

RESOLUTION No. 31438

103

A RESOLUTION of intention to disestablish the 2004 Downtown Parking and Business Improvement Area, and fixing a date and place for a hearing thereon.

Date: 3/20/2013
Recommendation: PASS
VOTE: ^{TB} 3-0-0
_{SC}

Introduced: 3-18-13	By:
Referred:	To: Government Performance + Finance
Referred:	To:
Reported:	
Passed: 3/25/13	Signed: 3/25/13
Filed: 3/25/13	Published: Full

MARCH 25, 2013 Full Council Adopted 9-0

US5171

Law Department

CITY OF SEATTLE
RESOLUTION 31438

A RESOLUTION of intention to disestablish the 2004 Downtown Parking and Business Improvement Area, and fixing a date and place for a hearing thereon.

WHEREAS, the authorization for assessments under the current Downtown Parking and Business Improvement Area ("2004 DBIA"), which was established in 2004 by Ordinance 121482, expires on June 30, 2014; and

WHEREAS, the City Council introduced Resolution 31436 on March 18, 2013, initiating a new Downtown Parking and Business Improvement Area; and

WHEREAS, the City Council wishes to declare its intent to disestablish the 2004 DBIA, and to set a public hearing for the public and all affected persons to consider its disestablishment; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE THAT:

Section 1. The City Council of The City of Seattle declares its intention to disestablish the current Downtown Parking and Business Improvement Area, which was established by Ordinance 121482, in accordance with Chapter 35.87A RCW.

Section 2. A hearing shall be heard on this matter before the Government Performance and Finance Committee in the City Council Chambers, City Hall, 600 Fourth Avenue, 2nd Floor, Seattle, Washington 98104 on Tuesday, April 16, 2013, at 5:30 p.m., or as soon thereafter as the same may be heard. The City Council will hear all protests and receive all evidence for or against the proposed action.



FISCAL NOTE FOR NON-CAPITAL PROJECTS

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

Legislation Title:

A RESOLUTION of intention to disestablish the 2004 Downtown Parking and Business Improvement Area, and fixing a date and place for a hearing thereon.

Summary of the Legislation:

This Resolution is a companion to the two resolutions that must be prepared, per RCW 35.87A, in order to form a new and expanded Downtown Parking and Business Improvement Area to be known as the Metropolitan Improvement District (“MID”). This resolution states the Council’s intention to disestablish the current Downtown Parking and Business Improvement Area (“2004 DBIA”), and declares a public hearing date and place for the initiative.

Background:

The authorization for assessments under the 2004 DBIA, which was established by Ordinance 121482, expires on June 30, 2014. A proposal was developed by the MID’s Ratepayer Advisory Board recommending the creation of a new and expanded MID to begin July 1, 2013. The 2004 DBIA will be disestablished so that the new and expanded MID can be established.

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
19855 Metropolitan Improvement District	Finance and Administrative Services	Ratepayer Assessments	(\$ 2,800,000)	(\$ 2,800,000)
TOTAL			(\$ 2,800,000)	(\$ 2,800,000)

Revenue/Reimbursement Notes: The revenue reductions represent estimated ratepayer assessment collections for July – December 2013, and January – June 2014. These funds—held in trust by the City on behalf of the MID, will be replaced by ratepayer assessment revenues through the new MID.

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	2013 Positions	2013 FTE	2014 Positions*	2014 FTE*
TOTAL							

Position Notes:

Do positions sunset in the future? Not applicable.

Spending/Cash Flow:

Fund Name & #	Department	Budget Control Level*	2013 Expenditures	2014 Anticipated Expenditures
19855 Metropolitan Improvement Area	Finance and Administrative Services	Not applicable	(\$ 2,800,000)	(\$2,800,000)
TOTAL			(\$ 2,800,000)	(\$ 2,800,000)

Spending/Cash Flow Notes: None.

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 MID 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 resolution establishes a hearing date of XXXX, 2013, at XX:XX p.m.
- f) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?** Yes.
- g) Does this legislation affect a piece of property?** Yes.
- h) Other Issues:** None.

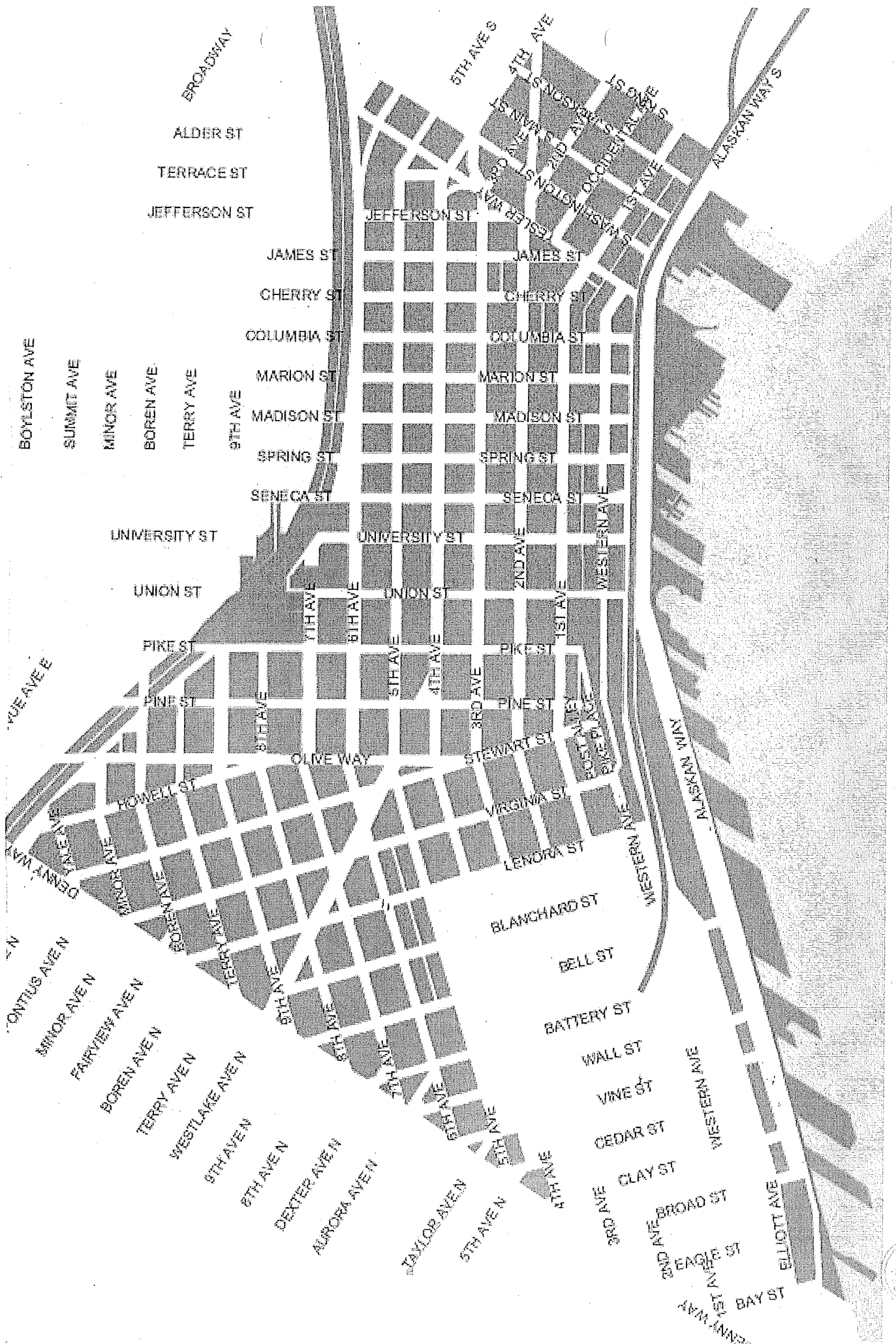
List attachments to the fiscal note below:

Attachment A: 2004 – 2014 Downtown Parking and Business Improvement Area (MID)



ATT A: 2004 – 2014 Downtown Parking and Business Improvement Area (MID)

This map is intended for illustrative or informational purposes only and is not intended to modify anything in the resolution.





City of Seattle
Office of the Mayor

March 5, 2013

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

Dear Council President Clark:

I am pleased to transmit the attached proposed Resolution, which states the Council's intention to disestablish the current Downtown Parking and Business Improvement Area, otherwise known as the Metropolitan Improvement District (MID), and sets a date and location for a public hearing. The existing MID was established in 2004 by Ordinance 121482 and expires on June 30, 2014. This proposed Resolution is needed to disestablish the current MID concurrent with the start of the new MID, which may be set for July 1, 2013.

The proposed Resolution also sets a date and location where the City's Government Performance and Finance Committee will hold a public hearing in Council Chambers to receive all evidence for or against the proposed disestablishment of the MID. Depending upon the outcome of the public hearing, the Executive may submit a bill that includes the disestablishment of the MID as established by Ordinance 121482.

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 McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council



City of Seattle
Legislative Department
Office of the City Clerk



Monica Martinez Simmons, City Clerk

March 26, 2013

To Whom It May Concern:

You have been identified as a potential ratepayer in a proposed Downtown Parking and Business Improvement Area to be known as the Metropolitan Improvement District (MID). Petition materials were mailed to you in late 2012, providing you the opportunity to support the proposed MID by signing and returning the petition. The City of Seattle has determined that ratepayers representing over 60% of assessments in the proposed MID have returned petitions in support of its formation (petitions are filed in Clerk File 312838). If the City decides to establish this proposed MID, the Downtown Parking and Business Improvement Area established in 2004 (2004 DBIA) and currently in effect will be disestablished.

Pursuant to the Revised Code of Washington, Chapter 35.87A, and in accordance with Resolution 31437 (intent to establish the new MID) and Resolution 31438 (intent to disestablish the 2004 DBIA), a public hearing has been scheduled on these matters and will be held by the City Council's Government Performance and Finance Committee as follows:

Date: **Tuesday, April 16, 2013**
Time: **5:30 p.m.**
Location: **Seattle City Hall Council Chamber**
600 Fourth Avenue, Seattle, WA 98104

As a potential rate payer, you are invited to attend the public hearing to express your opinion on these proposals. Sign-up sheets will be available outside the Council Chamber beginning at 5:00 p.m. If you are unable to attend this public hearing, you may provide written comment on the proposed establishment of the MID or the disestablishment of the 2004 DBIA to Councilmember Tim Burgess, P. O. Box 34025, Seattle, WA 98124-4025, or email tim.burgess@seattle.gov. Please note the period to receive written comments ends at 5:00 p.m. on Tuesday, April 16, 2013.

Resolutions 31437 and 31438 are enclosed. Resolution 31436 initiating the new MID and Council Bill 117736 establishing the MID and disestablishing the 2004 DBIA may be reviewed at the City Clerk's Office at 600 4th Ave., 3rd floor, Seattle, WA 98104 or electronically at <http://clerk.seattle.gov>. Paper copies will be mailed upon request by calling 206-684-8344.

For additional information regarding these proposals, please contact Teri Allen, Department of Finance and Administrative Services, at 206-684-5226 or teri.allen@seattle.gov.

Very truly yours,

Monica Martinez Simmons
City Clerk

Enclosures

600 4th Avenue Floor 3, PO Box 94728, Seattle, Washington 98124-4728
(206) 684-8344 Fax: (206) 386-9025 TTY: (206) 233-0025
email: clerk@seattle.gov

Accommodations for people with disabilities provided upon request. An equal opportunity employer

STATE OF WASHINGTON -- KING COUNTY

--SS.

295745
CITY OF SEATTLE, CLERKS OFFICE

No.

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.

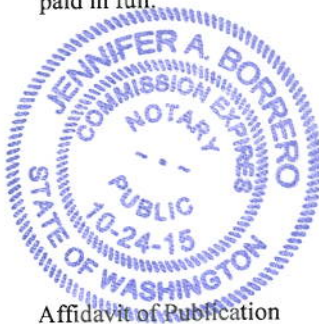
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:RESOLUTION 31438

was published on

04/01/13

The amount of the fee charged for the foregoing publication is the sum of \$97.85 which amount has been paid in full.



Affidavit of Publication

[Signature]
Subscribed and sworn to before me on
04/01/2013
[Signature]
Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

RESOLUTION 31438

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Section 3. The City Clerk is requested to publish this Resolution in a newspaper of general circulation in Seattle and mail a complete copy of this Resolution to each Ratepayer within the area, at least ten days prior to the hearing.

Adopted by the City Council the 25th day of March, 2013, and signed by me in open session in authentication of its adoption this 25th day of March, 2013.

/s/Sally J. Clark, President of the City Council

Filed by me this 25th day of March, 2013.

/s/Monica Martinez Simmons, City Clerk (Seal)

Date of publication in the Seattle Daily Journal of Commerce, April 1, 2013.

4/1(295745)

STATE OF WASHINGTON -- KING COUNTY

--SS.

296347
CITY OF SEATTLE, CLERKS OFFICE

No. 31436,437,438,439,440

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:TITLE ONLY RESOLUTION

was published on

04/12/13

The amount of the fee charged for the foregoing publication is the sum of \$66.00 which amount has been paid in full.



[Handwritten Signature]

Subscribed and sworn to before me on

04/12/2013

[Handwritten Signature]

Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication

State of Washington, King County

City of Seattle Title Only Resolutions

The full text of the following legislation, passed by the City Council on March 25, 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.

RESOLUTION NO. 31436

A RESOLUTION to initiate a Downtown Parking and Business Improvement Area.

RESOLUTION NO. 31437

A RESOLUTION of intention to establish a Downtown Parking and Business Improvement Area, and fixing a date and place for a hearing thereon.

RESOLUTION NO. 31438

A RESOLUTION of intention to disestablish the 2004 Downtown Parking and Business Improvement Area, and fixing a date and place for a hearing thereon.

RESOLUTION NO. 31439

A RESOLUTION adopting Statements of Legislative Intent (SLIs) for the 2013 Adopted Budget, the 2013 Endorsed Budget and 2013-2018 Adopted Capital Improvement Program (CIP).

RESOLUTION NO. 31440

A RESOLUTION retiring introduced and referred Council Bills, Resolutions, and Clerk Files which have received no further action.

Date of publication in the Seattle Daily Journal of Commerce, April 12, 2013.

4/12(296347)