#9

Teri Allen
FAS West Seattle BIA Amendment ORD
May 6, 2014
Version #5

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL 118093

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.

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

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

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

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

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

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

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

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BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

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

Section 1. District Established. As authorized by RCW Chapter 35.87A, there is hereby established a West Seattle Junction Parking and Business Improvement Area within the boundaries described below and 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). The District shall have two areas and a parking zone overlay as follows:

* * *

Zone C Parking

Beginning at the intersection of SW Edmunds Street and 42nd Avenue SW, then north along 42nd Avenue SW to the north property line of Parcel #1333100000, then east along the property line to the alley between 42nd Avenue SW and 41st Avenue SW, then north along the alley to the north property line of Parcel #0952005960, then west along the property line to 42nd Avenue SW, then west along the north property line of Parcel #0952006070 to the alley between 42nd Avenue SW and California Avenue SW, then west along the north property line of Parcel #0952006200 to California Avenue SW, then west along the north property line of Parcel #7904700106 to the ally between California Avenue SW and 44th Avenue SW, then south along the alley to SW Oregon Street, then west along SW Oregon Street to Glenn Way SW, then southeast along Glenn Way SW to the alley between 45th Avenue SW and 44th Avenue SW, then south along the alley to SW Edmunds Street, then east along SW Edmunds Street to Erskine

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

((~~East: 42nd Avenue S.W. between the center of the right-of-way of S.W. Edmunds extending two blocks to the center of the right-of-way of S.W. Oregon, to the center of the right-of-way of 42nd Avenue S.W.~~

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

~~North: S.W. Oregon between the center of the right-of-way of 45th Avenue S.W., to a line extending from the western lot line of lot 6, block 2, Sparkman and McLean's First Addition, to the center of the right-of-way of S.W. Oregon; and continuing along the western lot line of lots 5, 6, and halfway through lot 4, block 2 Sparkman and Mclean's First Addition, and continuing halfway through lot 4, block 2, Sparkman and Mclean's First Addition, to the center of the right-of-way of California Avenue S.W. and continuing along the southern lot line of lot 12, block 48,~~

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~~Sparkman and Mclean's First Addition, and continuing along the eastern lot line of lots 13-24, block 48, Sparkman and Mclean's First Addition to the center of the right-of-way of S.W. Oregon and continuing along the center of the right-of-way of S.W. Oregon to the center of the right-of-way of 42nd Avenue S.W.~~

~~South: S.W. Edmonds between a line extending from the eastern lot line of lot 22, block 1, Central Park Addition, and continuing along the eastern lot line of lots 1,2,3, block 6, Scenic Park Addition, and continuing along the northern lot line of lot 4, block 6, Scenic Park Addition, and continuing along the northern lot line of lot 4, block 6, Scenic Park Addition, and extending to the center of the right-of-way of California Avenue S.W. and continuing along the eastern lot line of lot1, and halfway through lot 2, block 5, Kirkwood Addition and continuing along in a westerly direction halfway through lot 2, block 5, Kirkwood Addition, and extending to the center of the right-of-way of Erskine Way S.W. , and continuing along the center of the right-of-way of Erskine Way S.W., to a line extending from the southern lot line of lot 6, block 2, Kirkwood Addition and continuing along the southern lot line of lot 6, block 2, Kirkwood Addition, and continuing along the southern lot line of lot 6, block 2, Kirkwood Addition, and extending to the center of the right-of-way of S.W. Edmunds to a line extending from the western lot line of lot 25, block 3, Central park Addition.~~))

Section 2. Section 3 of Ordinance 113326, as previously amended by Ordinance 115997, is amended as follows:

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

* * *

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

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

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

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

Section 4. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

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Passed by the City Council the ____ day of _____, 2014, and signed by me in open session in authentication of its passage this

_____ day of _____, 2014.

_____

President _____of the City Council

Approved by me this ____ day of _____, 2014.

_____

Edward B. Murray, Mayor

Filed by me this ____ day of _____, 2014.

_____

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Exhibit A: West Seattle BIA Map

Exhibit A to Ordinance 113326 (untitled map)

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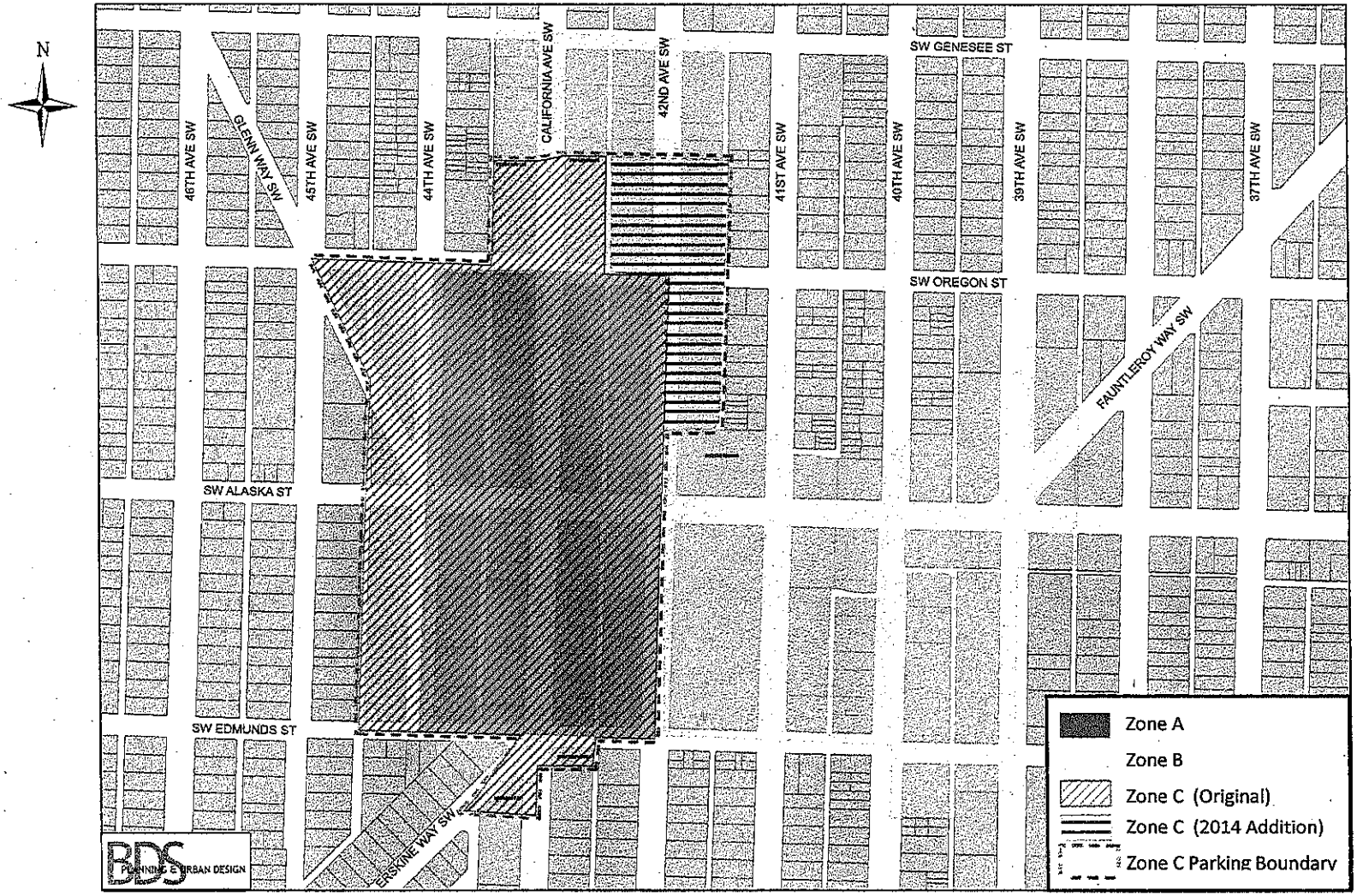
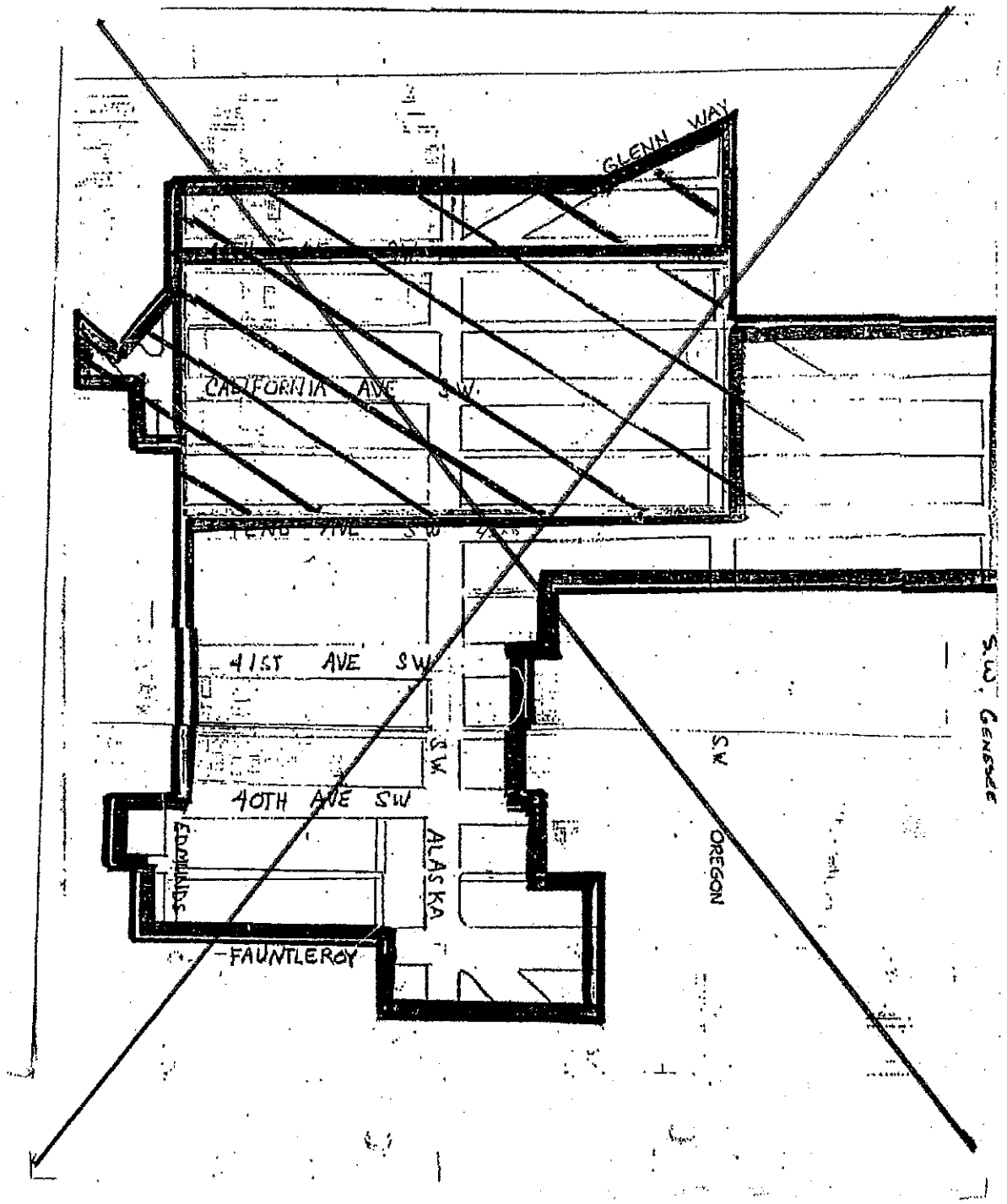


West Seattle BIA Map

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



EXH A to ORDINANCE 113326

Form revised: February 26, 2014

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: 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.**

__X__ **This legislation has financial implications.**

Appropriations:

Fund Name and Number	Department	Budget Control Level*	2014 Appropriation	2015 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	2014 Revenue	2015 Revenue
19840 BIA – West Seattle Parking	Finance and Administrative Services	Ratepayer Assessments	$3,000	$9,000
TOTAL			**$3,000**	**$9,000**

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*
TOTAL							

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
TOTAL			**$3,000**	**$9,000**

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.

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City of Seattle
Office of the Mayor

February 4, 2014

Honorable Tim Burgess
President
Seattle City Council
City Hall, 2nd 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

Edward B. Murray, Mayor
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