Journal of the Proceedings of the Seattle City Council

Monday, October 22, 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, October 22, 2012, pursuant to the provisions of the City Charter. The meeting was called to order at 2:03 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 Monday, September 24 and October 1, 2012, were presented to the Chair for approval. By unanimous consent, the Journals were approved and signed.

E. PRESENTATIONS

There were none.

F. PUBLIC COMMENT

No public comment was given.

G. REFERRAL CALENDAR

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

COUNCIL BILLS:

BY BURGESS:

Council Bill No. 117620, Appropriating money to pay certain audited claims and ordering the payment thereof.
Referred to Full Council.

BY O'BRIEN:

Council Bill No. 117621, Relating to the City Light Department; authorizing the Superintendent to execute permits with indemnity provisions for use of real property owned by Union Pacific Railroad Company, Burlington Northern Santa Fe Railroad Company, and the Washington State Department of Transportation, related to the City Light Department's Creston-Nelson to Duwamish Transmission Line Rebuild and New 26 kV Distribution Feeder Project.
Referred to Energy and Environment Committee.

BY O'BRIEN:

Council Bill No. 117622, Relating to the City Light Department; authorizing the Superintendent to execute a permit with indemnity provisions for an overhead electric line crossing of real property owned by the Burlington Northern Santa Fe Railroad Company.
Referred to Energy and Environment Committee.

BY BURGESS:

Council Bill No. 117623, Relating to the Department of Parks and Recreation; establishing the 2013-2014 fee schedule for the use of park properties and other park and recreation facilities and services; superseding previous park and recreation fee schedules; and amending Section 18.28.010 of the Seattle Municipal Code.
Referred to Budget Committee.

BY RASMUSSEN:

Council Bill No. 117624, Relating to the Traffic Code; adding new sections 11.14.237 and 11.23.160 of the Seattle Municipal Code and amending sections 11.16.315, 11.23.150, 11.72.351, 11.72.260, 11.73.050, 11.76.005, 11.76.010, 11.76.015, and 11.76.020 to authorize a "free-floating car sharing" pilot program with standards and requirements for the program.
Referred to Transportation Committee.

BY BURGESS:

Council Bill No. 117626, Relating to fleet services, authorizing the transfer to King County of certain vehicles leased from the City by Public Health - Seattle and King County; establishing the method for determining the value of the vehicles to be transferred; authorizing the Director of Finance and Administrative Services to execute an agreement with King County in order to complete the associated transition, including refunding County funds that were originally intended to replace the vehicles being transferred, compensating the City for those vehicle assets, transferring said vehicles; and ratifying and confirming certain prior acts.
Referred to Budget Committee.

Council Bill No. 117627, Relating to the Joint Training Facility Project; amending Ordinance 121179, as last amended by Ordinance 123481, to extend the term of an interfund loan.
Referred to Budget Committee.

Council Bill No. 117628, Relating to animal licensing; amending Section 9.25.100, Section 9.26.020 and Section 9.26.025 in connection therewith, and adding a new Section 9.25.200 to the Seattle Municipal Code, authorizing the establishment of amnesty periods by Director's rule.
Referred to Budget Committee.

Council Bill No. 117629, Relating to animal regulations; changing shelter fees and regulations concerning the municipal spay and neuter clinic, and enhancing the Director's authority relating to pet adoptions, and amending Sections 9.25.030, 9.25.045, 9.25.081, 9.26.050 and 9.26.060 of the Seattle Municipal Code.
Referred to Budget Committee.

Council Bill No. 117630, Relating to Seattle Center parking charges; amending Seattle Municipal Code Subsection 17.19.010.B to eliminate the distinction between event and nonevent charges and authorizing the Seattle Center Director to establish charges for daily parking based upon minimum and maximum rates.
Referred to Budget Committee.

Council Bill No. 117631, Relating to the Seattle Center Department; adopting a fee schedule from which the Seattle Center Director is authorized to set fees for 2013 and 2014 for use of Seattle Center facilities and property; adopting policies for use of Seattle Center facilities and event related service agreements; adding a new Section 17.16.005 to the Seattle Municipal Code; and amending Sections 17.16.010, 17.16.015, 17.16.020, 17.16.030, and 17.16.033 of the Seattle Municipal Code.
Referred to Budget Committee.

Council Bill No. 117632, Relating to contracting indebtedness; authorizing and providing for the issuance and sale of limited tax general obligation bonds to pay all or part of the cost of financing elements of the City's capital improvement program, issuing and selling the bonds, and other City purposes approved by ordinance; providing for terms and sale of the bonds; creating a bond fund; and ratifying and confirming certain prior acts.
Referred to Budget Committee.

Council Bill No. 117633, Authorizing, in 2012, acceptance of funding from non-City sources; authorizing the heads of the Office of Sustainability and Environment, the Seattle Fire Department, and the Seattle Police Department to accept specified grants and private funding and to execute, deliver, and perform corresponding agreements; and ratifying and confirming certain prior acts.
Referred to Budget Committee.

Council Bill No. 117634, Related to the 2012 Budget; amending Ordinance 123758, which adopted the 2012 Budget, including the 2012-2017 Capital Improvement Program (CIP); creating new appropriations; changing appropriations to various departments and budget control levels, and from various funds in the Budget; adding new projects; creating positions; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council.
Referred to Budget Committee.

Council Bill No. 117635, Relating to the Firefighters' Pension Fund established under RCW 41.16; amending Ordinance 117216 as last amended by Ordinance 123459 to continue the suspension of contributions to the Actuarial Account for an additional two years through 2014.
Referred to Budget Committee.

Council Bill No. 117636, Relating to the Building and Construction Codes, Subtitle VI Fire Code; amending Seattle Municipal Code Sections 22.602.045, 22.602.050, 22.602.070, 22.602.080, and 22.602.090, to add, delete and revise various Seattle Fire Department permit, certificate, inspection and plan review fees and related provisions.
Referred to Budget Committee.

Council Bill No. 117637, Relating to the electric system of The City of Seattle; authorizing the issuance and sale of municipal light and power revenue bonds for the purposes of providing funds for certain additions and betterments to and extensions of the existing municipal light and power plant and system of the City, paying the costs of issuing and selling those bonds and providing for the reserve fund requirement; providing for the terms, conditions, covenants and manner of sale of those bonds; describing the lien of those bonds; and ratifying and confirming certain prior acts.
Referred to Budget Committee.

Council Bill No. 117638, Relating to financing the solid waste system of The City of Seattle, Washington; adopting a system or plan of additions and betterments to and extensions of the solid waste system; authorizing the issuance and sale of solid waste revenue bonds, in one or more series, for the purposes of paying all or part of the cost of carrying out that system or plan, providing a bond reserve and paying the costs of issuing and selling the bonds; authorizing the execution of certain agreements relating thereto; providing for the terms, conditions, covenants and manner of sale of the bonds; describing the lien of the bonds; creating certain accounts of the City relating to the bonds; and ratifying and confirming certain prior acts.
Referred to Budget Committee.

BY CONLIN:

Council Bill No. 117639, Relating to land use and zoning; amending Chapter 23.32 of the Seattle Municipal Code at page 15 of the Official Land Use Map to rezone property located at 11200 1st Avenue Northeast from Midrise (MR) to Neighborhood Commercial 3 with an 85 foot height limit (NC3-85), and accepting a Property Use and Development Agreement in connection therewith. (Petition by Northgate Plaza LLC and T&M Jenn LP, C.F. 311240, DPD Project 3006101)
Referred to Planning, Land Use, and Sustainability Committee.

RESOLUTION:

BY HARRELL, CO-SPONSORS: BURGESS, CLARK, CONLIN, GODDEN, LICATA, RASMUSSEN

Motion was made by Councilmember Harrell, duly seconded and carried, to amend the proposed Introduction and Referral Calendar by introducing **Resolution No. 31414** and by referring it to the Full Council for Introduction and Adoption.

Resolution No. 31414, Selecting a Monitor pursuant to the Consent Decree entered by the United States District Court in United States v. City of Seattle, United States District Court, Western District of Washington, Case No. 2:12-cv- 01282-JLR.

CLERK FILES:

BY LICATA:

Clerk File No. 312598, Appointment of Fred Podesta as member, Seattle Indian Services Commission Governing Council, for a term of confirmation to October 2, 2016.
Referred to Full Council for Introduction and Action.

BY CONLIN:

Clerk File No. 312601, Appointment of T. Ellen Sollod as member, Seattle Design Commission, for a term of confirmation to March 1, 2014.
Referred to Planning, Land Use, and Sustainability Committee.

BY CONLIN:

Motion was made by Councilmember Conlin, duly seconded and carried, to amend the proposed Referral Calendar by amending the title of **Clerk File No. 312602** by deleting "Seattle Design" before "as member" and by adding "Urban Forestry" before "Commission."

Clerk File No. 312602, Reappointment of Jeff Reibman as member, Urban Forestry Commission, for a term of confirmation to December 1, 2015.
Referred to Planning, Land Use, and Sustainability Committee.

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

H. PAYMENT OF BILLS, CLAIMS AND SALARIES

Council Bill No. 117620, Appropriating money to pay certain audited claims and ordering the payment thereof.

Motion was made and duly seconded to pass **Council Bill No. 117620.**

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 - Clerk File No. 312598, Appointment of Fred Podesta as member, Indian Services Commission Governing Council, for a term of confirmation to October 2, 2016.

Councilmember Rasmussen entered the Council Chamber at 2:08 p.m.

Motion was made and duly seconded to confirm the Appointment.

The Motion carried and the Appointment was confirmed by the following voice vote:
In favor: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien, Rasmussen - 9
Against: None.

PUBLIC SAFETY, CIVIL RIGHTS, AND TECHNOLOGY COMMITTEE:

Agenda Item No. 2 - Council Bill No. 117608, Relating to effective and constitutional policing, creating the Community Police Commission and establishing functions and prescribing duties consistent with the settlement agreement and memorandum of understanding entered into between the United States and the City of Seattle.

The Committee recommended that the Bill pass as amended.

ACTION 1:

Motion was made by Councilmember Harrell, duly seconded and carried, to amend **Council Bill No. 117608**, sections one and four, by deleting the number "11" and adding number "15" before "members," and in section five by deleting the number "six" and adding the number "eight" before "members."

ACTION 2:

Motion was made by Councilmember Harrell, duly seconded and carried, to amend **Council Bill No. 117608**, Attachment 1, under "CPC Selection Criteria" by adding a new bullet entitled "Experience working on crimes against women;"

ACTION 3:

Motion was made by Councilmember Harrell, duly seconded and carried, to amend **Council Bill No. 117608**, section four, by adding "; however, among equally qualified applicants consideration should be given to have gender balance on the CPC" before "applicant."

ACTION 4:

Motion was made and duly seconded to pass **Council Bill No. 117608** as amended.

The Motion carried and the Bill passed as amended by the following roll call vote:
The Bill passed by the following roll call vote:
In favor: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien, Rasmussen - 9
Against: None.

J. ADOPTION OF OTHER RESOLUTIONS

Agenda Item No. 3 - Resolution No. 31414, Selecting a Monitor pursuant to the Consent Decree entered by the United States District Court in United States v. City of Seattle, United States District Court, Western District of Washington, Case No. 2:12-cv- 01282-JLR.

Motion was made by Councilmember Clark, duly seconded and carried, to suspend Council Rule III.B., to allow an additional Public Comment period of 5 minutes.

No public comment was given.

Motion was made and duly seconded to adopt the Resolution.

The Motion carried and the Resolution was adopted by the following voice vote:
In favor: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, Rasmussen - 8
Against: 1 (O'Brien).
The President signed the Resolution.

K. OTHER BUSINESS

There was none.

L. ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 2:45 p.m.

Emilia M. Sanchez, Council Clerk

Signed by me in Open Session, upon approval of the Council, on Monday, November 5, 2012.

Sally J. Clark, President of the City Council

Monica Martinez Simmons, City Clerk