


EVERETT CITY COUNCIL AGENDA ITEM COVER SHEET

**PROJECT TITLE:**

An Ordinance Relating to the  
Business Improvement Area  
Three-Year Budget, Amending  
Ordinance No. 3582.17

- Briefing
- Proposed Action
- Consent
- Action
- First Reading
- Second Reading
- Third Reading
- Public Hearing
- Budget Advisory

COUNCIL BILL # CB1903-14  
 Originating Department Finance  
 Contact Person Susy Haugen  
 Phone Number 425-257-8612  
 FOR AGENDA OF April 3, 2019

Initialed by:  
 Department Head \_\_\_\_\_  
 Administration \_\_\_\_\_  
 Council President 

<u>Location</u>	<u>Preceding Action</u>	<u>Attachments</u> Amending Ordinance	<u>Department(s) Approval</u> Legal
Amount Budgeted	-0-		
Expenditure Required	-0-	Account Number(s):	
Budget Remaining	-0-		
Additional Required	-0-		

**DETAILED SUMMARY STATEMENT:** City Council adopted Ordinance 3582-17, which established a three-year budget, spanning January 1, 2018, through December 31, 2020, for the downtown Business Improvement Area (BIA). The original budget did not include an assessment for Snohomish County. The City subsequently entered into an Interlocal Agreement with Snohomish County on January 15, 2019, setting the terms and conditions for the County's participation in the BIA in 2019. The County's continued participation in 2020 will require an additional Interlocal Agreement. This amendment increases the BIA's budget by the amount of Snohomish County's assessment. The additional funds will be used for the Clean & Safe Maintenance Program and supplies. The revised budget is provided on Attachment A.

**RECOMMENDATION** (Exact action requested of Council): Adopt an Ordinance relating to the Business Improvement Area (BIA) three-year budget, amending Ordinance No. 3582.17



**ORDINANCE NO. \_\_\_\_\_**

**An Ordinance** relating to the Business Improvement Area (BIA) three-year budget, amending Ordinance No. 3582-17.

**WHEREAS**, the City Council adopted Ordinance No. 3582-17 relating to the Business Improvement Area (BIA), extending the term, modifying the special assessment levy, and approving a three-year budget spanning January 1, 2018, through December 31, 2020; and

**WHEREAS**, since the adoption of Ordinance No. 3582-17, Snohomish County has agreed to participate in the BIA; and

**WHEREAS**, the City and Snohomish County entered into an Interlocal Agreement on January 15, 2019, setting the terms and conditions for Snohomish County's participation in the BIA in 2019; and

**WHEREAS**, a budget amendment is needed to authorize the expenditure of the additional funding provided by Snohomish County;

**NOW THEREFORE, THE CITY OF EVERETT DOES ORDAIN:**

**Section 1.** Section 13 of Ordinance No. 3582-17, which reads as follows:

**Approval of Expenditures/Contract for Program Management.**

The purposes, activities, services, and projects to be funded with the special assessment proceeds for the three years beginning January 1, 2018, through December 31, 2020, and the three year budget as set forth in Attachment A to this Ordinance, are hereby approved. There is hereby appropriated and authorized to be expended from the District Fund the sum of \$304,002, or so much thereof as may be necessary, for the purposes, activities, services, and projects approved for each of the next three BIA fiscal years (January 1, 2018, through December 31, 2020). Unless otherwise authorized by the City, the total amount to be specially assessed and expended in subsequent years shall be as set forth in the budget approved by the City. The particular program and services to be provided for each subsequent period and the amount of funding thereof shall be as approved by ordinance of the City Council after notice and hearing as provided by Section 12. The Mayor is hereby authorized and directed to contract with the Downtown Everett Association, 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 Downtown Everett Association 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 paying the majority of the assessments, or(c) by the association itself.

**Is hereby amended to read as follows:**

**Approval of Expenditures/Contract for Program Management.**

The purposes, activities, services, and projects to be funded with the special assessment proceeds for the three years beginning January 1, 2018, through December 31, 2020, and the three year budget as set forth in Attachment A to this Ordinance, are hereby approved. There is hereby appropriated and authorized to be expended from the District Fund the sum of ~~\$304,002~~ \$424,518 in 2018, 479,867 in 2019, and \$479,867 in 2020, provided that Snohomish County extends its Interlocal Agreement with the City to participate in the BIA through 2020; or so much thereof as may be necessary, for the purposes, activities, services, and projects approved for each of the next three BIA fiscal years (January 1, 2018, through December 31, 2020). If Snohomish County does not extend its Interlocal Agreement with the City to participate in the BIA through 2020, the amount appropriated and authorized to be expended from the District Fund in 2020 will be \$424,518, or so much thereof as may be necessary, for the purposes, activities, services, and projects approved for 2020. Unless otherwise authorized by the City, the total amount to be specially assessed and expended in subsequent years shall be as set forth in the budget approved by the City. The particular program and services to be provided for each subsequent period and the amount of funding thereof shall be as approved by ordinance of the City Council after notice and hearing as provided by Section 12. The Mayor is hereby authorized and directed to contract with the Downtown Everett Association, 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 Downtown Everett Association 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 paying the majority of the assessments, or(c) by the association itself.

**Section 2. Severability.**

Should any section, subsection, paragraph, sentence, clause, phrase, or portion of this Ordinance or its application to any person or situation, be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to any other person or situation. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, paragraph, sentence, clause, phrase, or portion thereof irrespective of the fact that any one or more sections, subsections, paragraphs, clauses, phrases, or portions be declared invalid or unconstitutional.

**Section 3. 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.

**Section 4. 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 5. Corrections.**

The City Clerk is 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 references thereto.

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Cassie Franklin, Mayor

Attest:

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Sharon Fuller, City Clerk

PASSED:

VALID:

## ATTACHMENT A

**2018 - 2020 Budget  
(Snohomish County Participation in 2019 and 2020\*)**

<b>Clean &amp; Safe Maintenance Program</b>	
2018	335,410
2019	394,157
2020	397,301
<b>Total</b>	<b>1,126,868</b>

<b>Supplies &amp; Professional Services</b>	
2018	22,246
2019	25,013
2020	25,013
<b>Total</b>	<b>72,272</b>

<b>Management Salaries</b>	
2018	57,468
2019	60,684
2020	66,960
<b>Total</b>	<b>185,112</b>

<b>Grant Total</b>	<b>1,384,252</b>
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**2018 - 2020 Budget  
(Snohomish County Participation in 2019 only)**

<b>Clean &amp; Safe Maintenance Program</b>	
2018	335,410
2019	394,157
2020	344,719
<b>Total</b>	<b>1,074,286</b>

<b>Supplies &amp; Professional Services</b>	
2018	22,246
2019	25,013
2020	22,246
<b>Total</b>	<b>69,505</b>

<b>Management Salaries</b>	
2018	57,468
2019	60,684
2020	66,960
<b>Total</b>	<b>185,112</b>

<b>Grant Total</b>	<b>1,328,903</b>
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\*Assumes Snohomish County assessment is the same in 2020 as it is in 2019.