

AGENDA

Finance and Economic Development Committee Meeting
Thursday June 11, 2015
5:45 p.m. – 6:50 p.m.
South Conference Room

- 1. Call to Order**
- 2. Development Updates**
Staff will provide updates on the status of current development projects at the meeting.
- 3. Public Development Authority Examples**
Staff will provide written information on this early next week.
- 4. Port District Economic Development**
Staff will provide written information on this early next week.
- 5. Committee member comments**

PUBLIC DEVELOPMENT AUTHORITIES

State and federal law require PDA contracts to contain language to the effect that liabilities incurred by the corporation must be satisfied exclusively from their own assets, and that no creditor or other person shall have a right of action against the City due to any debts, obligations, or liabilities of the public corporation.

EXAMPLES

Pike Place Market

- Creates commercial development opportunities
- Tourism
- Housing (affordable, tax-credit, senior)
- Provides film production opportunities
- Issues Permits and Applications for activities at Pike Place Market

Seattle Museum Development Authority

- PDA's mission is to undertake/assist with, and otherwise facilitate the operation of the Seattle Art Museum in downtown Seattle.

Seattle Chinatown International District Preservation and Development Authority

- Preserving, promoting and developing the Seattle Chinatown International District as a vibrant community and unique ethnic neighborhood

The mission of the Seattle Chinatown International District Preservation and Development Authority (SCIDpda) is to preserve, promote and develop the Seattle Chinatown International District as a vibrant community and unique ethnic neighborhood.

Seattle's Chinatown International District (CID) hosts a lively hub of cultures, where Chinese, Japanese, Filipino, Vietnamese, Indonesian, and other Southeast Asian communities blend together to form a distinctly unique neighborhood. Its rich multiethnic character distinguishes it from any other area in Seattle. As a steward of the community, SCIDpda is dedicated to preserving and developing the neighborhood, respecting its cultural heritage while engaging with a new generation that contributes to the sustainability of the Chinatown International District.

Through neighborhood revitalization projects—

- providing culturally-competent senior services,
- affordable housing,
- property management assistance,
- economic development efforts, and

- hosting community engagement events such as art walks and park renovations—SCIDpda encourages building local capacity through a collaborative and holistic approach, working closely with residents and local businesses and resulting in a comprehensive community development effort that honors the SCIDpda mission and meets the community's broad range of needs

Odessa Public Development Authority

Biodiesel Production Facility, Odessa, WA

The OPDA has a biodiesel production facility available for operation.

This Request for Proposals (“RFP”) is issued by the Odessa Public Development Authority to solicit Proposals for an experienced biodiesel producer to resume production at the facility. The OPDA’s decision will be based on many factors to include, but not limited to: experience in industry, adequate financial resources, or the ability to obtain such resources as required, projected plans for the facility, etc. No single factor will determine the final award decision.

Kent Downtown Public Market Development Authority

Manages Downtown Public Market – please see attached

Powers of Ports per RCW.53

Operation of Foreign Trade Zones

A district may apply to the United States for permission to establish, operate, and maintain foreign trade zones: (1) Within the district; and (2) on property adjacent to but outside the district if the property is beyond the boundaries of any existing foreign trade zone grantee and is not currently designated as a foreign trade zone: PROVIDED, That nothing herein shall be construed to prevent such zones from being operated and financed by a private corporation(s) on behalf of such district acting as zone sponsor: PROVIDED FURTHER, That when the money so raised is to be used exclusively for the purpose of acquiring land for sites and constructing warehouses, storage plants, and other facilities to be constructed within the zone for use in the operation and maintenance of the zones, the district may contract indebtedness and issue general bonds therefor in an amount, in addition to the three-fourths of one percent hereinafter fixed, of one percent of the value of the taxable property in the district, as the term "value of the taxable property" is defined in RCW 39.36.015, such additional indebtedness only to be incurred with the assent of three-fifths of the voters of the district voting thereon.

Community revitalization financing — Public improvements.

In addition to other authority that a port district possesses, a port district may provide any public improvement as defined under RCW 39.89.020, but this additional authority is limited to participating in the financing of the public improvements as provided under RCW 39.89.050.

Economic development programs authorized — Job training and education.

(1) It shall be in the public purpose for all port districts to engage in economic development programs. In addition, port districts may contract with nonprofit corporations in furtherance of this and other acts relating to economic development.

(2)(a) Economic development programs may include those programs for job training and placement, pre-apprenticeship training or educational programs associated with port tenants, customers, and local economic development related to port activities that are sponsored by a port, operated by a nonprofit entity and are in existence on June 10, 2010.

(b) As a contract condition, a sponsoring port must require any nonprofit entity that operates programs such as those described in (a) of this subsection to submit annually quantitative information on program outcomes including: The number of workers trained, recruited, and placed in jobs; the types of jobs and range of compensation; the number and types of businesses that are served; and any other tangible benefits realized by the port, the workers, businesses, and the public.

District may exercise powers of community renewal agency.

A port district may enter into a contract with any city, town, or county for the purpose of exercising any powers of a community renewal agency under chapter 35.81 RCW.

Appendix A

[Community Renewal Districts] 35.81

RCW 35.81.005 Declaration of purpose and necessity.

“It is hereby found and declared that blighted areas which constitute a serious and growing menace, injurious to the public health, safety, morals and welfare of the residents of the state exist in municipalities of the state; that the existence of such areas contributes substantially and increasingly to the spread of disease and crime and depreciation of property values, constitutes an economic and social liability, substantially impairs or arrests the sound growth of municipalities, retards the provision of housing accommodations, hinders job creation and economic growth, aggravates traffic problems and substantially impairs or arrests the elimination of traffic hazards and the improvement of traffic facilities; and that the prevention and elimination of such areas is a matter of state policy and state concern in order that the state and its municipalities shall not continue to be endangered by areas which are focal centers of disease, promote juvenile delinquency, are conducive to fires, are difficult to police and to provide police protection for, and, while contributing little to the tax income of the state and its municipalities, consume an excessive proportion of its revenues because of the extra services required for police, fire, accident, hospitalization and other forms of public protection, services, and facilities.

It is further found and declared that certain of such areas, or portions thereof, may require acquisition, clearance, and disposition subject to use restrictions, as provided in this chapter, since the prevailing condition of decay may make impracticable the reclamation of the area by rehabilitation; that other areas or portions thereof may, through the means provided in this chapter, be susceptible of rehabilitation in such a manner that the conditions and evils hereinbefore enumerated may be eliminated, remedied or prevented; and that to the extent feasible salvable blighted areas should be rehabilitated through voluntary action and the regulatory process.

It is further found and declared that there is an urgent need to enhance the ability of municipalities to act effectively and expeditiously to revive blighted areas and to prevent further blight due to shocks to the economy of the state and their actual and threatened effects on unemployment, poverty, and the availability of private capital for businesses and projects in the area.

It is further found and declared that the powers conferred by this chapter are for public uses and purposes for which public money may be expended and the power of eminent domain exercised; and that the necessity in the public interest for the provisions herein enacted is hereby declared as a matter of legislative determination.”

Definition “Blighted Area”

"Blighted area" means an area which, by reason of the substantial physical dilapidation, deterioration, defective construction, material, and arrangement and/or age or obsolescence of buildings or improvements, whether residential or nonresidential, inadequate provision for ventilation, light, proper sanitary facilities, or open spaces as determined by competent appraisers on the basis of an examination

of the building standards of the municipality; inappropriate uses of land or buildings; existence of overcrowding of buildings or structures; defective or inadequate street layout; faulty lot layout in relation to size, adequacy, accessibility or usefulness; excessive land coverage; insanitary or unsafe conditions; deterioration of site; existence of hazardous soils, substances, or materials; diversity of ownership; tax or special assessment delinquency exceeding the fair value of the land; defective or unusual conditions of title; improper subdivision or obsolete platting; existence of persistent and high levels of unemployment or poverty within the area; or the existence of conditions that endanger life or property by fire or other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime; substantially impairs or arrests the sound growth of the municipality or its environs, or retards the provision of housing accommodations; constitutes an economic or social liability; and/or is detrimental, or constitutes a menace, to the public health, safety, welfare, or morals in its present condition and use.



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[RCWs](#) > [Title 35](#) > [Chapter 35.21](#) > [Section 35.21.745](#)

[35.21.740](#) << [35.21.745](#) >> [35.21.747](#)

RCW 35.21.745

Public corporations — Provision for, control over — Powers.

(1) Any city, town, or county which shall create a public corporation, commission, or authority pursuant to RCW [35.21.730](#) or [35.21.660](#), shall provide for its organization and operations and shall control and oversee its operation and funds in order to correct any deficiency and to assure that the purposes of each program undertaken are reasonably accomplished.

(2) Any public corporation, commission, or authority created as provided in RCW [35.21.730](#) may be empowered to own and sell real and personal property; to contract with a city, town, or county to conduct community renewal activities under chapter [35.81](#) RCW; to contract with individuals, associations, and corporations, and the state and the United States; to sue and be sued; to loan and borrow funds and issue bonds and other instruments evidencing indebtedness; transfer any funds, real or personal property, property interests, or services; to do anything a natural person may do; and to perform all manner and type of community services. However, the public corporation, commission, or authority shall have no power of eminent domain nor any power to levy taxes or special assessments.

[2002 c 218 § 24; 1985 c 332 § 2; 1974 ex.s. c 37 § 5.]

Notes:

Severability -- Savings -- Construction -- 2002 c 218: See notes following RCW [35.81.005](#).

ORDINANCE NO. 3396

AN ORDINANCE relating to the Kent Downtown Market and creating the Kent Downtown Public Market Development Authority; approving a charter and initial bylaws therefor; establishing a Board of Directors to govern the affairs of the Authority; providing how the Authority shall conduct its affairs.

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Authority created -- City liability limited.

A. *Authority created.* As authorized under RCW 35.21.730 through RCW 35.21.755, a public authority with powers and limitations as set forth in state law, this ordinance and its charter, is hereby created to undertake, assist with and otherwise facilitate or provide for the acquisition, renovation, operation, and management, including leasing, of the landmark Lumberman Barn located at 212 Railroad Avenue North as the new home for the Kent Downtown Market, and to perform any other function specified in this ordinance or the Charter of the Authority.

B. *City liability limited.* The Authority is an independent legal entity exclusively responsible for its own debts, obligations and liabilities. All liabilities incurred by the Authority shall be satisfied exclusively from the assets and credit of the Authority; no creditor or other person shall have any recourse to the assets, credit, or services of the City on account of any debts, obligations, liabilities, acts, or omissions of the Authority.

SECTION 2. Name. The name of the public Authority shall be the Kent Downtown Public Market Development Authority.

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