

**Council Bill Number: 115662**

**Ordinance Number: 122212**

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AN ORDINANCE relating to the **University District Parking and Business Improvement** Area; increasing the assessment rates; and amending Ordinance 118412, as previously amended by Ordinance 120304, in accordance therewith.

**Date introduced/referred:** July 24, 2006

**Date passed:** September 5, 2006

**Status:** Passed

**Vote:** 9-0

**Date of Mayor's signature\*:** September 8, 2006

**Committee:** Finance and Budget

**Sponsor:** MCIVER

**Index Terms:** BUSINESS-IMPROVEMENT-AREAS, UNIVERSITY-DISTRICT, ASSESSMENT, FEES

**References/Related Documents:** Amending Ord 118412

**Text**

ORDINANCE \_\_\_\_\_

AN ORDINANCE relating to the University District Parking and Business Improvement Area; increasing the assessment rates; and amending Ordinance 118412, as previously amended by Ordinance 120304, in accordance therewith.

WHEREAS, the University District Parking and Business Improvement Area ("PBIA") was created in 1996 through Ordinance 118412, which provided for the levy of special assessments upon businesses within the PBIA for the purpose of enhancing conditions for the operation of those businesses; and

WHEREAS, in 2001, through Ordinance 120304, the City Council approved an assessment rate increase of approximately 4%; and

WHEREAS, this year, the University District Ratepayers Advisory Group requested an additional 10% increase in the assessment rates, as well as a 10% increase in the minimum and maximum assessments allowed by Ordinance 118412, to prevent reduction in PBIA services caused by inflation in prices since 2001; and

WHEREAS, a public hearing regarding the proposed rate adjustment was held on \_\_\_\_\_, 2006, and comments regarding the increase have been considered by City Council; and

WHEREAS, based upon information provided by the University District Ratepayers Advisory Group and comments received during the public hearing, the City Council believes it is in the best interests both of the PBIA and the City to adjust the rate structure to maintain appropriate levels of service; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 3 of Ordinance 118412, as amended by Ordinance 120304, is hereby 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 University 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 and 5:

Annual Assessment Formula

Category....Rate of Assessment

I. Retail/commercial uses

| Ground Floor....~~\$.104~~ \$.114 sq. ft.

| Upper Floor....~~\$.052~~ \$.057 sq. ft.

| Below Ground Floor....~~\$.052~~ \$.057 sq. ft.

| II. Commercial Parking....~~\$5.20~~ \$5.72 / space

| III. Full Service Hotels/Motels....~~\$10.40~~ \$11.44 / room

| IV. Apartments....~~\$5.20~~ \$5.72 / unit

| V. Property Owners....~~\$.052~~ \$.057 sq. ft.

Section 2. Section 4 of Ordinance 118412 is hereby amended as follows:

Section 4. Calculation of and limitations upon assessments.

\* \* \*

| ~~(e) A minimum assessment of \$100~~ \$110 ~~one hundred d~~  
| One Hundred Ten Dollars) will be applied to every business,  
| organization, and property within the BIA boundaries.

| ~~(f) The total assessment upon any single business site within the~~  
| ~~BIA shall not initially exceed \$10,000~~ \$11,000 ~~ten-~~  
| ~~thousand d~~ Eleven Thousand Dollars) annually.

Section 3. Section 14 of Ordinance 118412 is hereby amended as follows:

Section 14. Rate Changes. Any change in the assessment rate shall only be made by ordinance and as authorized in RCW 35.87A.140. No increase shall occur in the assessment rate unless recommended by the Ratepayers Advisory Board.

To prevent reduction in services due to inflation in prices the City may from time to time, upon recommendation of the Ratepayers Advisory Board and by ordinance, increase or reduce assessment rates,

to reflect changes in the purchasing power of money. Any increase in the assessment formula shall be based on the increase, if any, of the Consumer Price Index (CPI) for the metropolitan Seattle area; provided, however, that the increase shall not exceed five percent (5%) in any calendar year. The percentage of increase in the assessment formula shall be computed as follows:

$$\begin{array}{rcl} \text{(Ending CPI - Beginning CPI)} & \times & 100 & = \\ \text{(Beginning CPI)} & & \text{Percentage of Increase} & \end{array}$$

Rates after the percentage increase shall be rounded to the nearest one-thousandth (mil) as to square footage rates in Categories I, II, III, and IV, ~~and nickel as to Category V.~~

Section 4. The assessment rates provided for in Section 1 shall take effect on January 1, 2007.

Section 5. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the \_\_\_\_ day of \_\_\_\_\_, 2006, and signed by me in open session in authentication of its passage this \_\_\_\_ day of \_\_\_\_\_, 2006.

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

Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Gregory J. Nickels, Mayor

Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
City Clerk

(Seal)

Gregg Johanson

University District BIA Rate Increase ORD

June 20, 2006

version #1a