Journal of the Proceedings of the Seattle City Council

Monday, March 25, 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, March 25, 2013, pursuant to the provisions of the City Charter. The meeting was called to order at 2:05 p.m., with Council President Clark presiding.

B. ROLL CALL

On roll call the following members were:

Present: Bagshaw, Burgess, Clark, Conlin, Harrell, Licata, O'Brien, Rasmussen - 8
Absent: Godden (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 Journal of the Proceedings of the Seattle City Council meeting of Monday, March 18, 2013, was presented to the Chair for approval. By unanimous consent, the Journal was approved and signed.

E. PRESENTATIONS

There were none.

F. PUBLIC COMMENT

Carl Nelson addressed the Council regarding Agenda item 2, **Council Bill No. 117726**.

Councilmember Godden entered the Council Chamber at 2:07 p.m.

River Melos addressed the Council regarding Agenda item 2, **Council Bill No. 117726**.

Sherry Pepke addressed the Council regarding Agenda item 2, **Council Bill No. 117726**.

Tina Randall addressed the Council regarding Agenda item 2, **Council Bill No. 117726**.

Councilmember Licata exited the Council Chamber at 2:12 p.m.

Kay Lloyd addressed the Council regarding Agenda item 2, **Council Bill No. 117726**.

Dane Larsen addressed the Council regarding Agenda item 2, **Council Bill No. 117726**.

Councilmember Licata returned to the Council Chamber at 2:15 p.m.

Douglas Philbrick addressed the Council regarding Agenda item 2, **Council Bill No. 117726**.

Steve Pepke addressed the Council regarding Agenda item 2, **Council Bill No. 117726**.

Jim Rivaro addressed the Council regarding Agenda item 2, **Council Bill No. 117726**.

Cari Dick addressed the Council regarding Agenda item 2, **Council Bill No. 117726**.

Scott Coomes addressed the Council regarding Agenda item 2, **Council Bill No. 117726**.

Motion was made by Councilmember Clark, duly seconded and carried, to extend the public comment period to allow those remaining on the sign-in sheet to address the Council.

Chris Van Dyk addressed the Council regarding Agenda item 8, **Resolution No. 31436**.

Boris Castellanos addressed the Council regarding Agenda item 8, **Resolution No. 31436**.

Frank Irigon addressed the Council regarding Agenda item 13, **Council Bill No. 117727.**

Bill Dennis addressed the Council regarding Agenda item 2, **Council Bill No. 117726**.

Maria Batayola addressed the Council regarding Agenda items 13-15, **Council Bill No. 117727 and Clerk File Nos. 312767 and 312769.**

John Vogt addressed the Council regarding Agenda item 2, **Council Bill No. 117726**.

G. REFERRAL CALENDAR

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

COUNCIL BILLS:

BY BURGESS:

Council Bill No. 117741, Appropriating money to pay certain audited claims and ordering the payment thereof.
Referred to Full Council.

BY HARRELL:

Council Bill No. 117742, Related to the amendment of Section 4.08.070 of the Seattle Municipal Code to remove the $25 fee charged by the Public Safety Civil Service Commission for police and fire entry-level exams.
Referred to Public Safety, Civil Rights, and Technology Committee.

BY RASMUSSEN:

Council Bill No. 117743, Relating to the Seattle Department of Transportation; relating to the Northgate Way improvement project; authorizing the Director of the Department of Transportation to acquire, accept, and record on behalf of the City of Seattle, a warranty deed for a portion of Block 3, Elbert Place Addition to the City of Seattle, from 10501 Aurora LLC, a Washington limited liability company; authorizing the Director of the Department of Transportation to acquire, accept, and record on behalf of the City of Seattle, a warranty deed for a portion of Block 4, North Park Addition to the City of Seattle, from 10409 Aurora LLC, a Washington limited liability company; authorizing the Director of the Department of Transportation to acquire, accept, and record on behalf of the City of Seattle, a warranty deed for a portion of Block 7, Oak Lake Villa Tracts, from AVU LLC, a Washington limited liability company; authorizing the Director of the Department of Transportation to acquire, accept, and record on behalf of the City of Seattle, a warranty deed for a portion of Block 2, Oak Lake Villa Tracts, from Elsia LLC, a Washington limited liability company; authorizing the Director of the Department of Transportation to acquire, accept, and record both temporary construction easements and permanent property rights from abutting property owners located along North 105th Street and North Northgate Way between Greenwood Avenue North and Corliss

Avenue North, necessary or convenient for the Northgate improvement project in connection with the Arterial Asphalt and Concrete Program through negotiation and use of eminent domain (condemnation); placing the real property conveyed by such deeds and easements under the jurisdiction of the Seattle Department of Transportation and designating the property for transportation, utility and other municipal purposes; authorizing payment of all other costs associated with acquisition; and ratifying and confirming prior acts.
Referred to Transportation Committee.

BY LICATA:

Council Bill No. 117744, Relating to land use and zoning, creating a new Section 23.42.058 and amending Sections 23.50.012, 23.84A.018, and 23.84A.025 of the Seattle Municipal Code to establish locational restrictions on the production, processing, selling, or delivery of marijuana and to make a minor modification to existing allowances for agricultural uses in certain industrial areas.
Referred to Housing, Human Services, Health, and Culture Committee.

BY CONLIN:

Council Bill No. 117745, Relating to tree and vegetation management in public places; adding a new Chapter 15.43 to Subtitle I of Title 15 of the Seattle Municipal Code to provide for the regulation of planting, maintenance, and removal of trees and shrubs in all public places; amending Sections 15.02.044, 15.02.046, 15.04.012, 15.18.010, 15.90.018, and 15.91.002; and repealing Chapter 15.42 of the Seattle Municipal Code.
Referred to Planning, Land Use, and Sustainability Committee.

RESOLUTIONS:

BY CLARK:

Resolution No. 31440, Retiring introduced and referred Council Bills, Resolutions, and Clerk Files which have received no further action.
Referred to Full Council for Introduction and Adoption.

BY CONLIN:

Resolution No. 31441, Adopting the Seattle Food Action Plan.
Referred to Planning, Land Use, and Sustainability Committee.

BY GODDEN:

Resolution No. 31442, Granting conceptual approval to King County Department of Natural Resources and Parks, Wastewater Treatment Division to locate, construct, maintain, and operate underground injection control wells and associated green stormwater infrastructure systems on selected blocks comprising the Green Stormwater Infrastructure Drainage Area, bounded by 35th Avenue Southwest to the west, Southwest Othello Street to the north, 30th Avenue Southwest to the east, and Southwest Barton Street to the south.
Referred to Libraries, Utilities, and Center Committee.

CLERK FILES:

BY BAGSHAW:

Clerk File No. 312904, Appointment of Tom Tierney as member, Board of Park Commissioners, for a term of confirmation to March 31, 2016.
Referred to Parks and Neighborhoods Committee.

BY NO SPONSOR REQUIRED:

Clerk File No. 312905, Petition of WSA Properties et al. to vacate Occidental Avenue South between the north margin of South Holgate Street and a line parallel and 30 feet south of the centerline of South Massachusetts Street.
Referred to Transportation Committee.

H. PAYMENT OF BILLS, CLAIMS AND SALARIES

Council Bill No. 117741, Appropriating money to pay certain audited claims and ordering the payment thereof.

Motion was made and duly seconded to pass **Council Bill No. 117741.**

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. 31439, Adopting Statements of Legislative Intent (SLIs) for the 2013 Adopted Budget, the 2013 Endorsed Budget and 2013-2018 Adopted Capital Improvement Program (CIP).

Motion was made and duly seconded to adopt **Resolution No. 31439**.

The Motion carried and 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.

LIBRARIES, UTILITIES, AND CENTER COMMITTEE:

Agenda Item No. 2 - Council Bill No. 117726, Authorizing the Director of Seattle Public Utilities to enter into contracts with Lenz Enterprises, Inc. and PacifiClean, LLC to provide organics processing services for the City of Seattle; and ratifying and confirming certain prior acts.

The Committee recommended that the Bill pass as amended.

ACTION 1:

Motion was made by Councilmember Clark, duly seconded and carried, to suspend Council Rule IV.A.5., Business Brought before the Full Council, to consider an amendment to **Council Bill No. 117726**.

ACTION 2:

Motion was made by Councilmember Conlin, duly seconded and carried, to amend **Council Bill No. 117726** by substituting version 5 for version 4.

ACTION 3:

Motion was made by Councilmember Bagshaw and duly seconded to hold **Council Bill No. 117726** until April 1, 2013.
By unanimous consent, Council Rules were suspended to allow Meg Moorehead, Council Central Staff, and Tim Croll, Seattle Public Utilities, to address the City Council.

The Motion carried and **Council Bill No. 117726** was held until April 1, 2013 by the following voice vote:
In favor: Bagshaw, Burgess, Clark, Harrell, Licata, Rasmussen - 6
Against: Conlin, Godden, O'Brien - 3.

Agenda Item No. 3 - Clerk File No. 312610, Council Concept Approval for construction of 120,000 gallon underground Combined Sewer Overflow tank, in an environmentally critical area, at a public facility in a single family zone located at 4608 Lake Washington Boulevard South. (Project No. 3014022, Type V).

The Committee recommended that the Request be approved.

Councilmembers Burgess and Harrell exited the Council Chamber at 2:56 p.m.

The Motion carried and the Request was approved by the following voice vote:
In favor: Bagshaw, Clark, Conlin, Godden, Licata, O'Brien, Rasmussen - 7
Against: None.
The President signed the Findings, Conclusions, and Decision of the Council.

Councilmember Harrell returned to the Council Chamber at 2:57 p.m.

Councilmember Burgess returned to the Council Chamber at 2:59 p.m.

COMMITTEE ON ECONOMIC RESILIENCY AND REGIONAL RELATIONS:

Agenda Item No. 4 - Clerk File No. 312865, Appointment of Oliver Little as member, Special Events Committee, for a term of confirmation to April 1, 2014.

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. 312866, Reappointment of Thomas C. Anderson as member, Special Events Committee, for a term of confirmation to April 1, 2014.

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. 6 - Clerk File No. 312867, Reappointment of Lisa M. Fraser as member, Special Events Committee, for a term of confirmation to April 1, 2014.

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. 7 - Clerk File No. 312868, Appointment of Phillipa S. Hoshko as member, Special Events Committee, for a term of confirmation to April 1, 2014.

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.

GOVERNMENT PERFORMANCE AND FINANCE COMMITTEE:

Agenda Item No. 8 - Resolution No. 31436, To initiate a Downtown Parking and Business Improvement Area.

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. 9 - Resolution No. 31438, Of intention to disestablish the 2004 Downtown Parking and Business Improvement Area, and fixing a date and place for a hearing thereon

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. 10 - Resolution No. 31437, Of intention to establish a Downtown Parking and Business Improvement Area, and fixing a date and place for a hearing thereon.

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. 11 - Council Bill No. 117737, Relating to contracting indebtedness; amending Ordinance 124053 to lower the amount of bonds authorized to be issued thereunder and amending Exhibit A to Ordinance 124053 to adjust the projects listed thereon.

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. 12 - Council Bill No. 117738, Authorizing the Director of Finance and Administrative Services to execute an Amended and Restated Lease between the City of Seattle and EF Seattle Fifth Avenue LLC, a Washington limited liability company, for a portion of the property located at 700 5th Avenue, commonly known as the Seattle Municipal Tower.

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.

PUBLIC SAFETY, CIVIL RIGHTS, AND TECHNOLOGY COMMITTEE:

Agenda Item No. 13 - Council Bill No. 117727, Related to the creation of the Office of the Community Police Commission within the Executive Department; amending Ordinance 124058 by establishing a budget control level, position authority and appropriations for the 2013 fiscal year; amending Section 1 of Ordinance 124021; creating new sections in Chapter 3.14 of the Seattle Municipal Code; and amending Section 4.13.010 of the Seattle Municipal Code to exempt a position from the Civil Service system; all by a 2/3 vote of the City Council.

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. 14 - Clerk File No. 312767, Appointment of Aaron Williams as member, Community Police 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.

Agenda Item No. 15 - Clerk File No. 312769, Appointment of Kip Yoshio Tokuda as member, Community Police 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.

Agenda Item No. 16 - Council Bill No. 117734, Related to the 2013 Budget; amending Ordinance 124058 by increasing appropriations to the Police Department and reducing appropriations to Finance General, creating seven new positions, amending Council Green Sheet 67-1-A-1, and ratifying and confirming certain prior acts.

The Committee recommended passage of the Bill.

ACTION 1:

Motion was made by Councilmember Harrell, duly seconded and carried, to amend **Council Bill No. 117734** by substituting version 4 for version 3.

ACTION 2:

Motion was made and duly seconded to pass **Council Bill No. 117734** as amended.

The Motion carried and the Bill passed as amended 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. 17 - Clerk File No. 312806, Appointment of Patricia A. Eakes as member, Firearms Review Board, for a term of confirmation to January 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.

Agenda Item No. 18 - Clerk File No. 312807, Appointment of Bonnie J. Glenn as member, Firearms Review Board, for a term of confirmation to January 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.

J. ADOPTION OF OTHER RESOLUTIONS

Agenda Item No. 19 - Resolution No. 31440, Retiring introduced and referred Council Bills, Resolutions, and Clerk Files which have received no further action.

Motion was made and duly seconded to adopt **Resolution No. 31440**.

The Motion carried and 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.

K. OTHER BUSINESS

There was none.

L. ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 3:24 p.m.

Laurel Humphrey, Council Clerk

Signed by me in Open Session, upon approval of the Council, on Monday, April 1, 2013.

Sally J. Clark, President of the City Council

Monica Martinez Simmons, City Clerk