

Resolution No. ~~31480~~ 31481

A RESOLUTION of intention to establish a Pioneer Square Parking and Business Improvement Area, and fixing a date and place for a hearing thereon, and superseding Resolution 31473.

Related Legislation File: \_\_\_\_\_

|   |   |
|---|---|
| Date Introduced and Referred:<br>Sept. 3, 2013              | To: (committee):<br>Full Council for<br>Introduction + Adoption |
| Date Re-referred:   | To: (committee):  |
| Date Re-referred:   | To: (committee):  |
| Date of Final Action:<br>9/3/13                             | Date Presented to Mayor:<br>9/3/13                              |
| Date Signed by Mayor:                                       | Date Returned to City Clerk:                                    |
| Published by Title Only <input checked="" type="checkbox"/> | Date Returned Without Concurrence:                              |
| Published in Full Text <input checked="" type="checkbox"/>  |   |

## The City of Seattle – Legislative Department

Resolution sponsored by: \_\_\_\_\_

### Committee Action:

| Date | Recommendation | Vote |
|------|----------------|------|
|      |                |      |
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|      |                |      |
|      |                |      |

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

### Full Council Action:

| Date          | Decision | Vote                           |
|---------------|----------|--------------------------------|
| Sept. 3, 2013 | Adopted  | 7-0 (excused: badden, Burgess) |
|               |          |                                |
|               |          |                                |
|               |          |                                |
|               |          |                                |



**CITY OF SEATTLE**  
**RESOLUTION 31481**

A RESOLUTION of intention to establish a Pioneer Square Parking and Business Improvement Area, and fixing a date and place for a hearing thereon, and superseding Resolution 31473.

WHEREAS, the operators of businesses, or mixed-use properties that are subject to sixty percent or more of the special assessments that would be assessed upon the establishment of a Business Improvement Area filed a petition with The City of Seattle pursuant to Chapter 35.87A RCW, and said petition is filed in C.F. 313180; and

WHEREAS, upon reviewing the petition, the City Council determined it is in the best interests of the City to proceed, as permitted by Section 35.87A.030, under the Resolution method of creating a new and expanded Pioneer Square Parking and Business Improvement Area (PSBIA) instead of the petition method; and

WHEREAS, the City Council introduced Resolution 31472 on August 5, 2013, initiating the PSBIA; and

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

WHEREAS, Resolution 31473, adopted on August 12, 2013, stated the intention to establish the PSBIA and set a public hearing date of September 4, 2013, but that resolution was inadvertently not published in accordance with state law; therefore the City Council will take testimony on the previously-publicized date of September 4, 2013, and this new resolution sets a date for an additional public hearing on September 18, 2013; and

WHEREAS, the boundary described in Resolution 31473 included Port of Seattle property even though there was no intent to impose PSBIA assessments on that property; therefore this new resolution revises the boundary to exclude the Port of Seattle property; NOW, THEREFORE,

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



1           **Section 1.** The City Council of The City of Seattle declares its intention to establish a  
2 Pioneer Square Parking and Business Improvement Area in accordance with Chapter 35.87A  
3 RCW to be known as the Pioneer Square Business Improvement Area (PSBIA).  
4

5           **Section 2.** The PSBIA shall be within the following boundaries as shown on the map  
6 attached as Exhibit A (when a street or alley is named, the area boundary is the centerline of  
7 the right-of-way including vacated portions unless otherwise specified in the description):  
8 Beginning at the intersection of Occidental Avenue South and Railroad Way South, then south  
9 along Occidental Avenue South to South Royal Brougham Way, then west along South Royal  
10 Brougham Way to the east line of King County Parcel Number 7666207695 known as the Port  
11 of Seattle Terminal, then north along the east lines of King County Parcel Numbers  
12 7666207695, 7667800005, 7666207697, 7666202631, and 7666202630 to the Inner Harbor  
13 line of Elliott Bay, then north along the Inner Harbor line to Columbia Street, then northeast  
14 along Columbia Street to the alley between 1st Avenue and 2nd Avenue, then southeast along  
15 the alley to Cherry Street, then northeast along Cherry Street to the alley between 2nd Avenue  
16 and 3rd Avenue, then southeast along the alley to James Street, then northeast along James  
17 Street to 3rd Avenue, then southeast along 3rd Avenue to Jefferson Street, then northeast along  
18 Jefferson Street to 4th Avenue, then southeast along 4th Avenue to Terrace Street, then  
19 northeast along Terrace Street to 5th Avenue, then southeast and south along 5th Avenue to  
20 Yesler Way, then west along Yesler Way to 4th Avenue South, then south along 4th Avenue  
21 South to South Jackson Street, then east along South Jackson Street to 5th Avenue South, then  
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1 south along 5th Avenue South to South King Street, then west along South King Street to 4th  
2 Avenue South, then west along the south edge of the historic Union Station building, then  
3 south and northwest along the east and south edges of the properties adjoining the historic King  
4 Street Station (King County parcel numbers 5247801190, 7666202635, 7666204886), then  
5 west along the south line of the properties on the south side of South King Street (King County  
6 parcel numbers 7666204878, 7953000000) to Occidental Avenue South, and then south along  
7 Occidental Avenue South to the point of beginning.  
8

9  
10 In case of a conflict between the description of the area and the map, the description shall  
11 control.

12  
13 **Section 3.** Programs. Special Assessment revenues shall be used for the following  
14 component programs:

- 15 1. Neighborhood and business advocacy
- 16 2. Economic development and retail recruitment
- 17 3. Marketing and promotion
- 18 4. Improving the built environment and pedestrian realm
- 19 5. Street civility, and public safety
- 20 6. Building neighborhood and organizational capacity

21 The listing of services is illustrative and not exclusive. All such activities are supplemental to  
22 street maintenance and law enforcement provided by the City and are not intended to displace  
23 any services regularly provided by municipal government.  
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1           **Section 4.** Ratepayers Advisory Board. There shall be an advisory board whose  
2 membership is comprised of Ratepayers representative of the variety of locations, sizes and  
3 classifications of Ratepayers in the Area.

4  
5           **Section 5.** Levy of Special Assessments. To finance the programs authorized in Section  
6 3, there is levied upon and shall be collected from the operators of business property and mixed-  
7 use property (multi-family residential and commercial) located within the boundaries of the  
8 Pioneer Square Parking and Business Improvement Area described in Section 2, a special  
9 assessment. Ratepayers will be assessed by the City in annual installments beginning with the  
10 base year of the authorization (2014), by applying an annual assessment rate to each ratepayer as  
11 described below:  
12

13  
14           A. Data for the assessment calculation are reported by the ratepayer at the time of  
15 collection and are subject to verification by the City of Seattle. These rates are called the  
16 "Base Year Rates."

17           B. Except as provided below, all uses will initially be assessed at \$0.20 x Occupied  
18 Square Footage.

19           C. Warehouse/Industrial uses will be assessed at \$0.02 x Occupied Square Footage.

20           D. Parking uses will be assessed at \$30 per stall.

21           E. Group homes/day shelters will be assessed at \$0.01 x Occupied Square Footage.

22           F. Residential uses (other than group homes/day shelters) will not be assessed.

23           G. Governmental uses, public utilities, Union Station, and King Street Station and  
24 related parcels (King County parcel numbers 5247801190, 7666202635, 7666204886),  
25 will not be assessed.



1 H. Ratepayers will be assessed by the City in annual installments beginning with the  
2 Base Year Rates (2014). Beginning in January 2015, and each January thereafter, the  
3 assessment rate will increase by the lesser of 3% or the change in the Consumer Price  
4 Index for All Urban Consumers in Seattle-Tacoma-Bremerton (CPI-U-Seattle) in the  
5 previous year, to maintain approximately the same level of services and benefits as in the  
6 base year.  
7

8 **Section 6.** A hearing shall be held on this matter before the Government Performance  
9 and Finance Committee in the City Council Chambers, City Hall, 600 Fourth Avenue, 2nd Floor,  
10 Seattle, Washington 98104 on Wednesday, September 18, 2013, at 9:30 a.m., or as soon  
11 thereafter as the same may be heard. The City Council will hear all protests and receive all  
12 evidence for or against the proposed action.  
13  
14

15 **Section 7.** The City Clerk is requested to publish this Resolution of Intention in a  
16 newspaper of general circulation in Seattle and mail a complete copy of this Resolution to each  
17 prospective Ratepayer within the proposed area, at least ten days prior to the hearing. The notice  
18 shall include a statement that a copy of the proposed ordinance, with attachments, may be  
19 examined electronically at <http://www.seattle.gov/leg/clerk/> on the Internet, or in paper form at  
20 the Office of the City Clerk, City Hall, 600 Fourth Avenue, 3rd Floor, Seattle, Washington  
21 98104, or will be mailed upon request. .  
22  
23

24 **Section 8.** Resolution 31473 is superseded.  
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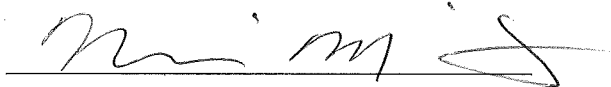


Adopted by the City Council the 3<sup>rd</sup> day of September, 2013, and  
signed by me in open session in authentication of its adoption this 3<sup>rd</sup> day  
of September, 2013.



President \_\_\_\_\_ of the City Council

THE MAYOR CONCURRING:



Michael McGinn, Mayor

Filed by me this 4<sup>th</sup> day of September, 2013.



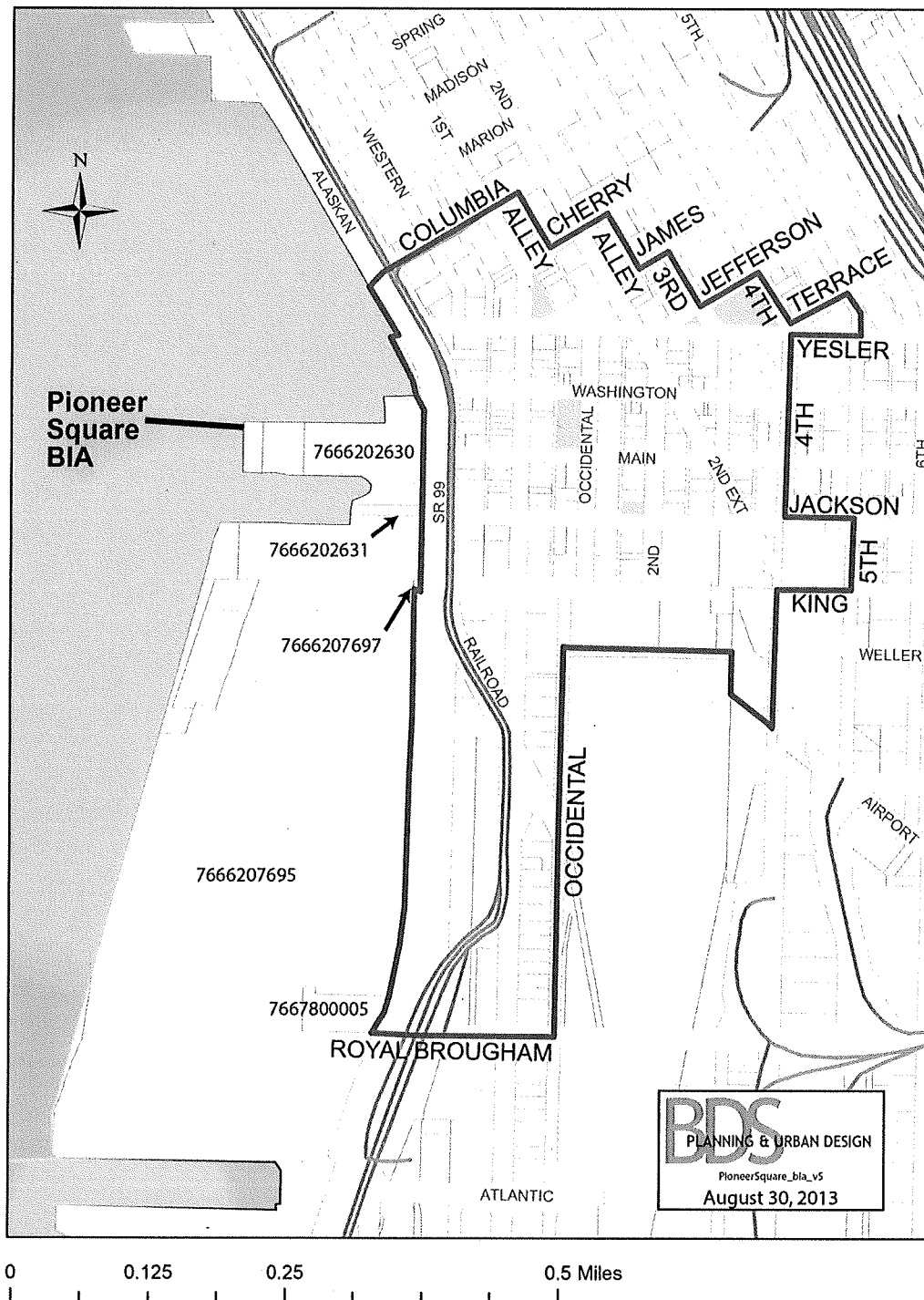
Monica Martinez Simmons, City Clerk

(Seal)

Attachment:

Exhibit A: Pioneer Square BIA Map





## Exhibit A. Pioneer Square BIA



## **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:**

A RESOLUTION of intention to establish a Pioneer Square Parking and Business Improvement Area, and fixing a date and place for a hearing thereon, and superseding Resolution 31473.

### **Summary of the Legislation:**

This Resolution declares the intention to establish a new and expanded Pioneer Square Parking and Business Improvement Area (PSBIA), and is the second of two similar pieces of legislation that must be prepared, per RCW 35.87A. The City must pass this resolution to declare a public hearing date and place for the initiative. After the public hearing, the Council may propose a bill to create the PSBIA with a special assessment on operators of businesses or mixed-use properties within the boundaries of the PSBIA to pay for activities intended to increase economic vitality in the Area. This subsequent bill will likely establish the new PSBIA with the boundaries as shown in Exhibit A.

Resolution 31473, adopted on August 12, 2013, stated the intention to establish the PSBIA and set a public hearing date of September 4, 2013, but that resolution was inadvertently not published in accordance with state law. Therefore this new resolution sets a date for an additional public hearing on September 18, 2013, and supersedes Resolution 31473.

### **Background:**

A proposal was put together recommending the continuation and expansion of the current PSBIA. The current Ratepayer Advisory Board developed a proposal that they believe to be efficient, accountable and responsive to the area's needs. The Board worked to collect signatures for a petition to form a Business Improvement Area that will allow for the implementation of the PSBIA business plan that would include the following program components:

1. Neighborhood and business advocacy
2. Economic development and retail recruitment
3. Marketing and promotion
4. Improving the built environment and pedestrian realm
5. Street civility and public safety
6. Building neighborhood and organizational capacity

The petitioning effort met the required 60% show of support by the affected ratepayers. The PSBIA is expected to be funded by a special assessment levied on operators of business or mixed use properties within its boundaries. The new PSBIA will be overseen by a Ratepayers Advisory Board, which would be broadly representative of the ratepayers in the area covered by the improvement district.

**X** **This legislation does not have any financial implications.**

**Other Implications:**

a) **Does the legislation have indirect financial implications, or long-term implications?**  
No.

b) **What is the financial cost of not implementing the legislation?**  
None. The PSBIA 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?**  
No.

f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?** Yes. After adoption, this resolution must be published.

g) **Does this legislation affect a piece of property?** Yes.

h) **Other Issues:** None.

**List attachments to the fiscal note below:** None

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STATE OF WASHINGTON -- KING COUNTY

--SS.

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302236

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 12<sup>th</sup> day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

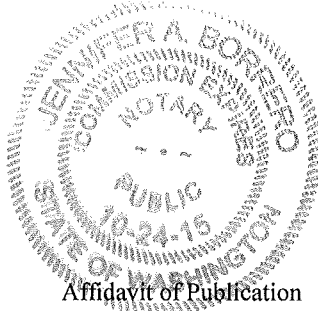
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:RESOLUTION 31481

was published on

09/07/13

The amount of the fee charged for the foregoing publication is the sum of \$445.50 which amount has been paid in full.



Affidavit of Publication

Subscribed and sworn to before me on

09/09/2013

Notary public for the State of Washington,  
residing in Seattle

# City of Seattle

## RESOLUTION 31481

A RESOLUTION of intention to establish a Pioneer Square Parking and Business Improvement Area, and fixing a date and place for a hearing thereon, and superseding Resolution 31473.

WHEREAS, the operators of businesses, or mixed-use properties that are subject to sixty percent or more of the special assessments that would be assessed upon the establishment of a Business Improvement Area filed a petition with The City of Seattle pursuant to Chapter 35.87A RCW, and said petition is filed in C.F. 313180; and

WHEREAS, upon reviewing the petition, the City Council determined it is in the best interests of the City to proceed, as permitted by Section 35.87A.030, under the Resolution method of creating a new and expanded Pioneer Square Parking and Business Improvement Area (PSBIA) instead of the petition method; and

WHEREAS, the City Council introduced Resolution 31472 on August 5, 2013, initiating the PSBIA; and

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

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WHEREAS, the boundary described in Resolution 31473 included Port of Seattle property even though there was no intent to impose PSBIA assessments on that property; therefore this new resolution revises the boundary to exclude the Port of Seattle property; NOW, THEREFORE,

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

Section 1. The City Council of The City of Seattle declares its intention to establish a Pioneer Square Parking and Business Improvement Area in accordance with Chapter 35.87A RCW to be known as the Pioneer Square Business Improvement Area (PSBIA).

Section 2. The PSBIA shall be within the following boundaries as shown on the map attached as Exhibit A (when a street or alley is named, the area boundary is the centerline of the right-of-way including vacated portions unless otherwise specified in the description): Beginning at the intersection of Occidental Avenue South and Railroad Way South, then south along Occidental Avenue South to South Royal Brougham Way, then west along South Royal Brougham Way to the east line of King County Parcel Number 7666207695 known as the Port of Seattle Terminal, then north along the east lines of King County Parcel Numbers 7666207695, 7667800005, 7666207697, 7666202631, and 7666202630 to the Inner Harbor line of Elliott Bay, then north along the Inner Harbor line to Columbia Street, then northeast along Columbia Street to the alley between 1st Avenue and 2nd Avenue, then southeast along the alley to Cherry Street, then northeast along Cherry Street to the alley between 2nd Avenue and 3rd Avenue, then southeast along the alley to James Street, then northeast along James Street to 3rd Avenue, then southeast along 3rd Avenue to Jefferson Street, then northeast along Jefferson Street to 4th Avenue, then southeast along 4th Avenue to Terrace Street, then northeast along Terrace Street to 5th Avenue, then southeast and south along 5th Avenue to Yesler Way, then west along Yesler Way to 4th Avenue South, then south along 4th Avenue South to South Jackson Street, then east along South Jackson Street to 5th Avenue South, then south along 5th Avenue South to South King Street, then west along South King Street to 4th Avenue South, then west along the south edge of the historic Union Station building, then south and

## State of Washington, King County

E. Group homes/day shelters will be assessed at \$0.01 x Occupied Square Footage.

F. Residential uses (other than group homes/day shelters) will not be assessed.

G. Governmental uses, public utilities, Union Station, and King Street Station and related parcels (King County parcel numbers 5247801190, 7666202635, 7666204886), will not be assessed.

H. Ratepayers will be assessed by the City in annual installments beginning with the Base Year Rates (2014). Beginning in January 2015, and each January thereafter, the assessment rate will increase by the lesser of 3% or the change in the Consumer Price Index for All Urban Consumers in Seattle-Tacoma-Bremerton (CPI-U-Seattle) in the previous year, to maintain approximately the same level of services and benefits as in the base year.

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

Section 7. The City Clerk is requested to publish this Resolution of Intention in a newspaper of general circulation in Seattle and mail a complete copy of this Resolution to each prospective Ratepayer within the proposed area, at least ten days prior to the hearing. The notice shall include a statement that a copy of the proposed ordinance, with attachments, may be examined electronically at <http://www.seattle.gov/leg/clerk/> on the Internet, or in paper form at the Office of the City Clerk, City Hall, 600 Fourth Avenue, 3rd Floor, Seattle, Washington 98104, or will be mailed upon request.

Section 8. Resolution 31473 is superseded.

Adopted by the City Council the 3rd day of September, 2013, and signed by me in open session in authentication of its adoption this 3rd day of September, 2013.

/s/ Sally J. Clark

President of the City Council

THE MAYOR CONCURRING:

/s/ Michael McGinn, Mayor

Filed by me this 4th day of September, 2013.

/s/ Monica Martinez Simmons, City Clerk

(Seal)

Attachment:

Exhibit A: Pioneer Square BIA Map

Date of publication in the Seattle Daily Journal of Commerce, September 7, 2013.  
9/7(302236)

northwest along the east and south edges of the properties adjoining the historic King Street Station (King County parcel numbers 5247801190, 7666202635, 7666204886), then west along the south line of the properties on the south side of South King Street (King County parcel numbers 7666204878, 7953000000) to Occidental Avenue South, and then south along Occidental Avenue South to the point of beginning.

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

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

1. Neighborhood and business advocacy
2. Economic development and retail recruitment
3. Marketing and promotion
4. Improving the built environment and pedestrian realm
5. Street civility, and public safety
6. Building neighborhood and organizational capacity

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

Section 4. Ratepayers Advisory Board. There shall be an advisory board whose membership is comprised of Ratepayers representative of the variety of locations, sizes and classifications of Ratepayers in the Area.

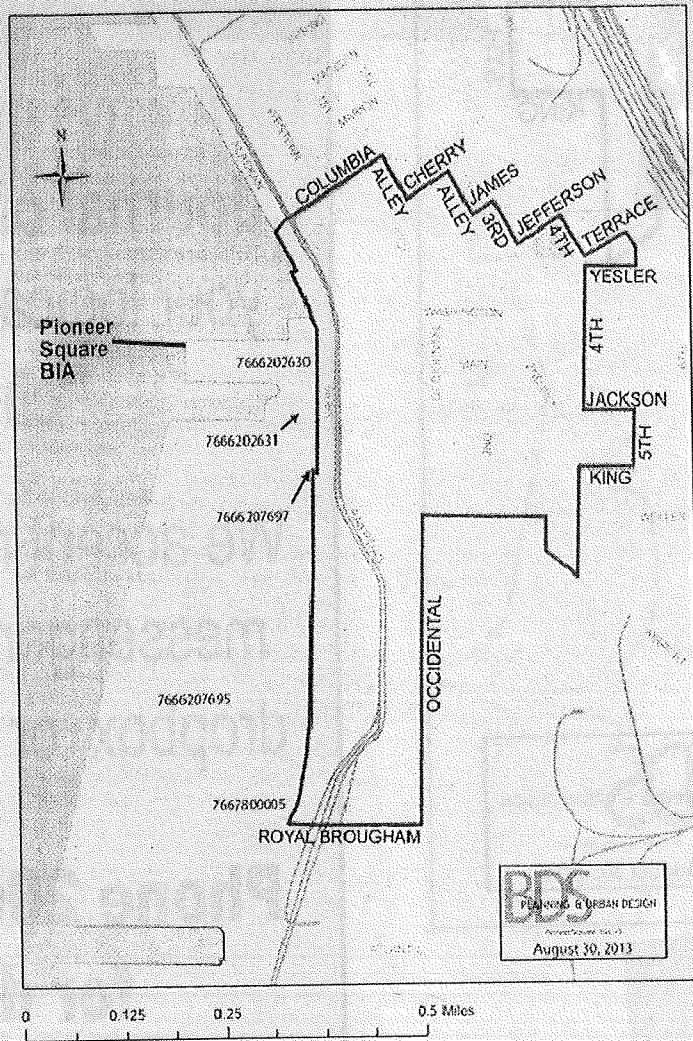
Section 5. Levy of Special Assessments. To finance the programs authorized in Section 3, there is levied upon and shall be collected from the operators of business property and mixed-use property (multi-family residential and commercial) located within the boundaries of the Pioneer Square Parking and Business Improvement Area described in Section 2, a special assessment. Ratepayers will be assessed by the City in annual installments beginning with the base year of the authorization (2014), by applying an annual assessment rate to each ratepayer as described below:

A. Data for the assessment calculation are reported by the ratepayer at the time of collection and are subject to verification by the City of Seattle. These rates are called the "Base Year Rates."

B. Except as provided below, all uses will initially be assessed at \$0.20 x Occupied Square Footage.

C. Warehouse/Industrial uses will be assessed at \$0.02 x Occupied Square Footage.

D. Parking uses will be assessed at \$30 per stall.





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STATE OF WASHINGTON -- KING COUNTY

--SS.

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303048  
CITY OF SEATTLE, CLERKS OFFICE

No. 31467,68,81,82,83

**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 RESOLUTION

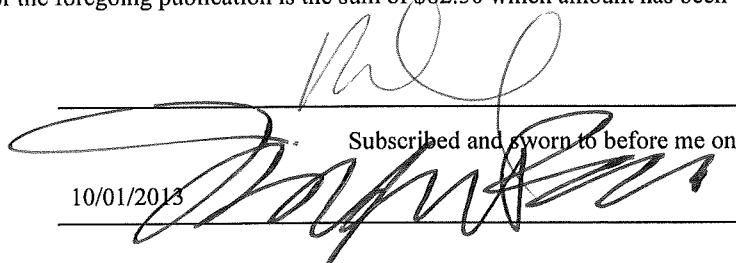
was published on

10/01/13

The amount of the fee charged for the foregoing publication is the sum of \$82.50 which amount has been paid in full.



Affidavit of Publication

  
Subscribed and sworn to before me on  
10/01/2013

Notary public for the State of Washington,  
residing in Seattle

## State of Washington, King County

### City of Seattle

#### Title Only Resolution

The full text of the following legislation, passed by the City Council on September 3, 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. 31467

A RESOLUTION endorsing the City Light Department's Wholesale Energy Risk Management Policy; establishing it as the policy governing wholesale energy risk management at the City Light Department; and superseding Resolution 31365.

#### RESOLUTION NO. 31468

A RESOLUTION granting conceptual approval for Puget Sound Bike Share to construct, maintain, and operate a bike-share program in public places located within Major Institution Overlay Districts, designated Urban Centers and Urban Villages, and commercially- or industrially-zoned parcels lying between these areas in the City of Seattle.

#### RESOLUTION NO. 31481

A RESOLUTION of intention to establish a Pioneer Square Parking and Business Improvement Area, and fixing a date and place for a hearing thereon, and superseding Resolution 31473.

#### RESOLUTION NO. 31482

A RESOLUTION of intention to disestablish the 1983 Pioneer Square Parking and Business Improvement Area, and fixing a date and place for a hearing thereon, and superseding Resolution 31471.

#### RESOLUTION NO. 31483

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

Date of publication in the Seattle Daily Journal of Commerce, October 1, 2013.  
10/1(303048)