



Legislation Details (With Text)

**File #:** Res 32014    **Version:** 1    **Name:**

**Type:** Resolution (Res)    **Status:** Adopted

**In control:** City Clerk

**On agenda:** 8/9/2021

**Final Action:**    **Ord. No.**

**Title:** A RESOLUTION of intention to establish a 15th Avenue East Business Improvement Area and fix a date and place for a hearing thereon.

**Sponsors:** Tammy J. Morales

**Indexes:**

**Attachments:** 1. Ex A – 15th Avenue East Business Improvement Area, 2. Summary and Fiscal Note, 3. Signed Resolution 32014, 4. Affidavit of Publication

Date	Ver.	Action By	Action	Result
8/12/2021	1	City Clerk	attested by City Clerk	
8/12/2021	1	Mayor	returned	
8/12/2021	1	Mayor	Signed	
8/12/2021	1	City Clerk	submitted for Mayor's signature	
8/9/2021	1	City Council	adopted	Pass
8/9/2021	1	City Council	referred	
8/5/2021	1	Council President's Office	sent for review	
8/3/2021	1	City Clerk	sent for review	
8/3/2021	1	Mayor	Mayor's leg transmitted to Council	

CITY OF SEATTLE

RESOLUTION \_\_\_\_\_

A RESOLUTION of intention to establish a 15<sup>th</sup> Avenue East Business Improvement Area and fix a date and place for a hearing thereon.

WHEREAS, the owners and operators of commercial properties, multi-family residential, and mixed-used properties that are subject to 65 percent 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 Clerk File 322031; and

WHEREAS, the City Council has reviewed the petition and letters of support, and determined it is in the best

interests of the City to proceed, as permitted by chapter 35.87A RCW, under the resolution method of creating a Business Improvement Area instead of the petition method; and

WHEREAS, the City Council introduced Resolution 32013 on August 9, 2021, initiating the 15<sup>th</sup> Avenue East Business Improvement Area; and

WHEREAS, the City Council wishes to declare its intent to establish a 15<sup>th</sup> Avenue East Business Improvement Area, 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 declares its intention to establish a 15<sup>th</sup> Avenue East Business Improvement Area (“15<sup>th</sup> Ave BIA”) in accordance with chapter 35.87A RCW.

Section 2. The 15<sup>th</sup> Ave BIA shall be within the following boundaries as shown on the map attached as Exhibit A to this resolution and described in this section. 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 northern-most intersection of East Mercer Street and 15<sup>th</sup> Avenue East, proceed south to East Denny Way, including all parcels adjoining the east and west sides of 15<sup>th</sup> Avenue East and excluding parcels south of East Denny Way.
- Beginning at the intersection of East Thomas Street and 16<sup>th</sup> Avenue East, proceed south to the intersection of 16<sup>th</sup> Avenue East and East Denny Way, including parcels adjoining the west side of 16<sup>th</sup> Avenue East.
- Beginning at the intersection of East John Street and 15<sup>th</sup> Avenue East, proceed west to 14<sup>th</sup> Avenue East, including all parcels adjoining on the north side.
- Beginning at the intersection of East John Street and 14<sup>th</sup> Avenue East, proceed north to East Thomas

Street, including the parcel adjoining on the east side of 14<sup>th</sup> Avenue East.

In case of a conflict between the descriptions of the areas and the map, the descriptions shall control.

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

- A. Neighborhood beautification within the Business Improvement Area;
- B. Street festival within the Business Improvement Area;
- C. Program management and advocacy; and
- D. Graffiti removal and cleaning.

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. There shall be an advisory board whose membership is comprised of ratepayers representative of the entire geography and variety of sizes in the 15<sup>th</sup> Ave BIA, and businesses and tenants from within the 15<sup>th</sup> Ave BIA. The composition of the Board shall be representative of the varying sizes and types of property owners, residents, and business tenants, within the geographic area of the 15<sup>th</sup> Ave BIA.

Section 5. Levy of special assessments. To finance the programs authorized in Section 3 of this resolution, there is proposed a seven-year special assessment to be levied upon and collected from the owners of commercial property, multi-family residential property (buildings containing four or more residential units), and mixed-use property (multi-family residential and commercial) located within the boundaries of the 15<sup>th</sup> Ave BIA described in Section 2 of this resolution. Initial assessment calculations will be based on property information from the King County Assessor's Office for Tax Year 2021. The 15<sup>th</sup> Ave BIA shall annually update records based on data and information from King County and the City. Ratepayers shall be assessed by the City in seven annual installments to be billed semi-annually beginning in the year of the authorization (2022), by applying the following an assessment rates to each ratepayer:

A. First Year Assessment = (\$0.15 per Lot Square Footage) + (\$0.10 per \$1000 of total assessable value). This calculation is called the "Base Formula."

B. For each year following the first year of authorization, the assessment rates shall be adjusted by an Inflationary Factor applied to each of the assessment rates after the first year assessment. The Inflationary Factor will be the lesser of three percent per year or the percentage change in the Consumer Price Index for All Urban Consumers in Seattle-Tacoma-Bellevue (CPI-U-Seattle), as published by the U.S. Department of Labor, Bureau of Labor Statistics (available at: [http://www.bls.gov/eag/eag.wa\\_seattle\\_msa.htm](http://www.bls.gov/eag/eag.wa_seattle_msa.htm)), between September 2022 and September of the year prior to the assessment year.

C. “New Benefit Areas” shall be added to the assessment roll on an annual basis, and will supersede the previous assessment for that parcel. A New Benefit Area is created when a parcel’s Net Building Square Footage increases as a result of either a new building or significant expansion of an existing building, as recorded by the King County Assessor’s Office. The formula for a New Benefit Area will be calculated using the new King County Assessor’s values in the Base Formula multiplied by the annual CPI Factor in effect. New BIA assessments will be billed at the next regularly scheduled billing period established by the Department of Finance and Administrative Services.

E. Rate changes. Changes in assessment rates other than as described in this section shall only be authorized by ordinance consistent with RCW 35.87A.140 and with the approval of the BIA Advisory Board and shall not occur more than one time per year.

Section 6. A hearing shall be held on this matter before the Community Economic Development Committee in the City Council Chamber, City Hall, 600 Fourth Avenue, 2nd Floor, Seattle, Washington 98104 on September 8, 2021, at 2:00 p.m., or as soon thereafter as the same may be heard. Due to the COVID-19 civil emergency declared by the City and the State of Washington, persons who wish to participate in or attend the hearing may do so remotely. The City will provide instructions in the meeting agenda on how to participate remotely. 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/>, 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.

Adopted by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 2021, and signed by me in open session in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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

The Mayor concurred the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Jenny A. Durkan, Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Monica Martinez Simmons, City Clerk

(Seal)

Attachment:  
Exhibit A - 15<sup>th</sup> Avenue East Business Improvement Area