Resolution No. 31473

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

Related Legislation File: 31472, 31471 CB 117814

Date Introduced and Referred: 8.5.13	To: (committee): Government Performance and Finance Committee
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: 8/12/13	Date Presented to Mayor: 8/12/13
Date Signed by Mayor: 8/13/13	Date Returned to City Clerk: 8/13/13
Published by Title Only Published in Full Text ✓	Date Returned Without Concurrence:

The City of Seattle – Legislative Department

Resolution sponsored by: TB

Committee Action:

Date	Recommendation	Vote
8/7/13	Adopt	TB, NL, SC 3-0-0

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

Full Council Action:

Date	Decision	Vote
Aug. 12, 2013	Adopted	9-0

Law Department

Teri Allen / Martha Lester
FAS PSBIA Intention RES
July 31, 2013
Version #4

CITY OF SEATTLE

RESOLUTION 31473

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

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; 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

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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 west line of the property parcel known as Washington State DOT land - former WOSCA terminal (King County Parcel Identification Number 7666206970), then due west to the Inner Harbor line of Elliott Bay (including the entirety of King County Parcel Number 7666207695 known as the Port of Seattle Terminal), 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 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)

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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

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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.

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.

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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 4, 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.

FAS CITY CLERK

Adopted by the City Council the 12th day of August, 2013, and signed by me in open session in authentication of its adoption this 12th day of August, 2013.

President _____ of the City Council

THE MAYOR CONCURRING:

Michael McGinn, Mayor

Filed by me this 13th day of August, 2013.

Monica Martinez Simmons, City Clerk

(Seal)

Attachment:

Exhibit A: Pioneer Square BIA Map

FAS CITY CLERK

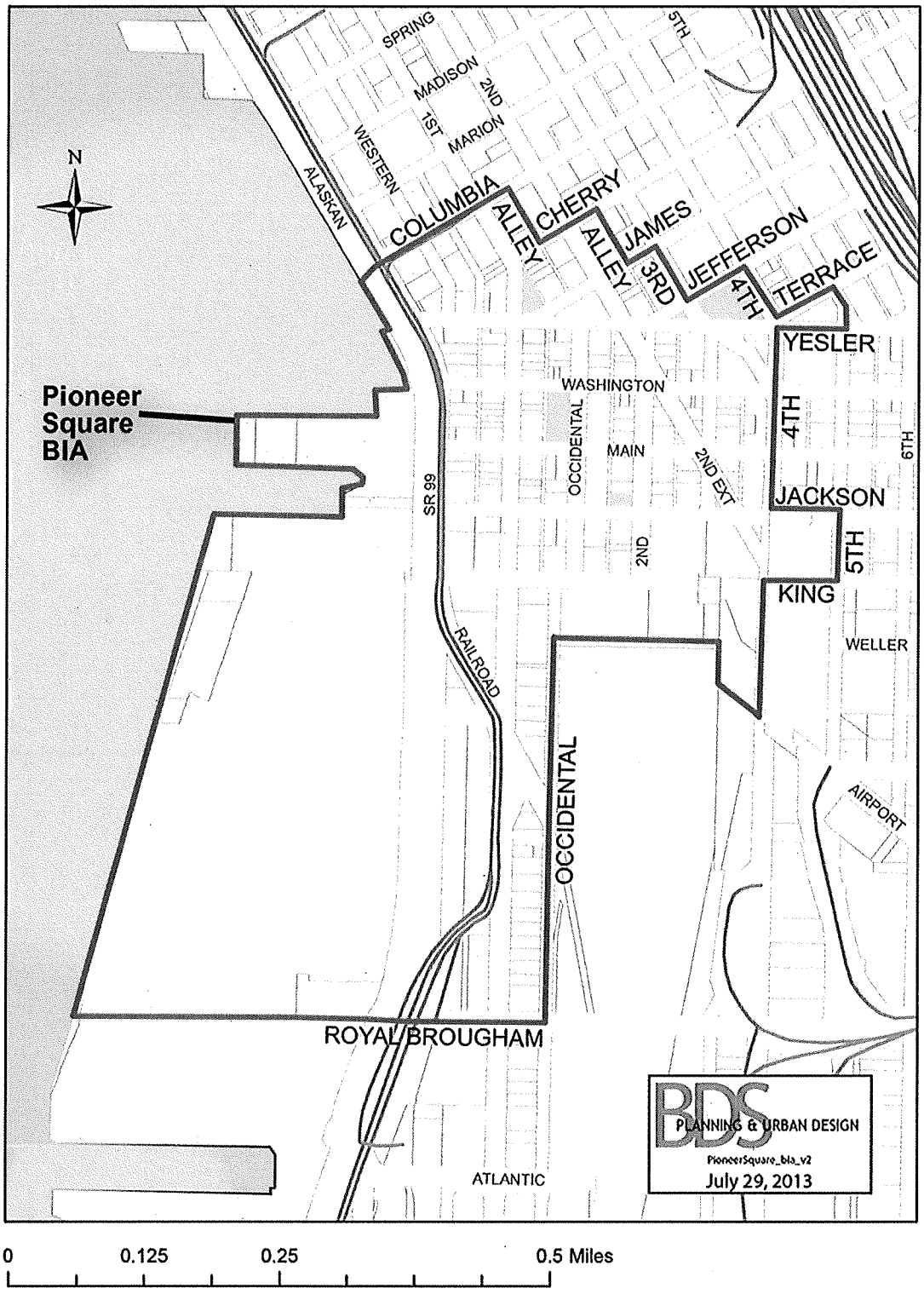


Exhibit A. Pioneer Square BIA

Form revised: December 12, 2012

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 establish a Pioneer Square Parking and Business Improvement Area, and fixing a date and place for a hearing thereon.

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.

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

City of Seattle
Office of the Mayor

July 23, 2013

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

Dear Council President Clark:

I am pleased to transmit the attached Resolution, which states the Council's intention to establish a Pioneer Square Parking and Business Improvement Area (PSBIA), and sets a date and location for a public hearing. The existing Pioneer Square Parking and Business Improvement Area (1983 PSBIA) was established in 1983. Over the past several months, a proposal was developed by the 1983 PSBIA's Ratepayers Advisory Board and business owners to renew and expand the current Business Improvement Area. A recent petitioning effort resulted in a 60% show of financial support of the proposal by operators of the business and mixed-use (multi-family residential and commercial) property operators. The formation of an expanded PSBIA will continue the excellent work being done by the 1983 PSBIA by bringing high-quality services to a larger portion of the Pioneer Square community.

The 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 establishment of the PSBIA. Depending upon the outcome of the public hearing, the Executive may submit a bill to establish the PSBIA within its proposed boundaries. The PSBIA is expected to be funded by a special assessment levied on operators of the business and mixed-use properties within the PSBIA's prescribed area. The expanded PSBIA will continue to be overseen by a Ratepayer Advisory Board, which will be broadly representative of the ratepayers in the improvement district.

In light of the strong ratepayer support for forming the PSBIA during the petitioning process, 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,

Michael P. McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

Michael McGinn, Mayor
Office of the Mayor
600 Fourth Avenue, 7th Floor
PO Box 94749
Seattle, WA 98124-4749

Tel (206) 684-4000
Fax (206) 684-5360
TDD (206) 615-0476
mike.mcginn@seattle.gov

STATE OF WASHINGTON -- KING COUNTY

--ss.

302045 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.

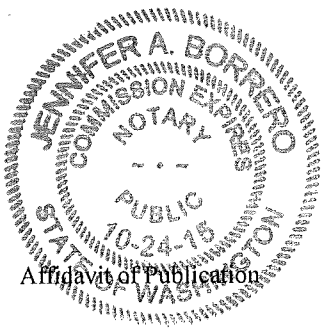
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:RESOLUTION 31473

was published on

09/03/13

The amount of the fee charged for the foregoing publication is the sum of $363.00 which amount has been paid in full.



Subscribed and sworn to before me on

09/03/2013

Notary public for the State of Washington,
residing in Seattle

City of Seattle

CITY OF SEATTLE

RESOLUTION 31473

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State of Washington, King County

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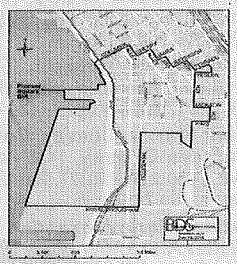

Adopted by the City Council the ____ day of _____, 2013, and signed by me in open session in authentication of its adoption this_____ day of_____, 2013.

_____

_____

President _____of the City Council

THE MAYOR CONCURRING:

_____

Michael McGinn, Mayor

Filed by me this ____ day of _____, 2013.

_____

_____

Monica Martinez Simmons, City Clerk

(Seal)

Date of publication in the Seattle Daily Journal of Commerce, September 3, 2013.

9/3(302045)