

Project title: Everett Station District Alliance (ESDA) Business Improvement Area (BIA) Resolution initiating the establishment of a Business Improvement Area

City Council Agenda Item Cover Sheet

Council Bill #
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Consideration: N/A

Project: N/A

Agenda dates requested:
11/16/22

Partner/Supplier: N/A

Location: N/A

Briefing
Proposed action
Consent
Action 11/16/22
Ordinance
Public hearing
..... Yes No

Preceding action: N/A

Fund: N/A

Fiscal summary statement:

Project summary statement:

Everett Station District Alliance (ESDA) briefed council at the 11/9/22 meeting on the proposed Business Improvement Area (BIA) specific to two resolutions requiring council adoption prior to the draft ESDA BIA Ordinance briefing and 1st reading.

Budget amendment:
..... Yes No

PowerPoint presentation:
..... Yes No

The first resolution for council approval initiates the establishment of an Everett Station District Business Improvement Area (BIA), with (1) a description of the boundaries of the proposed area; (2) the proposed uses and projects to which the proposed special assessment revenues shall be put and the total estimated cost thereof; and (3) the estimated rate of levy of special assessment.

Attachments:
None

Department(s) involved:
Legal

Contact person:
David Hall

Phone number:
425-257-8624

Email:
dhall@everettwa.gov

Recommendation (exact action requested of Council):

Adopt the Resolution initiating the establishment of an Everett Station District Business Improvement Area (BIA).

Initialed by:
.....
Department head
.....
Administration
.....
Council President



RESOLUTION NO. _____

A RESOLUTION initiating the establishment of an Everett Station District Business Improvement Area (BIA), with (1) a description of the boundaries of the proposed area; (2) the proposed uses and projects to which the proposed special assessment revenues shall be put and the total estimated cost thereof; and (3) the estimated rate of levy of special assessment.

WHEREAS,

1. Businesses and property owners within the proposed Everett Station District Business Improvement Area (BIA) have petitioned the City to establish the proposed BIA, in order to use special assessment revenues to fund programs and services, such as public safety, cleaning, parking management, and community development, within the neighborhood surrounding the Everett Transit Station.
2. The City is willing to initiate and declare its intention to establish the proposed BIA, levy special assessments for five years, and authorize a 2023 budget for the proposed BIA.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND EVERETT CITY COUNCIL THAT:

Section 1.

Pursuant to Chapter 35.87A of the Revised Code of Washington (RCW), City intends to establish and is hereby initiating the establishment of an Everett Station District Business Improvement Area (BIA) with four geographic areas as depicted in Attachment A (Everett Station District Business Improvement Area Boundaries), and as described in writing below. In case of a conflict between the written description, and the map (Attachment A), the map shall control. When a street or alley is named in the description, the area boundary is the centerline of the right-of-way including vacated portions unless otherwise specified in the description. Parcels are described by the parcel identification number assigned by the Snohomish County Assessor.

- A. Northwest Area: Beginning at the centerlines of Broadway and Hewitt Ave, proceed south along Broadway to 32nd Street; then proceed west on 32nd Street for a half-block to the alley between Broadway and Lombard; then proceed south in the alley to 33rd St; then proceed west on 33rd St to Lombard St; then proceed south on Lombard St to 34th St, then proceed east on 34th St to McDougall St; then proceed south on McDougall St to the south edge of the parcels identified by the Snohomish County Assessor as parcel 00439079700101; then proceed around the south and east side of the parcel to the south edge of parcel 00439079701700; then proceed east to Paine St and continue east along the south edge of parcels 00439079800200 and 00439079801201 to Smith Ave; then proceed north on Smith Ave to St to 33rd St; then

proceed east on 33rd St between parcels 00439075901100 and 29052900201400 to the western edge of the BNSF right of way; then proceed north along the western edge of the BNSF right of way to Hewitt Ave; then proceed west on Hewitt Ave to Broadway, ending at the intersection of the centerlines of Hewitt Ave and Broadway.

- B. Northeast Area: Beginning at the centerlines of 33rd and Hill Ave, proceed north to Pacific Ave; then proceed west on Pacific Ave to the eastern edge of the BNSF right of way; then proceed north along the BNSF right of way to Hewitt Ave; then proceed east on Hewitt Ave to the eastern edge of parcel 00439069100000; then south between parcels 00439069100000 and 00437869300700; then proceed east between parcels 00437869300700, 00437869300900, and 00437869301600 to the north and parcel 00439069100000 to the south, and continue east via the alley from Fulton St to Maple St; then proceed south along Maple St to Pacific, and continue past Pacific on the on-ramp to Interstate 5, until the southern edge of parcel 00429075000100; then proceed generally east between parcel 00429075000100 to the north and parcels 00439075302000 and 00439075301200 to the south until the centerline of Pine Street; then proceed south on Pine St to 33rd St; then proceed west on 33rd St to Hill Ave, then ending at the intersection of the centerlines of 33rd St and Hill Ave; proceed west on Pacific Ave to the eastern edge of the BNSF right of way; then proceed north along the BNSF right of way to Hewitt Ave; then proceed east on Hewitt Ave to Maple St, ending at the intersection of the centerlines of Hewitt Ave and Maple St.
- C. South McDougall Area: Beginning at the centerlines of Broadway and 39th Street, proceed east along 39th to the eastern edge of the Interstate 5 right of way; then proceed north along the eastern edge of the Interstate 5 right of way to 37th Street; then proceed west on 37th Street to the alley between parcels 00576001000001 and 00576001000002; then proceed north in the alley to 36th St; then proceed west on 36th St to the alley between McDougall St and Broadway; then proceed south in the alley past 38th St to the southern edge of parcel 00576002300001; then proceed west between parcel 00576002300001 and parcel 00576002300009 to Broadway; then proceed south on Broadway to 39th St, ending at the intersection of the centerlines of Broadway and 39th St.
- D. South Smith Avenue / BNSF Area: Beginning at the centerlines of 33rd St and Smith Avenue, proceed south along Smith Avenue to the southern edge of parcel 00576000600010; then proceed west between parcel 00576000600010 and parcel 00576000600001 to the alley; then proceed south in the alley to 36th St; then continue to proceed south on Paine Ave to 37th St; then Proceed east across the Interstate 5 right of way to Smith Ave; then proceed south on Smith Ave to the southern edge of parcel 00576001900001; then proceed east between parcels 00576001900001 and 29052900300800 to the north and parcels 00576001900003 and 29052900300700 to the south until the western edge of the BNSF right of way; then proceed north along the western edge of the BNSF right of way to the centerline of the Interstate 5 right of way; then proceed north along the centerline of the Interstate 5 right of way to 34th St; then proceed west on 34th St to the end of the public right of way of 34th St; then proceed north between parcels 29052900201300 and 00984050103100 to the west and parcels 00439080101300, 00439080101100, 00439080100700, 00439080100400, and 00439080100100 to the east until 33rd St; then proceed west between parcels 29052900201300, 00984050103100, and 29052900201400 to the south and parcels 00439074500000 and



00439075901100 until the ending at the intersection of the centerlines of Smith Ave and 33rd St.

Section 2.

Special assessment revenues can only be used for the purposes, programs, and services allowed by RCW 35.87A. Primary programming, including a focus on safety, cleaning, neighborhood enhancement, community development, and marketing, is shown in Attachment B.

Section 3.

- A. To finance programs and services as authorized in Section 3, there is levied and shall be collected an annual special assessment upon the buildings and other real property within the District (and the owners thereof), as follows:
 - a. For properties which the primary land use is a hotel, the assessment on the property shall be \$0.04 per land square-foot plus \$0.06 per gross building square-foot, based on Snohomish County records for 2022.
 - b. For all other properties within the BIA boundaries, the assessment shall be \$0.04 per land square-foot plus \$0.50 per \$1,000 of total market value, based on Snohomish County records for 2022.
- B. For 2023 and each subsequent year, the total assessment on each property shall be annually adjusted by an Inflationary Factor, which shall be equal to the change in the July to June Consumer Price Index for All Urban Consumers in Seattle -Tacoma -Bremerton ("CPI") from the Base Year. The Inflationary Factor shall be no more than five percent per year.
- C. Real property owned by the City of Everett shall be subject to the special assessment.
- D. Property owned by the County, State, and Federal government shall be exempt from the special assessment, provided that nothing herein shall preclude the County, State, or Federal government from agreeing to make payment for any such assessment.
- E. The following properties shall also be exempt from the special assessment, provided that nothing herein shall preclude such properties from agreeing to make payment for any such assessment:
 - 1. Residential properties that do not meet the definition of "Multifamily residential or mixed-use project" and are not owned by a "Residential Operator," as defined by RCW 35.87A.020;
 - 2. Properties owned by an energy utility district that are used for transmitting electricity or as a substation;
 - 3. Publicly-owned streets and roadways;
 - 4. Properties used exclusively for railroads and properties with rights related to mining or future railroad use; and



5. Properties designated by the Snohomish County Assessor as having a “Motor Freight Transportation” use.

Section 4.

A copy of the boundary map and the proposed program activities and budget are attached as Attachments A and B to this resolution.

Section 5.

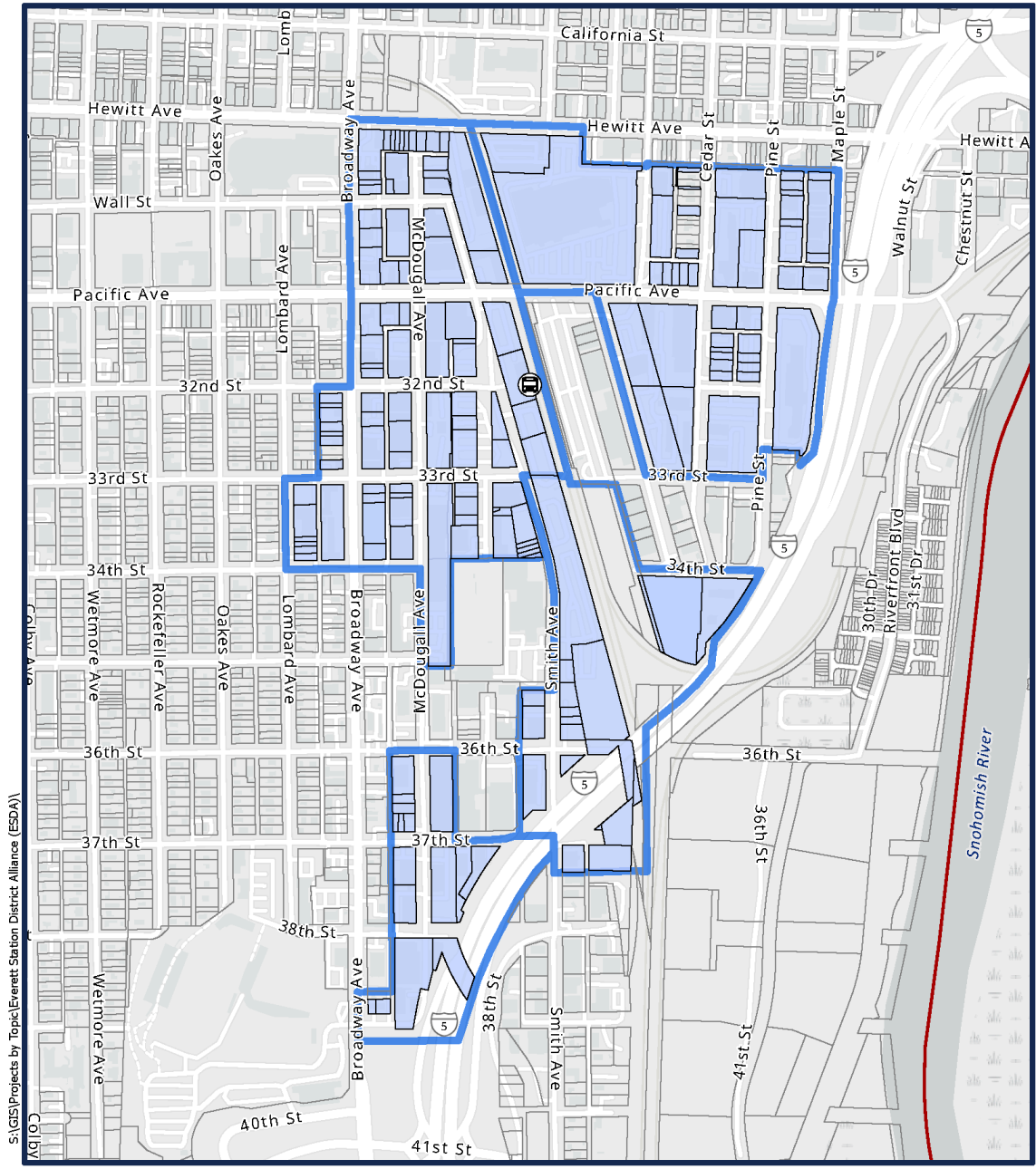
The City Clerk is authorized to make necessary corrections to this resolution including, but not limited to, the correction of scrivener’s/clerical errors, references, numbering, section/subsection numbers, and any references thereto.

Councilmember introducing resolution

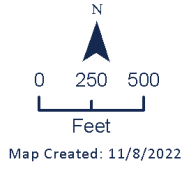
Passed and approved this ____ day of _____, 2022.

Council President

Attachment A Everett Station District Business Improvement Area (BIA) Boundaries



- Everett City Limits
- Everett Station Business Improvement Area (BIA)
- BIA Parcel
- Parcel
- Everett Station Transit Center



Attachment B
Everett Station District Business Improvement Area (BIA)
PROGRAM ACTIVITIES & BUDGET

The BIA Special Assessment revenues shall be used for the authorized purposes pursuant to RCW 35.87A, which includes:

- A. The acquisition, construction or maintenance of parking facilities for the benefit of the area;
- B. Decoration of any public place in the area;
- C. Sponsorship or promotion of public events which are to take place on or in public places in the area;
- D. Furnishing of music in any public place in the area;
- E. Providing professional management, planning, and promotion for the area, including the management and promotion of retail trade activities in the area;
- F. Providing maintenance and security for common, public areas; and
- G. Providing transportation services for the benefit of the area.

These authorized uses are a recitation of the authorized purposes listed in RCW 35.87A.010.

The authorized programs and services of the BIA shall be all those authorized by RCW 35.87A. The following budget, programs, and services for the first year (2023) of the operation of the BIA shall be as follows:

Program	Budget \$
Safe & Clean	\$230,000
Parking Monitoring	\$15,000
Neighborhood Enhancement	\$20,000
Promotion, Communications, and Economic Development	\$15,000
Management & Accounting	\$30,000
Start-up Costs	\$3,500
GRAND TOTAL	\$313,500
<i>Uncollected Assessments</i>	<i>\$12,090</i>

Any unanticipated additional revenue shall be put in a reserve for future years.

Budgets for future years (2024, 2025, 2026, and 2027), will be proposed and recommended by the Ratepayers Advisory Board, approved by the ratepayers at the Annual Meeting, and approved by the Finance Director on an annual basis.