

Journal of the Proceedings of the Seattle City Council

Monday, May 12, 2014

F.b.

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, May 12, 2014, pursuant to the provisions of the City Charter. The meeting was called to order at 2:02 p.m., with Council President Burgess presiding.

B. ROLL CALL

On roll call the following members were:

Present: Bagshaw, Burgess, Clark, Godden, Harrell, Licata, Sawant - 7

Absent: O'Brien (late arrival), Rasmussen (late arrival) - 2.

C. REFERRAL CALENDAR

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

COUNCIL BILLS:

BY LICATA:

Council Bill No. 118086, Appropriating money to pay certain audited claims and ordering the payment thereof.

Referred to Full Council.

BY BAGSHAW:

Council Bill No. 118087, Relating to historic preservation, imposing controls upon 777 Thomas Street, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

Referred to Seattle Public Utilities and Neighborhoods Committee.

Council Bill No. 118088, Relating to historic preservation, imposing controls upon the Boren Investment Company Warehouse, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

Referred to Seattle Public Utilities and Neighborhoods Committee.

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Council Bill No. 118089, Relating to historic preservation, imposing controls upon the Judge Ronald House, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

Referred to Seattle Public Utilities and Neighborhoods Committee.

Council Bill No. 118090, Relating to historic preservation, imposing controls upon Union Stables, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

Referred to Seattle Public Utilities and Neighborhoods Committee.

BY CLARK:

Council Bill No. 118091, Relating to funding for housing and community development programs; adopting the City of Seattle 2014 -- 2017 Consolidated Plan for Housing and Community Development and authorizing its submission to the United States Department of Housing and Urban Development; authorizing acceptance of grant funds from that department for programs and activities included in that plan; amending Ordinance 124349, which adopted the 2014 Budget; amending the 2012 Annual Allocation Plan component of the 2012 Update to the prior Consolidated Plan, as previously amended by Ordinance 123886, to reallocate federal HOME funds between activities; increasing appropriations to various departments and budget control levels, and from various funds in the Budget; and ratifying and confirming prior acts, all by a three-fourths vote of the City Council.

Referred to Housing Affordability, Human Services, and Economic Resiliency Committee.

BY GODDEN:

Council Bill No. 118092, Related to Gender Equity; lifting a budget proviso imposed on Finance General's Reserves Budget Control Level in 2014 for Gender Wage Equity Project; changing appropriations to various departments and budget control levels in the Budget; adding new positions and amending Ordinance 124349, which adopted the 2014 budget; all by a two-thirds vote of the City Council.

Referred to Parks, Seattle Center, Libraries, and Gender Pay Equity Committee.

BY LICATA:

Council Bill No. 118093, Relating to the West Seattle Junction Parking and Business Improvement Area; modifying the assessment rates; modifying the boundaries; and amending Ordinance 113326, as previously amended by Ordinances 115997, 119539, 120570 and 121758.

Referred to Finance and Culture Committee.

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Council Bill No. 118094, Relating to the 2014 Budget; amending Ordinance 124349, which adopted the 2014 Budget, including the 2014- 2019 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 2014-2019 CIP; creating positions; modifying positions; lifting a proviso; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council.
Referred to Finance and Culture Committee.

Council Bill No. 118095, Authorizing, in 2014, 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 Parks and Recreation, Department of Planning and Development, and Seattle City Light to accept specified grants and private funding and to execute, deliver, and perform corresponding agreements; and ratifying and confirming certain prior acts.
Referred to Finance and Culture Committee.

BY RASMUSSEN:

Council Bill No. 118096, Relating to land use and zoning; amending Sections 23.41.012, 23.47A.005, 23.73.002, 23.73.005, 23.73.006, 23.73.008, 23.73.009, 23.73.010, 23.73.012, 23.73.014, 23.73.024, 23.84A.006, 23.86.026 and 23.86.028, and adding a new Section 23.73.015 to the Seattle Municipal Code to strengthen measures for maintaining and enhancing the character of the Pike/Pine neighborhood by addressing the bulk and scale of new development and the use of incentives for retaining character structures, clarifying and strengthening provisions for retaining character structures, removing restrictions on non-residential uses under certain conditions, and making corrections.
Referred to Transportation Committee.

BY BURGESS:

Council Bill No. 118097, Relating to City employment; authorizing the execution of a collective bargaining agreement between the City of Seattle and the International Brotherhood of Electrical Workers, Local 77 to be effective January 23, 2013 through January 22, 2017; providing payment therefor; and ratifying and confirming prior acts.
Referred to Full Council.

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RESOLUTIONS:

BY LICATA:

Resolution No. 31522, Of intention to modify the assessment rates and modify the boundaries for the West Seattle Junction Parking and Business Improvement Area. Referred to Finance and Culture Committee.

BY GODDEN:

Resolution No. 31523, Affirming the City of Seattle's commitment to gender equity, and the implementation of comprehensive measures to achieve equity at the City of Seattle and throughout our community. Referred to Parks, Seattle Center, Libraries, and Gender Pay Equity Committee.

CLERK FILES:

BY BURGESS:

Clerk File No. 313791, Report of the City Clerk on the Certificate of Sufficiency for Referendum No. 1, on Ordinance 124441. Referred to Full Council.

BY HARRELL:

Clerk File No. 313792, April 2014 Report of the Police Intelligence Auditor, filed pursuant to Ordinance 108333 (Seattle Municipal Code 14.12). Referred to Public Safety, Civil Rights, and Technology Committee.

BY HARRELL:

Clerk File No. 313793, Response of the Police Chief to the April 2014 Report of the Police Intelligence Auditor, filed pursuant to Ordinance 108333 (Seattle Municipal Code 14.12). Referred to Public Safety, Civil Rights, and Technology Committee.

D. APPROVAL OF AGENDA

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

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E. PRESENTATIONS

Councilmember Rasmussen entered the Council Chamber at 2:03 p.m.

There were none.

F. APPROVAL OF THE JOURNAL

There were no minutes presented for approval.

G. PUBLIC COMMENT

Battery Bob addressed the Council regarding a non-Agenda item.

H. PAYMENT OF BILLS, CLAIMS, AND SALARIES

Council Bill No. 118086, Appropriating money to pay certain audited claims and ordering the payment thereof.

Motion was made and duly seconded to pass **Council Bill No. 118086**.

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

In favor: Bagshaw, Burgess, Clark, Godden, Harrell, Licata, Rasmussen, Sawant - 8

Against: None.

The President signed the Bill.

I. COMMITTEE REPORTS AND FINAL VOTE ON LEGISLATION

FULL COUNCIL:

Agenda Item No. 1. - Clerk File No. 313791, Report of the City Clerk on the Certificate of Sufficiency for Referendum No. 1, on Ordinance 124441.

Motion was made and duly seconded to file **Clerk File No. 313791**.

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The Motion carried and the File was placed on file by the following voice vote:
In favor: Bagshaw, Burgess, Clark, Godden, Harrell, Licata, Rasmussen, Sawant - 8
Against: None.

PARKS, SEATTLE CENTER, LIBRARIES, AND GENDER PAY EQUITY COMMITTEE:

Agenda Item No. 2. - Resolution No. 31521, Relating to the Seattle Department of Parks and Recreation; authorizing applications for grant funding assistance to the Washington Recreation and Conservation Office for Wildlife and Recreation Program projects as provided in Chapter 79A.15, Revised Code of Washington, and Title 286, Washington Administrative Code; and authorizing applications for grant funding assistance to the Recreation and Conservation Office for Aquatic Lands Enhancement Account projects as provided in Revised Code of Washington 79.105.150 and Title 286, Washington Administrative Code.

Councilmember O'Brien entered the Council Chamber at 2:08 p.m.

The Committee recommended the Resolution be adopted.

ACTION 1:

Motion was made by Councilmember Godden, duly seconded and carried, to amend **Resolution No. 31521** by substituting version 5 for version 4b.

ACTION 2:

Motion was made and duly seconded to adopt **Resolution No. 31521** as amended.

The Motion carried and the Resolution was adopted as amended by the following voice vote:
In favor: Bagshaw, Burgess, Clark, Godden, Harrell, Licata, O'Brien, Rasmussen, Sawant - 9
Against: None.

The President signed the Resolution.

Agenda Item No. 3. - Clerk File No. 313761, Reappointment of Dan D. Dixon as member, Seattle Public Library Board of Trustees, for a term of confirmation to April 1, 2019.

The Committee recommended that the Appointment be confirmed.

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The Appointment was confirmed by the following voice vote:

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

Against: None.

PLANNING, LAND USE, AND SUSTAINABILITY COMMITTEE:

Agenda Item No. 4. - Clerk File No. 313339, Application of Vitamilk South, LLC to amend the Property Use and Development Agreement accepted by Ordinance 121961 for portions of property bounded by N.E. 73rd Street to the north, 5th Avenue N.E. to the east, N.E. 70th Street to the south and Woodlawn Avenue N.E. to the west to allow accessory use surface parking at 419 N.E. 71st Street (Project No. 3015511, Type IV).

The Committee recommended that the Petition be granted.

The Petition was granted by the following voice vote:

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

Against: None.

Agenda Item No. 5. - Council Bill No. 118081, Approving an amendment of the Property Use and Development Agreement approved by Ordinance 121961 for property located at 419 N.E. 71st Street.

The Committee recommended passage of the Bill.

ACTION 1:

Motion was made by Councilmember O'Brien, duly seconded and carried, to amend **Council Bill No. 118081**, Exhibit A, by substituting the executed Property Use and Development Agreement for the unexecuted Property Use and Development Agreement.

ACTION 2:

Motion was made and duly seconded to pass **Council Bill No. 118081** as amended.

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

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

Against: None.

The President signed the Bill.

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Agenda Item No. 6. - Clerk File No. 312670, Application of Lee Wan Properties LLC for approval of a contract rezone of approximately 17,290 square feet of property at 1321 N. 45th Street from Lowrise 3 Residential Commercial (LR3 RC) to Neighborhood Commercial 2 Pedestrian with a 40 foot height limit (NC2-40) for future construction of a building with 158 residential units, 6,110 square feet of commercial space, and below-grade parking for approximately 154 vehicles (Project No. 3014098, Type IV).

The Committee recommended that the Petition be granted.

The Petition was granted by the following voice vote:

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

Against: None.

The President signed the Findings, Conclusion, and Decision of the City Council.

Agenda Item No. 7. - Council Bill No. 118082, Relating to land use and zoning; amending Chapter 23.32 of the Seattle Municipal Code at page 76 of the Official Land Use Map to rezone property located at 1321 N. 45th Street from Lowrise 3 Residential Commercial (LR3 RC) to Neighborhood Commercial 2 Pedestrian with a 40 foot height limit (NC2P-40), and accepting a Property Use and Development Agreement as a condition of rezone approval. (Petition by Lee Wan Properties LLC, Clerk File No. 312670, DPD Project 3014098)

The Committee recommended passage of the Bill.

ACTION 1:

Motion was made by Councilmember O'Brien, duly seconded and carried, to amend **Council Bill No. 118082**, Exhibit A, by substituting version 2 for version 1.

ACTION 2:

Motion was made by Councilmember O'Brien, duly seconded and carried, to amend **Council Bill No. 118082**, Exhibit B, by substituting the executed Property Use and Development Agreement for the unexecuted Property Use and Development Agreement.

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ACTION 3:

Motion was made and duly seconded to pass **Council Bill No. 118082** as amended.

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

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

Against: None.

The President signed the Bill.

Agenda Item No. 8. - Clerk File No. 313773, Appointment of Christine Harrington as member, Seattle Design Review Board, for a term of confirmation to April 3, 2016.

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, Sawant - 9

Against: None.

EDUCATION AND GOVERNANCE COMMITTEE:

Agenda Item No. 9. - Council Bill No. 118085, Relating to Hearing Examiner filing fees, amending Section 3.02.125 to add exceptions for cases brought to enforce Chapter 14.17 (Use of Criminal History in Employment Decisions) and Subchapter III of Chapter 4.20 (Whistleblower Protection Code).

The Committee recommended passage of the Bill.

The Bill passed by the following roll call vote:

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

Against: None.

The President signed the Bill.

PUBLIC SAFETY, CIVIL RIGHTS, AND TECHNOLOGY COMMITTEE:

Agenda Item No. 10. - Council Bill No. 118078, Related to indigent public defense legal services; authorizing an alternative to the method under Ordinance 122602 for selecting providers of public defense legal services; authorizing an interlocal agreement with King County for public defense legal services; and superseding the provisions of Ordinance 122602, as amended, to the extent it is inconsistent with the provisions of this ordinance.

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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, Godden, Harrell, Licata, O'Brien, Rasmussen, Sawant - 9

Against: None.

The President signed the Bill.

Agenda Item No. 11. - Clerk File No. 313717, Appointment of Melinda A. Giovengo 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, Godden, Harrell, Licata, O'Brien, Rasmussen, Sawant - 9

Against: None.

Agenda Item No. 12. - Clerk File No. 313718, Appointment of Enrique Gonzalez 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, Godden, Harrell, Licata, O'Brien, Rasmussen, Sawant - 9

Against: None.

Agenda Item No. 13. - Clerk File No. 313719, Appointment of David Keenan 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, Godden, Harrell, Licata, O'Brien, Rasmussen, Sawant - 9

Against: None.

J. ADOPTION OF OTHER RESOLUTIONS

There were none.

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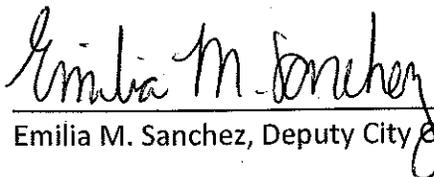
K. OTHER BUSINESS

Motion was made, duly seconded and carried, to excuse Councilmember Rasmussen from the May 27, 2014 Full Council meeting.

Motion was made, duly seconded and carried, to excuse Councilmember Clark from the June 9, 2014 Full Council meeting.

L. ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 2:28 p.m.



Emilia M. Sanchez, Deputy City Clerk

Signed by me in Open Session, upon approval of the Council, on June 16, 2014.

Tim Burgess, President of the City Council

Monica Martinez Simmons, City Clerk