

Ordinance No. 121837

Council Bill No. 115236

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The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: _____
Councilmember

Richard J. McIver

AN ORDINANCE relating to the Chinatown/
International District Parking and Business
Improvement Area; increasing the assessment
rates; and amending Ordinance 117174, as
previously amended by Ordinance 120614, in
accordance therewith.

Committee Action:

6/15/05 passed RM, RC, RL

6-20-05 Passed 8-0 (Excused: Compton)

CF No. _____


Date Introduced:	<u>4-18-05</u>	
Date 1st Referred:	<u>4-18-05</u>	To: (committee) <u>Finance & Budget</u>
Date Re - Referred:		To: (committee)
Date Re - Referred:		To: (committee)
Date of Final Passage:	<u>6-20-05</u>	Full Council Vote: <u>8-0</u>
Date Presented to Mayor:	<u>6-20-05</u>	Date Approved: <u>6/29/05</u>
Date Returned to City Clerk:	<u>6/30/05</u>	Date Published: <u>4 pp.</u> T.O. <input checked="" type="checkbox"/> F.T. <input type="checkbox"/>
Date Vetoed by Mayor:		Date Veto Published:
Date Passed Over Veto:		Veto Sustained:


This file is complete and ready for presentation to Full Council. Committee: _____ (initial/date)

Law Department

Law Dept. Review

OMP Review


City Clerk Review


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ORDINANCE 121837

AN ORDINANCE relating to the Chinatown/International District Parking and Business Improvement Area; increasing the assessment rates; and amending Ordinance 117174, as previously amended by Ordinance 120614, in accordance therewith.

WHEREAS, on June 6, 1994, the City Council passed Ordinance 117174, which created the Chinatown/International District Parking and Business Improvement Area (CIDBIA) for the purpose of enabling businesses within the CIDBIA to enhance conditions for the operation of those businesses; and

WHEREAS, on November 13, 2001, the City Council passed Ordinance 120614, providing for an increase in the CIDBIA assessment rates, effective January 1, 2002; and

WHEREAS, the services that are provided by the CIDBIA as set forth in Chapter 35.87A RCW are seen as beneficial to the community; and

WHEREAS, the CIDBIA Board of Directors has requested an increase in the CIDBIA assessment rates to keep pace with inflationary increases since 1994 in the cost of providing services, according to the Consumer Price Index; and

WHEREAS, the City Council believes it is in the best interests of both the CIDBIA and the City to adjust the CIDBIA rate structure in order to provide those services; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 3 of Ordinance 117174, as most recently amended by Ordinance 120614, is further amended as follows:

Section 3. Levy of Special Assessments. To finance the programs authorized in Section 2, there is levied upon, and shall be collected from the business and property owners in the Chinatown/International District Parking and Business Improvement Area described in Section 1, an annual special assessment, measured by the type of use and rate of assessment in the following table, subject to the calculations and limitations in Sections 4, 5, and 14:



Annual Assessment Formula

Category	Core Rate	Outer Core Rate
I. Retail/Commercial uses		
Ground Floor	((-11)) <u>.13/sq ft</u>	((-08)) <u>.098/sq ft</u>
Upper Floor	((-05)) <u>.066/sq ft</u>	((-03)) <u>.033/sq ft</u>
II. Wholesale/Manufacturing	((-03)) <u>.033/sq ft</u>	((-03)) <u>.033/sq ft</u>
III. Car/Truck Sales & Service	((-04)) <u>.046/sq ft</u>	((-04)) <u>.046/sq ft</u>
IV. Commercial Parking	\$((5.41)) <u>6.55/space</u>	\$((4.33)) <u>5.24/space</u>
V. Property Owner	((-05)) <u>.066/sq ft</u> of land	((-03)) <u>.033/sq ft</u> of land
VI. Family Association	\$((81.19)) <u>98.25/year</u>	\$((81.19)) <u>98.25/year</u>
VII. Train Stations	\$((108.25)) <u>131.00/year</u>	\$((108.25)) <u>131.00/year</u>
VIII. Non Profit tax-exempt corporation (26 USC 501(c)(2) or (3))	\$((108.25)) <u>131.00/year</u> membership optional	\$((108.25)) <u>131.00/year</u> membership optional
IX. Housing	\$((6.50)) <u>7.86/unit</u>	\$((4.33)) <u>5.24/unit</u>
X. Duplex/Single Homes	\$((6.50)) <u>7.86/home</u>	\$((4.33)) <u>5.24/home</u>
XI. Full Service Hotels	\$((21.65)) <u>26.20/room</u>	\$((16.24)) <u>19.65/room</u>

* * *



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Executive Administration	Gregg Johanson/3-9833	Eve Sternberg/6-1119

Legislation Title:

AN ORDINANCE relating to the Chinatown/International District Parking and Business Improvement Area; increasing the assessment rates; and amending Ordinance 117174, as previously amended by Ordinance 120614, in accordance therewith.

• **Summary of the Legislation:**

The proposed legislation will increase the assessment rates for the Chinatown/International District Parking and Business Improvement Area (CIDBIA), to keep up with inflation as measured by the Consumer Price Index.

• **Background:**

Through Ordinance 117174, the City established the CIDBIA in 1994. The same year, the City adopted Ordinance 117198, correcting an inadvertent omission in the original ordinance by establishing a commencement date for levying of assessments. The following year, the City adopted Ordinance 117610, providing for minimum assessment levels. In late 2001, the City adopted Ordinance 120614, which provided for an 8.25% assessment rate increase, effective January 1, 2002. There has been no subsequent increase in the assessment rates for the CIDBIA.

On October 8, 2004, the ratepayer advisory board for the CIDBIA formally requested that the City increase rate assessments by 22.75%. The CIDBIA ratepayer advisory board seeks the proposed rate increases to maintain current service levels, offsetting the effects of inflation on service costs. The Consumer Price Index for the Seattle-Tacoma-Bremerton Metropolitan Area has increased by approximately 31% since the CIDBIA was established in 1994. The 2002 rate increase was for 8.25% across the board. The rate increase proposed through this Council Bill provides for the balance of 22.75%.

• *Please check one of the following:*

This legislation does not have any financial implications. *(Stop here and delete the remainder of this document prior to saving and printing.)*

This legislation has financial implications. *(Please complete all relevant sections that follow.)*



Gregg Johanson
 March 29, 2005
 DEA Chinatown/International District BIA Rate Increase ORD
 Version #1

Appropriations:

Fund Name and Number	Department	Budget Control Level*	2005 Appropriation	2006 Anticipated Appropriation
TOTAL				

Notes:

There are no appropriations included in this ordinance.

Anticipated Revenue/Reimbursement: Resulting From This Legislation:

Fund Name and Number	Department	Revenue Source	2005 Revenue	2006 Revenue
19880 Chinatown/International District BIA Subfund	Executive Administration	Ratepayer Assessments	\$ 16,250	\$ 32,500
TOTAL			\$ 16,250	\$ 32,500

Notes: Anticipated revenue increases based upon 2004 revenues of \$142,800. Anticipated revenue for 2005 is based upon an effective date of July 1, 2005.

Total Regular Positions Created Or Abrogated Through This Legislation, Including FTE Impact:

Position Title and Department*	Fund Name	Fund Number	Part-Time/Full Time	2005 Positions	2005 FTE	2006 Positions**	2006 FTE**
TOTAL							

Notes: There are no position changes associated with this ordinance.

- **Do positions sunset in the future?** Not applicable.



Spending/Cash Flow:

Fund Name and Number	Department	Budget Control Level*	2005 Expenditures	2006 Anticipated Expenditures
TOTAL				

Notes: There are no appropriations associated with this ordinance.

• **What is the financial cost of not implementing the legislation?**

None to the City. The City would continue to administer the CIDBIA, which would operate at current rate levels.

• **What are the possible alternatives to the legislation that could achieve the same or similar objectives?**

None. RCW 35.87A.140 requires the City to adopt an ordinance to change assessment rates for a parking and business improvement area. Improvement area services are in addition to, and not a replacement of, basic City services, and are funded by assessments on the properties that benefit from the services. If the legislation is not passed, CIDBIA services will be provided at a level feasible with revenues from current rates. Over time, inflation will erode the level of service the CIDBIA is able to provide to ratepayers.

• **Is the legislation subject to public hearing requirements:** Yes. A resolution of intention, establishing a hearing date, is before the City Council.

• **Other Issues:** None.

Please list attachments to the fiscal note below: None.



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Executive Administration	Gregg Johanson/3-9833	Eve Sternberg/6-1119

Legislation Title:

AN ORDINANCE relating to the Chinatown/International District Parking and Business Improvement Area; increasing the assessment rates; and amending Ordinance 117174, as previously amended by Ordinance 120614, in accordance therewith.

• **Summary of the Legislation:**

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• **Background:**

Through Ordinance 117174, the City established the CIDBIA in 1994. The same year, the City adopted Ordinance 117198, correcting an inadvertent omission in the original ordinance by establishing a commencement date for levying of assessments. The following year, the City adopted Ordinance 117610, providing for minimum assessment levels. In late 2001, the City adopted Ordinance 120614, which provided for an 8.25% assessment rate increase, effective January 1, 2002. There has been no subsequent increase in the assessment rates for the CIDBIA.

On October 8, 2004, the ratepayer advisory board for the CIDBIA formally requested that the City increase rate assessments by 22.75%. The CIDBIA ratepayer advisory board seeks the proposed rate increases to maintain current service levels, offsetting the effects of inflation on service costs. The Consumer Price Index for the Seattle-Tacoma-Bremerton Metropolitan Area has increased by approximately 31% since the CIDBIA was established in 1994. The 2002 rate increase was for 8.25% across the board. The rate increase proposed through this Council Bill provides for the balance of 22.75%.

This ordinance also makes technical corrections to the minimum assessments provided for in Ordinance 117610, in which there were inadvertent errors made regarding the minimum rate assessments for homeowners and family associations. Those errors did not affect the actual rates charged to these two groups.



- Please check one of the following:

This legislation does not have any financial implications. (Stop here and delete the remainder of this document prior to saving and printing.)

This legislation has financial implications. (Please complete all relevant sections that follow.)

Appropriations:

Fund Name and Number	Department	Budget Control Level*	2005 Appropriation	2006 Anticipated Appropriation
TOTAL				

Notes:

There are no appropriations included in this ordinance.

Anticipated Revenue/Reimbursement: Resulting From This Legislation:

Fund Name and Number	Department	Revenue Source	2005 Revenue	2006 Revenue
19880 Chinatown/ International District BIA Subfund	Executive Administration	Ratepayer Assessments	\$ 16,250	\$ 32,500
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Total Regular Positions Created Or Abrogated Through This Legislation, Including FTE Impact:

Position Title and Department*	Fund Name	Fund Number	Part-Time/Full Time	2005 Positions	2005 FTE	2006 Positions**	2006 FTE**
TOTAL							

Notes: There are no position changes associated with this ordinance.

- **Do positions sunset in the future?** Not applicable.

Spending/Cash Flow:

Fund Name and Number	Department	Budget Control Level*	2005 Expenditures	2006 Anticipated Expenditures
TOTAL				

Notes: There are no appropriations associated with this ordinance.

- **What is the financial cost of not implementing the legislation?**

None to the City. The City would continue to administer the CIDBIA, which would operate at current rate levels.

- **What are the possible alternatives to the legislation that could achieve the same or similar objectives?**

None. RCW 35.87A.140 requires the City to adopt an ordinance to change assessment rates for a parking and business improvement area. Improvement area services are in addition to, and not a replacement of, basic City services, and are funded by assessments on the properties that benefit from the services. If the legislation is not passed, CIDBIA services will be provided at a level feasible with revenues from current rates. Over time, inflation will erode the level of service the CIDBIA is able to provide to ratepayers.

- **Is the legislation subject to public hearing requirements:** Yes. A resolution of intention, establishing a hearing date, is before the City Council.
- **Other Issues:** None.



Gregg Johanson
March 29, 2005
DEA Chinatown/International District BIA Rate Increase ORD
Version #2

Please list attachments to the fiscal note below: None.





City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

April 5, 2005

Honorable Jan Drago
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Drago:

The attached proposed Council Bill would increase the assessment rates for the Chinatown/International District Parking and Business Improvement Area ("CIDBIA"). The CIDBIA ratepayer advisory board requested the rate increases proposed in this legislation to offset the effects of inflation on the costs of providing parking and business improvement services. A public hearing on the proposed rate increase, as required by RCW 35.87A.140, is planned to be held before the City Council Finance and Budget Committee in April 2005.

The CIDBIA was created in 1994 to provide services that promote business, including litter control, security, special public events, and parking amenities. The assessments levied upon ratepayers within the CIDBIA have been raised only once before, in 2002. The proposed increases bring assessment rates into line with inflationary increases since 1994 in the cost of providing services. The inflationary adjustment is based upon the Consumer Price Index.

Providing for an increase in assessment rates will allow the CIDBIA to continue providing valuable services for businesses in the Chinatown/International District community. Thank you for your consideration of this legislation. Should you have questions, please contact Ken Nakatsu at 684-0505, or Teri Allen at 684-5226.

Sincerely,



GREG NICKELS
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

600 Fourth Avenue, 7th Floor, P.O. Box 94749, Seattle, WA 98124-4749

Tel: (206) 684-4000, TDD: (206) 684-8811 Fax: (206) 684-5360, E:mail: mayors.office@seattle.gov

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STATE OF WASHINGTON – KING COUNTY

--SS.

187488
CITY OF SEATTLE, CLERKS OFFICE

No. TITLE ONLY

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:121837-121843

was published on

07/05/05

The amount of the fee charged for the foregoing publication is the sum of \$ 106.00, which amount has been paid in full.

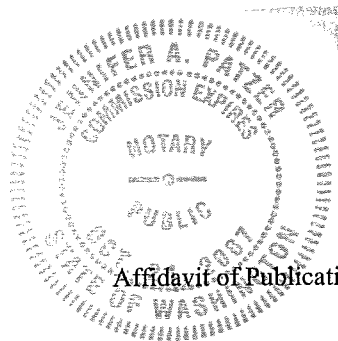
Malf

Subscribed and sworn to before me on

07/05/05

[Signature]

Notary public for the State of Washington,
residing in Seattle



Affidavit of Publication

State of Washington, King County

City of Seattle

TITLE-ONLY PUBLICATION

The full text of the following ordinance, passed by the City Council on June 20, 2006, and published here by title only, will be mailed upon request, or can be accessed electronically at <http://clerk.ci.seattle.wa.us>. For further information, contact the Seattle City Clerk at 684-8344.

ORDINANCE NO. 121843

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

ORDINANCE NO. 121842

AN ORDINANCE relating to the Department of Parks and Recreation, concerning West Seattle Golf and Recreation Area, accepting a Quit Claim Deed from Charlotte Monson Barmore Revocable Living Trust, in accordance with King County Superior Court Agreed Judgment No. 03-2-35533-0 SEA, to quiet title to land held for park and recreation purposes.

ORDINANCE NO. 121841

AN ORDINANCE relating to the Seattle Parks and Recreation Department; accepting a Quit Claim Deed from Seattle Pacific University to the City of Seattle conveying any right, title, or interest in improvements at Interbay Athletic Field.

ORDINANCE NO. 121840

AN ORDINANCE relating to the Burke Gilman Trail; accepting deeds from Adventure Trail, Inc. and the Burlington Northern and Santa Fe Railway Company.

ORDINANCE NO. 121839

AN ORDINANCE relating to the Ship Canal Trail; accepting deeds and easements; transferring jurisdiction of certain real property near the Ballard Bridge from the Fleets and Facilities Department to Seattle Department of Transportation; authorizing the execution and delivery of deeds of right to the State of Washington; authorizing the acquisition of property and acceptance of deeds; and authorizing the execution and delivery of a crossing easement agreement.

ORDINANCE NO. 121838

AN ORDINANCE relating to community development in the Central Area; transferring jurisdiction of land at 20th Ave. South and South Jackson, known as parcel 47 of the Yesler/Atlantic Neighborhood Improvement Project, from the Office of Housing to the Department of Fleets and Facilities; making a related cash transfer from the Emergency Subfund to the Community Development Block Grant Main Fund; amending the 2006 Table of Proposed Projects to the 2006-2008 Consolidated Plan for Housing and Community Development to allocate increased funding resulting from such transfer; increasing appropriations to the Office of Economic Development in the 2006 Budget; and ratifying and confirming prior acts, all by three-quarters vote of the City Council.

ORDINANCE NO. 121837

AN ORDINANCE relating to the Chinatown/International District Parking and Business Improvement Area; increasing the assessment rates; and amending Ordinance 117174, as previously amended by Ordinance 120614, in accordance therewith.

Publication ordered by JUDITH PIPPIN, City Clerk.

Date of publication in the Seattle Daily Journal of Commerce, July 6, 2006.

7/6(187488)