approval by  
18 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it  
19 shall take effect as provided by Seattle Municipal Code Section 1.04.020.  
20  
21  
22  
23  
24



1 Passed by the City Council the 14<sup>th</sup> day of July, 2014, and  
2 signed by me in open session in authentication of its passage this

3  
4 14<sup>th</sup> day of July, 2014.

5  
6 

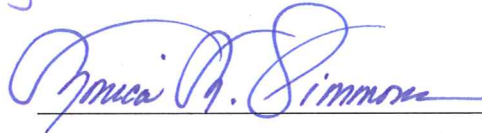
7 President Pro Tem of the City Council

8  
9 Approved by me this 18 day of July, 2014.

10  
11 

12 Edward B. Murray, Mayor

13  
14 Filed by me this 18<sup>th</sup> day of July, 2014.

15  
16 

17 Monica Martinez Simmons, City Clerk

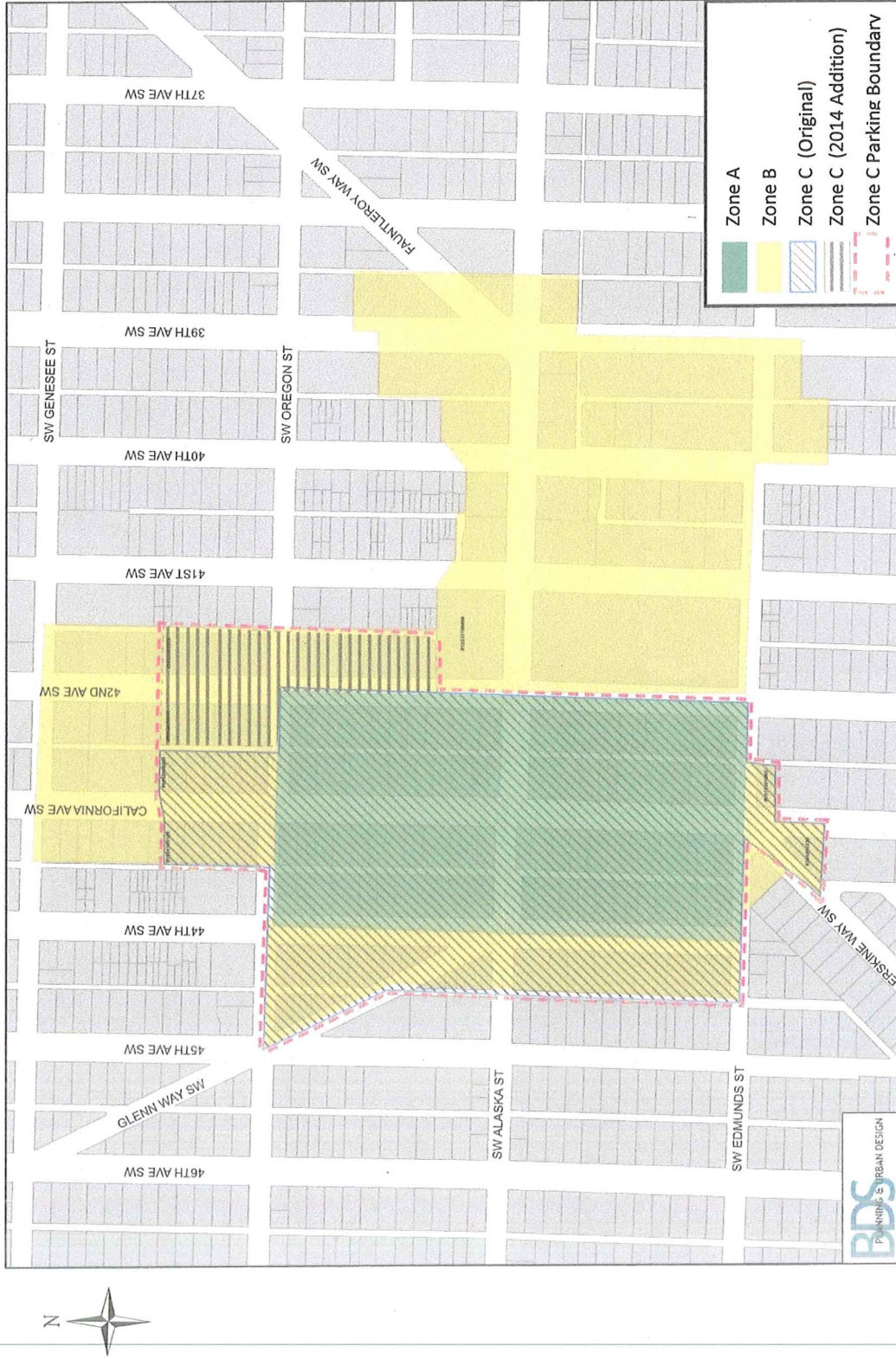
18 (Seal)

19 Attachments:

20 Exhibit A: West Seattle BIA Map

21 Exhibit A to Ordinance 113326 (untitled map)



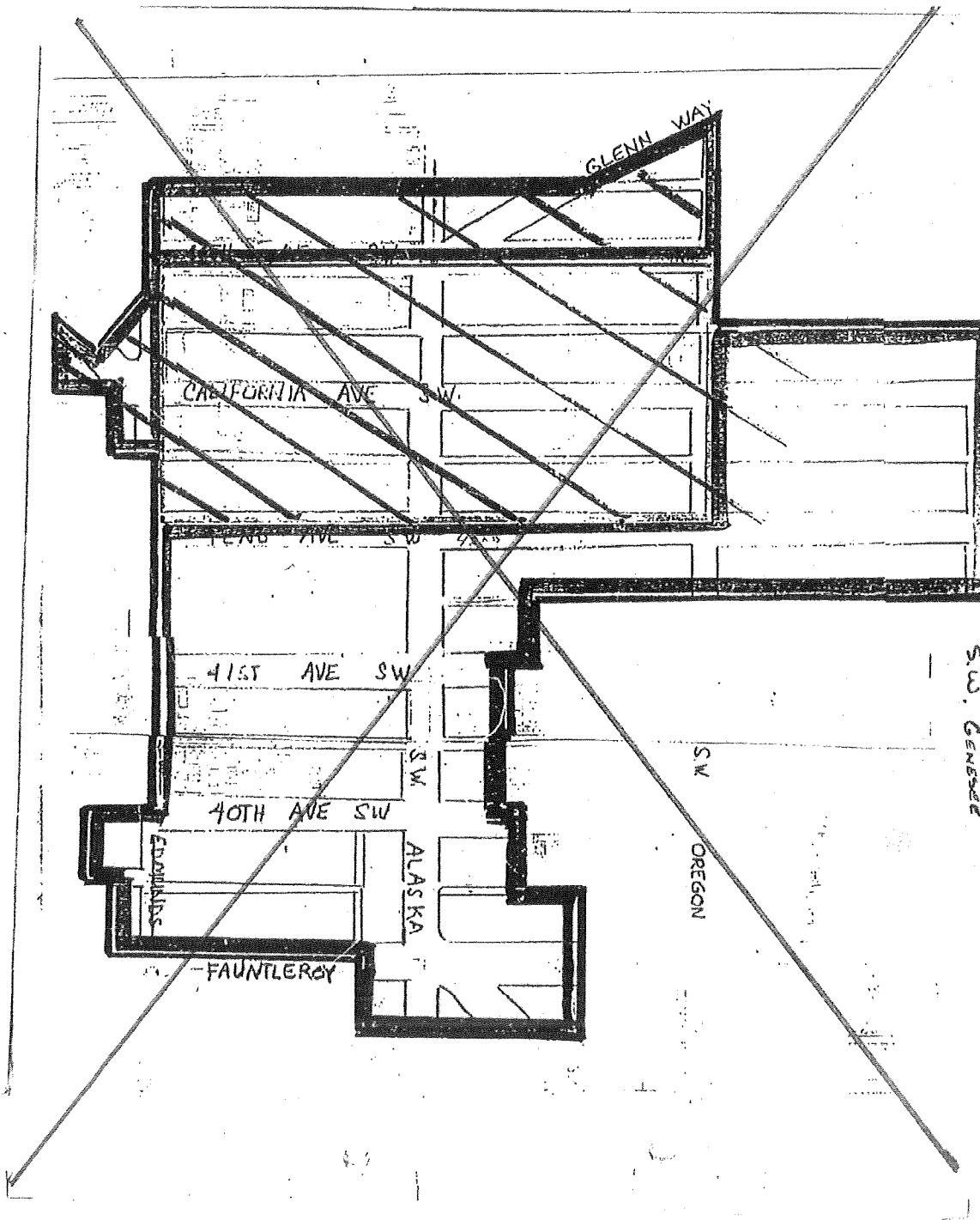


# West Seattle BIA Map

*This map is for illustrative purposes only and is not intended to modify anything in the legislation.*







EXH A to ORDINANCE 113326



**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>CBO Analyst/Phone:</b>
Finance and Administrative Services	Teri Allen/684-5226	Jennifer Devore/615-1328

**Legislation Title:** AN ORDINANCE relating to the West Seattle Junction Parking and Business Improvement Area; modifying the assessment rates; modifying the boundaries; and amending Ordinance 113326, as previously amended by Ordinances 115997, 119539, 120570 and 121758.

**Summary of the Legislation:**

This Ordinance amends the assessment rates and certain boundaries of the West Seattle Junction Parking and Business Improvement Area (West Seattle BIA), as allowed under RCW 35.87A.

**Background:**

This Ordinance amends the assessment rates and boundaries of the West Seattle BIA and is the final piece of legislation that must be prepared, per RCW 35.87A. The City has passed a Resolution of intention 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.

The Ratepayers Advisory Board (Board) of the West Seattle BIA developed the proposal to modify the boundaries of the Zone C "Parking" area. The West Seattle BIA, which was established in 1987 through Ordinance 113326, provides parking lots for customers to aid in the economic vitality of the area. All businesses in the expanded Zone C enjoy the advantages of the parking amenities provided by the West Seattle BIA. All businesses in the West Seattle BIA also benefit from the additional services provided by the BIA, regardless of how long they have been in business. The Board therefore proposes to remove the assessment exemptions for new businesses. The Board developed a proposal that they believe to be equitable in the collection of assessments and the delivery of services. For these reasons, the Board strongly supports amending the current Ordinance.

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*	2014 Appropriation	2015 Anticipated Appropriation
<b>TOTAL</b>				

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	2014 Revenue	2015 Revenue
19840 BIA – West Seattle Parking	Finance and Administrative Services	Ratepayer Assessments	\$3,000	\$9,000
<b>TOTAL</b>			<b>\$3,000</b>	<b>\$9,000</b>

Revenue/Reimbursement Notes: None.

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

Position Title and Department	Position # for Existing Positions	Fund Name & #	PT/FT	2014 Positions	2014 FTE	2015 Positions*	2015 FTE*
<b>TOTAL</b>							

Position Notes: None.

**Do positions sunset in the future?** Not applicable.

**Spending/Cash Flow:**

Fund Name & #	Department	Budget Control Level*	2014 Expenditures	2015 Anticipated Expenditures
19840 BIA – West Seattle Parking	Finance and Administrative Services	Not applicable	\$3,000	\$9,000
<b>TOTAL</b>			<b>\$3,000</b>	<b>\$9,000</b>



Spending/Cash Flow Notes: The Department of Finance and Administrative Services (FAS) will collect the West Seattle BIA's assessments from its ratepayers. FAS holds the funds solely for the purpose of reimbursing the West Seattle BIA, which actually administers staffing, projects, and other costs associated with the West Seattle 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 West Seattle 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. State law requires the City Council to pass legislation to amend the boundary of a Parking and Business Improvement Area, and to change the assessments.
- e) **Is a public hearing required for this legislation?** Yes. The public hearing date is set in the companion FAS West Seattle 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 West Seattle BIA Intention resolution must be published to give notice of the public hearing for the proposed Council Bill.
- g) **Does this legislation affect a piece of property?** Yes.
- h) **Other Issues:** None.







City of Seattle  
Office of the Mayor

February 4, 2014

Honorable Tim Burgess  
President  
Seattle City Council  
City Hall, 2<sup>nd</sup> Floor


Dear Council President Burgess:

I am pleased to present the attached proposed Council Bill to amend the current boundary and certain assessment limitations in the West Seattle Junction Parking and Business Improvement Area (West Seattle BIA). The existing West Seattle BIA was established in 1987 through Ordinance 113326, as subsequently amended by Ordinances 115997, 119539, 120570, and 121758. The attached legislation follows the recent passage by City Council of the Resolution of Intention to modify the West Seattle BIA boundaries and assessments.

In 2012, the West Seattle BIA ratepayer advisory board developed the proposal to modify the assessment rates by removing the exemption to the assessment for first year businesses and the reduction for second year businesses. The board also recommended expanding the Zone C "Parking" boundary in the current West Seattle BIA. These amendments are strongly supported by the ratepayers advisory board and are in compliance with RCW 35.87A. This amendment will continue to allow the West Seattle BIA to deliver the excellent services and provide the free parking for customers that enhances the economic viability of the area.

In light of the overall support for the West Seattle BIA, we anticipate ratepayers will be supportive of 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,

  
Edward B. Murray  
Mayor of Seattle

cc: Honorable Members of the Seattle City Council



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STATE OF WASHINGTON -- KING COUNTY

--SS.

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313735  
CITY OF SEATTLE, CLERKS OFFICE

No. 124524,528,529,530,531

**Affidavit of Publication**

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

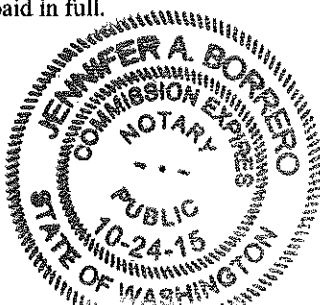
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT: TITLE ONLY ORDINANCES

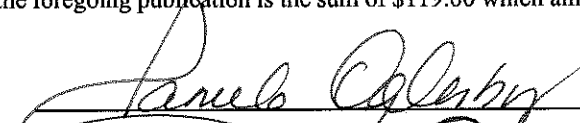
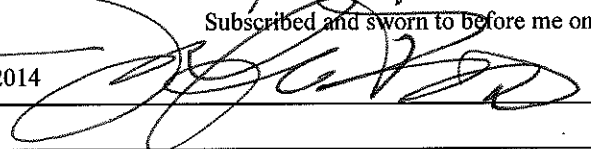
was published on

07/24/14

The amount of the fee charged for the foregoing publication is the sum of \$119.60 which amount has been paid in full.



Affidavit of Publication

  
\_\_\_\_\_  
Subscribed and sworn to before me on  
07/24/2014   
\_\_\_\_\_  
Notary public for the State of Washington,  
residing in Seattle

# State of Washington, King County

## City of Seattle

### Title Only Ordinances

The full text of the following legislation, passed by the City Council on July 14, 2014, 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. 124524

AN ORDINANCE relating to transportation network companies, taxi, and for-hire services and affiliated drivers and vehicles; establishing minimum operating requirements for transportation network companies and affiliated drivers; imposing industry-wide vehicle inspection and driver training processes; imposing insurance requirements for transportation network companies and affiliated vehicles; altering insurance requirements for taxi and for-hire vehicles; requiring rate transparency across industries; establishing and altering licensing fees; establishing an accessible service charge; raising the maximum number of taxicab licenses issued by the City; allowing hailing rights for for-hire vehicles; establishing a property right for taxi and for-hire vehicle license holders; revising terminology; adding new sections, amending various Sections of Chapter 6.310 of the Seattle Municipal Code, repealing Ordinance 124441, and amending Ordinance 124349, which adopted the 2014 Budget.

#### ORDINANCE NO. 124528

AN ORDINANCE relating to the West Seattle Junction Parking and Business Improvement Area; modifying the assessment rates; modifying the boundaries; and amending Ordinance 113326, as previously amended by Ordinances 115997, 119639, 120570 and 121758.

#### ORDINANCE NO. 124529

AN ORDINANCE granting King County Department of Natural Resources and Parks, Wastewater Treatment Division permission to construct, maintain, and operate new and existing diversion structures in 32nd Avenue West for an unlimited term; specifying the conditions under which this permit is granted; and providing for the acceptance of the permit and conditions.

#### ORDINANCE NO. 124530

AN ORDINANCE relating to rates and charges for water services of Seattle Public Utilities; revising water rates and charges for master metered residential developments outside the City of Seattle and amending Seattle Municipal Code Chapter 21.04.440.D in connection therewith.

#### ORDINANCE NO. 124531

AN ORDINANCE relating to the Seattle Department of Transportation; accepting a statutory warranty deed for the donation of certain real property in the vicinity of the Ballard Bridge in Lots 8 and 9, Block 100, Gilman's Addition to the City of Seattle; and laying-off, opening, widening, extending, establishing, and designating the property for street purposes; placing the real property conveyed by such deed under the jurisdiction of the Department of Transportation; and ratifying and confirming certain prior acts.

Date of publication in the Seattle Daily Journal of Commerce, July 24, 2014.

7/24(313736)

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STATE OF WASHINGTON -- KING COUNTY

--SS.

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313735  
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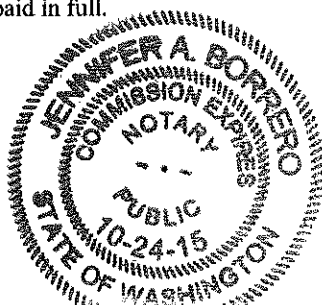
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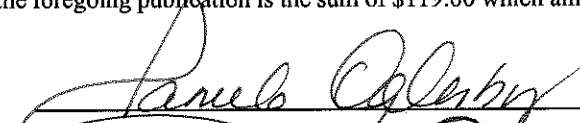
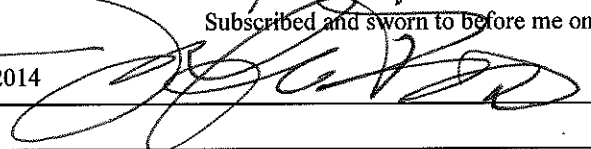
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The amount of the fee charged for the foregoing publication is the sum of \$119.60 which amount has been paid in full.



Affidavit of Publication

  
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Subscribed and sworn to before me on  
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Notary public for the State of Washington,  
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# State of Washington, King County

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Date of publication in the Seattle Daily Journal of Commerce, July 24, 2014.

7/24(313736)