

ORDINANCE No. 117174

Law Department

COUNCIL BILL No. 110175

The City of Seattle--Legislative Dep

AN ORDINANCE establishing a Chinatown/International District Parking and Business Improvement Area; providing for the levy of special assessments upon businesses within the area, the deposit of revenues in a special account, and expenditures therefrom; providing for an implementing agreement; and making a conditionally reimbursable appropriation from the General Fund therefor, all by three-fourths vote of the City Council.

REPORT OF COMMITTEE

Honorable President:

Business and Labor

Your Committee on

110175

to which was referred the within Council Bill No. 110175 report that we have considered the same and respectfully recommend that the

Do pass, 3-0.

Full Council Vote 8-0

OK

Clerk 300091

Introduced: <u>MAY 23 1994</u>	By: <u>DRAGO</u>
Referred: <u>MAY 23 1994</u>	To: <u>BUSINESS AND LABOR POLICY</u>
Referred:	To:
Referred:	To:
Reported: <u>JUN 6 1994</u>	Second Reading: <u>JUN 6 1994</u>
Third Reading: <u>JUN 6 1994</u>	Signed: <u>JUN 6 1994</u>
Presented to Mayor: <u>JUN 7 1994</u>	Approved: <u>JUN 9 1994</u>
Returned to City Clerk: <u>JUN 9 1994</u>	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

Jan Drago
Committee Chair

174

75

Law Department

The City of Seattle--Legislative Department

Date Reported and Adopted

6/1/94

REPORT OF COMMITTEE

Honorable President:

Business and Labor

Your Committee on

110175

to which was referred the within Council Bill No. report that we have considered the same and respectfully recommend that the same:

Do pass, 3-0.

Full Council Vote 8-0

San Diego
Committee Chair

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BUSINESS AND LABOR POLICY
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4 ORDINANCE 117174

5 AN ORDINANCE establishing a Chinatown/International District Parking
6 and Business Improvement Area; providing for the levy of
7 special assessments upon business within the area, the deposit
8 of revenues in a special account, and expenditures therefrom;
9 providing for an implementing agreement; and making a condi-
10 tionally reimbursable appropriation from the General Fund
11 therefor, all by three-fourths vote of the City Council.

12 WHEREAS, the owners and/or operators of businesses, buildings and
13 property located within the area and subject to sixty percent
14 or more of the special assessments levied by this ordinance
15 filed a petition with The City of Seattle to establish a
16 Parking and Business Improvement Area pursuant to RCW Chapter
17 35.87A, which is filed in C.F. 300091; and pursuant
18 thereto, the City Council adopted Resolution 28925,
19 declaring its intent to establish the same; and

20 WHEREAS, the Chinatown/International District Parking and Business
21 Improvement Area (BIA) established herein is for the purpose of
22 enhancing conditions. The budget of the BIA shall be dedicated
23 to activities in addition to basic services provided by The
24 City of Seattle. Services provided by The City of Seattle
25 shall not be reduced because of BIA activities and shall at all
26 times be maintained at or above a level consistent with
27 services provided to comparable business areas within the City;
28 and

29 WHEREAS, as provided by Resolution 28925 (published in the Daily
30 Journal of Commerce on June 6, 1994, the City Council held
31 a public hearing thereon on June 1, 1994, at 2:00 p.m. in the
32 City Council Chambers, 11th Floor, Seattle Municipal Building,
33 Seattle. At the conclusion of the hearing, the City Council
voted to establish the area as proposed in the petition, Now,
Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. District Established. As authorized by RCW Chapter
35.87A, there is hereby established a Chinatown/International
District Parking and Business Improvement Area within the following
boundaries and as shown on the map attached as Exhibit "A" (when a
street or alley is named, the area boundary is the centerline of the
right-of-way including vacated portions).

North boundary:

South Washington Street between 4th Avenue
South and 5th Avenue South, and Yesler Way
between 6th Avenue South and the east margin of
Interstate 5;

East Boundary:

East boundary of Interstate 5 (the right-of-way
under Interstate 5 is included in the area);

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South Boundary:

South Dearborn Street between Interstate 5 and 6th Avenue South; and

West Boundary:

Airport Way South between South Dearborn Street and 4th Avenue South; 4th Avenue South between Airport Way and South Washington Street; and 6th Avenue South between South Washington Street and Yesler Way.

The area includes:

4th Avenue South, east side, between Airport Way and South Washington Street;

6th Avenue South, between South Dearborn Street and South Washington Street, and the easterly side of 6th Avenue South between South Washington Street and Yesler Way;

Maynard Avenue South between South Dearborn Street and South Main Street, and the segment thereof between South Washington Street and the I-5 right-of-way;

Seventh Avenue South between South Dearborn Street and South Main Street;

8th Avenue South between South Dearborn Street and South Jackson Street;

Interstate 5 right-of-way under lease by the state for business, commercial or parking purposes;

Yesler Way, south side, from 6th Avenue South to the east margin of Interstate 5;

South Washington Street from Yesler Way to Maynard Avenue South, and its south side from 4th Avenue South to 6th Avenue South;

South Main Street from 4th Avenue South to the east margin of Interstate 5;

South Jackson Street from 4th Avenue South to the east margin of Interstate 5;

South King Street, from 4th Avenue South to the east margin of Interstate 5;

South Weller Street from 4th Avenue South to the east margin of Interstate 5;

South Lane Street from 4th Avenue South to the east margin of Interstate 5;

South Dearborn Street, north side, from Airport Way to the east margin of Interstate 5;

Airport Way, east side, from 4th Avenue South to 6th Avenue South at South Dearborn Street; and

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1 All alleys connecting two of the above streets
2 or one of the streets and the Interstate 5
right-of-way.

3 Section 2. Programs. Special Assessment Revenues shall be
4 used for component programs. (The first year's program is more
5 fully described in the petition.)

6 (a) The Parking, Transit and Access Program is intended to
7 provide information to the public about available parking; assist to
8 improve Metro transit service; develop or assist parking for
9 shoppers and visitors; encourage the use of transit and/or alter-
10 natives to single-occupant vehicles; and make appropriate studies
11 therefor.

12 (b) The Common Area Maintenance and Improvement Program is
13 intended to enhance the physical appearance of the area by such
14 activities as daily removal of debris and litter from public areas;
15 installing murals and signage; beautification with flowers and
16 baskets or decorative lighting on public right of way; cleaning
17 streets and removing graffiti; providing and cleaning receptacles
18 for litter from the public; and development of cooperative programs
19 with government and others to improve the physical character of the
20 area.

21 (c) The Security Program is intended to enhance the level of
22 public safety in the area through education and information about
23 crime prevention; better communication systems; developing a block
24 watch system; better lighting; improving the performance of govern-
25 mental agencies; and, if necessary, investigating and/or providing
26 supplemental security services.

27 (d) The Marketing Program should improve the area's image by
28 such techniques as publishing and distributing promotional litera-
29 ture generating favorable publicity; creating and supporting
30 community festivals and events; installing signs; and other actions
31 to make the area a place to shop, work, live, visit and have fun.

32 (e) The organizational element is intended to provide (1) a
33 forum for people who live, work, do business or own property in the

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1 area to work together toward addressing community issues in the area
2 and activities of the Parking and Business Improvement Area (PBIA);
3 and (2) for administering PBIA activities.

4 The listing of services are illustrative and not exclusive.

5 All such activities are supplemental to street maintenance and
6 law enforcement provided by the City and are not to displace any
7 services regularly provided by municipal government.

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

15 **Annual Assessment Formula**

16	<u>Category</u>	<u>Core Zone</u>	<u>Outer Zone</u>
17	I. Retail/commercial uses		
18	Ground Floor	.10 sq ft	.075 sq ft
18	Upper Floor	.05 sq ft	.025 sq ft
19	II. Wholesale/Manufacturing	.025 sq ft	.025 sq ft
20	III. Car/Truck Sales & Service	.035 sq ft	.035 sq ft
21	IV. Commercial Parking	\$5/space	\$4/space
22	V. Property Owner	.05 sq ft	.02 ¹ sq ft
23		of land	of land
24	VI. Family Association	\$75/year	\$75/year
25	VII. Train Stations	\$100/year	\$100/year
26	VIII. Non-Profit tax-exempt corporation (26 USC		
27	501(c)(2) or (3)	\$100/year	\$100/year
28		membership optional	membership optional
29	IX. Housing	\$6/unit	\$4/unit
30	X. Duplex/Single Homes	\$6/home	\$4/home
31	XI. Full Service Hotels	\$20/room	\$15/room

32 Notes: 1. The Core and Outer Zones are shown on Exhibit A.
33 2. sq ft = square foot

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1 Section 4. Calculation of and limitations upon assessments.

2 (a) Floor space or area assessed under one classification
3 shall not be reassessed under another. The special categories (III,
4 Car/Truck Sales and Services; VI, Family Association; VII, Train
5 Station; and VIII, Non-profit) shall apply first where pertinent.
6 Thereafter, the applicable assessment rate for the more general
7 categories shall apply, and the rate for the more general categories
8 shall apply and shall be determined in this sequence: (i) Category
9 I, retail space and all commercial uses (including offices,
10 restaurants, theaters, and personal services); (ii) Category II,
11 wholesale/manufacturing; (iii) Category IV, commercial parking
12 areas; and (iv) Category V, property owners. Among the residential
13 categories, the sequence is (i) Category XI, full service hotels;
14 (ii) Category IX, housing; and (iii) Category X, duplex/single
15 family homes.

16 (b) Except in the case where the owner of the property is the
17 rate payer, concessions, leased departments, or restaurants in
18 office buildings and hotels, are assessed as separate business
19 enterprises, whenever the occupancy has a separate City business
20 license and appears to the public as an independently-operated
21 enterprise.

22 (c) If multiple activities or uses are undertaken in a single
23 business space, the predominant activity or usage determines the
24 classification.

25 (d) If an owner of a building or of a business retains or
26 franchises an independent contractor to manage or operate the
27 structure or enterprise, respectively, collection shall be made from
28 the owner unless the independent contractor agrees with the City to
29 make payment or the owner can show that the contractor is obliged by
30 a lease or contract to pay the special assessment.

31 Section 5. Exemptions. No special assessments shall be levied
32 upon and collected from:

33 (a) Organizations eligible for charitable contributions under

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1 the United States Internal Revenue Code (26 USC 170(c)(1) or (3));

2 (b) Contractors constructing or rehabilitating buildings in
3 the District on account of structures or work in progress in the
4 Area and owners of structures under construction or rehabilitation,
5 which are closed to occupancy;

6 (c) Sponsors of public events and concessionaires, and vendors
7 or entertainers, who engage in business activities in the area for
8 less than 30 days in aggregate per year;

9 (d) Newsstands in street right-of-way and mobile vending carts
10 in a public place;

11 (e) Individual P-patch plots under the City's urban gardening
12 program, provided that the City may elect to pay an assessment for
13 a site as a whole; and

14 (f) Utilities on account of their occupation of street area.

15 An owner and/or operator of an enterprise or activity which is
16 exempt under this section may elect to participate in the PBIA by
17 paying to the City for the PBIA One Hundred Dollars (\$100.00) per
18 year.

19 Section 6. Collection Schedule. Insofar as consistent with
20 this ordinance and RCW Chapter 35.87A, special assessments shall be
21 collected on an annual basis or in such a manner deemed appropriate
22 by the Director of Licenses and Consumer Affairs or a successor
23 official.

24 Section 7. Deposit of Revenues. There is hereby established
25 in the City Treasury's Business Improvement Area Fund, a separate
26 subaccount designated the Chinatown/International District Parking
27 and Business Improvement Area Account (called "the Account"). The
28 following monies shall be deposited in the Account:

29 (a) All revenues from special assessments levied under this
30 ordinance;

31 (b) All income to the City from public events financed with
32 special assessments;

33 (c) Gifts and donations for the Account;

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1 (d) Interest and all other income from the investment of
2 Account deposits; and

3 (e) Restitution moneys for expenditures made from the Account
4 and reimbursements due to the Account.

5 Section 8. Expenditures. Expenditures from the Account shall
6 be made upon vouchers drawn by the Director of Licenses and Consumer
7 Affairs or a successor official and shall be used exclusively for
8 the statutory purposes each as more fully defined in Section 2 and
9 the petition to establish the area (C.F. 300091).

10 Section 9. Ratepayers Advisory Group. The Director of
11 Licenses and Consumer Affairs or a successor official shall appoint
12 an interim Ratepayers Advisory Board comprised of ratepayers from
13 the Area. Within approximately 60 days of City Council approval of
14 the establishment of a Chinatown/International District BIA, the
15 interim Ratepayers Advisory Board will recommend and the Department
16 of Licenses and Consumer Affairs will implement procedures to
17 establish a permanent Ratepayers Advisory Board. Procedures shall
18 be designed to insure inclusion of members representative of the
19 entire geographic area of the District and representative of the
20 classifications subject to assessment as defined in Section 1.

21 The Director of Licenses and Consumer Affairs may appoint
22 additional members to the Ratepayer Advisory Board to ensure that a
23 broad representation of ratepayers is provided. The additional
24 members so appointed shall not exceed one-third (1/3) of the entire
25 membership of the Board.

26 The Ratepayers Advisory Board shall be responsible for pro-
27 viding advice and consultation to the Department of Licenses and
28 Consumer Affairs initially, and any individual or agency hired to
29 manage the day-to-day operations of the Parking and Business
30 Improvement Area program on all matters related to the operation of
31 the program.

32 The Ratepayers Advisory Board will meet regularly; approve an
33 annual work program and budget; address and discuss ratepayer

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1 concerns and questions regarding the PBIA district and program;
2 review all reports submitted to the Department of Licenses and
3 Consumer Affairs by the program management; and sponsor an annual
4 ratepayers meeting.

5 Section 10. Administration. The Director of Licenses and
6 Consumer Affairs shall administer the program for the City with
7 authority to:

8 (a) Classify ratepayers within the types of use under Section
9 3 and resolve ambiguities in the application of rates;

10 (b) Remit funds to the Seattle Chinese Chinatown Chamber of
11 Commerce or a successor organization under the terms of a con-
12 tractual arrangement, as provided for in RCW 35.87A.110;

13 (c) Collect the special assessments; refund special assess-
14 ments when overpaid or paid for the same area by more than one
15 ratepayer; extend the deadline for payment and/or waive delinquency
16 charges and interest whenever the delinquency is a result of a
17 failure by the City to provide a statement of the amount due or non-
18 payment results from extenuating circumstances beyond the ratepayers
19 control, such as a casualty loss causing premature closure of the
20 business or bankruptcy or the total payment due to the City (exclu-
21 sive of penalty and interest) is Ten Dollars (\$10.00) or less; and
22 exempt homes for which the King County Assessor has granted an
23 exemption from property taxes under RCW 84.36.381 -.389 on account
24 of the low income status of the owner-resident.

25 (d) Calculate and collect the interest rate for late payments
26 contemplated by Section 12;

27 (e) Establish a schedule of proportionate payments for new
28 ratepayers first becoming subject to the assessment;

29 (f) Subject to advice and direction of the Ratepayers Advisory
30 Board, execute an annual program management contract with a Program
31 Manager, to be hired by the Ratepayers Advisory Board;

32 (g) After consultation and with the advice of the BIA
33 Ratepayers Board, take such other actions as necessary and

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1 appropriate to carry out the program with special assessments;
2 (h) Accept and deposit advance payment of assessments by
3 ratepayers; accept donations from governmental agencies and the
4 public for PBIA programs; assist the Program Manager on applying for
5 grants; and working with the Ratepayers Advisory Board and the
6 Program Manager in soliciting or improving governmental services to
7 the area; and

8 (i) Under the City Administrative Code (SMC Chapter 3.01) to
9 adopt, publish, and enforce rules, consistent with this ordinance,
10 for carrying out its provisions.

11 Section 11. Annual Budget. After January 1, 1995, in
12 consultation with the Program Manager and the Ratepayers Advisory
13 Board, the Director of Licenses and Consumer Affairs or a succeeding
14 official shall submit to the City Budget Director on or before March
15 31st of each year a statement of the projects and activities to be
16 conducted during the ensuing fiscal year; the proposed program
17 budget; and a statement of the assessment rates and business classi-
18 fications requested for financing the proposed budget. A summary
19 for the comments and recommendations received during such con-
20 sultations shall accompany the Department of Licenses and Consumer
21 Affairs Director's submission to the Budget Director, and the
22 Mayor's recommended budget to the City Council. The "Proposed First
23 Year Expenses" attached to the Petition shall constitute the
24 approved budget for 1994.

25 Section 12. Delinquent Payments. If an assessment has not
26 been paid within thirty (30) days after its due date and the
27 ratepayer had been making prompt payment in the past, the Director
28 shall send a reminder notice and add a Five Dollar (\$5.00) process-
29 ing fee. However, if (a) the assessment was not paid within sixty
30 (60) days after its due date of (b) the assessment was not paid
31 within thirty (30) days and the ratepayer has been late on one of
32 the previous two payments, a delinquency charge shall be added in
33 the amount of ten percent (10%) of the assessment in addition to the

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1 processing fee. All assessments, which are not paid within sixty
2 (60) days, shall also bear interest from the date payment was due at
3 twelve percent (12%) per annum. The Director of Licenses and
4 Consumer Affairs is authorized to bring an action to collect any
5 unpaid assessments in the Seattle Municipal Court as a civil action,
6 or at the discretion of the Director, in the Seattle District Court.

7 Section 13. Contract For Program Management. The Director is
8 authorized to contract with a Program Manager as recommended by the
9 Ratepayers Advisory Board at the annual meeting to administer the
10 projects and activities. It is the intent of the City Council that
11 the Director contract with the Seattle Chinese Chinatown Chamber of
12 Commerce to administer the program during the initial year, and for
13 each year thereafter for as long as the Ratepayers Advisory Board
14 concurs in its continuation as the Program Manager. The selection
15 of a Program Manager upon the recommendation of the Ratepayers
16 Advisory Board shall obviate compliance with the consultant
17 selection procedures of Seattle Municipal Code Chapter 3.114 and
18 Section 20.46A.170. Any contract for private security shall be
19 reviewed by the Seattle Police Department.

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

24 To prevent reduction in services due to inflation in prices the
25 City may from time to time, upon recommendation of the Ratepayers
26 Advisory Board and by ordinance, increase or reduce assessment
27 rates, to reflect changes in the purchasing power of money. Any
28 increase in the assessment formula shall be based on the increase,
29 if any, of the Consumer Price Index (CPI) for the metropolitan
30 Seattle area; provided, however, that the increase shall not exceed
31 five percent (5%) in any calendar year. The percentage of increase
32 in the assessment formula shall be computed as follows:

33
$$\frac{(\text{Ending CPI} - \text{Beginning CPI}) \times 100}{\text{Beginning CPI}} = \text{Percentage of Increase}$$

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1 Rates after the percentage increase shall be rounded to the nearest
2 one-thousandth (mil) as to square footage rates in Categories I, II,
3 III, and IV, and nickel as to Categories IV, VI, VII, IX, X, and XI.

4 Section 15. Notices. Notices of assessment, installment
5 payments, or delinquency, and all other notices contemplated by this
6 ordinance may be sent by ordinary mail or delivered by the City to
7 the address shown on the records of the Director of Licenses and
8 Consumer Affairs, and, if no address is shown there, to the address
9 shown on the records of the City maintained for business or utility
10 tax purposes under Seattle Municipal Code Chapters 5.44 and 5.48.
11 Failure of the ratepayer to receive any mailed notice shall not
12 release the ratepayer from the duty to pay the assessment, or except
13 as authorized by Section 10(b), from payment on the due date and any
14 delinquency charges.

15 Section 16. City departmental participation. The City elects
16 to participate on behalf of Hing Hay Park, Children's Park, and Kobe
17 Terrace Park in the Chinatown/International District PBIA under
18 Category V, property owner, and the Superintendent of Parks and
19 Recreation or his or her deputy is authorized to represent the City
20 as a ratepayer in PBIA activities. The Director of the Department
21 of Neighborhoods is authorized to participate in the PBIA on behalf
22 of a P-Patch if a majority of the gardeners of the individual plots
23 so elect, and if the plot gardeners so elect, to authorize one or
24 more thereof to represent the P-Patch in PBIA activities.

25 Section 17. Disputes. Any ratepayer aggrieved by the amount
26 of an assessment or delinquency charge may on request obtain a
27 meeting with the Director, or senior assistant designated by the
28 Director to act on his or her behalf; and, if not satisfied, the
29 ratepayer may appeal the matter to the City's Hearing Examiner in
30 the manner provided for a contested case under the City's Adminis-
31 trative Code, Seattle Municipal Code Chapter 3.02.

32 Section 18. Interim Appropriation. To provide for start-up
33 costs as recommended by the Mayor and the Director, the sum of

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1 Thirty Thousand Dollars (\$30,000), or so much thereof as may be
2 necessary is hereby appropriated from the General Fund, to be
3 reimbursed unless the City's 1994 Budget provides otherwise from the
4 Business Improvement Area Fund with revenues from special assess-
5 ments no later than December 31, 1995.

6 Section 19. Commencement of Assessments. Assessment shall
7 commence as of _____, 1994.

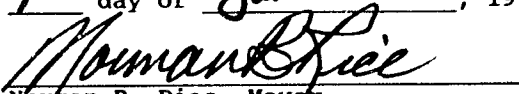
8 Section 20. Ratification and Confirmation. The making of
9 contracts and expenditures, and the sending of assessment notices
10 pursuant to the authority and prior to the effective date of this
11 ordinance are hereby ratified and confirmed.

12 Section 21. This ordinance shall take effect and be in force
13 thirty days from and after its passage and approval, if approved by
14 the Mayor; otherwise it shall take effect at the time it shall
15 become a law under the provisions of the City Charter.

16 Passed by a three-fourths vote of all the members of the City
17 Council the 6 day of June, 1994, and signed by me in
18 open session in authentication of its passage this 6 day of
19 June, 1994.

20 
21 _____
22 President of the City Council

23 Approved by me this 9 day of June, 1994.

24 
25 _____
26 Norman B. Rice, Mayor

27 Filed by me this 9 day of June, 1994.

28 
29 _____
30 Deputy Clerk

31 (SEAL)

32 Published _____

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CA 940002

**CHINATOWN/INTERNATIONAL DISTRICT
PARKING AND BUSINESS IMPROVEMENT AREA
AGENCY SERVICE AGREEMENT**

FILED
DEPARTMENT OF FINANCE
CITY CLERK

THIS AGREEMENT is made between The City of Seattle ("the City"), a municipal corporation, acting through its Department of Finance ("the Department"), and the Seattle Chinatown Chamber of Commerce ("the Agency") to carry out Ordinance 117174.

WHEREAS, the Department, as principal, desires to contract with the Agency, for the purposes of administering the Chinatown/International District Parking and Business Improvement Area pursuant to RCW 35.87A.

NOW, THEREFORE, in consideration of the terms, conditions, covenants and performances contained herein, and attached and incorporated and made a part hereof, the parties mutually agree as follows:

ARTICLE I. TIME ELEMENTS

SECTION 100: Term of Agreement

The term of this Agreement shall begin July 1, 1994, and shall end on December 31, 1994, unless terminated or extended pursuant to the provisions of this Agreement.

SECTION 101: Schedule for Completion

All activities, services and work to be performed pursuant to this Agreement shall be completed by December 31, 1994.

ARTICLE II. ACTIVITIES

SECTION 200: Scope of Services

The Agency, on behalf of the businesses, residents and property owners in the Chinatown/International District Parking and Business Improvement Area, will serve as the program management contractor for the Chinatown/International District Parking and Business Improvement Area. The Agency shall be responsible for the work items set out in Appendix I: Scope of Services.

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SECTION 205: Program Reporting

A written report or quarterly newsletter shall be submitted on or by August 15, and November 15, 1994, to the Director of the Department describing in detail the progress made during the preceding calendar quarter by the Agency towards the accomplishments of the scope of services set forth in Article II, Section 200, or justification for the lack of such accomplishment. Semi-annually, the report shall also contain a list of ratepayers in the district, specifying the name, business name, address, assessment value classification, and assessment information for each ratepayer, and additional information as set out by the Department of Finance pursuant to collection of delinquent accounts.

ARTICLE III. FINANCIAL CONDITIONS

SECTION 300: Project Budget and Compensation

(A) Special assessments, imposed by Ordinance 117174, will be collected by the Department on a quarterly basis, with payments due within thirty (30) days thereafter and becoming delinquent thereafter. Moneys will be deposited in the Finance Department's Chinatown/International District BIA fund. Accounts delinquent in excess of ninety (90) days will be referred for collection by the Seattle Law and/or Finance Departments.

(B) The maximum amount of expenditures by the BIA for the fiscal year ending December 31, 1994 for approved program projects and activities is Sixty Six Thousand, Five Hundred Dollars (\$66,500).

(C) The Agency shall be compensated a total of Fourteen Thousand, Four Hundred Dollars (\$14,400), comprised of Twenty-four Hundred Dollars (\$2400.00) per month, for services in conjunction with work items set out in Appendix I: Scope of Services during the 1994 fiscal year for the performance of the services described in Article II.

(D) The Department will make every effort to reconcile assessment and delinquency interest collections, program expenses and agency fees by December 31, 1994.

SECTION 310: Method of Payment

(A) The Agency shall submit a properly executed invoice specifying expenditures by project or activity identified in the approved budget, including monthly agency fees per Section 300, not later than seven (7) working days after the end of each month, together with all reporting data required by the Director of the Department for approval and subsequent payment from the BIA fund account to: The Seattle Department of Finance, Attention: Linda Kabakjian, PBIA Coordinator.

(B) The Department shall approve and subsequently make payment, directly to the Agency, for approved invoice amounts within ten (10) working days following receipt of the invoice from the agency, provided that the Department determines that the expenditures by project or activity identified in the invoice have been provided according to this Agreement.

(C) The Department reserves the right to withhold payments pending timely delivery of services, program reports or documents as may be required under this Agreement.

SECTION 330: Documentation of Costs and Financial Reporting Requirements.

(A) All costs shall be supported by properly executed payrolls, time records, invoices, vouchers or other official documentation, as evidence of the nature and propriety of the charges. All accounting documents pertaining in whole or in part to this Agreement shall be clearly identified and readily accessible, and the Department shall have the right to audit the records of the Agency as they relate to the work, upon reasonable notice. The Agency shall also:

1. Maintain an effective system of internal control over and accountability for all funds and property and make sure the same are used solely for authorized purposes.
2. Keep a continuing record of all disbursement by date, check number, amount, vendor, description of items purchased and line item from which money was expended, as reflected in the Agency's accounting records. The line item notations must be substantiated by a receipt, invoice marked "Paid," or payroll record.
3. Maintain payroll and financial records for a period of three (3) years after receipt of final payment under the Agreement.
4. Permit inspection and audit of its records with respect to all matters authorized by this Agreement by representatives of the City and the State Auditor, and at any time during normal business hours and as often as necessary.
5. Repay to the Department any funds in its possession at the time of the termination of this Agreement that may be due to the City.

(B) In the event that the City determines that any funds were expended by the Agency for unauthorized or ineligible purposes or constitute disallowed costs and orders repayment of the same, the Agency shall remit the same to the Department within thirty (30) days.

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.