

Journal of the Proceedings of the Seattle City Council

Monday, December 9, 2013

A. CALL TO ORDER

The City Council of The City of Seattle met in the Council Chamber in City Hall in Seattle, Washington, on Monday, December 9, 2013, pursuant to the provisions of the City Charter. The meeting was called to order at 2:02 p.m., with Council President Clark presiding.

B. ROLL CALL

On roll call the following members were:

Present: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien - 8

Absent: Rasmussen (late arrival) – 1.

C. APPROVAL OF AGENDA

Motion was made, duly seconded and carried, to adopt the proposed Agenda.

D. APPROVAL OF THE JOURNAL

The Journals of the Proceedings of the Seattle City Council meetings of September 9, November 12 and 18, 2013, were presented to the Chair for approval. By unanimous consent, the Journals were approved and signed.

E. PRESENTATIONS

There were none.

F. PUBLIC COMMENT

Paula Harrison addressed the Council regarding a non-Agenda item.

Councilmember Rasmussen entered the Council Chamber at 2:05 p.m.

Luzviminda U. Carpenter addressed the Council regarding Agenda item 13, **Resolution No. 31490.**

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Toi-Sing Woo addressed the Council regarding Agenda item 13, **Resolution No. 31490**.

Maha Jahshan addressed the Council regarding Agenda item 13, **Resolution No. 31490**.

Lisa Kane addressed the Council regarding Agenda item 21, **Council Bill 117978**.

Alyne Fortgang addressed the Council regarding Agenda item 21, **Council Bill 117978**.

Laura Lockard addressed the Council regarding Agenda item 21, **Council Bill 117978**.

Alejandra Gonza addressed the Council regarding Agenda item 13, **Resolution No. 31490**.

G. REFERRAL CALENDAR

Motion was made, duly seconded and carried, to adopt the proposed Referral Calendar.

COUNCIL BILLS:

BY BURGESS:

Council Bill No. 117997, Appropriating money to pay certain audited claims and ordering the payment thereof.

Referred to Full Council.

BY LICATA:

Council Bill No. 117998, Relating to smoking in public places and places of employment; amending Chapter 10.64 of the Seattle Municipal Code to conform with state law.

Referred to Housing, Human Services, Health, and Culture Committee.

BY BURGESS:

Council Bill No. 117999, Related to the sale and redevelopment of the former Public Safety Building block; authorizing the execution of amendments to the Purchase and Sale Agreement, to continue implementation of the sale and redevelopment of such property, as previously authorized by Ordinance 122612, and accepting payment therefor.

Referred to Government Performance and Finance Committee.

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Council Bill No. 118000, Relating to the Department of Finance and Administrative Services; authorizing execution of a lease agreement with the Washington State Department of Transportation for a portion of the highway right of way of State Route 90 located at Airport Way South and South Royal Brougham Way; and ratifying and confirming prior acts. Referred to Government Performance and Finance Committee.

Council Bill No. 118001, Related to the 2013 Budget; amending Ordinance 124058, which adopted the 2013 Budget, including the 2013-2018 Capital Improvement Program (CIP); changing appropriations to various departments and budget control levels, and from various funds in the Budget; adding new projects; revising project allocations for certain projects in the 2013-2018 CIP; creating positions; abrogating positions, lifting a proviso and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council. Referred to Government Performance and Finance Committee.

Council Bill No. 118002, Authorizing, in 2013, acceptance of funding from non-City sources; authorizing the heads of the Executive Department, Seattle Police Department, Seattle Fire Department, Human Services Department, Department of Information Technology, Department of Transportation, and Seattle Public Utilities to accept specified grants and private funding and to execute, deliver, and perform corresponding agreements; and ratifying and confirming certain prior acts. Referred to Government Performance and Finance Committee.

BY BAGSHAW:

Council Bill No. 118003, Relating to Conservation Futures Levy proceeds; authorizing the Mayor to amend the Interlocal Cooperation Agreement between the City of Seattle and King County as authorized by City of Seattle Ordinance 114978; and authorizing the deposit of 2012 and 2013 allocations from King County Conservation Futures Levy proceeds into the City of Seattle's 2008 Parks Levy Fund. Referred to Parks and Neighborhoods Committee.

BY CONLIN:

Council Bill No. 118004, Relating to the SR 520, I-5 to Medina: Bridge Replacement and HOV Project; authorizing the amendment of certain agreements with the Washington State Department of Transportation and the University of Washington. Referred to SR 520 Project Committee.

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BY CLARK:

Council Bill No. 118005, Related to the Legislative Department; amending Ordinance 120544 to change the procedure for regularly revising the salaries of Seattle City Councilmembers; and ratifying and confirming certain prior acts.

Referred to Full Council.

BY CONLIN:

Council Bill No. 118006, Relating to land use and zoning, amending the title of Chapter 23.41 and Sections 23.41.002, 23.41.008, and 23.41.010 of the Seattle Municipal Code to clarify the purpose and scope of Design Review; adopting updated Seattle Design Guidelines for citywide application, except for Downtown; and adopting revised neighborhood-specific design guidelines.

Referred to Planning, Land Use, and Sustainability Committee.

RESOLUTIONS:

BY O'BRIEN:

Resolution No. 31491, Adopting a Citywide Resource Conservation Management Plan.

Referred to Energy and Environment Committee.

BY CONLIN:

Resolution No. 31492, Supporting the Growing Transit Communities Strategy, the Growing Transit Communities Compact, and requesting the Department of Planning and Development to report back to City Council with an equitable transit oriented development initiative no later than May 30, 2014, for City Council review and discussion.

Referred to Planning, Land Use, and Sustainability Committee.

BY CLARK:

Resolution No. 31493, Setting forth the City of Seattle's 2014 State Legislative Agenda.

Referred to Full Council.

BY LICATA:

Resolution No. 31494, Stating the City Council's intent to amend Seattle Municipal Code Chapter 5.73, the 2004 Multifamily Housing Property Tax Exemption Program.

Referred to Housing, Human Services, Health, and Culture Committee.

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Resolution No. 31495, Exploring mortgage principal reduction and other foreclosure prevention programs for low-income homeowners in order to support and revitalize communities impacted by the foreclosure crisis.

Referred to Housing, Human Services, Health, and Culture Committee.

CLERK FILES:

BY BURGESS:

Clerk File No. 313381, Reappointment of Elise Chayet as member, Families and Education Levy Oversight Committee, for a term of confirmation to December 31, 2016.

Referred to Government Performance and Finance Committee.

Clerk File No. 313382, Reappointment of Ana Cristina Gonzalez as member, Families and Education Levy Oversight Committee, for a term of confirmation to December 31, 2016.

Referred to Government Performance and Finance Committee.

Clerk File No. 313383, Reappointment of Kevin C. Washington as member, Families and Education Oversight Committee, for a term of confirmation to December 31, 2016.

Referred to Government Performance and Finance Committee.

Clerk File No. 313384, Appointment of Tony Blackwell as member, Joint Apprenticeship Training Committee, for a term of confirmation to January 1, 2016.

Referred to Government Performance and Finance Committee.

BY LICATA:

Clerk File No. 313385, Appointment of Rhonda Berry as member, Pacific Hospital Preservation and Development Authority Governing Council, for a term of confirmation to December 16, 2013.

Referred to Housing, Human Services, Health, and Culture Committee.

BY HARRELL:

Clerk File No. 313386, Reappointment of Marsha Teresa Mavunkel as member, Seattle Human Rights Commission, for a term of confirmation to July 22, 2015.

Referred to Public Safety, Civil Rights, and Technology Committee.

Clerk File No. 313387, Reappointment of Martin Penner as member, Seattle Human Rights Commission, for a term of confirmation to July 22, 2015.

Referred to Public Safety, Civil Rights, and Technology Committee.

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BY RASMUSSEN:

Clerk File No. 313388, Reappointment of Terry Finn as member, Seattle Freight Advisory Board, for a term of confirmation to December 31, 2016.

Referred to Transportation Committee.

Clerk File No. 313389, Reappointment of Warren Aakervik Jr. as member, Seattle Freight Advisory Board, for a term of confirmation to December 31, 2016.

Referred to Transportation Committee.

Clerk File No. 313390, Reappointment of Ref Lindmark as member, Bridging the Gap Levy Oversight Committee, for a term of confirmation to December 31, 2017.

Referred to Transportation Committee.

Clerk File No. 313391, Reappointment of John Coney as member, Bridging the Gap Levy Oversight Committee, for a term of confirmation to December 31, 2016.

Referred to Transportation Committee.

Clerk File No. 313392, Appointment of Allegra Claire Calder as member, Bridging the Gap Levy Oversight Committee, for a term of confirmation to December 31, 2017.

Referred to Transportation Committee.

BY CONLIN:

Clerk File No. 313393, Reappointment of John Finke as member, Pike Place Market Preservation and Development Authority Council, for a term of confirmation to June 30, 2017.

Referred to Planning, Land Use, and Sustainability Committee.

Clerk File No. 313394, Reappointment of Patrick T. Kerr as member, Pike Place Market Preservation and Development Authority Council, for a term of confirmation to June 30, 2017.

Referred to Planning, Land Use, and Sustainability Committee.

Clerk File No. 313395, Appointment of Rico Quirindongo as member, Pike Place Market Preservation and Development Authority Council, for a term of confirmation to June 30, 2014.

Referred to Planning, Land Use, and Sustainability Committee.

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H. PAYMENT OF BILLS, CLAIMS, AND SALARIES

Council Bill No. 117997, Appropriating money to pay certain audited claims and ordering the payment thereof.

Motion was made and duly seconded to pass **Council Bill No. 117997**.

The Motion carried and the Bill passed by the following roll call vote:

In favor: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien, Rasmussen - 9

Against: None.

The President signed the Bill.

I. COMMITTEE REPORTS AND FINAL VOTE ON LEGISLATION

PLANNING, LAND USE, AND SUSTAINABILITY COMMITTEE:

Agenda Item No. 1. - Clerk File No. 313352, Appointment of F. Ross Tilghman as member, Seattle Design Commission, for a term confirmation to March 1, 2015.

The Committee recommended that the Appointment be confirmed.

The Appointment was confirmed by the following voice vote:

In favor: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien, Rasmussen - 9

Against: None.

LIBRARIES, UTILITIES, AND CENTER COMMITTEE:

Agenda Item No. 2. - Council Bill No. 117976, Relating to water services of Seattle Public Utilities; revising water rates and charges for service to wholesale customers, and amending Seattle Municipal Code Chapter 21.04.440 in connection therewith

The Committee recommended passage of the Bill.

The Bill passed by the following roll call vote:

In favor: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien, Rasmussen - 9

Against: None.

The President signed the Bill.

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Agenda Item No. 3. - Council Bill No. 117970, Relating to the Seattle Center Department; authorizing the Seattle Center Director to execute a twenty year lease agreement with Cornish College of the Arts under which agreement Cornish will lease the Seattle Center Playhouse for use as a learning environment for theatrical, music, and dance performances, visual arts, and related theater functions.

The Committee recommended passage of the Bill.

The Bill passed by the following roll call vote:

In favor: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien, Rasmussen - 9

Against: None.

The President signed the Bill.

Agenda Item No. 4. - Clerk File No. 313269, Reappointment of Mark F. Dederer as member, Seattle Center Advisory Commission, for a term of confirmation to September 28, 2016.

The Committee recommended that the Appointment be confirmed.

The Appointment was confirmed by the following voice vote:

In favor: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien, Rasmussen - 9

Against: None.

Agenda Item No. 5. - Clerk File No. 313270, Reappointment of Regina Hall as member, Seattle Center Advisory Commission, for a term of confirmation to September 28, 2016.

The Committee recommended that the Appointment be confirmed.

The Appointment was confirmed by the following voice vote:

In favor: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien, Rasmussen - 9

Against: None.

COMMITTEE ON ECONOMIC RESILIENCY AND REGIONAL RELATIONS:

Agenda Item No. 6. - Council Bill No. 117888, Related to the Pike Place Market; amending the Amended Urban Renewal Plan for the Pike Place Project, approved by Ordinance 102916, to extend the duration of the Plan indefinitely.

The Committee recommended passage of the Bill.

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The Bill passed by the following roll call vote:

In favor: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien, Rasmussen - 9

Against: None.

The President signed the Bill.

GOVERNMENT PERFORMANCE AND FINANCE COMMITTEE:

Agenda Item No. 7. - Council Bill No. 117892, Relating to the Whistleblower Protection Code; amending the following sections of the Seattle Municipal Code (SMC): Section 4.20.800 to clarify the legislative purpose, Section 4.20.810 to clarify the rights and responsibilities of employees and the process for reporting, Section 4.20.860 to amend the manner in which allegations of retaliation are reported, investigated and resolved, Section 4.16.070.F adding retaliation to prohibited behavior under the Ethics Code, Section 3.70.010 and subsection 3.70.100.A redefining the jurisdiction of the Ethics and Elections Commission to include administration of the Whistleblower Protection Code; adding the following new sections to the SMC: Section 4.20.805 containing definitions of terms used in the Whistleblower Protection Code, Section 4.20.870 creating a private cause of action for retaliation against whistleblowers, Section 4.20.875 providing the Ethics and Elections Director investigative tools including subpoena power; repealing the following sections of the SMC: whose content had been replaced by amending or creating other sections, Section 4.20.820 concerning confidentiality provisions, Section 4.20.840 concerning civil penalties, and Section 4.20.850 concerning definitions.

The Committee recommended that the Bill pass as amended.

The Bill passed by the following roll call vote:

In favor: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien, Rasmussen - 9

Against: None.

The President signed the Bill.

Agenda Item No. 8. - Council Bill No. 117968, Relating to the Pioneer Square Parking and Business Improvement Area; amending Ordinance 124299 to correct a technical error in the levy of special assessments; and ratifying and confirming certain prior acts.

The Committee recommended passage of the Bill.

The Bill passed by the following roll call vote:

In favor: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien, Rasmussen - 9

Against: None.

The President signed the Bill.

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Agenda Item No. 9. - Council Bill No. 117969, Relating to City employment; authorizing the execution of a collective bargaining agreement between the City of Seattle and the International Association of Machinists and Aerospace Workers, District Lodge 160, Local 289 to be effective January 1, 2012 through December 31, 2013; and ratifying and confirming prior acts.

The Committee recommended passage of the Bill.

The Bill passed by the following roll call vote:

In favor: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien, Rasmussen - 9

Against: None.

The President signed the Bill.

Agenda Item No. 10. - Council Bill No. 117988, Authorizing the Director of Finance and Administrative Services to execute an amendment to a lease last authorized by Ordinance 121686, extending the City's lease of office space at 600 39th Avenue SW in Renton, Washington from LBA REALTY FUND II-COMPANY IV, LLC, on behalf of the Human Services Department's Aging & Disability Services Division.

The Committee recommended passage of the Bill.

The Bill passed by the following roll call vote:

In favor: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien, Rasmussen - 9

Against: None.

The President signed the Bill.

Agenda Item No. 11. - Clerk File No. 313363, Reappointment of M. Lorena Gonzalez as member, Seattle Ethics and Elections Commission, for a term of confirmation to December 31, 2016.

The Committee recommended that the Appointment be confirmed.

The Appointment was confirmed by the following voice vote:

In favor: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien, Rasmussen - 9

Against: None.

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PUBLIC SAFETY, CIVIL RIGHTS, AND TECHNOLOGY COMMITTEE:

Agenda Item No. 12. - Council Bill No. 117992, Relating to grant funds from the US Department of Justice, Bureau of Justice Assistance; authorizing the Mayor or his designee to execute related agreements; increasing an appropriation in the 2013 Adopted Budget for the Police Department; and ratifying and confirming certain prior acts, all by a three-fourths vote of the City Council.

The Committee recommended passage of the Bill.

The Bill passed by the following roll call vote:

In favor: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien, Rasmussen - 9

Against: None.

The President signed the Bill.

Agenda Item No. 13. - Resolution No. 31490, Establishing joint City Council-Mayor citywide policy priorities in support of Federal Comprehensive Immigration Reform.

The Committee recommended that the Resolution be adopted as amended.

The Resolution was adopted by the following voice vote:

In favor: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien, Rasmussen - 9

Against: None.

Agenda Item No. 14. - Clerk File No. 313274, Report of Police Intelligence Auditor Pursuant to Seattle Municipal Code 14.12.

The Committee recommended that the File be placed on file.

The File was placed on file by the following voice vote:

In favor: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien, Rasmussen - 9

Against: None.

Agenda Item No. 15. - Clerk File No. 313279, Response of the Interim Police Chief to the August 2013 Report of the Intelligence Auditor, filed pursuant to Ordinance 108333 (Seattle Municipal Code 14.12).

The Committee recommended that the File be placed on file.

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The File was placed on file by the following voice vote:

In favor: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien, Rasmussen - 9

Against: None.

Agenda Item No. 16. - Clerk File No. 313365, Chief of Police Audit Report of select files obtained through the Police Department's membership in the Law Enforcement Intelligence Unit (LEIU) and the Western States Information Network (WSIN) maintained exclusively for confidential information; dated September 16, 2013, in accordance with Ordinance 108333 (Municipal Code 14.12).

The Committee recommended that the File be placed on file.

The File was placed on file by the following voice vote:

In favor: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien, Rasmussen - 9

Against: None.

Agenda Item No. 17. - Clerk File No. 313366, Appointment of Anita Khandelwal as member, Seattle Human Rights Commission, for a term of confirmation to July 22, 2015.

The Committee recommended that the Appointment be confirmed.

The Appointment was confirmed by the following voice vote:

In favor: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien, Rasmussen - 9

Against: None.

PARKS AND NEIGHBORHOODS COMMITTEE:

Agenda Item No. 18. - Council Bill No. 117971, Relating to the Department of Parks and Recreation, concerning Mount Claire Park, finding that an exchange of property between the City of Seattle and Elihu Estey and Cynthia L. David, owners of property adjacent to Mount Claire Park, is necessary, as required by Ordinance 118477, also known as Initiative 42; and authorizing the Superintendent of Parks and Recreation to sign as co-petitioner in an application for a Lot Boundary Adjustment; and, if the Lot Boundary Adjustment is approved, authorizing the Superintendent to accept a deed from Estey and David, or their successors in interest, for certain property meeting the criteria of Initiative 42; and executing and delivering a Quit Claim Deed for certain Mount Claire Park property to Estey and David, or their successors in interest, all to resolve encroachments onto park property.

The Committee recommended passage of the Bill.

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The Bill passed by the following roll call vote:

In favor: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien, Rasmussen - 9

Against: None.

The President signed the Bill.

Agenda Item No. 19. - Council Bill No. 117977, Relating to the Seattle Department of Parks and Recreation; authorizing the Superintendent to enter into a lease agreement with the North Seattle Chamber of Commerce for the purpose of providing recreational and community programs to the public at the City of Seattle's Lake City Community Center.

The Committee recommended passage of the Bill.

The Bill passed by the following roll call vote:

In favor: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien, Rasmussen - 9

Against: None.

The President signed the Bill.

Agenda Item No. 20. - Council Bill No. 117981, Relating to the Seattle Department of Parks and Recreation; authorizing the Superintendent to enter into a lease agreement with the Tiny Tots Development Center for the purpose of providing day care services and community programs to the public at the Hutchinson Community Center.

The Committee recommended passage of the Bill.

The Bill passed by the following roll call vote:

In favor: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien, Rasmussen - 9

Against: None.

The President signed the Bill.

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Agenda Item No. 21. - Council Bill No. 117978, Relating to the parking facility at the Woodland Park Zoo; amending the Woodland Park Zoo Operations and Management Agreement between The City of Seattle and the Woodland Park Zoological Society ("WPZS"); agreeing to the terms of repayment by WPZS of an outstanding obligation to the City for predevelopment costs incurred with respect to a proposed structured parking facility; agreeing to the City's payment of a portion of the costs for WPZS to provide a smaller surface parking lot to relieve parking congestion in the neighborhood surrounding the Zoo; amending Ordinance 124058, which adopted the 2013 Budget, including the 2013-2018 Capital Improvement Program (CIP); increasing appropriations in the Parks Infrastructure budget control level for the Zoo Parking Development Project; and revising project descriptions; all by a three-fourths vote of the City Council.

The Committee recommended passage of the Bill.

The Bill passed by the following roll call vote:

In favor: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien, Rasmussen - 9

Against: None.

The President signed the Bill.

J. ADOPTION OF OTHER RESOLUTIONS

There were none.

K. OTHER BUSINESS

Motion was made, duly seconded and carried, to excuse Councilmember Godden from the February 3, 2014 Full Council meeting.

Motion was made, duly seconded and carried, to excuse Councilmember Licata from the January 13 and 21, 2014 Full Council meetings.

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L. ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 3:06 p.m.



LeeAnne Schirato, Deputy City Clerk

Signed by me in Open Session, upon approval of the Council, on January 27, 2014.

Tim Burgess, President of the City Council

Monica Martinez Simmons, City Clerk