



ORDINANCE NO. 3919-22

An Ordinance establishing an Everett Station District Business Improvement Area (BIA); providing for the levy of a special assessment upon real property (and the owners thereof) within the area; the deposit of revenues in a special account and expenditures therefrom; and providing for an implementing agreement with an Everett Station District property owners association or similar organization.

WHEREAS,

- A. The City Council, on November 16, 2022, adopted Resolutions No. 7837 and No. 7838, expressing intent to establish an Everett Station District BIA and initiating said establishment.
- B. Businesses and property owners within the Everett Station District BIA have indicated that they value the BIA's use of special assessment revenues to fund programs and services, such as safety, cleaning, parking management, community development, and other neighborhood services.
- C. As provided in Resolution No. 7838, the City Council held a public hearing on December 14, 2022, in the Everett City Hall Council Chambers, concerning the formation of the Everett Station District BIA and the imposition of special assessments on property (and property owners) within such BIA, prior to the adoption of this Ordinance.

NOW, THEREFORE, THE CITY OF EVERETT DOES ORDAIN:

Section 1. District Established.

As authorized by Chapter 35.87A RCW, there is hereby established 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. A list of parcels with parcel ID numbers is set forth in Attachment B. In case of a conflict between the written description, the list of parcels (Attachment B), 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 Ave. then proceed south on Lombard Ave. to 34th St, then proceed east on 34th St to McDougall Ave.; then proceed south on McDougall Ave. 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 St. 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 Ave., and continue past Pacific Ave. 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.
- 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 Ave. 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. District Assessment.

- 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 3. Purposes and Programs.

Special Assessment revenues shall be used for the authorized purposes provided by RCW 35.87A.010, as consistent with the adopted budget and approved by the Ratepayer Advisory Board, as provided in Sections 7, 8, and 14 and attachment C. All activities are supplemental to the street maintenance, law enforcement, land use planning, citywide marketing, and other services provided by the City and are not intended to displace any services regularly provided by municipal government.



Section 4. Collection of Assessments.

- A. Assessments shall commence as of January 1, 2023.
- B. The initial assessment invoices will be generated and mailed no later than April 28, 2023. Subsequent annual assessment invoices will be generated and mailed no later than the last business day of January.
- C. The initial assessment and subsequent annual assessments showing the rate of the special assessment, the land square footage and assessed value on which it is calculated, and the total assessment for each separate ownership, shall be mailed to the owner or reputed owner whose name appears as the owner on the tax rolls of the Snohomish County Assessor and at the address for such owner as shown on the tax rolls of the Snohomish County Assessor.
- D. For multifamily residential properties that are subject a Home Owner's Association (HOA), the HOA shall be responsible for payment of the assessment on the multifamily residential property as a whole. When an HOA is responsible for payment of an assessment, the assessment shall be mailed to the HOA.
- E. Subsequent annual assessments, with the applicable rate, land square footage and assessed value, and total assessment for each separate ownership, may be sent by ordinary mail or delivered by the City, or the City's designee, to the address shown in the tax records of the Snohomish County Assessor. It will be presumed that ownership and the address of any owner or reputed owner remains the same as at the time of mailing of the initial annual assessment unless the City, or the City's designee, receives written notice of a change in the address of the owner to which the assessment notice is to be mailed.
- F. Duplicate notices will be mailed upon request of the owner to the owner's named representative at the address given in such written request of the owner.
- G. In the event the annual budget approved is greater than the funds which will be available from the total of all assessments within the ESDA BIA for such annual period, calculated at the assessment rates as set forth herein, then such budget shall be reduced to match the revenue. Any unexpected and unobligated budgeted amount remaining at the end of any annual assessment period, and any assessments or funds collected and deposited in the ESDA BIA Fund in excess of the amount authorized to be expended for the annual assessment period in which such excess amounts are received may be expended as may be authorized by the next annual BIA budget approved by the City Finance Director, or as may be authorized by amendment to the current annual budget pursuant to Sections 7 and 8 of this ordinance.
- H. Insofar as is consistent with this ordinance and Chapter 35.87A, special assessments shall be collected on an annual basis, with payments due thirty (30) days from the date of billing, or the first City business day thereafter. Upon termination of the BIA, pursuant to Section 15 or otherwise, no refunds for overpayments of assessments shall be made to persons paying such overpayments unless there are sufficient funds in the District Fund to pay such overpayments, after payment of all other costs, debts, or liabilities incurred on or payable from the District Fund. If there are sufficient funds remaining to refund some of the overpayments, but not all, such refunds shall be pro-rated among those who have made timely claims pursuant to Section 11 herein and are entitled to refunds for overpayment.



Section 5. Deposit Into Fund.

A special fund is hereby created, to be called the Everett Station District Business Improvement Area Fund, hereafter called the “ESDA BIA Fund,” into which shall be deposited:

- A. All revenues from special assessments levied under this ordinance.
- B. Interest, late charges, penalties, and income from the investment of fund deposits.
- C. Gifts and donations to the fund.
- D. Restitution moneys for expenditures made from the fund and reimbursement due to the fund.

Section 6. Expenditures.

Expenditures from the ESDA BIA Fund as may be authorized by the City Council or Finance Director shall be used exclusively for the purposes specified in this ordinance and shall not be used for any other purpose.

Section 7. Approval of Expenditures/Contract for Program Management.

There is hereby appropriated and authorized to be expended from the ESDA BIA Fund the sum of \$313,500, or so much thereof as may be necessary, for the purposes, activities, services, and projects approved for the 2023 BIA fiscal year (January 1, 2023, through December 31, 2023), as set forth in Attachment C to this Ordinance. Unless otherwise authorized by the City, the total amount to be specially assessed and expended in subsequent years 2024-2027 shall be as set forth in the budget as proposed by the Ratepayer Advisory Board and approved by the City Finance Director pursuant to Sections 8 and 14. The particular program and services to be provided for each subsequent period and the amount of funding thereof shall be as approved by Section 3 and 14 of this Ordinance and in accordance with RCW 35.87A.010.

The Mayor is hereby authorized and directed to contract with the Everett Station District Alliance, or similar organization, to administer funds for the approved purposes, activities, services, and projects for the first year. Thereafter the City may continue each year to contract with the Everett Station District Alliance or similar organization to administer the forthcoming annual program, unless a suitable successor organization is recommended by (a) a majority of the votes of the ratepayers at their annual meeting weighed by the dollar value of their assessments, (b) a petition signed by ratepayers who pay the majority of the assessments, or (c) by the organization itself.

Section 8. Administration.

The ESDA BIA Fund shall be maintained by the City. To administer the account, the City Finance Director or their designee is authorized to:

- A. Collect special assessments based on data and information provided by the ESDA.
- B. Refund special assessments when overpaid and extend the deadline for payment and/or waive delinquency charges whenever the delinquency is the result of the failure by the City to provide a statement of the amount due, or nonpayment results from extenuating

circumstances that are reasonably beyond the ratepayer's control, such as a casualty loss, causing bankruptcy.

- C. Determine and apply the interest rate for late payments contemplated by Section 12.
- D. Direct the appropriate officers of the City to pursue collection procedures, including bringing legal civil actions in district or superior court to collect any unpaid assessments and to collect such unpaid assessments by foreclosure action against the property on which it is assessed in accordance with laws applicable to foreclosure of local improvement district liens, and/or to collect by civil action such unpaid assessment by judgment against the owner owing the assessment.

The City Finance Director or his/her designee is hereby authorized to approve, correct, revise, modify, or amend the proposed activities, annual budget, and assessment as proposed by the ESD BIA Ratepayer Advisory Board described in Section 14.

Section 9. Rate Changes.

Any change in the assessment shall only be made by ordinance and as authorized in RCW 35.87A.140.

Section 10. Notices.

Notices of assessment, installment payments, or delinquency, and all other notices contemplated by this ordinance may be sent by ordinary mail or delivered by the City, or the organization administering the ESDA BIA, to the address shown on the records of the Finance Director, and, if no address is shown there, to the address shown on the records of the Snohomish County Assessor. Failure of the Ratepayer to receive any mailed notice shall not release the Ratepayer from the duty to pay the assessment on the due date and any interest and delinquency charges.

Section 11. Correction of Assessment – Appeal.

- A. Any person, having been issued a notice of assessment, interest, and/or penalties pursuant to this ordinance, may within thirty (30) days after issuance of the original notice of the amount thereof, or the period covered by any extension of the due date thereof granted by the Mayor or the Mayor's designee, petition the City in writing for a correction in the amount of the assessment, interest, and/or penalties, which petition shall be filed in the office of the City Clerk within the specified thirty-day period. The petition shall set forth the reason why the correction should be granted and the amount of assessment, interest, and/or penalties (if any) which the petitioner believes to be due. The Mayor or the Mayor's designee shall promptly consider the petition, and may grant or deny it. If denied, the petitioner shall be notified by mail, together with the reasons for such denial. The Mayor or the Mayor's designee may grant a conference for examination and review of the assessment if requested by the petitioner. If a conference is granted, the Mayor or the Mayor's designee shall fix the time and place therefor and notify the petitioner thereof by mail. After the conference with the Mayor or the Mayor's designee, the Mayor or the Mayor's designee may make such determinations as may appear to the Mayor or the Mayor's designee to be just and lawful, consistent with the provisions of this ordinance, and shall mail a copy of such determination to the petitioner. Such determination of the Mayor or the Mayor's designee shall be final and conclusive as of the date of the determination, unless within thirty (30) days following the date of the determination, the petitioner obtains a writ of

certiorari from the Superior Court of Washington for Snohomish County, for purpose of review of the determination.

- B. If no petition requesting the City to correct the amount of the assessment, interest, and/or penalties and for a conference for examination and review of the assessment, interest, and/or penalties is filed within the thirty-day period, the assessment, interest, and/or penalties covered by the notice shall become final, and any right to contest or appeal such amount shall be deemed conclusively waived.

Section 12. Delinquent Payments.

If an assessment has not been paid within thirty (30) days after its due date, and the ratepayer has been making prompt payments in the past, a reminder notice shall be sent to the ratepayer and a \$20.00 processing fee will be assessed. If (a) the assessment is not paid within sixty (60) days after its due date, or (b) the assessment was not paid within thirty (30) days, and the ratepayer has been late on one of the previously two payments, a delinquency charge shall be added in the amount of ten percent (10%) of the assessment in addition to the processing fee. All assessments which are not paid when due shall also bear interest at the rate of twelve percent (12%) per annum from the date payment was due.

Section 13. Collection/ Foreclosure.

Whenever any annual assessment under this ordinance shall be delinquent for more than thirty (30) days, the entire annual assessment shall be due and payable and shall constitute a lien on the property assessed, and the collection thereof may be enforced through foreclosure action on the property assessed in the matter as provided for collection and foreclosure of local improvement district assessments pursuant to Title 35 RCW, including but not limited to Chapters 35.44, 35.49, and 35.50, and applicable provisions of the Everett Municipal Code. Alternatively, or as a cumulative remedy, the delinquent assessment may be collected from the owner liable therefore by civil action in either district or superior court.

Section 14. Ratepayer Advisory Board.

The Mayor shall recommend to the Council for appointment an Interim Ratepayer Advisory Board comprised of at least nine (9) ESDA BIA ratepayers within thirty days of the effective date of this ordinance. The City shall solicit recommendations from the Everett Station District Alliance.

The Interim Ratepayer Advisory Board will recommend a permanent Ratepayer Advisory Board (the "Board") of at least eleven (11) and up to twenty-one (21) ESDA BIA ratepayers within ninety (90) days of the effective date of this ordinance, to serve for five years. The composition of the Board shall be representative of the uses and sizes of the properties and businesses of the ESDA BIA. After the initial period, the Mayor shall recommend to the Council for appointment the permanent Board members from the list recommended by the Interim Ratepayer Advisory Board. The Mayor may recommend to the Council for appointment additional members to the Board beyond those recommended by the Interim Ratepayer Advisory Board to ensure a broad representation of ratepayers, provided that the additional voting members so appointed do not exceed one-fourth of the entire voting membership of the Board.

The Ratepayer Advisory Board shall be responsible for adopting bylaws and policy guidelines, approving the annual recommended budget and work plan, and for providing advice and consultation to the City regarding the Everett Station District BIA. The Ratepayer Advisory Board may recommend adding or removing ratepayers to serve on the Board, subject to approval by the Mayor.

The Ratepayer Advisory Board shall meet at least once quarterly; approve the annual recommended budget and work plan; address and discuss Ratepayer concerns and questions regarding the ESDA BIA programs; review all reports to be submitted to the City; and host an Annual Ratepayers' Meeting.

The Ratepayer Advisory Board shall notify ratepayers of the date, time, and location of the Annual Ratepayers' Meeting at least thirty (30) days prior. At the Annual Ratepayers' Meeting, the Board shall present its recommended budget and work plan for the next year. Following a presentation and an opportunity for amendment by a two-thirds vote (of assessed value), by the ratepayers present at the Annual Ratepayers' meeting, the Board shall submit the recommended annual budget and work plan to the City Finance Director.

Section 15. Termination of BIA.

The BIA and the special assessment levy therefore shall terminate within one year (or such longer period as set forth in the termination petition) from the date of submission to the City of a petition containing the signatures of the owners of property in the BIA who pay fifty percent or more of the annual special assessment amount for the BIA, requesting termination of the BIA and special assessment levy, or by Resolution and Ordinance of the City Council. The BIA and the special assessment levy therefore shall continue for a period of five years from the effective date of this ordinance unless, at least ninety days prior to such termination, a petition is submitted to the City requesting the continued existence of the BIA, with such petition containing the signatures of the owners of property in the BIA who will pay sixty percent or more of the annual special assessment for the BIA, or the City Council gives notice of intent to extend the BIA through resolution and public hearing, pursuant to Chapter 35.87A RCW.

Section 16. Disestablishment of Area – Assets and Liabilities.

In accordance with RCW 35.87A.190, upon disestablishment, termination, and dissolution of the BIA, any proceeds of the special assessments or assets acquired with such proceeds, or liabilities incurred as a result of the formation of such BIA, shall be subject to disposition as the City Council shall determine; provided, however, that any liabilities, either current or future, incurred as a result of action taken to accomplish the purposes of RCW 35.87A.010 or the purposes of the BIA shall be the sole obligation of the ESDA BIA Fund, and such liability shall be provided for entirely from available revenues generated from the special assessments under this ordinance.

Section 17. Expansion of BIA

The boundaries of the BIA shall not be expanded without Council's approval, following the same procedures, including notice to affected property owners, as is required for establishment of the original BIA.

Section 18. Corrections.

The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any internal references.

Section 19. Severability.

The City Council hereby declares that should any section, paragraph, sentence, clause, or phrase of this ordinance be declared invalid for any reason, it is the intent of the City Council that it would have passed all portions of this ordinance independent of the elimination of any such portion as may be declared invalid.

Section 20. Savings.

The enactment of this Ordinance shall not affect any case, proceeding, appeal or other matter currently pending in any court or in any way modify any right or liability, civil or criminal, which may be in existence on the effective date of this Ordinance.

Section 21. General Duty.

It is expressly the purpose of this Ordinance to provide for and promote the health, safety and welfare of the general public and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this Ordinance. It is the specific intent of this Ordinance that no provision or any term used in this Ordinance is intended to impose any duty whatsoever upon the City or any of its officers or employees. Nothing contained in this Ordinance is intended nor shall be construed to create or form the basis of any liability on the part of the City, or its officers, employees or agents, for any injury or damage resulting from any action or inaction on the part of the City related in any manner to the enforcement of this Ordinance by its officers, employees or agents.

Cassie Franklin

Cassie Franklin, Mayor

ATTEST:

Marista Jorve

Marista Jorve, City Clerk

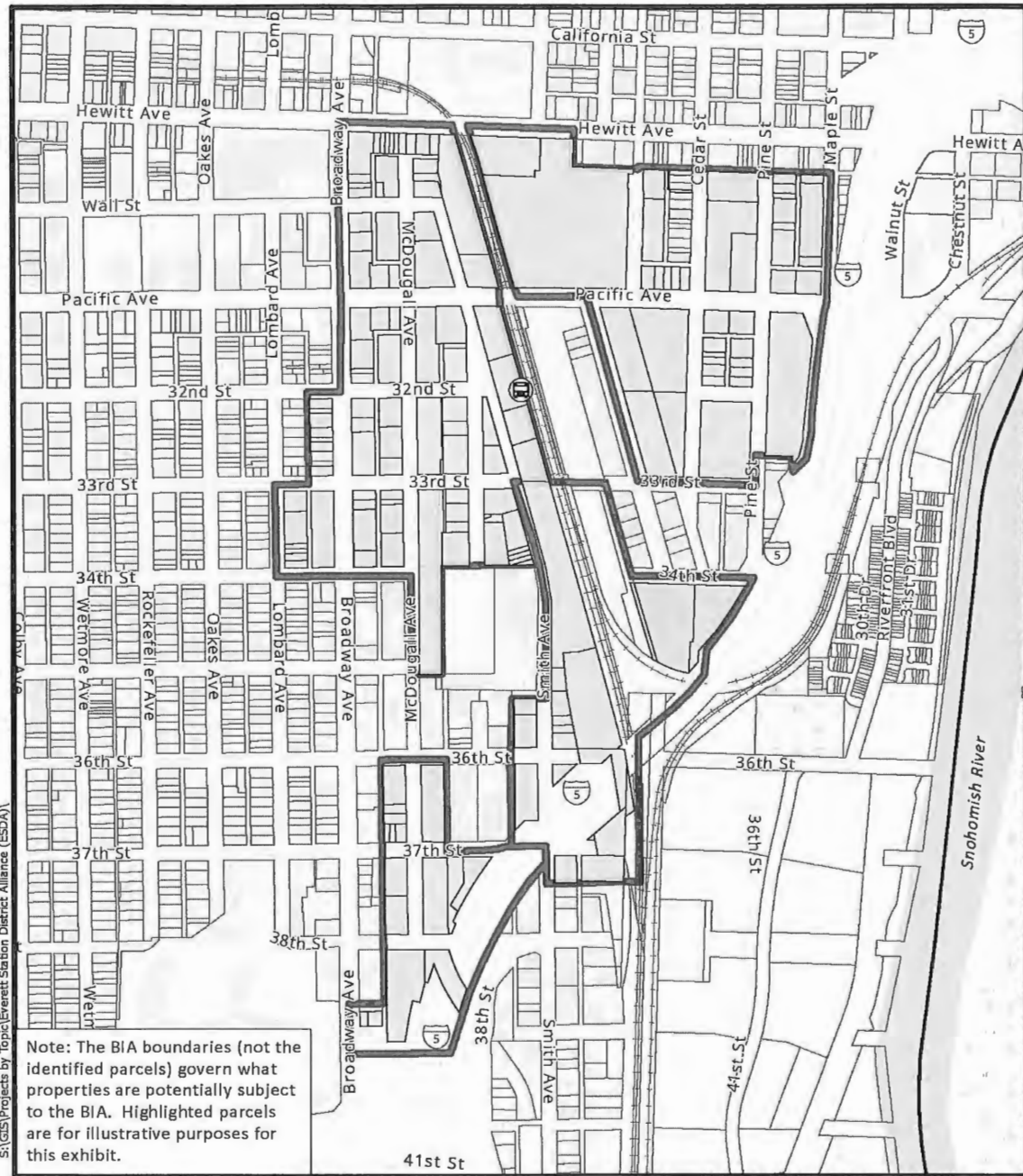
PASSED: 12/14/2022

VALID: 12/19/2022

PUBLISHED: 12/20/2022






EFFECTIVE DATE: 1/1/2023

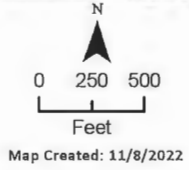
Attachment A EVERETT STATION DISTRICT BIA BOUNDARIES



S:\GIS\Projects by Topic\Everett Station District Alliance (ESDA)\

Note: The BIA boundaries (not the identified parcels) govern what properties are potentially subject to the BIA. Highlighted parcels are for illustrative purposes for this exhibit.

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



Attachment B
LIST OF PARCELS IDENTIFIED AS SUBJECT TO THE EVERETT STATION DISTRICT BIA
As per Snohomish County Assessor records accessed on Nov. 11, 2023
and updated based on known information.

Tax Property ID	Address	Lot SF	Building GSF	Taxable Market Value	Owner
00439068800500	2931 BROADWAY AVE	5,561.6		\$294,000	BROADWAY AND HEWITT INVESTMENTS
00439076100100	UNKNOWN	2,696.4		\$35,200	DEPOT PROPERTIES LLC
00439076100101	3201 MCDOUGALL AVE	50,984.3		\$1,097,800	DEPOT PROPERTIES LLC
00439168800100	2917 BROADWAY AVE	27,769.4		\$1,265,000	BROADWAY AND HEWITT INVESTMENTS
29052900101000	2810 34TH ST	58,829.7		\$926,500	JIBN LLC
00439071201900	2121 PACIFIC AVE	6,768.2		\$861,000	ROADRUNNER PROPERTIES LLC
00439079500101	3301 LOMBARD AVE	12,632.4		\$9,781,000	COMPASS HEALTH
00439079500104	3301 LOMBARD AVE	0.0		\$619,000	COMPASS HEALTH
00439079500500	3315 LOMBARD AVE	20,037.6		\$5,340,000	COMPASS HEALTH
00439079501200	UNKNOWN	2,989.1		\$45,700	COMPASS HEALTH
00439079501300	UNKNOWN	2,989.1		\$45,700	COMPASS HEALTH
00439079501400	3327 LOMBARD AVE	4,090.7		\$58,800	COMPASS HEALTH
00439079501500	UNKNOWN	4,876.9		\$75,600	COMPASS HEALTH
00439079501700	3322 BROADWAY AVE	47,724.2		\$12,029,600	COMPASS HEALTH
00439079603000	UNKNOWN	2,988.7		\$439,000	Sno Valley Process Solutions Inc
00439079603100	3302 MCDOUGALL AVE	5,838.1		\$444,000	Sno Valley Process Solutions Inc
00439069305600	2944 CEDAR ST	6,031.2		\$581,000	DARST HEATHER L
00439079602401	3308 MCDOUGALL AVE	17,933.1		\$1,751,000	EVERETT MANOR BUILDING LLC
00576001900001	3711 SMITH AVE	16,770.9		\$2,100,100	EVERETT GOSPEL MISSION
00576002200006	2120 37TH ST	23,134.4		\$1,596,000	FARRELL LLC
00439071001000	2303 PACIFIC AVE	27,957.4		\$1,805,000	PACIFIC AVENUE INV LLC
00439074300102	2212 PACIFIC AVE	29,255.1		\$2,350,000	3102 SMITH PROJECT LLC
00576002100001	2210 37TH ST	21,634.7		\$787,000	FOX COMMERCIAL PROPERTIES LLC
00439079700101	3409 MCDOUGALL AVE	117,164.1		\$8,052,000	GLACIER PROPERTIES LLC
00439079701700	3324 PAINE AVE	24,736.1		\$1,305,800	GLACIER PROPERTIES LLC
00439079702400	3320 PAINE AVE	6,456.7		\$119,000	GLACIER PROPERTIES LLC
00439074300101	3125 MCDOUGALL AVE	44,817.3		\$3,021,000	3125 MCDOUGALL AVENUE PROPERTY LLC
00439071100700	2201 PACIFIC AVE	43,083.0		\$2,126,000	YAK YAK YAK LLC
00439071100100	MCDOUGALL AVE	18,492.8		\$934,000	PUGET SOUND INDUSTRIAL LLC
00576000500001	3601 SMITH AVE	11,443.3		\$220,700	HANSEN RONALD H TRUST
00576000500002	3601 SMITH AVE	5,204.7		\$68,100	HANSEN RONALD H TRUST
00576000500003	3601 SMITH AVE	10,123.3		\$110,000	HANSEN RONALD H TRUST
00576000500004	3601 SMITH AVE	4,666.6		\$58,800	HANSEN RONALD H TRUST
00576001200001	3601 SMITH AVE	7,323.4		\$135,000	HANSEN RONALD H TRUST
00439071202100	3008 MCDOUGALL AVE	29,865.4		\$1,559,000	CAMELOT INVESTMENTS, LLC
00593669303000	2912 CEDAR ST	2,926.8		\$295,200	HENSRUDE SULLIVAN S
00437868900100	UNKNOWN	9,488.3		\$231,300	HEWITT WORKLOFTS LLC
00437868901400	2210 HEWITT AVE	5,136.0		\$1,855,900	HEWITT WORKLOFTS LLC
00593669401100	2917 CEDAR ST	40,044.5		\$2,455,000	HMR ASSOCIATES LLC
00439075000100	3105 PINE ST	155,350.1	176,914.0	\$28,917,000	PINE STREET HOSPITALITY LLC
01175500000100	3331 Broadway AVE	0.0		\$1,470,400	HOPEWORKS SOCIAL ENTERPRISES

01175500000101	3331 Broadway AVE	10,276.4	\$90,300	HOPEWORKS SOCIAL ENTERPRISES
01176100000100	3315 Broadway AVE	25,779.7	\$4,455,100	HOPEWORKS SOCIAL ENTERPRISES
01176100000200	3315 Broadway AVE	0.0	\$6,914,600	HOPEWORKS SOCIAL ENTERPRISES
00439069306500	2900 Block of CEDAR ST	6,031.2	\$192,300	ALEXANDER EDISON LLC
00439074200800	3133 BROADWAY AVE	2,987.7	\$76,000	CHIU LLC
00439074200900	3133 BROADWAY AVE	5,975.4	\$806,200	CHIU LLC
00439071200900	3025 BROADWAY	21,465.9	\$1,043,600	MOMI & JEMMU PROPERTIES LLC
00439069503100	2919 PINE ST	3,401.2	\$127,500	KAISER PERMANENTE
00439069503200	2929 PINE ST	15,000.0	\$320,000	KAISER PERMANENTE
00439069503700	UNKNOWN	4,567.2	\$142,000	KAISER PERMANENTE
00439069503800	2903 PACIFIC AVE	38,032.8	\$730,000	KAISER PERMANENTE
00439069505001	2917 PACIFIC AVE	22,116.3	\$446,300	KAISER PERMANENTE
00439069505800	2930 MAPLE ST	45,987.2	\$16,539,000	KAISER PERMANENTE
00593669501100	UNKNOWN	6,000.0	\$164,800	KAISER PERMANENTE
00593669501300	2915 PINE ST	6,041.8	\$160,200	KAISER PERMANENTE
00439074202100	2120 PACIFIC AVE	6,771.8	\$567,000	KIMBALL HOLDINGS LLC
00439076302200	3220 BROADWAY AVE	5,892.9	\$20,342,200	ACG BROADWAY @ 3214 OWNER LLC
00439076302300	UNKNOWN	3,071.9	\$92,700	ACG BROADWAY @ 3214 OWNER LLC
00439076302500	3214 BROADWAY AVE	5,976.3	\$180,000	ACG BROADWAY @ 3214 OWNER LLC
00439076302700	3206 BROADWAY AVE	8,964.2	\$270,000	ACG BROADWAY @ 3214 OWNER LLC
00439076303000	3204 BROADWAY AVE	2,988.0	\$90,000	ACG BROADWAY @ 3214 OWNER LLC
00439076303100	UNKNOWN	5,975.9	\$376,400	ACG BROADWAY @ 3214 OWNER LLC
00439168801200	2914 MCDOUGALL AVE	22,575.7	\$1,634,000	KNEHR PETER A
00439074200100	3105 BROADWAY	18,634.7	\$1,309,000	TSYH Corporation
00439079703000	3300 Paine Ave	8,790.3	\$214,300	PAINE STREET LLC
00439071200500	3011 BROADWAY AVE	11,946.4	\$572,200	3011 BROADWAY LLC
00593669301100	2913 FULTON ST	17,684.0	\$1,701,000	LUND, "Rob, Sr." CLIFFORD ROBIN & MARGARET J
00439069307000	2918 CEDAR ST	1,633.4	\$31,900	LUND, CLIFFORD ROBERT
00439076201700	3228 MCDOUGALL AVE	10,545.5	\$398,000	MJM PARTNERS LLC
00439076202000	3220 MCDOUGALL AVE	19,337.5	\$1,624,000	MJM PARTNERS LLC
00439076202900	3202 MCDOUGALL AVE	17,927.9	\$1,527,000	MJM PARTNERS LLC
00439076200800	3231 BROADWAY AVE	26,895.0	\$3,805,900	CROWN MARTINSON PROPERTIES LLC / MOONDOG PROPERTIES LLC
00593669502902	2900 BLOCK OF MAPLE ST	5,400.0	\$145,200	GABLE-MARTINSON PROPERTIES LLC
00576002000001	2222 37TH ST	21,183.2	\$746,000	2222 EVE LLC
00439069100000	2505 PACIFIC AVE	441,412.8	\$16,042,000	LOWE'S COMPANIES OF 149
00576002100003	3717 MCDOUGALL AVE	52,313.8	\$2,763,000	BT ENTERPRISES LLC
00439079601700	3330 MCDOUGALL AVE	20,923.8	\$1,492,000	BROSMONROE LLC
00807200000100	2720 34TH ST	106,833.2	\$1,288,000	MIKALA 6 LLC
00807200000200	2720 34TH ST	0.0	\$887,000	MIKALA 6 LLC
00807200000300	2720 34TH ST	0.0	\$596,000	MIKALA 6 LLC
00807200000400	2720 34TH ST	0.0	\$549,000	MIKALA 6 LLC
00807200000500	2720 34TH ST	0.0	\$598,000	MIKALA 6 LLC
00807200000600	2720 34TH ST	0.0	\$1,137,000	MIKALA 6 LLC
29052900201600	UNKNOWN	8,060.7	\$145,600	MIKALA 6 LLC
00439069304800	UNKNOWN	5,939.5	\$163,900	TRANSATLANTACISM LLC
00439069305000	2711 PACIFIC AVE	4,708.6	\$85,200	TRANSATLANTACISM LLC

00439069305200	2715 PACIFIC AVE	5,569.6		\$98,900	TRANSATLANTACISM LLC
00439069305300	2719 PACIFIC AVE	6,169.3		\$448,000	TRANSATLANTACISM LLC
00437868901600	HEWITT AVE	7,718.6		\$1,462,400	HEWITT OVERPASS LLC
00437868901900	2400 HEWITT AVE	5,492.4		\$981,500	HEWITT OVERPASS LLC
00439168801802	2130 HEWITT AVE	4,287.1		\$548,700	HEWITT OVERPASS LLC
00439168801900	UNKNOWN	2,580.9		\$167,900	HEWITT OVERPASS LLC
00576001100001	3614 SMITH AVE	36,128.8		\$1,677,000	ORLEANS ENTERPRISES LLC
00576000900001	3620 MCDUGALL AVE	2,784.8		\$944,000	HARMONY CAPITAL INVESTMENTS LP
00576000900002	UNKNOWN	2,896.7		\$53,300	HARMONY CAPITAL INVESTMENTS LP
00576000900003	UNKNOWN	5,677.2		\$106,500	HARMONY CAPITAL INVESTMENTS LP
00576000900004	UNKNOWN	6,251.7		\$106,500	HARMONY CAPITAL INVESTMENTS LP
00576000900005	UNKNOWN	5,688.8		\$106,500	HARMONY CAPITAL INVESTMENTS LP
00439076301700	3232 BROADWAY AVE	5,977.0		\$799,600	PRICE STANLEY M & COLLEEN
00439069304600	2703 PACIFIC AVE	8,191.9		\$359,300	VM INVESTMENTS PACIFIC, LLC
00439076200500	3211 BROADWAY AVE	8,964.3		\$697,300	REICHLIN MARK L & ANNE MARIE P
00576000600001	3512 SMITH AVE	9,804.3		\$850,000	RODRIGUEZ RICHARD T & JUDY RAE TRUST
00439069403300	2800 PACIFIC AVE	84,317.2	62,182.0	\$12,000,000	N & P HOTEL CORPORATION
00437869000100	2320 HEWITT AVE	66,285.9		\$5,710,000	EDS HEWITT LLC
00576001000002	3615 MCDUGALL AVE	47,551.4		\$9,221,000	EDS MCDUGALL LLC
00439168801801	HEWITT AVE	2,578.0		\$837,400	SIKOV PETE & HELEN
00439168802000	UNKNOWN	2,583.8		\$59,900	2114 HEWITT ASSOCIATES LLC
00439168802100	2114 HEWITT AVE	2,586.8		\$459,700	2114 HEWITT ASSOCIATES LLC
00439168802200	2112 HEWITT AVE	3,886.1		\$543,600	2112 HEWITT ASSOCIATES LLC
00439071200100	3001 BROADWAY AVE	11,945.8		\$884,200	TWO BY FOUR ASSOCIATES LLC
00439079800101	UNKNOWN	746.8		\$10,600	PACIFIC PROPERTY ACQUISITION LLC
00439079800102	UNKNOWN	3,600.8		\$52,400	PACIFIC PROPERTY ACQUISITION LLC
00439079800200	3318 SMITH AVE	27,733.3		\$662,100	PACIFIC PROPERTY ACQUISITION LLC
00439079801201	UNKNOWN	3,041.7		\$43,100	PACIFIC PROPERTY ACQUISITION LLC
00439079801300	3328 SMITH AVE	2,973.8		\$56,900	PACIFIC PROPERTY ACQUISITION LLC
00439079801400	UNKNOWN	2,887.2		\$41,000	PACIFIC PROPERTY ACQUISITION LLC
00439079801500	3320 SMITH AVE	19,773.6		\$285,700	PACIFIC PROPERTY ACQUISITION LLC
00439079802100	3302 SMITH AVE	20,982.1		\$1,580,000	PACIFIC PROPERTY ACQUISITION LLC
00576000900006	2116 36TH ST	23,483.9		\$1,264,000	OXBOW 2020 LLC
00439076200100	3201 BROADWAY AVE	11,951.8		\$1,173,500	SNO CO BOARD OF REALTORS
00439071201500	2115 PACIFIC AVE	12,175.5		\$1,102,000	SOMA PROPERTIES LLC
00576002200002	2111 38TH ST	23,644.0		\$1,535,000	HIGH-WEST LLC
00439074200200	3121 BROADWAY AVE	17,925.1		\$1,353,200	B S & D PROPERTY LLC
00576002300005	2118 38TH ST	77,005.2		\$2,798,000	GKR LLC
00576002400004	3809 MCDUGALL	35,108.1		\$1,712,000	GKR LLC
00437868900400	UNKNOWN	5,995.3		\$94,400	BROOKTRAUT PROPERTIES LLC
00439068900500	2205 WALL ST	11,722.2		\$1,132,200	BROOKTRAUT PROPERTIES LLC
00439074202300	2110 PACIFIC AVE	12,000.0		\$1,197,000	TRIPLE J PARTNERSHIP
00439074201100	3120 MCDUGALL AVE	29,875.4		\$3,731,500	UNITED WAY OF SNOHOMISH COUNTY
00439069405100	2821 PACIFIC AVE	40,108.6		\$1,628,000	HUNAN PALACE INC
00439068800600	UNKNOWN	2,986.1		\$111,000	VO NHAN HOAI & NGUYEN DIEU THI
00439068800700	2937 BROADWAY AVE	5,972.4		\$749,300	VO NHAN HOAI & NGUYEN DIEU THI
00439068800901	2129 WALL ST	3,238.8		\$320,000	VO NHAN HOAI & NGUYEN DIEU THI



00439079702600	3310 PAINE AVE	11,478.8		\$997,000	WALKER THOMAS D & CHARLOTTE E
00576000600003	3532 SMITH AVE	20,390.1		\$1,262,000	WATTS INVESTMENT LLC
005760023000007	3829 BROADWAY AVE	5,781.7		\$1,015,900	3829 BUILDING LLC
29052900302300	UNKNOWN	3,166.0		\$104,600	3829 BUILDING LLC
00439068900900	3001 SMITH AVE	89,420.1		\$1,630,000	WEYERSLAND LLC & KAPPEL KENNETH E & LINDA M
00439079600100	3301 BROADWAY AVE	5,854.1		\$1,162,500	YOUNG WOMEN'S CHRISTIAN ASSOCIATION
00439079600300	UNKNOWN	5,969.0		\$180,000	YOUNG WOMEN'S CHRISTIAN ASSOCIATION

CITY-OWNED PROPERTIES WITH THE EVERETT STATION DISTRICT BIA

00439074301100	3132 PAINE AVE	20,924.7	\$447,900	Everett Transit
00439074400000	3121 SMITH AVE	37,799.6	\$823,200	Everett Transit
00439074401300	3201 SMITH AVE	37,570.6	\$15,866,300	Everett Transit
00439075400100	3225 CEDAR ST	105,600.0	\$3,012,300	Everett Transit
00439075900403	UNKNOWN	25,115.1	\$604,800	Everett Transit
00439075901100	3225 SMITH AVE	29,525.9	\$658,900	Everett Transit
00439076000100	3221 PAINE AVE	14,109.4	\$281,800	Everett Transit
00439076000900	UNKNOWN	15,903.8	\$288,400	Everett Transit
00439076101700	3220 PAINE AVE	25,941.0	\$554,600	Everett Transit
00439076102500	3200 PAINE AVE	9,723.2	\$240,600	Everett Transit
00439076102800	UNKNOWN	16,244.9	\$366,500	Everett Transit
00576001200003	UNKNOWN	634.1	\$100	Everett Transit
00576004300002	UNKNOWN	6,232.2	\$94,000	Everett Transit
29052900201100	UNKNOWN	8,930.2	\$167,600	Everett Transit
29052900201200	3600 SMITH AVE	108,922.1	\$2,179,200	Everett Transit
29052900201400	UNKNOWN	149,855.0	\$4,667,700	Everett Transit
29052900300800	UNKNOWN	29,902.2	\$383,500	Everett Transit
29052900301000	UNKNOWN	28,816.4	\$400,100	Everett Transit
29052900303000	UNKNOWN	30,424.4	\$459,100	Everett Transit
00439069303300	UNKNOWN	36,237.1	\$803,500	Public Utilities
00439074301800	UNKNOWN	2,989.3	\$130,600	Public Utilities
00439074700100	3125 HILL AVE	68,135.7	\$1,336,600	Public Utilities
00439074800000	3200 CEDAR ST	105,570.5	\$12,172,800	Public Utilities
00439074900100	UNKNOWN	8,997.4	\$164,300	Public Utilities
00439074900400	UNKNOWN	3,000.0	\$54,800	Public Utilities
00439074900500	3121 CEDAR ST	4,612.0	\$82,600	Public Utilities
00439074900600	3127 CEDAR ST	7,387.9	\$460,500	Public Utilities
00439074900900	3131 CEDAR ST	6,000.0	\$110,200	Public Utilities
00439074901100	3130 PINE ST	6,000.0	\$114,500	Public Utilities
00439074901300	3128 PINE ST	6,000.0	\$114,500	Public Utilities
00439074901500	3122 PINE ST	6,000.0	\$168,200	Public Utilities
00439074901700	3110 PINE ST	27,840.0	\$933,000	Public Utilities
00439074902600	2802 PACIFIC AVE	15,840.0	\$1,958,200	Public Utilities
00439075500100	3200 CEDAR ST	46,422.7	\$1,402,100	Public Utilities
00439075600100	UNKNOWN	69,274.2	\$1,386,200	Public Utilities

Attachment C
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>

Total annual expenditures from the ESDA BIA Fund shall not exceed the budgeted grand total. Any unanticipated additional revenue shall be put in a reserve for future years. Within program categories, any expenditures more than the budgeted amount for a given program shall be approved by the Ratepayer Advisory Board.

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



RESOLUTION NO. 7837

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.

Liz Vogeli

Councilmember introducing resolution

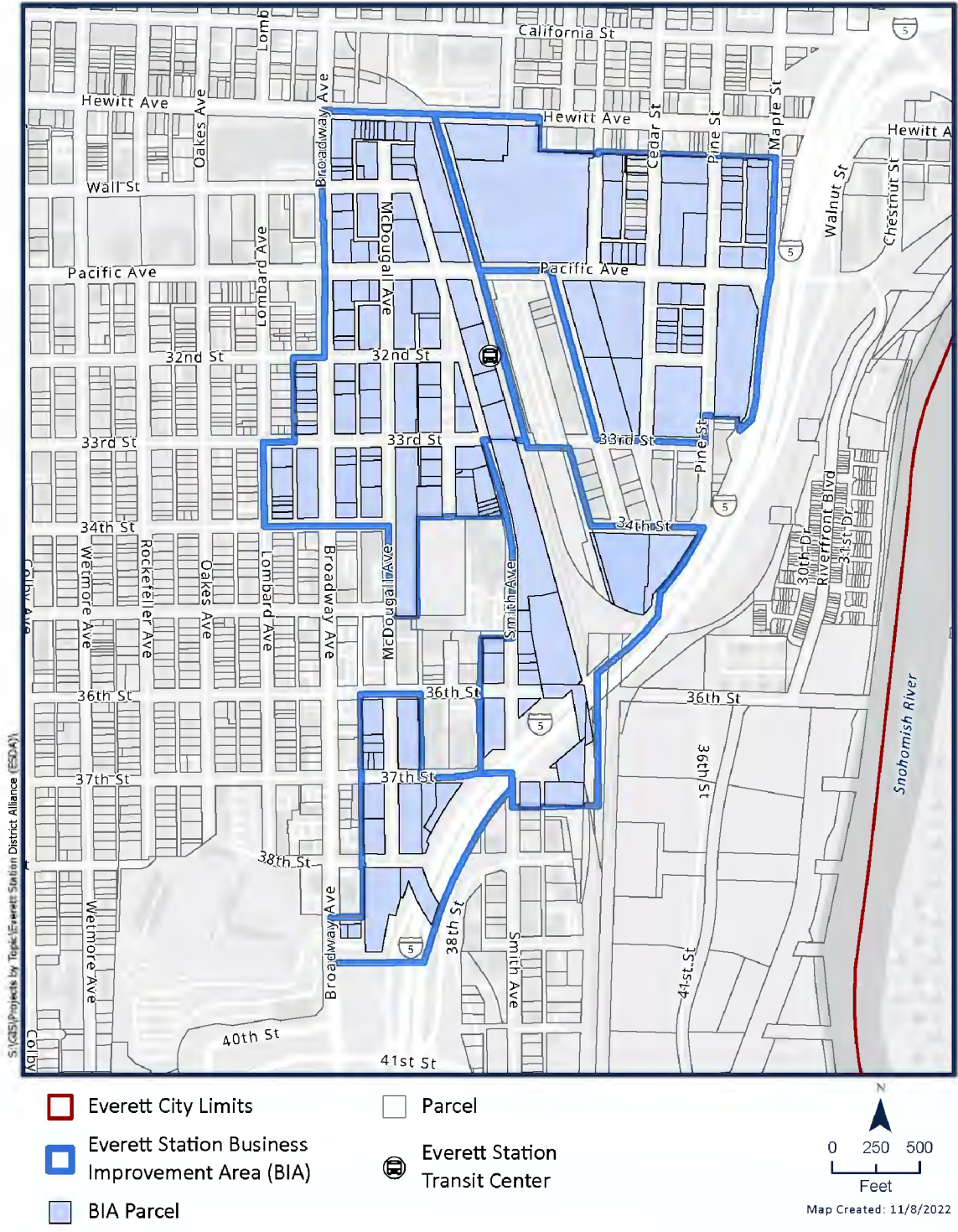
Passed and approved this 16th day of November, 2022.

Brian Stump

Council President



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



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.



RESOLUTION NO. 7838

A RESOLUTION expressing intent to establish an Everett Station District Business Improvement Area (BIA), and setting a public hearing before the City Council on December 14, 2022, at 6:30 p.m. to receive comments on the City's intent to establish an Everett Station District Business Improvement Area (BIA), approve a 2023 budget, and provide for the levy of a special assessment for five years.

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, and economic development, within the neighborhood surrounding the Everett Transit Station.
2. The City has adopted a resolution initiating the establishment of the BIA.

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

Section 1.

The City Council will hold a public hearing on the 14th day of December 2022, at 6:30 p.m., or as soon thereafter as possible, in the City Council Chambers, 3002 Wetmore Avenue, in Everett, Washington, to consider establishment of the proposed BIA with a special assessment for five years with a budget for 2022, as more fully specified below in Attachment B.

Section 2.

The City Council, at the December 14, 2022, public hearing, will hear all protests and receive evidence for or against the proposed action and all persons who may desire to object to the action proposed should do so in writing and file said objection with the Everett City Clerk prior to December 14, 2022, or shall appear and present their objections at the public hearing.

Section 3.

The City Clerk shall give notice of the public hearing by: (1) one publication of the notice of hearing and copy of this resolution in a newspaper of general circulation in the City at least ten days prior to the hearing; and (2) mailing a complete copy of this resolution, including a copy of the proposed activities, budget, and assessment rates, to the owners or reputed owners of property in the BIA whose names appear as the owners on the records of the Snohomish County Assessor, at the address for such owners

as shown on the records of the Snohomish County Assessor, or at such other address for a particular owner as such owner may have previously requested in writing.

Section 4.

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.

Section 5.

As required by RCW 35.87A.040, the remainder of this resolution is a restatement of Resolution No. _____.

Section 6.

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 7.

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 8.

- A. To finance programs and services as authorized in Section 7, 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 9.

The City Council, at the December 14, 2022, public hearing, will hear all protests and receive evidence for or against the proposed action and all persons who may desire to object to the action proposed should do so in writing and file said objection with the Everett City Clerk prior to December 14, 2022, or shall appear and present their objections at the public hearing.

Section 10.



Public notice of the public hearing shall be given by: (1) one publication of the notice of hearing and copy of this resolution in a newspaper of general circulation in the City; and (2) mailing a complete copy of this resolution, including a copy of the proposed activities, budget, and assessment rates for the ensuing fiscal years, to the owners or reputed owners of property in the BIA whose names appear as the owners on the records of the Snohomish County Assessor, at the address for such owners as shown on the records of the Snohomish County Assessor, or at such other address for a particular owner as such owner may have previously requested in writing.

Section 11.

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

Section 12.

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 16th day of November, 2022.

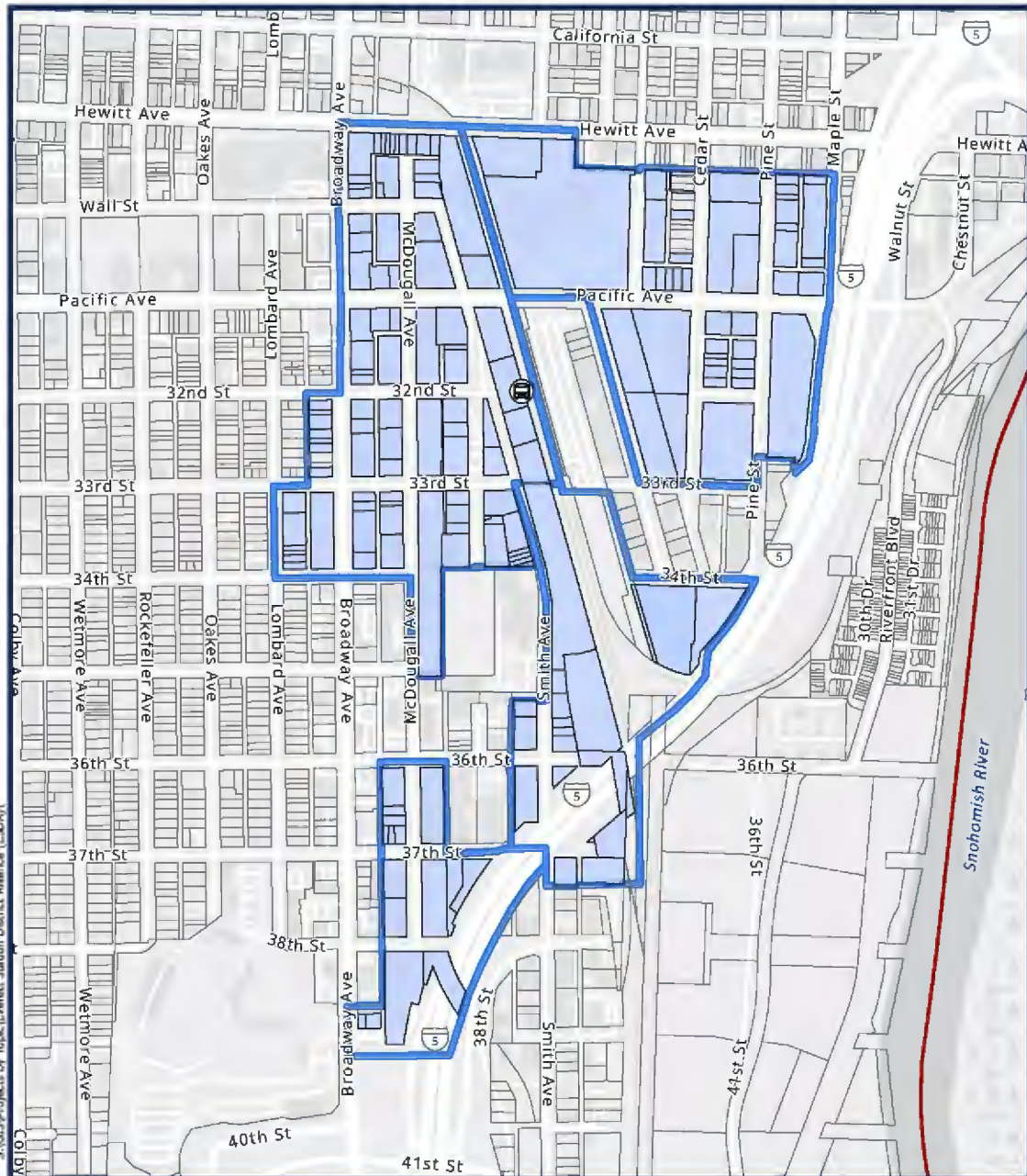


Council President



Attachment A
Everett Station District Business Improvement Area (BIA)





S:\GIS\Projects by Topic\Everett Station District Alliance (ESDA)\

- 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.

