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Amendment A Version 1 to RES 32207 – Citywide Business Improvement Area Policies

Sponsor: Councilmember Rinck

Clarifying allowable BIA programs and services

Effect: This amendment would amend Attachment 1 to Resolution 32207, clarifying allowable programs and services for Business Improvement Areas (BIAs) in the City.

Procedures for establishing, amending, and operating a BIA are governed by Chapter 35.87A RCW, but the City has its own non-binding BIA policies, which provide more detailed guidance for existing and potential BIAs, consistent with state law. These BIA policies are reflected in Attachment 1 to the resolution.

The clarifications include: 1) Specifying that BIA services could also include projects in the public realm or improvements to a private property that serve as a common public area, and that that positively impact a district as a whole; and 2) clarifying that BIA funds may not be used for “lobbying” that does not benefit the district as a whole.

Amend Policy 7 of the Citywide Business Improvement Area Policies, Attachment 1 of Resolution 32207 as follows:

Policy 7. BIA Programs and Services

The City intends to maintain the level of municipal services in areas where BIAs have been established and not supplant existing municipal services with those funded through BIA assessments. However, this policy does not limit the discretion of the City to determine whether, and at what level, municipal services will be provided as community needs, economic conditions, and other factors warrant.

Washington State law outlines a number of purposes for the use of BIA-generated funds (see RCW 35.87A.010(1)). The work plan, programs and activities proposed by BIA proponents and Boards shall reflect the allowable purposes listed under RCW 35.87A.010(1). Below are general descriptions of programs and services for which BIA

funds can be used. This list is meant to be illustrative and does not encompass every allowable service or program for which BIA funds may be used:

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- *Advocacy*: To address economic development and neighborhood revitalization issues within the BIA boundaries.
- *Other Services*: The services described above are not an exhaustive list. BIAs can provide a wide range of services and programs within those described in State law that benefit the ratepayers and district overall. These can include projects in the public realm or improvements to a private property that serve as a common public area, and that positively impact a district as a whole.

BIA funds may not be used for the following:

- a. Contributions to, and/or endorsements of, candidates for elected public office,
- b. Improvements to private property that do not benefit all ratepayers, or
- c. Advocacy Lobbying on issues that do not benefit the district as a whole.

The BIA proposal shall include a description of the proposed programs and services for which BIA revenues are to be used and how these activities will aid in economic development and neighborhood revitalization.

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