



Meeting Agenda

PBIA Advisory Board

City Hall
601 4th Avenue E
Olympia WA 98501

Contact: Max DeJarnatt
360.570.3723

Wednesday, December 2, 2020

5:30 PM

On-line and via Phone

Meeting link:

<https://us02web.zoom.us/j/82264264954?pwd=eHpaV0ZHcFp3Y2tmM21uSEkrQldldz09>

1. CALL TO ORDER

1.A ROLL CALL

2. APPROVAL OF AGENDA

3. APPROVAL OF MINUTES

3.A [20-0988](#) Approval of November 4, 2020 PBIA Advisory Committee Meeting Minutes

Attachments: [DraftMinutes11042020](#)

4. PUBLIC COMMENT

Send emails to mdejarna@ci.olympia.wa.us

5. ANNOUNCEMENTS

6. BUSINESS ITEMS

6.A [20-0983](#) Announcement of PBIA 2021 Board Election Results

6.B [20-0979](#) 2021 PBIA Meeting Dates

Attachments: [2021 Holidays & Meeting Dates](#)

6.C [20-0987](#) PBIA Ordinances & Bylaws

Attachments: [Chapter 3.62](#)

[PBIA Bylaws](#)

6.D [20-0981](#) PBIA Quarterly Survey

6.E [20-0982](#) 2020 Flower Basket Program report

6.F [20-0980](#) Recognition of Outgoing Board Member

7. REPORTS

8. OTHER TOPICS

[20-0989](#) Round Table Discussion

9. ADJOURNMENT**Accommodations**

The City of Olympia is committed to the non-discriminatory treatment of all persons in employment and the delivery of services and resources. If you require accommodation for your attendance at the City Advisory Committee meeting, please contact the Advisory Committee staff liaison (contact number in the upper right corner of the agenda) at least 48 hours in advance of the meeting. For hearing impaired, please contact us by dialing the Washington State Relay Service at 7-1-1 or 1.800.833.6384.



City Hall
601 4th Avenue E.
Olympia, WA 98501
360-753-8244

PBIA Advisory Board

Approval of November 4, 2020 PBIA Advisory Committee Meeting Minutes

Agenda Date: 12/2/2020
Agenda Item Number: 3.A
File Number:20-0988

Type: minutes **Version:** 1 **Status:** In Committee

Title

Approval of November 4, 2020 PBIA Advisory Committee Meeting Minutes



Meeting Minutes

PBIA Advisory Board

City Hall
601 4th Avenue E
Olympia WA 98501

Contact: Max DeJarnatt
360.570.3723

Wednesday, November 4, 2020

5:30 PM

On-line and via Phone

Register to attend:

https://us02web.zoom.us/webinar/register/WN_klwbYuYRTDyjTzkdXlm5bw

1. CALL TO ORDER

Chair Ruse called the meeting to order at 5:31 p.m.

1.A ROLL CALL

Present: 10 - Chair Danielle Ruse, Vice Chair Jeffrey Barrett, Boardmember Konrad Bruns, Boardmember Heather Chambers, Boardmember Jacob David, Boardmember Janis Dean, Boardmember Anne Gavzer, Boardmember Melissa Hammond, Boardmember David Rauh and Boardmember Oliver Stormshak

Absent: 2 - Boardmember Johnny Atlas and Boardmember Alana Carr

1.B OTHERS PRESENT

Community Planning & Development Staff Liaison Max De Jarnatt

2. APPROVAL OF AGENDA

The agenda was approved as amended with the addition of a flower basket item.

3. APPROVAL OF MINUTES

3.A [20-0896](#) Approval of October 7, 2020 PBIA Advisory Board Meeting Minutes

The minutes were approved.

4. PUBLIC COMMENT - None

5. ANNOUNCEMENTS

Chair Ruse welcomed new board members Anne Gayzer, Oliver Stormshak and Melissa Hammond.

6. BUSINESS ITEMS

6.A [20-0897](#) Holiday Curb-side Pickup Signs

The Board discussed the possibility of installing seasonal curbside pickup signs for holiday retail.

The decision was returned without recommendation.

6.B [20-0893](#) Nominating Committee Nominations

The Board received the nominating committee's recommendations.

The discussion was completed.

6.C [20-0894](#) Ordinance and Bylaws Updates

The Board discussed a possible scope of changes to the Ordinance and Bylaws.

The discussion was completed.

6.D [20-0946](#) ADDED DURING MEETING - Discussion of Flower Basket Program

The Board discussed the Flower Basket Program.

The discussion was completed.

6.E [20-0895](#) Discussion of Quarterly Survey

The Board outlined survey questions.

The discussion was completed.

7. REPORTS

Chair Ruse gave a report on Downtown Holiday Programming.

8. OTHER TOPICS**8.A** [20-0898](#) Round Table Discussion

The discussion was completed.

9. ADJOURNMENT

The meeting was adjourned at 7:07 p.m.



PBIA Advisory Board

Announcement of PBIA 2021 Board Election Results

Agenda Date: 12/2/2020
Agenda Item Number: 6.A
File Number: 20-0983

Type: information **Version:** 1 **Status:** In Committee

Title

Announcement of PBIA 2021 Board Election Results

Report

Issue:

Announce the results of a recent online election to re-elect PBIA Board members

Staff Contact:

Max DeJarnatt, Senior Program Specialist, PBIA Staff Liaison, Community Planning & Development,
360.570.3723

Presenter(s):

Max DeJarnatt, Senior Program Specialist

Background and Analysis:

The PBIA holds an annual election to appoint new Board members. Each member (PBIA rate paying) business is entitled to one vote. An online election was launched November 20th and closes at midnight on November 30th.

Staff will announce the results at the board meeting.

Neighborhood/Community Interests (if known):

N/A

Options:

Information only

Financial Impact:

N/A

Attachments:

N/A



PBIA Advisory Board

2021 PBIA Meeting Dates

Agenda Date: 12/2/2020
Agenda Item Number: 6.B
File Number:20-0979

Type: discussion **Version:** 1 **Status:** In Committee

Title

2021 PBIA Meeting Dates

Recommended Action

Information only. No action requested.

Report

Issue:

Choosing PBIA meeting dates for 2021

Staff Contact:

Max DeJarnatt, Senior Program Specialist, 360.570.3723, mdejarna@ci.olympia.wa.us

Presenter(s):

Max DeJarnatt

Background and Analysis:

In 2020 the PBIA met the first Wednesday of each month. The board will review any 2021 conflicts and decide which day of the month to schedule regular board meetings.

Neighborhood/Community Interests (if known):

ODA meets on the first Wednesday of each month

Attachments:

2021 Holidays & Meeting Dates

2021 HOLIDAYS

COMMITTEE MEETING DATES

Date	Weekday	Holiday
Jan 1	Friday	New Year's Day
Jan 18	Monday	MLK
Feb 15	Monday	President's
Feb 26	Friday	Purim
Mar 27-Apr 4	Multi	Passover
Apr 13-May 11	Multi	Ramadan
May 12	Wednesday	Chaand Raat
May 13	Thursday	Eid al-Fitr
May 31	Monday	Memorial
Jul 5	Monday	4th (observed)
Jul 20	Tuesday	Eid al-Adha
Aug 9	Monday	Islamic New Year
Aug 10	Tuesday	Islamic New Year
Sep 6	Monday	Labor/Rosh Hashana
Sep 7	Tuesday	Rosh Hashana
Sep 8	Wednesday	Rosh Hashana
Sep 15-16	Multi	Yom Kippur
Sep 20-27	Multi	Sukkot
Sep 28-29	Multi	Simchat Torah
Nov 11	Thursday	Veteran's
Nov 25	Thursday	Thanksgiving
Nov 28-Dec 6	Multi	Hanukkah
Dec 8	Wednesday	Feast of the Immaculate Conception
Dec 24	Friday	Christmas (observed)
Dec 31	Friday	New Year's Day

Committee	Meeting Times
Finance	3rd Wednesday
General	4th Wednesday
Land Use	3rd Thursday
Arts Commision	2nd Thursday
BPAC	3rd Wednesday (bi-monthly)
Design Review Board	2nd & 4th Thursdays
Police Use of Force	TBD
Heritage Commission	4th Wednesday
Parks & Rec Advisory Committee	3rd Thursday
Planning Commission	1st & 3rd Mondays
Utility Advisory Committee	1st Thursday
LEOFF	2nd Monday



PBIA Advisory Board

PBIA Ordinances & Bylaws

Agenda Date: 12/2/2020
Agenda Item Number: 6.C
File Number:20-0987

Type: decision **Version:** 1 **Status:** In Committee

Title

PBIA Ordinances & Bylaws

Recommended Action

Move to approve the recommendation to amend OMC 3.62 and the PBIA's Bylaws and forward to the General Government Committee for consideration.

Report

Issue:

Whether to amend OMC 3.62 and the PBIA's Bylaws.

Staff Contact:

Max DeJarnatt, Senior Program Specialist, Community Planning & Development, 360.570.3723

Presenter(s):

Max DeJarnatt, Senior Program Specialist

Background and Analysis:

The PBIA advisory board has expressed interest in updating OMC 3.62 and its Bylaws. In its September meeting, the board established a scope of the desired changes. Staff recommended to break the changes into two phases, with the first comprising necessary but uncomplicated updates (attached). The second phase, which could include changes to the assessment rate and schedule, would require more staff resources than currently assigned to support of the program (Staff will confer with city leadership for direction).

Neighborhood/Community Interests (if known):

N/A

Options:

Approve recommended amendments to OMC 3.62 and PBIA Bylaws and forward to General Government Committee for their consideration

Change the recommended amendments to OMC 3.62 and PBIA Bylaws and forward to General Government Committee for their consideration

Do not forward amendments to OMC 3.62 and PBIA Bylaws at this time

Type: decision **Version:** 1 **Status:** In Committee

Financial Impact:
N/A

Attachments:
OMC 3.62 with Tracked Changes
PBIA Bylaws with Tracked Changes

Chapter 3.62 PARKING AND BUSINESS IMPROVEMENT AREA

3.62.000 Chapter Contents

Sections:

<u>3.62.010</u>	Parking and Business Improvement Area Established.
<u>3.62.020</u>	Programs.
<u>3.62.030</u>	Levy of Special Assessments.
<u>3.62.040</u>	Rate Changes.
<u>3.62.050</u>	Deposit of Revenues.
<u>3.62.060</u>	Collection Schedule.
<u>3.62.070</u>	Delinquent Payments.
<u>3.62.080</u>	Notices.
<u>3.62.090</u>	Disputes.
<u>3.62.100</u>	Expenditures.
<u>3.62.110</u>	Administration.
<u>3.62.120</u>	Contract for Program Management.
<u>3.62.130</u>	Advisory Board.
<u>3.62.140</u>	Bids Required for Construction of Projects.
<u>3.62.150</u>	Commencement of Assessments.
<u>3.62.160</u>	Ratification and Confirmation.

(Ord. 6721 §1, 2010; Ord. 6375 §1-17, 2005, this chapter added July 2008).

3.62.010 Parking and Business Improvement Area Established

As authorized by Chapter 35.87A RCW, there is hereby established a Parking and Business Improvement Area ("Parking and Business Improvement Area" or "PBIA"), consisting of Zones A, B and C, within the boundaries as described below and shown on the map attached hereto as Exhibit A-1. If there is any conflict between said map and narrative description, the text shall prevail.

ZONE A:

All of that portion of the City of Olympia, Washington described as bounded on the North by the centerline of State Avenue, bounded on the South by the centerline of Legion Way, bounded on the West by the centerline of Columbia Street, and bounded on the East by the centerline of Franklin Street.

ZONE B:

All of that portion of the City of Olympia, Washington described as beginning at the centerline intersection of Water Street and 7th Avenue; thence West to the ordinary high water line of Capitol Lake; thence Northerly and Westerly along said line to the East line of the Deschutes Waterway as shown on the official First Class Tideland Plat of the City of Olympia; thence Northerly along said waterway and its extension to the centerline of Olympia Avenue extended Westerly; thence Easterly along said extension to the line of ordinary high tide;

thence Northerly along said line to the centerline of Thurston Avenue extended Westerly; thence Easterly along said extension and the centerline of Thurston Avenue to the centerline of Jefferson Street; thence Southerly along said centerline to the centerline of Olympia Avenue; thence Easterly along the centerline, as platted, of said street to a point 150 feet more or less Westerly of the centerline intersection of Pear Street and Olympia Avenue; thence Southerly more or less parallel to Pear Street, said course following original platted lot lines, to the centerline of 7th Avenue; thence Westerly along said centerline to the point of beginning; EXCEPTING, the area described in Zone A above.

ZONE C:

All of that portion of the City of Olympia, Washington described as beginning at the centerline intersection of Columbia Avenue and Union Avenue; thence Northerly along the centerline of Columbia Avenue to the centerline of 7th Avenue; thence Easterly along said centerline to the centerline of Washington Street; thence Southerly along said centerline to the centerline of ~~Union Avenue~~^{7th Ave}; thence Westerly along said centerline to the point of beginning; ALSO, All of that portion of the City of Olympia, Washington described as beginning at the line of ordinary high tide with to the centerline of Thurston Avenue extended westerly; thence Northerly along said high tide line to a point 600 feet Northerly of the centerline of Corky Avenue extended Westerly; thence Easterly and parallel to Corky Avenue and its extension to the centerline of East Bay Drive; thence Southerly along said centerline to the centerline of Olympia Avenue; thence Westerly along said centerline to the centerline of Jefferson Street; thence Northerly along said centerline to the centerline of Thurston Avenue; thence Westerly along said centerline and its extension to the point of beginning.

(Ord. 6721 §1, 2010; Ord. 6375 §1, 2005).

3.62.020 Programs

Special Assessment revenues shall be used for the purpose of providing special projects and services under the following program headings:

1) Downtown Parking Improvements Program

This program will provide for parking improvements to address the concern for downtown Olympia businesses and property owners, as well as patrons and employees. The PBIA special assessments may be used to fund administrative costs such as staff support, the construction or operation and maintenance of a parking structure or other parking improvements.

2) Clean and Safe Program

This program will provide additional projects and services to make downtown cleaner, more welcoming and improve the public's perception of safety. This program may include a volunteer effort to provide eyes and ears on the street and to assist people downtown; administration and staff support; graffiti removal; and efforts to reduce offenses such as public urination, drug use and sales, aggressive panhandling and public intoxication.

3) Civic Beautification and Sign Program

An overall beautification program will help the general aesthetic of downtown. Such a program may include:

a) Streetscape beautification

- b) Area-wide Paint Up, Fix Up, Clean Up Campaign
- c) Public arts programs
- d) Public/private way finding signs
- e) Administration and staff support

4) Business Recruitment and Retention Program

Preparation of inventories of commercial vacancies, information about incentives and benefits to locating downtown and development of a common vision for the types of businesses and other organizations would enhance the downtown. Inventory information will facilitate development of specific recruitment and retention strategies for different parts of downtown. Inventories may include:

- a) Community preference surveys
- b) Inventory of vacancies
- c) Advertising vacancies

Administration and staff support to prepare the inventories is included.

5) Commercial Marketing Program

Development of a well-conceived "Buy Local" marketing program that will benefit the whole downtown and to continue the support of long-standing community events through:

- a) Advertising and promotion
- b) Theme development
- c) Special events and activities
- d) Tourism attraction

Other existing programs may be reviewed for supplementation with PBIA special assessments, including but not limited to:

- a) Community events held downtown including Music in the Park, ArtsWalk, Downtown for the Holidays, ~~and the Pet Parade~~, and PRIDE;
- b) Marketing programs including the shopping and restaurant guide, and event management or support;
- c) Programs to clean up downtown that include the semi-annual clean-ups, graffiti management, and mural programs.

- d) Programs to develop partnerships for local governments, quasi-public and non-profit groups that work in or invest resources in downtown on behalf of the public.

Administration and staff support will be included in the programs and projects listed above.

The list of possible services and projects within the general program categories above is illustrative and not exclusive. The costs are estimated only and the PBIA budget shall be established by City Council and expended based on actual receipts, as set forth in Section 10 below.

(Ord. 6721 §1, 2010; Ord. 6578 §1, 2008; Ord. 6375 §2, 2005).

3.62.030 Levy of Special Assessments

To finance the programs authorized in OMC [3.62.020](#), and in recognition of the special benefits created thereby, a special assessment is hereby levied upon and shall be collected annually from all the businesses and multi-family residence owners / operators ("Ratepayers") in the Parking and Business Improvement Area described in OMC [3.62.010](#), as authorized by RCW [35.87A.080](#), except non-profit corporations or organizations. Assessments shall not be pro-rated. The special assessments shall be levied upon the Ratepayers in Zones A, B and C according to the rates established as follows:

Business Type	Zone A			Zone B			Zone C		
	Large	Medium	Small	Large	Medium	Small	Large	Medium	Small
Restaurant/Retail	\$750	\$500	\$250	\$600	\$400	\$200	\$300	\$200	\$150
Professional/Service	\$400	\$300	\$200	\$300	\$200	\$150	\$200	\$150	\$150
Financial Institutions	\$750			\$600			\$300		
Lodging/Apartments	30 or less rooms = \$200; 31-50 rooms = \$300; 51+ rooms - \$400								
Personal Care Services	Minimum \$150 plus \$75 per station above 2 stations with a cap of \$500								

Definitions:

Business. Means any person, group or entity, including but not limited to a sole proprietorship, partnership, corporation, limited liability partnership or limited liability corporation, that engages in business with the object of gain, benefit, or advantage to the person, group or entity, or to another person or class, directly or indirectly. "Engages in business" as used herein shall have the meaning set forth in Olympia Municipal Code Section [5.04.040.N](#).

Employee. Any person whose work is devoted to the ongoing operation of a business or multi-family residence. As used in this ordinance, "Employee" includes a person with an ownership interest in a business, regardless of whether that person is paid a salary or wages.

Financial Institution. Means a bank, savings and loan, credit union, or similar institution.

Full-Time Equivalent (FTE). A position or positions requiring work equal to or exceeding forty (40) hours per week.

Large // Medium // Small. Based on employee count: FTE's (Full time Equivalent)

- Small 1-3 FTE's
- Medium 4-6 FTE's
- Large 7+ FTE's

Lodging. Means engaging in the business defined in OMC Section 5.04.040.MM.3.f. Examples include the rental of rooms by the day or week to community visitors. "Lodging" also means the rental or lease of a residential dwelling unit, if such unit is contained within any building or buildings containing four (4) or more residential units or any combination of residential and commercial units, whether title to the entire property is held in single or undivided ownership or title to individual units is held by owners who also, directly or indirectly through an association, own real property in common with the other unit owners.

Non-profit corporation or non-profit organization. "Non-profit corporation or non-profit organization" means a corporation or organization in which no part of the income can be distributed to its members, directors, or officers and that holds a current tax exempt status as provided under Sec. 501(c)(3) of the Internal Revenue Code, as may hereafter be amended, or is specifically exempted from the requirement to apply for its tax exempt status under Sec. 501(c)(3) of the Internal Revenue Code, or as may hereafter be amended. Where the term "non-profit organization" is used, it is meant to include non-profit corporations.

Personal Care Service Business. Means a hair salon, barber shop, manicurist, tanning salon, acupuncturist, massage therapist, esthetician, exercise studio, yoga studio, Pilates studio, soothsayer, and the like.

Professional Services Businesses. Means Architects, Engineers, Attorneys, Dentists, Doctors, Accountants, Optometrists, Realtors, Insurance Offices, Mortgage Brokers and most other businesses that require advanced and/or specialized licenses and/or advanced academic degrees.

Restaurant. Means a business that sells prepared foods and drinks.

Retail. Means a business that engages in sales at retail and / or retail sales, as those terms are defined in Olympia Municipal Code Section 5.04.040.MM.1.a and .1.c - .1e, but does not include the provision of any services. "Retail" includes, as an example, the buying and reselling of goods, such as that engaged in by clothing stores, shoe stores, office supplies, etc.

Service Business. Means a business that engages in retail services, as that term is defined in Olympia Municipal Code Section 5.04.040.JJ, or engages in the activities set forth in OMC 5.04.040.MM.1.b, MM.2, MM.3a - e, MM.4, and MM.6-7. Examples include repair shops, automotive-oriented service businesses, computer repair and support, tech support services, entertainment businesses such as theaters, etc.

(Ord. 6721 §1, 2010; Ord. 6691 §1, 2010; Ord. 6375 §3, 2005).

3.62.040 Rate Changes

Changes in the assessment rate shall only be made by ordinance adopted by the Olympia City Council and as authorized in RCW [35.87A.140](#).

(Ord. 6721 §1, 2010; Ord. 6375 §4, 2005).

3.62.050 Deposit of Revenues

There is hereby created in the City a separate subaccount designated as the Parking Business Improvement Area Account (called "the Account"). The following monies shall be deposited in the Account:

- A. All revenues from special assessments levied under this ordinance;
- B. All income to the City from public events financed with special assessments;
- C. Gifts, donations and voluntary assessment payments for the Account; and
- D. Interest and all other income from the investment of Account deposits.

(Ord. 6721 §1, 2010; Ord. 6375 §5, 2005).

3.62.060 Collection Schedule

Special assessments shall be collected on an annual basis.

(Ord. 6721 §1, 2010; Ord. 6375 §6, 2005).

3.62.070 Delinquent Payments

If an assessment has not been paid within thirty (30) days after its due date, it will be considered delinquent. The City Manager is authorized to assign delinquent assessments to a collection agency or bring an action in any court of competent jurisdiction.

(Ord. 6721 §1, 2010; Ord. 6375 §7, 2005).

3.62.080 Notices

Notices of assessment and all other notices contemplated by this ordinance may be sent by ordinary mail or delivered by the City to the address shown on City of Olympia records, as they may be modified from time to time based on information provided by the Program Manager (if any). Failure of the Ratepayer to receive any mailed notice shall not release the Ratepayer from the duty to pay the assessment and any collection agency charges.

(Ord. 6721 §1, 2010; Ord. 6375 §8, 2005).

3.62.090 Disputes

Any Ratepayer aggrieved by the amount of an assessment may appeal the Program Manager's rate classification to the City Manager or the City Manager's designee for review. The City Manager or the City Manager's designee may uphold the assessment or adjust the assessment consistent with this ordinance. The

City Manager's or the City Manager's designee's decision shall be final and not appealable to any court or body. The appellant Ratepayer has the burden of proof to show that the assessment is inconsistent with the applicable assessment fee provided for herein.

(Ord. 7187 §3, 2019; Ord. 6721 §1, 2010; Ord. 6691 §2, 2010; Ord. 6375 §9, 2005).

3.62.100 Expenditures

Expenditures from the Account shall be made upon vouchers drawn for services rendered and shall be used exclusively for the statutory purposes each as more fully defined in Section 2. Pursuant to RCW 35.87A.110, the City Council shall have the sole discretion and authority to adopt a work program and budget for expenditures from the Account at such times as the Council may determine.

(Ord. 6721 §1, 2010; Ord. 6375 §10, 2005).

3.62.110 Administration

The City Manager or the City Manager's designee shall administer the program for the City with authority to:

- A. Classify Ratepayers within the three zones under Sections 1 and 3. As part of this classification, the City Manager or designee is authorized to make a determination of the number of regular FTEs employed by a Ratepayer prior to issuing assessment notices each calendar year. The classification and FTE determination shall be based on information from City of Olympia records as they may be modified from time to time based on information provided by the Program Manager (if any);
- B. Collect the special assessments; and
- C. Upon Council approval, execute an annual program management contract with a Program Manager.

(Ord. 7187 §3, 2019; Ord. 6721 §1, 2010; Ord. 6375 §11, 2005).

3.62.120 Contract for Program Management

Pursuant to RCW 35.87A.110, the City Manager may contract with a chamber of commerce or similar business association entity or entities operating within the boundaries of the PBIA to act as a Program Manager. The Program Manager shall administer the PBIA's operation, including but not limited to implementation of the projects and activities contained in the work program adopted by the City Council under OMC 3.62.020, performing the administrative duties allocated to the City Manager or the City Manager's Designee under this Chapter.

Any contract entered into under this Section shall include provisions to address the following:

- A. Provisions for the Program Manager to:
 - 1. Create and maintain a business data base of all Ratepayers within the boundaries of the PBIA;
 - 2. Classify each Ratepayer within each of the three zones, based on the number of regular FTEs for each Ratepayer;

3. Provide the data base and classifications to the City in sufficient time for its use in mailing annual special assessment notices, but no later than November 1 of each calendar year;
4. Perform all basic Municipal Services Contract provisions (periodic billing and reporting requirements, internal controls and maintain accurate records, etc.);
5. Perform the projects and services listed in Section 020 as approved annually by the City Council pursuant to Subsection B.2 below;
6. Submit reimbursement request on vouchers drawn for services rendered (consistent with the Council adopted budget and work program for that calendar year);
7. Provide administrative support for the creation and operation of the PBIA Advisory Board created pursuant to Section 13 below, including soliciting nominations and conducting an election for Board representatives.

B. Provisions for the CITY to:

1. Review the PBIA Advisory Board's annual proposed budget recommendations for special services and projects;
2. Adopt a work program and budget for expenditures;
3. Send a bill to each business within the boundary on an annual basis based on the assessment list provided by the Program Manager;
4. Resolve Ratepayer disputes;
5. Collect special assessments;
6. Pursue collection by sending the bill to a collection agency or commencing an action in a court of competent jurisdiction to collect the special assessment;
7. Review and reimburse eligible expenses; and
8. Conduct periodic review of the Program Manager's performance.

(Ord. 7187 §3, 2019; Ord. 6721 §1, 2010; Ord. 6691 §3, 2010; Ord. 6375 §12, 2005).

3.62.130 Advisory Board

There is hereby created an advisory board to the Olympia City Council. The Board shall consist of an odd number totaling at least 15 member representatives of Ratepayers representing a diversity of business classifications, interests, and viewpoints within the PBIA. Board members shall be elected by a majority of Ratepayers within the PBIA voting in an election conducted by the Program Manager under Section 12 above. The Council may also appoint a nonvoting Council member representative and/or City staff liaison. The Board's duties shall include the annual development of a proposed work program with specific projects and budgets

and the recommendation of the same to the City Council for its consideration, and preparation of a plan for regular communication of PBIA projects and information to Ratepayers, including specific provisions for communication with non-English speaking Ratepayers and other projects and activities as approved by the City Council in the Board's annual work plan.

(Ord. 6721 §1, 2010; Ord. 6578 §2, 2008; Ord. 6375 §13, 2005).

3.62.140 Bids Required for Construction of Projects

Pursuant to RCW 35.87A.200, the City Manager and/or the Program Manager utilized under Section 12 above shall call for competitive bids by appropriate public notice and award contracts, whenever the estimated cost of any Parking and Business Improvement Area public works construction project, including cost of materials, supplies and equipment, exceeds the sum of two thousand five hundred dollars. Pursuant to RCW 35.87A.210, the cost of a public works construction project for the purposes of this Section shall be aggregate of all amounts to be paid for the labor, materials and equipment on one continuous or inter-related project where work is to be performed simultaneously or in near sequence.

Breaking a public works construction project into small units for the purposes of avoiding the minimum dollar amount prescribed herein is contrary to public policy and is prohibited.

(Ord. 6721 §1, 2010; Ord. 6375 §14, 2005).

3.62.150 Commencement of Assessments

Assessments shall commence as of January 1, 2006 for all existing businesses located within the assessment area depicted in Section 1 above. Any new business or multi-family residence commencing operation within the boundaries of the PBIA after November 1 of any given year shall be exempt from payment of the assessment until November 1 following the business' or multi-family residence's commencement of operation; provided, that no exemption under this section have a duration of longer than one year. Such a business or multi-family residence shall be assessed the January 1 following commencement of its operation. Assessments shall not be prorated.

(Ord. 6721 §1, 2010; Ord. 6375 §15, 2005).

3.62.160 Ratification and Confirmation

The making of contracts and expenditures and the sending of assessment notices pursuant to the authority and prior to the effective date of this ordinance are hereby ratified and confirmed.

(Ord. 6721 §1, 2010; Ord. 6375 §17, 2005. Formerly 3.62.170).

BYLAWS OF THE PARKING & BUSINESS IMPROVEMENT AREA

ARTICLE I -NAME

Section 1.01. The name of the organization shall be PARKING & BUSINESS IMPROVEMENT AREA ADVISORY BOARD (hereinafter referred to as the "ADVISORY BOARD").

ARTICLE II- PURPOSE

The purpose and objectives of the Advisory Board shall be to:

Develop and propose an annual budget and work plan to benefit the businesses within the PBIA boundaries. The Advisory Board will present the budget to the Olympia City Council for adoption each year by ~~July~~October or on such date and such time and place as the Advisory Board shall designate each year. The programs and activities funded will fall into the five classifications listed below:

1. Downtown Parking Improvements
2. Clean & Safe Downtown Environment
3. Streetscape improvements; beautification, and improved way finding signs
4. Business Retention & Recruitment
5. Downtown Olympia Marketing

The Advisory Board will establish a conduit of information among all members of the PBIA, including those non-english speaking business owners, and encourage participation and diversity by the largest possible number of PBIA members. The Advisory Board will evaluate the programs and activities each year. They will produce and distribute an annual report to all of the PBIA members and the Olympia City Council.

ARTICLE III - OFFICE OF RECORD

Section 3.01. The office of the PBIA shall be located at such location as from time to time determined by the Advisory Board.

ARTICLE IV- TERM

Section 4.01. The Advisory Board will exist as long as the PBIA is effective in accordance with Washington State RCW 35.87A.

ARTICLE V- AREA INCLUDED

Section 5.01. For the purpose of the PBIA, the area covered is the area defined in the Olympia Ordinance; 6375.

ARTICLE VI- MEMBERSHIP

Section 6.01. Membership shall be business owners in the area defined in Olympia Ordinance 6375.

Section 6.02. Membership is by assessment as described in City of Olympia ordinance #6375 by 3 zones: A-B-C. Assessment are by type, location, and number of FTE's.

Section 6.03. Annual assessments will be billed, collected and dispersed as defined in Olympia ordinance 6375.

ARTICLE VII- VOTING RIGHTS

Section 7.01. One business membership per business shall entitle the holder to one vote.

ARTICLE VIII- MANAGEMENT

Section 8.01 Management of the business affairs of the PBIA shall be by the Advisory Board of Directors.

Section 8.02. The Advisory Board shall be fifteen (15) and representing each zone proportionately to the number of businesses in each zone including non-english speaking and/or Black, Indigenous, Lesbian, Gay, Bisexual, and Transgender business owners, diversity of businesses type.

Section 8.03. The term of office shall be staggered three (3) year terms except for the first year of formation.

Section 8.04. Each board member shall be entitled to one vote on all matters coming before the Advisory Board at the annual or any regular or special meeting thereof.

Section 8.05. Advisory board members shall not receive any stated salary for their services.

ARTICLE IX - DUTIES OF OFFICERS

Section 9.01. OFFICERS. Section 9.01. OFFICERS. The officers of this Advisory Board shall consist of the Chair, Vice Chair, Secretary.

Section 9.02. CHAIR. The Chair shall supervise all activities of the PBIA; shall execute all instruments and documents on its behalf; preside at all meetings of the members and of the Advisory Board; shall call such meetings as shall be deemed necessary; shall appoint committee chairs and committee members; shall establish committees as needed; and shall perform such other duties as are usually inherent in such office.

Section 9.03. VICE CHAIR-The Vice Chair shall serve as Chair in case of absence. The Vice Chair will serve as the Chair as necessary.

Section 9.07 – SECRETARY – The Secretary shall assist the program manager in record keeping.

ARTICLE X-ELECTIONS

Section 10.01. ADVISORY BOARD- Term of office shall be January 1 through

December 31 of each calendar year.

Section 10.01.01.

Each year, a nominating committee, shall in September select from among the members persons to stand for election as Advisory Board members. Ballots shall be mailed to current members. Newly elected Advisory Board members will be installed the first week of January. Any member at the time of the annual election, may be nominated from among the members to stand for election as Advisory Board member.

Section 10.01.02. Advisory Board Members shall be elected by members by mail and installed at the annual meeting to a term of three (3) years with one-third being elected each year, except for the first year, one-third shall be elected for (1) year, one-third for two (2) years, and one-third for three (3) years. Advisory Board Members shall be elected by receiving the greatest number of votes of members.

Section 10.01.03. Any vacancy occurring on the Advisory Board by reason of death, resignation, or removal may be filled promptly by a majority vote of the remaining members of the Advisory Board. Such appointee shall serve during the unexpired term of the Advisory Board member whose position has become vacant.

Section 10.02. OFFICERS. Term of office is one year:

Section 10.02.01. Each year at the Advisory Board annual meeting (Section 12:02.01) the board will select board members to serve as Chair, Vice Chair and Secretary. A majority vote of the Advisory Board will elect the officers.

Section 10.02.03. Any vacancy occurring in any office of the PBIA for reason of death, resignation, or removal shall be filled promptly by a majority vote of the Advisory Board. The members of the Advisory Board may be polled by mail or a special meeting of the Board may be called upon seven (7) days' notice. The person so elected shall serve during the unexpired term of the Advisory Board member whose position has become vacant.

ARTICLE XI-REMOVAL

Section 11.01. Any Advisory Board Member shall be subject to removal by a majority vote of the membership.

Section 11.02. Any Advisory Board Member who shall miss one-quarter or more of the regularly scheduled meetings of the Board of Directors during a one-year period shall be removed.

Section 11.03. Any Officer who shall miss three (3) consecutive meetings without an excuse satisfactory to the Advisory Board shall be subject to removal by majority vote thereof.

Section 11.04. Any Advisory Board Member whose business no longer operates within the Downtown boundary defined in Olympia Ordinance 6375 shall be removed at the end of the year.

ARTICLE XII- MEETINGS

Section 12.01. MEMBERS.

Section 12.01.01. An annual meeting of the members of the PBIA shall be held during the month of June of each calendar year on such date and at such time and place as the Advisory Board shall designate each year. In the event of the failure of the Board of Directors to designate the date, time, and place thereof, such annual meeting shall be held on the last Wednesday in June commencing at 6:30 p.m. in the principal office of the PBIA.

Section 12.01.02. Quarterly and special meetings of the members may be called at any time for any purpose by the Chair of the Advisory Board by a majority of the Advisory Board then in office, or by a majority of the members of the PBIA.

Section 12.01.03. Monthly meetings of the Advisory Board, which shall be open to all members of the PBIA, will occur at a time and place designated by the Advisory Board.

Section 12.01.04. Written notice stating the place, date, and hour of any meeting of the members shall be delivered, either personally or by mail, to each member entitled to vote at such meeting not less than ten nor more than fifty days before the date of such a meeting. In case of a special meeting, or when required by statute or by these Bylaws, the purpose or purposes for which the meeting is called shall be stated in the notice. In the event of an emergency, a meeting may be called on five days' notice provided that the time, place, date, and purposes for such meeting are conveyed to all members of the PBIA entitled to vote at such meeting.

Section 12.01.05. A quorum at any meeting of the membership of the PBIA shall consist of 1/10 of the membership of the PBIA.

Section 12.01.06. A majority vote of the members present at a meeting at which a quorum is present shall, at minimum, be necessary for any action.

Section 12.02. ADVISORY BOARD

Section 12.02.01. Annual meeting of the Advisory Board shall be held during the month January each calendar year on such date and time and place as the board shall designate. The meeting will be held on the last Wednesday in January at 6:30pm in the principal office of the PBIA if no other date and time are scheduled. The purpose of such meeting shall be to install board members, elect officers, and install, as necessary, committees and to transact such other business as may properly come before the Board. Nominations from a nominating committee will occur in September and a vote by mail will occur in the 4th quarter.

Section 12.02.02. The Advisory Board may from time to time determine a regular meeting schedule of the Board and set the time and place of such meetings. The purpose of the regular meeting shall be to act upon and to transact such other business as may properly come before the Board.

Section 12.02.03. Special meetings of the Advisory Board may be called by the Chair, by a majority of the Board then in office, or a majority of the members of the PBIA at any time and may be held at such time, place, and date as shall be prescribed in the notice thereof.

Section 12.02.04. ~~Notice~~ Notice of meetings of the Advisory Board shall be given by mail, telephone, or other means of personal communication, and must be delivered or transmitted at

least ten (10) days in advance the annual meeting, and two (2) days in advance of regular and special meetings.

Section 12.02.05. A majority of the Advisory Board then in office shall constitute a quorum at meetings of the Advisory Board.

Section 12.02.06. Any action may be taken by a majority of those voting at any meeting of the Advisory Board at which a quorum has been established.

Section 12.03. In all matters of parliamentary procedure- and the order of business at meetings, the latest edition of "Robert's Rules of Order" shall be used as authority.

ARTICLE XIII- REPRESENTATION

Section 13.01. No committee, member, or other person shall enter into any contract, incur any debt, engage in any transaction, or represent himself or herself on behalf of the PBIA without authority of the Advisory Board, except as otherwise provided in these Bylaws.

ARTICLE XIV- AMENDMENTS

Section 14.01. The right to amend the Bylaws of the PBIA shall be reserved in the Advisory Board, and shall be by majority vote of the Advisory Board thereof then in office. Notice and copies of the proposed amendments shall be distributed at least ten (10) days before the meeting at which the same shall be considered.

ARTICLE VX- SEVERABILITY

Section 15.01. Any Article, Section, or provision of these Bylaws which, if construed in ~~the~~ manner expressed herein, should be contrary to or inconsistent with any applicable provision of the law, shall be severed from the remainder of these Bylaws, and shall not be in force so long as such revision of the law shall remain in effect without affecting the validity of the remainder of these Bylaws.

Approved by the Advisory Board: _____

Secretary



PBIA Advisory Board

PBIA Quarterly Survey

Agenda Date: 12/2/2020
Agenda Item Number: 6.D
File Number:20-0981

Type: discussion **Version:** 1 **Status:** In Committee

Title

PBIA Quarterly Survey

Recommended Action

Information only. No action requested.

Report

Issue:

Discussion on the results of the quarterly PBIA survey

Staff Contact:

Max DeJarnatt, Senior Program Specialist, Community Planning and Development, 360.570.3723

Presenter(s):

Max DeJarnatt

Background and Analysis:

The PBIA sends brief, quarterly surveys to its ratepayers to gain insight about the health of the downtown economy. The survey results are reviewed by the PBIA board and City Council members. This survey's intent was to learn about ways ratepayers are managing through the COVID-19 pandemic, particularly relating to 4th quarter sales. Staff will present the results at the meeting.

Neighborhood/Community Interests (if known):

N/A

Attachments:

Survey Summary with Comments (pdf)



PBIA Advisory Board

2020 Flower Basket Program report

Agenda Date: 12/2/2020
Agenda Item Number: 6.E
File Number:20-0982

Type: discussion **Version:** 2 **Status:** In Committee

Title

2020 Flower Basket Program report

Recommended Action

Information only. No action requested.

Report

Issue:

Discussion on the 2020 Flower Basket program.

Staff Contact:

Max DeJarnatt, Senior Program Specialist, Community Planning & Development, 360.570.3723

Presenter(s):

Max DeJarnatt, PBIA Staff Liaison

Background and Analysis:

One of the PBIA's six program areas is Beautiful Streetscapes. PBIA's beautification efforts contribute to creating a welcoming environment that will help Downtown Olympia be known as a desirable destination within Thurston County and the State of Washington. A top initiative is flower basket hanging and watering during the Summer months.

At its November PBIA meeting, staff was asked by the board to provide a report on the 2020 flower basket program due to the program's early conclusion (baskets were removed in early September, nearly a month before the typical removal). Staff will brief the board on the circumstances that may have contributed to the program's under-performance.

Neighborhood/Community Interests (if known):

N/A

Financial Impact:

The PBIA budgeted \$23,400 for the flower basket program. In 2019 the program cost \$20,750. This year's program cost was \$10,676.

Attachments:

None



PBIA Advisory Board

Recognition of Outgoing Board Member

Agenda Date: 12/2/2020
Agenda Item Number: 6.F
File Number:20-0980

Type: discussion **Version:** 1 **Status:** In Committee

Title

Recognition of Outgoing Board Member

Recommended Action

Not referred to a committee

Report

Issue:

Whether to recognize outgoing board member

Staff Contact:

Max DeJarnatt, Senior Program Specialist, Community Planning & Development, 360.570.3723

Presenter(s):

Max DeJarnatt, Senior Program Specialist

Background and Analysis:

Outgoing board member Jeff Barrett will be acknowledged for his service

Neighborhood/Community Interests (if known):

N/A

Attachments:

None.



PBIA Advisory Board

Round Table Discussion

Agenda Date: 12/2/2020
Agenda Item Number:
File Number:20-0989

Type: discussion **Version:** 1 **Status:** In Committee

Title

Round Table Discussion

Report

Issue:

Board discussion of downtown issues

Staff Contact:

Max DeJarnatt, Senior Program Specialist, Community Planning & Development, 360.570.3723

Presenter(s):

N/A

Background and Analysis:

Discussion about downtown issues and what we are hearing from ratepayers; leading to identification of:

- Quarterly short survey questions
- Issues that might be addressed by existing programs
- Key messages to be reported to City Council
- Advice to staff about key messages to convey to downtown businesses
- Ideas for potential future PBIA budget items

Neighborhood/Community Interests (if known):

Discussion is to identify neighborhood issues

Options:

N/A

Financial Impact:

N/A

Attachments:

N/A

