

Journal of the Proceedings of the Seattle City Council

Monday, April 16, 2012

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, April 16, 2012, pursuant to the provisions of the City Charter. The meeting was called to order at 2:04 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, Rasmussen - 9
Absent: None.

C. APPROVAL OF AGENDA

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

Motion was made by Councilmember O'Brien, duly seconded and carried, to amend the proposed Agenda by holding item 2, **Resolution No. 31351**, until April 30, 2012.

Agenda Item No. 2 - Resolution No. 31351, Adopting a policy framework for City Light rate setting objectives, rate design policies, and marginal cost allocation among customer classes.

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

D. APPROVAL OF THE JOURNAL

The Journal of the Proceedings of the Seattle City Council meeting of Monday, April 9, 2012, was presented to the Chair for approval. By unanimous consent, the Journal was approved and signed.

E. PRESENTATIONS

There were none.

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F. PUBLIC COMMENT

John Worthington addressed the Council regarding Agenda item 8, **Resolution No. 31367**.

Paul W. Locke addressed the Council regarding Agenda items 2 and 8, **Resolution Nos. 31351 and 31367**.

Myra Tanita addressed the Council regarding Agenda item 7, **Resolution No. 31355**.

G. REFERRAL CALENDAR

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

COUNCIL BILLS:

BY BURGESS:

Council Bill No. 117444, Appropriating money to pay certain audited claims and ordering the payment thereof.

Referred to Full Council.

BY HARRELL:

Council Bill No. 117445, Relating to security from terrorism; authorizing the City to partner with the Port of Tacoma to receive financial assistance from the Department of Homeland Security (DHS), Office for State and Local Government Coordination and Preparedness under the Port Security Grant Program for Federal Fiscal Year (FFY) 2008 (PSGP FFY '08), authorizing an application for allocation of funds under that agreement, increasing appropriations to the Police Department in the 2012 Budget, and ratifying and confirming prior acts; all by a three-fourths vote of the City Council.

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

BY GODDEN:

Council Bill No. 117446, Relating to the City of Seattle's solid waste system, providing the Director of Seattle Public Utilities additional rulemaking authority to grant waivers and other relief from requirements relating to single-use food service ware and packaging, and amending Seattle Municipal Code Section 21.36.086 accordingly.

Referred to Libraries, Utilities, and Center Committee.

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BY BURGESS:

Council Bill No. 117447, Relating to the Seattle City Employees' Retirement System; eliminating the disqualification for disability retirement due to pre-existing conditions; clarifying the requirements for disability appeals; authorizing the re-examination of persons retired for temporary total disability every 24 months; and amending Sections 4.36.145, 4.36.220 and 4.36.250 of the Seattle Municipal Code.

Referred to Government Performance and Finance Committee.

RESOLUTION:

BY GODDEN, BAGSHAW, BURGESS, CLARK, CONLIN, RASMUSSEN:

Resolution No. 31371, Relating to public safety and protection of the Central Waterfront, the downtown business district, major transportation facilities, and related public infrastructure, which are essential to the local and regional economy, expressing the City Council's intent to place an Elliott Bay Seawall Replacement bond measure on the November 6, 2012 general election ballot, and establishing the process the Council will use to determine the final amount and scope of this measure.

Referred to Special Committee on the Central Waterfront, Seawall, and Alaskan Way Viaduct Replacement Project Committee.

CLERK FILES:

BY CONLIN:

Clerk File No. 312271, Appointment of Leif Fixen as member, Urban Forestry Commission, for a term of confirmation to December 1, 2014.

Referred to Planning, Land Use, and Sustainability Committee.

RE-REFERRALS:

NO SPONSOR REQUIRED:

Clerk File No. 311875, Council land use action by the Department of Finance and Administrative Services to approve a 1,130 sq. ft. two story addition to Fire Station 34, located at 633 32nd Avenue East (Project No. 3012676, Type V).

Referred to Planning, Land Use, and Sustainability Committee.

(Originally referred to Committee on the Built Environment on November 14, 2011.)

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Clerk File No. 311872, Council Conditional Use application of King County to allow a 5,600 square foot expansion to a public facility, including 2,600 cubic yards of grading, in an environmentally critical area at the West Point Treatment Plant, located at 4215 36th Avenue West (Project No. 3012604, Type IV).

Referred to Planning, Land Use, and Sustainability Committee.

(Originally referred to Committee on the Built Environment on November 7, 2011.)

Clerk File No. 311813, Application of R.C. Backer for a contract rezone of approximately 12,800 square feet of land at 225 West Galer Street from Neighborhood Commercial 2 with a 30 foot limit (NC3-30') to Neighborhood Commercial 2 with a 40 foot limit in height (NC2- 40'), to construct a 27,000 square foot, three-story 48 unit assisted living facility, to include 18 parking stalls in a 21,000 sq. ft. of below grade area. (Project No. 3012582, Type IV).

Referred to Planning, Land Use, and Sustainability Committee.

(Originally referred to Committee on the Built Environment on October 3, 2011.)

Clerk File No. 311694, Application of Gregory N. Nalbandian on behalf of John W. Lash for approval of a contract rezone of land at 10001 Lake City Way NE from Single Family 5000 (SF 5000) to Commercial 1 (C1-40), for future construction of an 800 sq. ft. accessory structure to an existing warehouse in an environmentally critical area (Project No. 3012420, Type IV).

Referred to Planning, Land Use, and Sustainability Committee.

(Originally referred to Committee on the Built Environment on August 15, 2011.)

Clerk File No. 311240, Application of Northgate Plaza L.L.C and T&M Jenn L.P. to rezone 365,040 sq. ft. of land at 11200 1st Avenue Northeast from Midrise (MR) to Neighborhood Commercial 3 with an 85 foot height limit (NC3 85) (Project No. 3006101, Type IV).

Referred to Planning, Land Use, and Sustainability Committee.

(Originally referred to Committee on the Built Environment on January 3, 2011.)

Clerk File No. 311081, Application of Katy Chaney to prepare a new Major Institution Master Plan for the Virginia Mason Medical Center campus, located at 1100 9th Avenue (Project No. 3011669, Type IV).

Referred to Planning, Land Use, and Sustainability Committee.

(Originally referred to the Committee on the Built Environment on October 11, 2010.)

H. PAYMENT OF BILLS, CLAIMS AND SALARIES

Council Bill No. 117444, Appropriating money to pay certain audited claims and ordering the payment thereof.

Motion was made and duly seconded to pass **Council Bill No. 117444**.

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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

GOVERNMENT PERFORMANCE AND FINANCE COMMITTEE:

Agenda Item No. 1 - Council Bill No. 117434, Relating to the City Employees' Retirement System; amending Chapter 4.36 of the Seattle Municipal Code to clarify eligibility for membership consistent with past practice and interpretation; making technical changes; 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.

ENERGY AND ENVIRONMENT COMMITTEE:

Agenda Item No. 2 - Resolution No. 31351, Adopting a policy framework for City Light rate setting objectives, rate design policies, and marginal cost allocation among customer classes.

Held until April 30, 2012.

PLANNING, LAND USE, AND SUSTAINABILITY COMMITTEE:

Agenda Item No. 3 - Council Bill No. 117435, Relating to land use and zoning, amending Seattle Municipal Code sections 23.42.030, 23.47A.004, 23.47A.006, 23.50.012, 23.50.014, 23.54.030, and 23.84A.040 to allow a recycling use in a Commercial 2 zone to be located on the same development site as a solid waste management use through administrative conditional use review, to allow access to a solid waste management use through a Commercial 2 zone or Industrial Buffer zone, and to allow limited uses associated with a solid waste management use to be located in Commercial 2 zones and Industrial Buffer zones through administrative conditional use review.

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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 - Resolution No. 31366, Providing direction to Seattle Public Utilities in the reconstruction and operation of the North Transfer Station.

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.

TRANSPORTATION COMMITTEE:

Agenda Item No. 5 - Council Bill No. 117428, Relating to the First Hill Streetcar project; authorizing the Director of Transportation to acquire, accept, and record, on behalf of the City of Seattle, a permanent easement for street purposes from the Seattle School District No. 1, a municipal corporation of the State of Washington; 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.

Agenda Item No. 6 - Council Bill No. 117432, Relating to a utility tunnel under and across Phinney Avenue North, north of North 34th Street, amending Ordinance 115776, as amended by Ordinances 120814 and 121855, updating the insurance and bond requirements, and amending the annual fee and other terms and conditions of the permit; renewing the term of the permit to the Fremont Dock Co., a Washington Corporation; providing for the acceptance of the permit and conditions; and ratifying and confirming certain prior acts.

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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. 7 - Resolution No. 31355, Granting conceptual approval to construct, maintain, and operate a service tunnel under and across Eastlake Avenue East, north of Aloha Street, as proposed by Fred Hutchinson Cancer Research Center.

The Committee recommended that the Resolution be adopted.

The Resolution was adopted by the following voice vote:

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

Against: None.

The President signed the Resolution.

Agenda Item No. 8 - Resolution No. 31367, Approving the Seattle Transit Master Plan.

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.

The President signed the Resolution.

PARKS AND NEIGHBORHOODS COMMITTEE:

Agenda Item No. 9 - Council Bill No. 117437, Relating to the Department of Parks and Recreation; authorizing the acquisition of real property commonly known as 8102, 8102A, and 8104 Greenwood Avenue North; authorizing acceptance and recording of the deed for open space, park, and recreation purposes; authorizing temporary commercial leasing of the real property; authorizing acquisition by condemnation; increasing appropriations to the Department of Parks and Recreation in the 2012 Adopted Budget; and ratifying and confirming certain prior acts; all by a three-fourths vote of the City Council.

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.

J. ADOPTION OF OTHER RESOLUTIONS

There were none.

K. OTHER BUSINESS

Motion was made, duly seconded and carried, to rescind Councilmember Licata's excused absence from the Monday, April 23, 2012, Full Council meeting.

Motion was made, duly seconded and carried, to excuse Councilmember Licata from the Monday, June 4, 2012, Full Council meeting.

Motion was made, duly seconded and carried, to excuse Councilmember Clark from the Monday, July 9, 16, and 23, 2012, Full Council meetings.

L. ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 2:50 p.m.



Laurel Humphrey, Council Clerk

Signed by me in Open Session, upon approval of the Council, on Monday, April 23, 2012.

Sally J. Clark, President of the City Council

Monica Martinez Simmons, City Clerk