

# Journal of the Proceedings of the Seattle City Council

Monday, April 30, 2012

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## 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 30, 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, Godden, Harrell, Licata, O'Brien, Rasmussen - 8

Absent: Conlin (excused) - 1.

## 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 1, **Resolution No. 31351**, until May 7, 2012.

**Agenda Item No. 1 - 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 23, 2012, was presented to the Chair for approval. By unanimous consent, the Journal was approved and signed.

## E. PRESENTATIONS

Councilmember Godden read a Proclamation honoring reporters Michael J. Berens and Ken Armstrong and congratulating The Seattle Times on winning the 2012 Pulitzer Prize in Investigative Reporting.

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Councilmember Godden read a Proclamation honoring reporter Eli Sanders and congratulating The Stranger on winning the 2012 Pulitzer Prize in Feature Writing.

By unanimous consent, Council Rules were suspended to allow Councilmember Godden to present the Proclamations and to allow David Boardman, Executive Editor of The Seattle Times, to address the Council.

## F. PUBLIC COMMENT

Paul W. Locke addressed the Council regarding Agenda item 4, **Resolution No. 31371**.

Catherine Herrod addressed the Council regarding Agenda item 2, **Council Bill No. 117438**.

George Allen addressed the Council regarding Agenda item 2, **Council Bill No. 117438**.

## G. REFERRAL CALENDAR

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

### COUNCIL BILLS:

#### BY BURGESS:

**Council Bill No. 117455**, Appropriating money to pay certain audited claims and ordering the payment thereof.

Referred to Full Council.

#### BY CONLIN:

**Council Bill No. 117456**, Relating to land use and zoning; amending Sections 23.04.010, 23.34.004, 23.69.032, 23.76.004, 23.76.005, 23.76.006, 23.76.008, 23.76.010, 23.76.012, 23.76.014, 23.76.015, 23.76.016, 23.76.018, 23.76.020, 23.76.022, 23.76.024, 23.76.026, 23.76.028, 23.76.032, 23.76.034, 23.76.036, 23.76.038, 23.76.040, 23.76.042, 23.76.046, 23.76.050, 23.76.052, 23.76.054, 23.76.056, 23.76.058, 23.76.060, 23.76.062, 23.78.002, 23.78.006, 23.78.012, 23.78.014, 23.79.006, 23.79.010, 23.79.012, 23.84A.014, 23.84A.024, 23.84A.025, 23.84A.030, 23.84A.032, 23.84A.036, 25.05.355, and 25.05.680 of the Seattle Municipal Code, repealing Sections 23.76.019, 23.76.049, and 23.76.068, and adding a new

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Section 23.76.067, to improve and clarify procedures for Master Use Permits and Council land use decisions.

Referred to Planning, Land Use, and Sustainability Committee.

## **BY GODDEN:**

**Council Bill No. 117457**, Relating to Seattle Public Utilities; authorizing the Director of Seattle Public Utilities to purchase certain real property located at 5560 South Holly Street, Seattle, Washington, and to execute, accept and record deeds and convenient documents and agreements deemed by the Director to be necessary to this transaction on behalf of the City. Referred to Libraries, Utilities, and Center Committee.

## **BY RASMUSSEN:**

**Council Bill No. 117458**, Relating to the Mercer Corridor Project West Phase; authorizing the Director of Transportation to acquire, accept, and record, on behalf of the City of Seattle, an easement for a portion of Block 73, D.T. Denny's Home Addition to the City of Seattle, from IRIS Holdings, LLC, a Washington limited liability company, to widen and extend 6th Avenue North; authorizing the Director of Transportation to acquire, accept, and record, on behalf of the City of Seattle, a bargain and sale deed for a portion of Block 63, Block 64, and Block 73, D.T. Denny's Home Addition to the City of Seattle, together with the vacated streets and vacated alleys, from IRIS Holdings, LLC, a Washington limited liability company, to widen Mercer Street; authorizing the transfer of jurisdiction of portions of Block 54, D.T. Denny's Home Addition to the City of Seattle from the Seattle Center Department to the Seattle Department of Transportation and designating it for street purposes to widen Mercer Street and 5th Avenue North; authorizing the Director of Transportation to acquire all of the property rights necessary for converting Mercer Street and Roy Street into two-way streets between 9th Avenue North and 5th Avenue West, as well as constructing bicycle, pedestrian, and transportation improvements, and constructing the street grid across Broad Street; authorizing acquisition of real property rights within the area bounded on the north by Roy Street, on the south by John Street, on the east by 9th Avenue North, and on the west by 5th Avenue West, and on Elliott Avenue West near the intersection of Elliott Avenue West and West Mercer Place, through negotiation and use of eminent domain (condemnation); authorizing payment of all other costs associated with the acquisitions; and ratifying and confirming certain prior acts.

Referred to Transportation Committee.

**Council Bill No. 117459**, Relating to the permission granted to the 2020 Fifth Avenue, LLC by Ordinance 123794 to construct, maintain, and operate a pedestrian skybridge in the mid-block portion of the alley between 5th Avenue and 6th Avenue, south of Lenora Street, by amending Section 1 to revise the legal description of the adjacent property; and ratify and confirm certain prior acts

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Referred to Transportation Committee.

## **BY O'BRIEN:**

**Council Bill No. 117460**, Relating to the City Light Department; accepting statutory warranty deeds to the Dow, Faucett et al., Miller, and Schmitt properties in Snohomish County, Washington, and the Errol Hanson Funding Inc., Fischer, Heaphy, Raab Family Trust, TPB Properties Inc., Turner and Wall properties in Skagit County, Washington, for salmonid habitat protection purposes; ratifying the grants of Deeds of Right to the State of Washington on the Dow, Errol Hanson Funding, Inc., Faucett et al., Fischer, Miller, Schmitt, and TPB Properties Inc. properties for salmon recovery and conservation purposes; placing said lands under the jurisdiction of the City Light Department; and ratifying and confirming certain prior acts. Referred to Energy and Environment Committee.

## **RESOLUTION:**

### **BY CONLIN:**

**Resolution No. 31375**, Adopting revised rules for City Council quasi-judicial proceedings, and repealing the previous rules that were adopted by Resolution 31001. Referred to Planning, Land Use, and Sustainability Committee.

## **CLERK FILES:**

### **NO SPONSOR REQUIRED:**

**Clerk File No. 312299**, Council Conditional Use application of King County Department of Natural Resources and Parks, Wastewater Treatment Division, to expand an existing stormwater treatment facility (North Beach Combined Sewer Overflow), located at 9921 Triton Drive Northwest, to include a new 325 foot long buried storage pipe within the Triton Drive right of way and a new 1,900 square foot above ground mechanical structure on the existing treatment facility site (Project No. 3012914, Type IV).

Referred to Planning, Land Use, and Sustainability Committee.

**Clerk File No. 312300**, Application of Greystar Real Estate Partners, LLC, for a rezone of approximately 43,200 square feet of land at 400 Boren Avenue North from Industrial Commercial with a 65 foot height limit (IC-65) to Seattle Mixed with an 85 foot height limit (SM-85), to construct a seven-story residential building and below grade parking (Project No. 3013013, Type IV).

Referred to Planning, Land Use, and Sustainability Committee.

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## **BY BURGESS:**

**Clerk File No. 312316**, Appointment of Beth Goldberg as member, Audit Committee, for a term of confirmation to September 30, 2013.

Referred to Government Performance and Finance Committee.

**Clerk File No. 312317**, Appointment of John J. Jolley as member, Audit Committee, for a term of confirmation to September 30, 2014.

Referred to Government Performance and Finance Committee.

## **H. PAYMENT OF BILLS, CLAIMS AND SALARIES**

**Council Bill No. 117455**, Appropriating money to pay certain audited claims and ordering the payment thereof.

Motion was made and duly seconded to pass **Council Bill No. 117455**.

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**

### **FULL COUNCIL:**

**Agenda Item No. 1 - 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 May 7, 2012.

**Agenda Item No. 2 - Council Bill No. 117438**, Relating to the business license tax and other taxes; amending the tax code to allow a deduction for grants, contracts and sub-awards received as compensation for or to support life sciences research and development; adding a new subsection to Seattle Municipal Code Section 5.45.100 in connection therewith

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## **ACTION 1:**

Motion was made by Councilmember Burgess, duly seconded and carried, to amend **Council Bill No. 117438** by substituting version 8 for version 7.

## **ACTION 2:**

Motion was made and duly seconded to pass **Council Bill No. 117438** as amended.

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

In favor: Bagshaw, Burgess, Clark, Godden, Harrell, Licata, O'Brien, Rasmussen - 8

Against: None.

The President signed the Bill.

**Agenda Item No. 3 - Resolution No. 31374**, Initiating a proceeding for the vacation of a portion of Broad Street between Harrison Street and 6th Avenue North pursuant to Chapter 35.79 Revised Code of Washington (RCW) and Seattle Municipal Code (SMC) Chapter 15.62.

Motion was made and duly seconded to adopt **Resolution No. 31374**.

The Motion carried and the Resolution was adopted by the following voice vote:

In favor: Bagshaw, Burgess, Clark, Godden, Harrell, Licata, O'Brien, Rasmussen - 8

Against: None.

The President signed the Resolution.

## **SPECIAL COMMITTEE ON THE CENTRAL WATERFRONT, SEAWALL, AND ALASKAN WAY VIADUCT REPLACEMENT PROJECT:**

**Agenda Item No. 4 - 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.

The Committee recommended that the Resolution be adopted.

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The Resolution was adopted by the following voice vote:

In favor: Bagshaw, Burgess, Clark, Godden, Harrell, Licata, O'Brien, Rasmussen - 8

Against: None.

The President signed the Resolution.

## **ENERGY AND ENVIRONMENT COMMITTEE:**

**Agenda Item No. 5 - Resolution No. 31372**, Relating to Seattle Public Utilities, authorizing application to the Washington State Department of Natural Resources, Recreation and Conservation Office, for an Aquatic Lands Enhancement Account grant to fund fish habitat protection and restoration in the lower Cedar River.

The Committee recommended that the Resolution be adopted.

The Resolution was adopted by the following voice vote:

In favor: Bagshaw, Burgess, Clark, Godden, Harrell, Licata, O'Brien, Rasmussen - 8

Against: None.

The President signed the Resolution.

## **TRANSPORTATION COMMITTEE:**

**Agenda Item No. 6 - Resolution No. 31369**, Granting conceptual approval to construct, maintain, and operate a rooftop photovoltaic array over the sidewalk areas of East Madison Street, 15th Avenue East, and East Pike Street, and to the centerline of the alley between East Madison Street and East Pike Street, as part of the construction of the new Bullitt Center at 1501 East Madison Street, as proposed by CCSDC, LLC.

The Committee recommended that the Resolution be adopted as amended.

The Resolution was adopted by the following voice vote:

In favor: Bagshaw, Burgess, Clark, Godden, Harrell, Licata, O'Brien, Rasmussen - 8

Against: None.

**Agenda Item No. 7 - Clerk File No. 312248**, Reappointment of Jeniffer Calleja as member, Pedestrian Advisory Board, for a term of confirmation to March 4, 2014.

The Committee recommended that the Appointment be confirmed.

The Appointment was confirmed by the following voice vote:

In favor: Bagshaw, Burgess, Clark, Godden, Harrell, Licata, O'Brien, Rasmussen - 8

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Against: None.

**Agenda Item No. 8 - Clerk File No. 312249**, Reappointment of Lydia Heard as member, Seattle Pedestrian Advisory Board, for a term of confirmation to March 4, 2014.

The Committee recommended that the Appointment be confirmed.

The Appointment was confirmed by the following voice vote:

In favor: Bagshaw, Burgess, Clark, Godden, Harrell, Licata, O'Brien, Rasmussen - 8

Against: None.

**Agenda Item No. 9 - Clerk File No. 312250**, Reappointment of Mark J. Melnyk as member, Seattle Pedestrian Advisory Board, for a term of confirmation to March 4, 2014.

The Committee recommended that the Appointment be confirmed.

The Appointment was confirmed by the following voice vote:

In favor: Bagshaw, Burgess, Clark, Godden, Harrell, Licata, O'Brien, Rasmussen - 8

Against: None.

**Agenda Item No. 10 - Clerk File No. 312251**, Reappointment of Mark Landreneau as member, Seattle Pedestrian Advisory Board, for a term of confirmation to March 4, 2014.

The Committee recommended that the Appointment be confirmed.

The Appointment was confirmed by the following voice vote:

In favor: Bagshaw, Burgess, Clark, Godden, Harrell, Licata, O'Brien, Rasmussen - 8

Against: None.

## **J. ADOPTION OF OTHER RESOLUTIONS**

There were none.

## **K. OTHER BUSINESS**

Motion was made, duly seconded and carried, to excuse Councilmember Bagshaw from the Monday, July 2, 2012, Full Council meeting.

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## L. ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 2:39 p.m.

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Laurel Humphrey, Council Clerk

Signed by me in Open Session, upon approval of the Council, on Monday, May 7, 2012.

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Sally J. Clark, President of the City Council

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Monica Martinez Simmons, City Clerk