

Ordinance No. 124514

Council Bill No. 118079

AN ORDINANCE relating to the Capitol Hill Business Improvement Area; modifying the boundaries; and amending Ordinance 113029, as previously amended by Ordinances 115998 and 120303.

Related Legislation File:

Date Introduced and Referred: <u>5/5/14</u>	To: (committee): <u>Finance and Culture</u>
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: <u>6/30/14</u>	Date Presented to Mayor: <u>7/1/14</u>
Date Signed by Mayor: <u>7/2/14</u>	Date Returned to City Clerk: <u>7/7/14</u>
Published by Title Only <u>X</u>	Date Vetoed by Mayor:
Published in Full Text	
Date Veto Published:	Date Passed Over Veto:
Date Veto Sustained:	Date Returned Without Signature:

The City of Seattle – Legislative Department

Council Bill/Ordinance sponsored by:

Richard Lewis

Committee Action:

Date	Recommendation	Vote
<u>6/25/14</u>	<u>pass 2-0 NL, JB</u>	<u>(CH)</u>

This file is complete and ready for presentation to Full Council.

Full Council Action:

Date	Decision	Vote
<u>6/30/14</u>	<u>Passed</u>	<u>8-0 (excused: Clark)</u>

Law Department

CITY OF SEATTLE
ORDINANCE 124514
COUNCIL BILL 118079

AN ORDINANCE relating to the Capitol Hill Business Improvement Area; modifying the boundaries; and amending Ordinance 113029, as previously amended by Ordinances 115998 and 120303.

WHEREAS, in 1986, through Ordinance 113029, the City of Seattle established the Capitol Hill Business Improvement Area (Capitol Hill BIA), providing for the levy of special assessments upon businesses within the Capitol Hill BIA for the purpose of enhancing conditions for operating those businesses; and

WHEREAS, in 1991, the City Council passed Ordinance 115998, increasing the original assessment rates for the Capitol Hill BIA; and in 2001, the City Council passed Ordinance 120303, further increasing the assessment rates; and

WHEREAS, in 2012, the ratepayers advisory board for the Capitol Hill BIA, which oversees the Capitol Hill BIA, voted to modify the 'Area 2' boundary; 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 May 19, 2014 adopted Resolution 31520, titled 'A RESOLUTION of intention to modify the boundaries for the Capitol Hill Business Improvement Area'; and

WHEREAS, on June 5, 2014, in accordance with RCW 35.87A.075, the City Council held a public hearing regarding the modification proposal of the Capitol Hill BIA boundaries;
NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 1 of Ordinance 113029 is amended as follows:

Section 1. District Established. As authorized by RCW Chapter 35.87A, there is hereby established a Capitol Hill Business Improvement Area within the boundaries described below



1 and as shown on the map attached as Exhibit "A". (When a street or alley is named, the area
2 boundary is the centerline of the right-of-way). The District shall have two areas as follows:

3 Area One

4
5 East: 10th Avenue East between East Roy Street and a line extending from the southern lot line
6 of lot 2, Block 3, S.B. Yesler's 1st Addition, to the center of the right-of-way on 10th Avenue
7 East.
8

9 West: The western lot line of lots 21, 22, 23, and 24, Block 3, S. B. Yesler's 1st Addition, and
10 continuing from lot 24, Block 3, S. B. Yesler's 1st Addition to the center of the right-of-way on
11 East Roy Street.
12

13 North: The northern lot line of lot 21, Block 7, S. B. Yesler's 1st Addition and a line extending
14 from the northern lot line of lot 21, Block 7, S. B. Yesler's 1st Addition to the center of the right-
15 of-way on Broadway Avenue East and;
16

17 Continuing southward along the center of the right-of-way on Broadway Avenue East for
18 approximately 100 feet to a line extending from the northern lot line of lot 2, Block 6 S. B.
19 Yesler's 1st Addition and;
20

21 Continuing along the northern lot line of lots 2 and 13, Block 6, S. B. Yesler's 1st Addition, and
22 extending to the center of the right-of-way on 10th Avenue East.
23
24



1 South: East Roy Street between the center of the right-of-way of Harvard Avenue East and
2 extending to the northern lot line of lot 10, Block 32, Supplemental Plat, A. Pontius Addition.

3 Area Two
4

5 East: The eastern lot line of Lots 6, 7, 8, 9 and 10, Block 32, Supplemental Plat, A. Pontius
6 Addition; extending to the eastern lot line of Lots 7, 8, 9, 10, 11 and 12, Block 31, Supplemental
7 Plat, A. Pontius Addition; extending to the eastern lot line of Lots 7, 8, 9, 10, 11 and 12, Block
8 30, Supplemental Plat, A. Pontius Addition; extending to the eastern lot line of Lots 4, 5 and 6,
9 Block 29, Supplemental Plat, A. Pontius Addition; and extending to the eastern lot line of Lot 2,
10 Block 64, John H. Nagle's 2nd Addition and;

11 Continuing to the center of the right-of-way of East Thomas Street, and extending eastward to
12 the center of the right-of-way of 10th Avenue East and;

13 Continuing along the center of the right-of-way of 10th Avenue East between East Thomas
14 Street and East John Street, and extending westward along the center of the right-of-way of East
15 John Street to a line extending from Lot 6, Block 46, John H. Nagle's Addition and;

16 Continuing along the eastern lot line of Lots 1, 2, 3, 4, 5 and 6, Block 46, John H. Nagle's
17 Addition, and extending to the center of the right-of-way of East Denny Way and;

18 Continuing along the center of the right-of-way of Nagle Place between East Denny Way and the
19 center line of East Pine Street and; (~~continuing to the eastern boundary of lot 6, John H. Nagle's~~

20 ~~2nd Addition.~~))
21
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1 Continuing along the eastern lot line of Lots 3, 4, 5 and 6, Block 14, John H. Nagle's Addition,
2 then continuing east along the northern boundary of King County Parcel Identification Number
3 6003000416, then continuing south along the eastern boundary of King County Parcel
4 Identification Number 6003000416, to the center line of East Pike Street.

5
6 West: The center of the right-of-way along ((East)) Harvard Avenue East between East Roy
7 Street and a line extending from the southern lot line of Lot 9, Block 33, Supplemental Plat, A.
8 Pontius Addition; and continuing along the southern lot line of Lot 9, Block 33, Supplemental
9 Plat, A. Pontius Addition to its eastern lot line boundary and;

10
11 Continuing along the eastern lot line of Lots 6, 7 and 8, Block 33, Supplemental Plat, A. Pontius
12 Addition, and extending to the eastern lot line of Lots 11 and 12, Block 34, Supplemental Plat
13 ((Pt)), A. Pontius Addition; and continuing along the southern lot line of Lot 11, Block 34,
14 Supplemental Plat, A. Pontius Addition, and continuing to the center of the right-of-way of
15 Harvard Avenue East; and continuing along the center of the right-of-way along Harvard Avenue
16 East to East Harrison Street and;

17
18
19 Continuing along the center of the right-of-way along East Harrison Street between Harvard
20 Avenue East and a line extending from Lot 6, Block 36, Supplemental Plat, A. Pontius Addition
21 and;

22
23 Continuing along the eastern lot line of Lots 4, 5 and 6, Block 36, Supplemental Plat, A. Pontius
24 Addition; and continuing along the eastern lot line of Lot 3, Block 65, John H. Nagle's 2nd



1 Addition; and extending to the eastern lot line of Lot 6, Block 50, John H. Nagle's 2nd Addition
2 and;

3
4 Continuing along the eastern lot line of Lots 1, 2, 3, 4, 5 and 6, Block 50, John H. Nagle's 2nd
5 Addition; and extending to the eastern lot line of Lots 1, 2, 3, 4, 5 and 6, Block 47, John H.

6 Nagle's Addition; and extending to the eastern lot line of 1, 2, 3, 4, 5 and 6, Block 34, John H.

7 Nagle's Addition; and extending to the center line of the right-of-way of East Howell Street and;

8
9 Continuing along the center of the right-of-way of East Howell Street between a line extending
10 from the eastern lot line of Lot 1, Block 34, John H. Nagle's Addition and the center of the right-
11 of-way of Harvard Avenue ((East)) and;

12
13 Continuing along the center of the right-of-way of Harvard Avenue ((East)) between East
14 Howell Street and the center line of East Pike Street ((a line extending from the southern lot line
15 of Lot 5, Block 15, John H. Nagle's Addition)).

16
17 North: East Roy Street between the center of the right-of-way of Harvard Avenue East and
18 extending to the northern lot line of Lot 10, Block 32, Supplemental Plat, A. Pontius Addition.

19
20 South: The center of East Pike Street from the center line ((of the right-of-way)) of Harvard
21 Avenue ((East)) extending to a line extending from the eastern lot line of Parcel 6003000416
22 ((the southern lot line of Lot 5, Block 15, John H. Nagle's Addition; and continuing along the
23 southern lot line of Lot 5, Block 15, John H. Nagle's Addition; and continuing along the alley
24



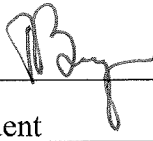
1 way on Block 15, John H. Nagle's addition and extending to the southern lot line of Lot 7, Block
2 15, John H. Nagle's Addition and;
3
4 Continuing along the southern lot line of Lot 7, Block 15, John H. Nagle's Addition; and
5 extending to the southern lot line of Lot 6, Block 14, John H. Nagle's Addition)).

6
7 **Section 2.** Exhibit A to Ordinance 113029 is amended by replacing the map titled
8 "Exhibit A, Department of Community Development Broadway Business Improvement Area,
9 Area Two," with a new map attached to this ordinance titled "Capitol Hill Business
10 Improvement Area: Area Two". In case of a conflict between the description of Area Two of
11 the Capitol Hill BIA and the map of Area Two, the description shall control.

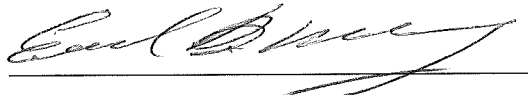
12
13 **Section 3.** This ordinance shall take effect and be in force 30 days after its approval by
14 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
15 shall take effect as provided by Seattle Municipal Code Section 1.04.020.
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1 Passed by the City Council the 30th day of June, 2014, and
2 signed by me in open session in authentication of its passage this
3 30th day of June, 2014.

4
5 
6 President _____ of the City Council

7
8 Approved by me this 2 day of July, 2014.

9
10 
11 Edward B. Murray, Mayor

12
13 Filed by me this 7th day of July, 2014.

14
15 
16 Monica Martinez Simmons, City Clerk

17 (Seal)

18 Attachments:

19 Exhibit A: Capitol Hill Business Improvement Area, Area 2 map and Exhibit A to Ordinance
20 113029, Department of Community Development Broadway Business Improvement
21 Area - Area 2
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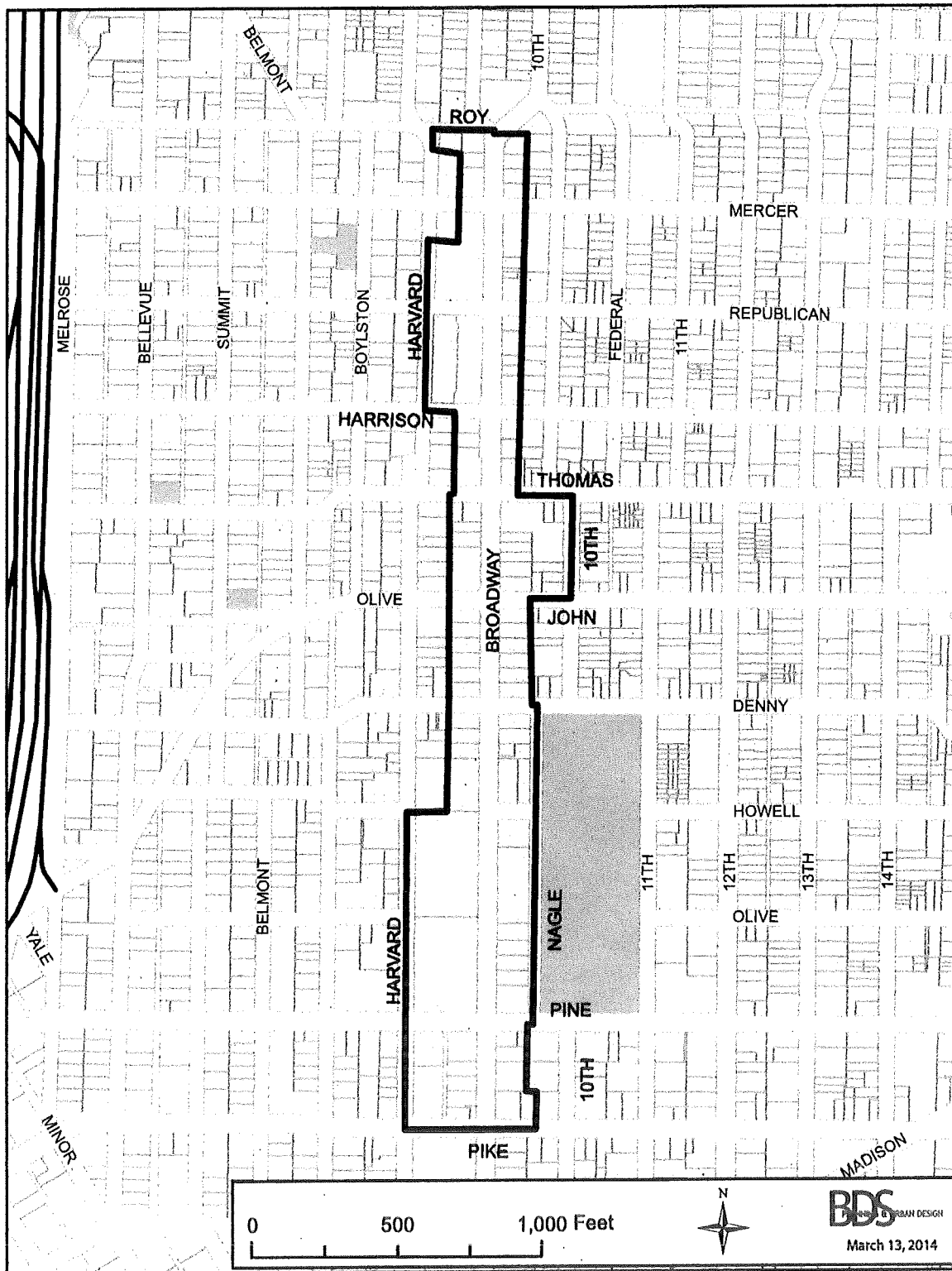
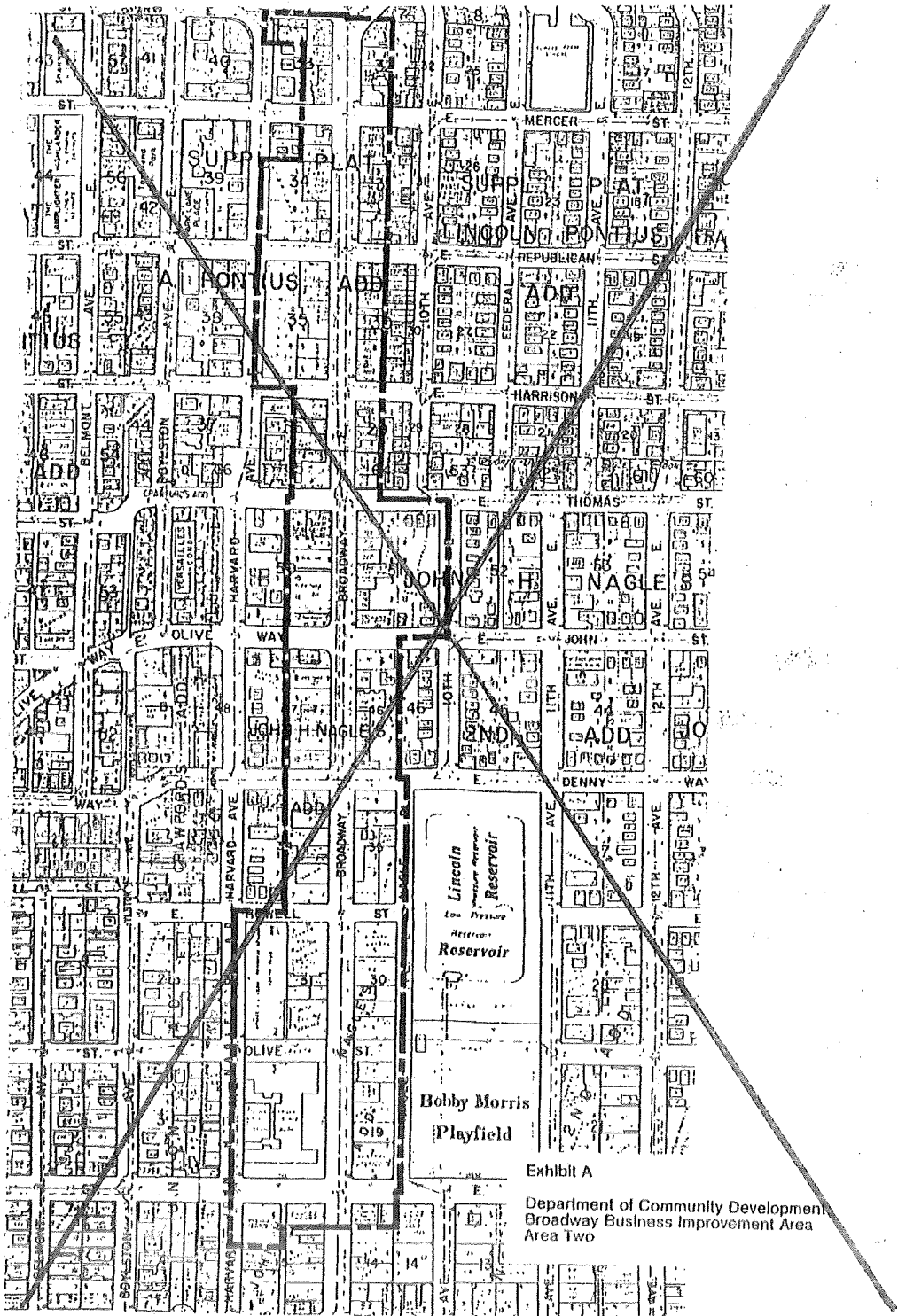


Exhibit A: Capitol Hill Business Improvement Area: Area 2

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



NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

EXH A to ORDINANCE 113029



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 Capitol Hill Business Improvement Area; modifying the boundaries; and amending Ordinance 113029, as previously amended by Ordinances 115998 and 120303.

Summary of the Legislation:

This Ordinance amends the boundaries of the Capitol Hill Business Improvement Area (Capitol Hill BIA), as allowed under chapter 35.87A RCW.

Background:

This Ordinance amends the boundaries of the Capitol Hill BIA, and is the final piece of legislation that must be prepared, per chapter 35.87A RCW. 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 Capitol Hill BIA developed the proposal to modify the boundaries of Area 2. The Capitol Hill BIA, which was established in 1986 through Ordinance 113029, provides services to aid in the economic vitality of the area. All businesses in the expanded Area 2 will receive the services and benefits of the existing BIA ratepayers and this expansion will provide a seamless continuity of services within the expanded boundaries. The Board developed a boundary modification 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.

This legislation has financial implications.



Appropriations:

Fund Name and Number	Department	Budget Control Level*	2014 Appropriation	2015 Anticipated Appropriation
TOTAL				

*See budget book to obtain the appropriate Budget Control Level for your department.

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
19830 BIA – Capitol Hill Business Improvement Area	Finance and Administrative Services	Ratepayer Assessments	\$ 7,000	\$ 12,000
TOTAL			\$ 7,000	\$12,000

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							

* 2015 positions and FTE are total 2015 position changes resulting from this legislation, not incremental changes. Therefore, under 2015, please be sure to include any continuing positions from 2014.

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
19830 BIA – Capitol Hill Business Improvement Area	Finance and Administrative Services	Not applicable	\$ 7,000	\$ 12,000
TOTAL			\$ 7,000	\$12,000

Spending/Cash Flow Notes: The Department of Finance and Administrative Services (FAS) will collect the Capitol Hill BIA’s assessments from its ratepayers. FAS holds the funds solely for the purpose of reimbursing the Capitol Hill BIA, which administers staffing, projects, and other costs associated with the Capitol Hill 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 Capitol Hill 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.

e) **Is a public hearing required for this legislation?** No.

f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**

Yes. The public hearing date is set in the companion FAS Capitol Hill BIA Intention resolution.

g) **Does this legislation affect a piece of property?** Yes.

h) **Other Issues:** None.

List attachments to the fiscal note below: None.





City of Seattle
Edward B. Murray
Mayor

April 22, 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 that amends the boundaries of the Capitol Hill Business Improvement Area (BIA). This legislation follows the City Council's recent adoption of a Resolution of Intention to modify the BIA's boundaries and is subsequent to the Council holding a public hearing on the matter.

The Capitol Hill BIA was established in 1986 through Ordinance 113029, and was subsequently amended by Ordinances 115998 and 120303. In 2012, the Capitol Hill BIA Ratepayer Advisory Board developed a proposal to modify the BIA's existing boundaries in compliance with RCW 35.87A. This action will allow the Capitol Hill BIA to deliver its important services to an expanded area and continue to enhance the Capitol Hill neighborhood's economic viability.

In light of the overall support for the Capitol Hill 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



STATE OF WASHINGTON -- KING COUNTY

--SS.

313659
CITY OF SEATTLE, CLERKS OFFICE

No.

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

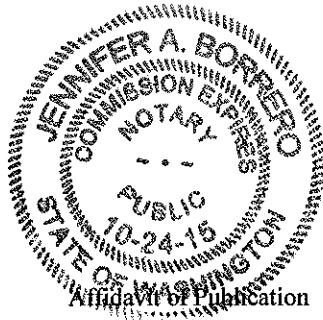
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:124514-523 TITLE ONLY

was published on

07/23/14

The amount of the fee charged for the foregoing publication is the sum of \$134.55 which amount has been paid in full.



Lauren Elliott
Subscribed and sworn to before me on
07/23/2014
[Signature]
Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

The full text of the following legislation, passed by the City Council on June 30, 2014, and published below by title only, will be mailed upon request, or can be accessed at <http://clerk.seattle.gov>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>. Contact: Office of the City Clerk at (206) 684-8344.

ORDINANCE NO. 124514

AN ORDINANCE relating to the Capitol Hill Business Improvement Area; modifying the boundaries; and amending Ordinance 113029, as previously amended by Ordinances 115998 and 120303.

ORDINANCE NO. 124515

AN ORDINANCE relating to historic preservation, imposing controls upon the Cedar Park Elementary School, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

ORDINANCE NO. 124516

AN ORDINANCE relating to the construction of a new Fire Station 32; transferring jurisdiction of a portion of Lots 1 through 4, Block 1, Norris' Addition to West Seattle from the Department of Finance and Administrative Services to the Seattle Department of Transportation and dedicating the property for alley purposes; and laying off, opening, widening, extending, and establishing the transferred property as street right of way.

ORDINANCE NO. 124517

AN ORDINANCE relating to the City Light Department, authorizing the acceptance of the Statutory Warranty Deed for the "Guse Property" in Skagit County, Washington, placing said land under the jurisdiction of the City Light Department, and ratifying and confirming certain prior acts.

ORDINANCE NO. 124518

AN ORDINANCE relating to Seattle Public Utilities; authorizing the Director of Seattle Public Utilities to enter into late-comer agreements, in accordance with the requirements of Chapter 35.91 of the Revised Code of Washington; and adding new Chapter 21.80 to Subtitle VII of Title 21 of the Seattle Municipal Code; and ratifying and confirming certain prior acts.

ORDINANCE NO. 124519

AN ORDINANCE authorizing the transfer of a Crown Victoria Police Interceptor to the Seattle Metropolitan Police Museum upon certain conditions being met.

ORDINANCE NO. 124520

AN ORDINANCE relating to the City Light Department, approving a fifteen-year franchise to construct, operate, maintain, replace and repair an electrical light and power system in, across, over, along, under, through and below certain designated public rights-of-way in the City of Shoreline.

ORDINANCE NO. 124521

AN ORDINANCE relating to the City Light Department; accepting various easements for overhead and underground electrical rights in King County, Washington; placing said easements under the jurisdiction of the City Light Department; and ratifying and confirming certain prior acts.

ORDINANCE NO. 124522

AN ORDINANCE relating to the City Light Department; accepting various easements for overhead and underground electrical rights in King County, Washington; placing said easements under the jurisdiction of the City Light Department; and ratifying and confirming certain prior acts.

ORDINANCE NO. 124523

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

Date of publication in the Seattle Daily Journal of Commerce, July 23, 2014.

7/23(318659)