

Dorinda J. Costa/~~Eric McConaghy~~
SDOT Waterfront LID Intent to Form RES
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CITY OF SEATTLE

RESOLUTION _____

..title

A RESOLUTION declaring the intention of the City Council of The City of Seattle to order the construction of the Seattle Central Waterfront Improvement Program, and to create a local improvement district to assess a part of the cost and expense of both carrying out certain of those improvements against the properties specially benefited thereby; ~~and~~ notifying all persons who desire to object to such improvements to appear and present their objections; and establishing July 13, 2018, as the date the Council’s consideration of the Waterfront Local Improvement District becomes a pending quasi-judicial proceeding.

..body

WHEREAS, in January 2011, the Seattle City Council (~~“Council”~~) adopted Resolution 31264, creating the Central Waterfront Committee (CWC) to oversee development of the waterfront conceptual design and framework plan, to ensure robust and innovative public engagement, to identify public and private funding sources, and to establish the foundation for a lasting civic partnership for the implementation of improvements to Seattle’s Central Waterfront with the removal of the Alaskan Way Viaduct; and

WHEREAS, in August 2012, the Council adopted Resolution 31399, which stated support by The City of Seattle (“City”) for~~Seattle’s (City’s) support of~~ the Central Waterfront Concept Design and Framework Plan, which was based on broad and inclusive public engagement over two years by the City and the Central Waterfront Committee; and

WHEREAS, Resolution 31399 also endorsed a Central Waterfront Strategic Plan (~~“Strategic Plan”~~), which established a funding plan and set of action steps to implement improvements to Seattle’s Central Waterfront, including endorsement of a funding strategy which called for leveraging a mix of public, private, and philanthropic sources, including a Waterfront Local Improvement District (LID), to achieve the public’s vision for the Central Waterfront; and

1 WHEREAS, subsequent to endorsement of the Concept Design, Framework Plan, and Strategic
2 Plan for the Central Waterfront, the City established the Central Waterfront Improvement
3 Program in the City’s Capital Improvement Plans, including the use of the Local
4 Improvement District to fund a portion of the total program; and

5 WHEREAS, over the ~~past~~ five years since endorsement of the Concept Design, Framework Plan,
6 and Strategic Plan~~these plans~~ and establishment of the Central Waterfront Improvement
7 Program, the City has invested approximately \$129 million in improvements to the
8 Central Waterfront from a range of local funding sources, and the State of Washington
9 has committed \$193 million toward its completion; and

10 WHEREAS, in September 2017, the Council adopted Resolution 31768, which reaffirmed the
11 overall funding plan for the Central Waterfront ~~improvements~~Improvements, as well as
12 the principles that will guide the implementation of these improvements, and outlined a
13 process for the formation of the LID; NOW, THEREFORE,

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

16 Section 1. Declaration of Intent. -It is the intention of the City Council to order
17 improvements to Seattle’s Central Waterfront, including the construction of a new Alaskan
18 Way/Elliott Way surface street providing access to and from downtown, new parks, paths, and
19 access to Elliott Bay (“Improvements”), all as shown in Exhibit A to this resolution, which is
20 incorporated by reference. ~~(Improvements)~~. It is the intention of the City Council, pursuant to
21 RCW 35.43.040 and other applicable law, to order the improvement of the properties within the
22 area mapped as Exhibit B to this resolution, which is incorporated by reference, and those

1 portions of the Improvements designated as Local Improvement District (LID) Improvements, as
2 described in Exhibit C to this resolution (~~“(LID Improvements”).”~~).

3 The Improvements shall be in accordance with the plans and specifications prepared by
4 the Seattle Office of the Waterfront and Civic Projects (OWCP), as a division of the Seattle
5 Department of Transportation, and may be modified by the City as long as modification does not
6 affect the purpose of the LID Improvements after formation of the LID.

7 Section 2. Estimated Cost and Expense. The total estimated cost and expense of design
8 and construction of the ~~Central Waterfront~~ Improvements is declared to be approximately
9 \$700 million, including the estimated costs of administration, creation, and formation of the
10 LID. ~~The City intends that a portion of the Central Waterfront Improvements shall be funded by~~
11 ~~the~~ LID. ~~The cost and expense of the LID Improvements, including administrative costs, shall~~
12 ~~be assessed against the property specially benefited by the LID Improvements, which shall to be~~
13 ~~included in the LID to be established, embracing as nearly as practicable all the property~~
14 ~~specially benefited by the LID Improvements. The City intends that the balance~~ of the cost and
15 expense of the LID Improvements shall be paid by the City and philanthropic donations from
16 individuals and organizations, consistent with the City’s overall funding plan for the Central
17 Waterfront. Actual assessments may vary from estimated assessments as long as they do not
18 exceed a figure equal to the increased true and fair value the LID Improvements add to the
19 property. In no case shall the City levy a total amount in excess of \$200 million in the confirmed
20 final assessment roll for the LID. ~~The City shall be obligated to deliver the LID improvements~~
21 ~~once a final assessment roll is established and shall not pursue any future supplemental~~
22 ~~assessments to cover additional costs accrued during construction.~~

1 Section 3. -Notice of Public Hearing. -The City Clerk, on behalf of the Director of
2 Transportation, is authorized and directed to give notice of the adoption of this resolution and of
3 the date(s), time(s), and place(s) fixed for the public hearing(s), setting forth the nature of the
4 proposed LID Improvements, the total estimated cost, and the estimated benefits of the proposed
5 LID Improvements~~improvements~~ to the particular lot, tract, or parcel of land ~~for~~ each owner or
6 reputed owner of any lot, tract, parcel of land, or other property within the proposed LID. The
7 City Clerk shall mail~~by mailing~~ such notice at least 15 days before the date fixed for public
8 hearing to the owner or reputed owner of the property, as shown on the rolls of the King County
9 Assessor at the address shown thereon, as required by law.

10 This resolution also shall be published in its entirety in at least two consecutive issues of
11 the official newspaper of the City, with the date of the first publication at least 15 days before the
12 date fixed for the public hearing(s).

13 Section 4. -Time of Public Hearing and Protest Procedures.- The City Council hereby
14 determines that the hearings shall be held before a hearing examiner, with the City Clerk to
15 select and engage the hearing examiner(s) necessary to conduct the hearings herein described
16 and to enter into contracts as necessary for such hearing examiner services.

17 All persons who may desire to object to the LID Improvements are notified to appear and
18 present those objections at hearings before a hearing examiner to be held on the dates below,
19 which times and places are fixed for hearing all matters relating to the LID Improvements and all
20 objections thereto.

| Public Hearing Date and Time | Public Hearing Location |
|---|--|
| Friday, July 13, 2018 (two sessions) 9:00 a.m. am 1:00 <u>p.m.</u> pm 2:00 <u>p.m.</u> pm 6:00 <u>p.m.</u> pm | Washington State Convention Center Ballroom 6E 700 Pike Street Seattle, Washington |

| Public Hearing Date and Time | Public Hearing Location |
|---|---|
| Tuesday, July 17, 2018 5:00 p.m. pm - 9:00 p.m. pm | Seattle City Hall -600 4th Avenue in Seattle, Washington |
| Wednesday, July 18, 2018 5:00 p.m. pm - 9:00 p.m. pm | |
| Saturday, July 28, 2018 9:00 a.m. am - 1:00 p.m. pm | |

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Section 5. Application of the City Council’s Rules for Quasi-Judicial Proceedings.
Notwithstanding provisions relating to matters becoming pending in the City Council’s Rules for Quasi-Judicial Proceedings, July 13, 2018, shall be the date the Council’s consideration of the LID Improvements becomes a pending quasi-judicial proceeding.

Section 6. Submittal of Information. -The Director of OWCP₂ on behalf of the Director of Transportation₂ is directed to submit and certify to the City Council on or prior to June 1, 2018, an estimate of the cost and expense of the proposed Improvementsimprovement together with all papers and information about the proposed Improvementsimprovement, a description of the boundaries of the proposed LIDdistrict, and a statement of what portion of the cost and expense of the Improvementsimprovement should be borne by the property within the proposed LIDdistrict. This information, together with a detailed copy of the preliminary assessment roll and the plans and assessment maps of the proposed Improvementsimprovement, shall be filed withby the City Clerk.

Section 7.6.- Section Headings.- Section headings in this resolution are used for convenience only and shall not constitute a substantive portion of this resolution.

1 Adopted by the City Council the _____ day of _____, 2018,

2 and signed by me in open session in authentication of its adoption this _____ day of

3 _____, 2018.

4 _____

5 President _____ of the City Council

6 The Mayor concurred the _____ day of _____, 2018.

7 _____

8 Jenny A. Durkan, Mayor

9 Filed by me this _____ day of _____, 2018.

10 _____

11 Monica Martinez Simmons, City Clerk

12 (Seal)

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22 Exhibits:

23 Exhibit A – Central Waterfront Program Map

- 1 Exhibit B – Map of Local Improvement District Area
- 2 Exhibit C – Description of LID Improvements