



**Legislative Department  
Seattle City Council  
Memorandum**

Date: September 16, 2013  
To: Government Performance and Finance (GP&F) Committee  
From: Martha Lester, City Council Central Staff  
Subject: **C.B. 117875 to Establish SoDo BIA – for September 18 GP&F Committee**

In August 2013, the City Council started the process to consider creating a SoDo (South of Downtown) Business Improvement Area (BIA). Proponents of a SoDo BIA had submitted petitions signed by ratepayers who would pay at least 60 percent of the BIA assessments. The Council adopted Resolution 31469 (initiation resolution) and Resolution 31470 (intention-to-establish resolution), and set a public hearing for September 4. Because Resolution 31470 was inadvertently not published in the newspaper as required by state law, the Council adopted Resolution 31483 (a new intention-to-establish resolution) on September 3, setting a second public hearing for September 18.

Council Bill (C.B.) 117875, which would establish the SoDo BIA, levy assessments, create a Ratepayers Advisory Board, and provide for BIA administration, was introduced on August 5 and referred to the Government Performance and Finance (GP&F) Committee.

The GP&F Committee held a public hearing on C.B. 117875 at its September 4, 2013, meeting, and will hold a second public hearing at its September 18, 2013, meeting. The committee may also vote on the bill on September 18.

**Potential Amendments**

Several potential amendments to C.B. 117875 are presented on the following pages.

<b>A</b>	page 2	Revise recital references to petition, intention-to-establish resolution, and public hearing dates
<b>B</b>	page 3	Ratepayers Advisory Board: Provide that the Director of Finance and Administrative Services (FAS) shall solicit Ratepayer interest in serving on the board
<b>C</b>	page 4	Ratepayers Advisory Board: Provide that the interim and permanent boards shall include members who are also members of the Manufacturing Industrial Council of Seattle
<b>D</b>	page 5	Ratepayers Advisory Board: Provide that the interim and permanent boards shall include a representative of the Port of Seattle as a non-voting member

A

*Potential amendment to C.B. 117875*

***Revise recital references to petition, intention-to-establish resolution, and public hearing dates***

*Revise recitals as follows:*

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, ~~at least 60 percent of the~~ 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, August 12, 2013, Resolution 31483 31470-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’;<sup>2</sup> 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 31470, the City Council, through its Government Performance and Finance Committee held ~~a~~ 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 that 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,

**B**

*Potential amendment to C.B. 117875*

***Ratepayers Advisory Board: Provide that the Director of Finance and Administrative Services (FAS) shall solicit Ratepayer interest in serving on the board***

**Section 12.** Ratepayers Advisory Board. The Director shall appoint an interim Ratepayers Advisory Board comprised of Ratepayers from the SoDo BIA within 30 days of the effective date of this ordinance. The Director shall solicit recommendations from the Ratepayers, and shall appoint the interim board from that list. The interim Ratepayers Advisory Board will recommend a permanent Ratepayers Advisory Board (the "Board") within 90 days of the effective date of this ordinance. The composition of the Board shall be representative of the varying sizes, and locations, and types of property owners and businesses within the geographic area of the SoDo BIA. As part of the process of creating the permanent Board, the Director shall mail a letter to each Ratepayer describing the newly-established SoDo BIA and the Ratepayers Advisory Board, and soliciting interest in serving on the Board. The Director shall provide all responses to this letter to the interim Ratepayers Advisory Board, which shall consider the responses as it recommends the membership of the permanent Board. The Director shall appoint the permanent Board members from the list recommended by the interim Ratepayers Advisory Board. The Director may appoint additional members to the Board beyond those recommended by the interim Ratepayers Advisory Board to ensure a broad representation of Ratepayers, provided that the additional members so appointed do not exceed one-third of the entire membership of the Board.

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

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

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

C

*Potential amendment to C.B. 117875*

***Ratepayers Advisory Board: Provide that the interim and permanent boards shall include members who are also members of the Manufacturing Industrial Council of Seattle***

**Section 12.** Ratepayers Advisory Board. The Director shall appoint an interim Ratepayers Advisory Board comprised of Ratepayers from the SoDo BIA within 30 days of the effective date of this ordinance. The Director shall solicit recommendations from the Ratepayers, and shall appoint the interim board from that list. The interim board shall include Ratepayers who are also members of the Manufacturing Industrial Council of Seattle. The interim Ratepayers Advisory Board will recommend a permanent Ratepayers Advisory Board (the "Board") within 90 days of the effective date of this ordinance. The composition of the Board shall be representative of the varying sizes, ~~and~~ locations, and types of property owners and businesses within the geographic area of the SoDo BIA, including manufacturing and industrial property owners and businesses. The Director shall appoint the permanent Board members from the list recommended by the interim Ratepayers Advisory Board. The Director may appoint additional members to the Board beyond those recommended by the interim Ratepayers Advisory Board to ensure a broad representation of Ratepayers, provided that the additional members so appointed do not exceed one-third of the entire membership of the Board. At least 30 percent (and no fewer than three) of the members of the permanent Board shall be Ratepayers who are also members of the Manufacturing Industrial Council of Seattle.

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

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

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

**D**

*Potential amendment to C.B. 117875*

***Ratepayers Advisory Board: Provide that the interim and permanent boards shall include a representative of the Port of Seattle as a non-voting member***

**Section 12.** Ratepayers Advisory Board. The Director shall appoint an interim Ratepayers Advisory Board comprised of Ratepayers from the SoDo BIA, and, as a non-voting member, a representative of the Port of Seattle, within 30 days of the effective date of this ordinance. The Director shall solicit recommendations from the Ratepayers, and shall appoint the interim board from that list. The interim Ratepayers Advisory Board will recommend a permanent Ratepayers Advisory Board (the "Board") within 90 days of the effective date of this ordinance. The composition of the Board shall be representative of the varying sizes, and locations, and types of property owners and businesses within the geographic area of the SoDo BIA. The Director shall appoint the permanent Board members from the list recommended by the interim Ratepayers Advisory Board. The Director may appoint additional members to the Board beyond those recommended by the interim Ratepayers Advisory Board to ensure a broad representation of Ratepayers, provided that the additional voting members so appointed do not exceed one-third of the entire voting membership of the Board. The permanent Board shall include a representative of the Port of Seattle as a non-voting member.

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

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

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