

# Journal of the Proceedings of the Seattle City Council

Monday, September 15, 2014

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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, September 15, 2014, pursuant to the provisions of the City Charter. The meeting was called to order at 2:01 p.m., with Council President Burgess presiding.

## B. ROLL CALL

On roll call the following members were:

Present: Burgess, Clark, Godden, Licata, O'Brien, Rasmussen, Sawant - 7

Absent: Bagshaw (excused), Harrell (late arrival) -2.

*Councilmember Harrell entered the Council Chamber at 2:02 p.m.*

## C. INTRODUCTION AND REFERRAL CALENDAR

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

### COUNCIL BILLS:

#### BY LICATA:

**Council Bill No. 118211**, Appropriating money to pay certain audited claims and ordering the payment thereof.

Referred to Full Council.

#### BY BURGESS:

**Council Bill No. 118212**, Relating to City employment; authorizing the execution of a memorandum of understanding between the City of Seattle and the Seattle Parking Enforcement Officers' Guild; providing payment therefor; and ratifying and confirming prior acts.

Referred to Full Council.

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## **BY BAGSHAW:**

Motion was made by Councilmember Sawant, duly seconded and carried, to amend the proposed Introduction and Referral calendar by amending the title of **Council Bill No. 118213** to correct Seattle Municipal Code 21.04.440 subsection reference by deleting “D” and by adding subsection “E.”

**Council Bill No. 118213**, Relating to water services of Seattle Public Utilities; revising water rates and charges for service to wholesale customers, and amending Seattle Municipal Code Chapter 21.04.440.E in connection therewith.

Referred to Seattle Public Utilities and Neighborhoods Committee.

## **BY BURGESS:**

**Council Bill No. 118214**, Relating to City employment commonly referred to as the Second Quarter 2014 Employment Ordinance; establishing a Magistrate Compensation Program for Magistrates in the Seattle Municipal Court, designating positions as exempt from Civil Service status, returning positions to Civil Service status, amending Seattle Municipal Code Section 4.13.010, authorizing the Mayor to execute a Memorandum of Understanding between the City of Seattle/Seattle City Employees' Retirement System and the Professional and Technical Employees, Local 17, and ratifying and confirming prior acts; and all by a 2/3 vote of the City Council.

Referred to Education and Governance Committee.

## **RESOLUTIONS:**

### **BY CLARK:**

**Resolution No. 31546**, Concerning the development of a Seattle Housing Affordability and Livability Agenda and calling for establishment of a Seattle Housing Affordability and Livability Agenda Advisory Committee to be jointly convened by the Mayor and Council.

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

### **BY O'BRIEN:**

**Resolution No. 31547**, Calling for promoting workforce housing in Seattle by supporting a regional transit oriented development acquisition fund and by exploring the expansion of the development of accessory dwelling units and detached accessory dwelling units.

Referred to Planning, Land Use, and Sustainability Committee.

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**Resolution No. 31548**, Concerning the use of neonicotinoid pesticides by the City of Seattle; supporting a national moratorium on neonicotinoids, urging the White House Task Force on Pollinator Health to recommend such a moratorium, urging the US Environmental Protection Agency to institute such a moratorium, and urging the US Congress to revive legislation to enact such a moratorium; and urging retailers operating within the City of Seattle to ensure that no plants, seeds or products containing neonicotinoids are offered for sale.  
Referred to Planning, Land Use, and Sustainability Committee.

## **CLERK FILES:**

### **BY O'BRIEN:**

**Clerk File No. 314054**, Appointment of Michael Austin as member, Seattle Planning Commission, for a term of confirmation to April 15, 2017.  
Referred to Planning, Land Use, and Sustainability Committee.

**Clerk File No. 314055**, Appointment of David S. Shelton as member, Seattle Planning Commission, for a term of confirmation to April 15, 2017.  
Referred to Planning, Land Use, and Sustainability Committee.

### **BY CLARK:**

**Clerk File No. 314056**, Reappointment of Elizabeth P. Dunn as member, Capitol Hill Housing Improvement Program Council, for a term of confirmation to April 1, 2017.  
Referred to Housing Affordability, Human Services, and Economic Resiliency Committee.

**Clerk File No. 314057**, Appointment of Heyward Watson as member, Capitol Hill Housing Improvement Program Council, for a term of confirmation to April 1, 2017.  
Referred to Housing Affordability, Human Services, and Economic Resiliency Committee.

**Clerk File No. 314058**, Reappointment of Oliver Little as member, Special Events Committee, for a term of confirmation to May 1, 2015.  
Referred to Housing Affordability, Human Services, and Economic Resiliency Committee.

**Clerk File No. 314059**, Reappointment of Thomas C. Anderson as member, Special Events Committee, for a term of confirmation to May 1, 2015.  
Referred to Housing Affordability, Human Services, and Economic Resiliency Committee.

**Clerk File No. 314060**, Reappointment of Phillippa S. Hoshko as member, Special Events Committee, for a term of confirmation to May 1, 2015.  
Referred to Housing Affordability, Human Services, and Economic Resiliency Committee.

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**Clerk File No. 314061**, Reappointment of Lisa M. Fraser as member, Special Events Committee, for a term of confirmation to May 1, 2015.  
Referred to Housing Affordability, Human Services, and Economic Resiliency Committee.

Motion was made by Councilmember Clark, duly seconded and carried, to amend the proposed Introduction and Referral calendar by amending the title of **Clerk File No. 314062** by deleting "Special Events Committee" and adding "Housing Levy Oversight Committee."

**Clerk File No. 314062**, Reappointment of Jonathan A. Grant as member, Housing Levy Oversight Committee, for a term of confirmation to December 31, 2016.  
Referred to Housing Affordability, Human Services, and Economic Resiliency Committee.

**Clerk File No. 314063**, Reappointment of Maiko K. Winkler-Chin as member, Housing Levy Oversight Committee, for a term of confirmation to December 31, 2016.  
Referred to Housing Affordability, Human Services, and Economic Resiliency Committee.

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

## **D. APPROVAL OF AGENDA**

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

## **E. PRESENTATIONS**

Councilmember Godden presented a Proclamation celebrating 20 Years of the Seattle Repertory Jazz Orchestra and proclaiming October 4, 2014 as Seattle Repertory Jazz Orchestra Day. By unanimous consent, the Council Rules were suspended to allow Councilmember Godden to present the Proclamation and to allow Mr. Brockman to address the Council.

## **F. APPROVAL OF THE JOURNAL**

The Journal of the Proceedings of the Seattle City Council meetings of August 4 and 11, 2014, were presented to the Chair for approval. By unanimous consent, the Journals were approved and signed.

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## G. PUBLIC COMMENT

Yusuf Abdi addressed the Council regarding Introduction and Referral calendar item 5, **Resolution No. 31547.**

Soloman Burke addressed the Council regarding Introduction and Referral calendar item 5, **Resolution No. 31547.**

Alex Zimmerman addressed the Council regarding a non-Agenda item.

Paul W. Locke addressed the Council regarding agenda item 1, **Clerk File No. 313960.**

Abdi Mohamed addressed the Council regarding Introduction and Referral calendar item 5, **Resolution No. 31547.**

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

**Council Bill No. 118211**, Appropriating money to pay certain audited claims and ordering the payment thereof.

Motion was made and duly seconded to pass **Council Bill No. 118211.**

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

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

Against: None.

The President signed the Bill.

## I. COMMITTEE REPORTS AND FINAL VOTE ON LEGISLATION

### TRANSPORTATION COMMITTEE:

**Agenda Item No. 1. - Clerk File No. 313960**, Appointment and Oath of Office of Scott D. Kubly as Director, Department of Transportation, for a term to December 31, 2017.

The Committee recommended that the Appointment be confirmed.

The Appointment was confirmed by the following voice vote:

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

Against: None.

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The Oath of Office was administered to Mr. Kubly by Monica Martinez Simmons, City Clerk, and Mr. Kubly addressed the Council.

**Agenda Item No. 2. - Council Bill No. 118168**, Accepting deeds for street or alley purposes; laying off, opening, widening, extending, and establishing portions of the following rights-of-way: the alley in Block "J", Bell's 5th Addition to the City of Seattle; the alley in Block 60, H.W. Treat's 1st Addition to the City of Ballard; the alley in Block 8, Pettit's University Addition to the City of Seattle; the alley in Block 8, Pettit's University Addition to the City of Seattle; the alley in Block 16, Pontius Third Addition to the City of Seattle; the alley in Block 98, D.T. Denny's 5th Addition to North Seattle; North 141st Street abutting the Southeast quarter of the Northeast quarter of the Northwest quarter of Section 19, Township 26 North, Range 4 East, Willamette Meridian; Aurora Avenue North abutting the Northeast quarter of the Southwest quarter of Section 19, Township 26 North, Range 4 East, Willamette Meridian; the alley in Block 4, Wegener's Addition to the City of Seattle; the alley in Block 52, Yesler's 2nd Addition (Supplemental) to the City of Seattle; the alley in Block 44, Addition to the Town of Seattle, as laid out by A.A. Denny (Commonly known as A.A. Denny's 6th Addition to the City of Seattle); the alley in Block 48, Second Addition to the Town of Seattle as laid off by the Heirs of Sarah A. Bell (deceased), (Commonly known as Heirs of Sarah A. Bell's 2nd Addition to the City of Seattle); the alley in Block 2, John B. Agen's Addition to the City of Seattle; the alley in Block 69, D.T. Denny's Park Addition to North Seattle; Northeast 143rd Street and Lake City Way Northeast abutting Block 19, Seattle Suburban Home Tracts; the alley in Block 30, Second Addition to the Town of Seattle as laid off by the Heirs of Sarah A. Bell (deceased), (Commonly known as Heirs of Sarah A. Bell's 2nd Addition to the City of Seattle); the alley in Block 87, Gilman's Addition to the City of Seattle; the alley in Block 13, Replat of Blocks 1, 2, 6, 7, 13, 14, and 23, North Seattle; the alley in Block 1, Gatewood Gardens; the alley in Block 4, Lawton Heights; placing the real property conveyed by said deeds under the jurisdiction of the Seattle Department of Transportation; 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: Burgess, Clark, Godden, Harrell, Licata, O'Brien, Rasmussen, Sawant - 8

Against: None.

The President signed the Bill.

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**Agenda Item No. 3. - Council Bill No. 118207**, Relating to the SR 520, I-5 to Medina: Bridge Replacement and HOV Project; authorizing the execution and delivery of an amendment to the Bryant Site Real Estate Purchase and Sale Agreement between the University of Washington and the City of Seattle; authorizing the execution and delivery of a deed of access rights to the Washington State Department of Transportation ("WSDOT"); authorizing execution and delivery of a correction deed and amended temporary easement in connection with the conveyance to WSDOT of certain City property under Ordinance 124247 and superseding said ordinance insofar as in conflict herewith; and ratifying and confirming prior acts.

The Committee recommended passage of the Bill.

The Bill passed by the following roll call vote:

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

Against: None.

The President signed the Bill.

**Agenda Item No. 4. - Council Bill No. 118209**, Granting 2001 Sixth LLC permission to maintain and operate a skybridge and utility connection over and across the alley between 5th and 6th Avenues, north of Virginia Street, for a ten-year term, renewable for two successive ten-year terms; specifying the conditions under which this permit is granted; providing for the acceptance of the permit and conditions; 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: Burgess, Clark, Godden, Harrell, Licata, O'Brien, Rasmussen, Sawant - 8

Against: None.

The President signed the Bill.

**Agenda Item No. 5. - Resolution No. 31544**, Granting conceptual approval to construct, maintain, and operate a below-grade waste-heat conveyance system and utility tunnels under and across Virginia Street, between 5th Avenue and 6th Avenue, and 6th Avenue, between Virginia Street and Lenora Street; and acknowledging the applicants' plans for future expansion in the Denny Triangle neighborhood; as proposed by Eco District LLC.

The Committee recommended that the Resolution be adopted.

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The Resolution was adopted by the following voice vote:

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

Against: None.

The President signed the Resolution.

**Agenda Item No. 6 - Resolution No. 31545**, Granting conceptual approval to construct, maintain, and operate a below-grade waste-heat conveyance system and utility tunnels under and across Lenora Street, between 6th and 7th Avenue, and 7th Avenue, between Lenora and Blanchard Street; and acknowledging the applicants' plans for future expansion in the Denny Triangle neighborhood; as proposed by Acorn Development LLC.

The Committee recommended that the Resolution be adopted.

The Resolution was adopted by the following voice vote:

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

Against: None.

The President signed the Resolution.

**Agenda Item No. 7 - Clerk File No. 313968**, Reappointment of David A. Goldberg as member, Seattle Pedestrian Advisory Board, for a term of confirmation to March 4, 2016.

The Committee recommended that the Appointment be confirmed.

The Appointment was confirmed by the following voice vote:

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

Against: None.

**Agenda Item No. 8 - Clerk File No. 313969**, Reappointment of Lorena P. Kaplan as member, Seattle Pedestrian Advisory Board, for a term of confirmation to March 4, 2016.

The Committee recommended that the Appointment be confirmed.

The Appointment was confirmed by the following voice vote:

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

Against: None.

**Agenda Item No. 9 - Clerk File No. 313970**, Reappointment of Jeffrey Linn as member, Seattle Pedestrian Advisory Board, for a term of confirmation to March 4, 2016.

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The Committee recommended that the Appointment be confirmed.

The Appointment was confirmed by the following voice vote:

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

Against: None.

**Agenda Item No. 10. - Clerk File No. 313971**, Appointment of Bevin Wong as member, Seattle Pedestrian Advisory Board, for a term of confirmation to September 1, 2015.

The Committee recommended that the Appointment be confirmed.

The Appointment was confirmed by the following voice vote:

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

Against: None.

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

**Agenda Item No. 11. - Council Bill No. 118187**, Authorizing the Superintendent of Parks and Recreation to execute an agreement with the Seattle Art Museum relating to the renovation of the Seattle Asian Art Museum in Volunteer Park.

The Committee recommended passage of the Bill.

The Bill passed by the following roll call vote:

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

Against: None.

The President signed the Bill.

**Agenda Item No. 12. - Council Bill No. 118198**, Relating to food and beverage concessions in several City of Seattle parks; authorizing the Superintendent of the Department of Parks and Recreation to enter into five-year concession lease agreements with food service providers to provide food services at Gas Works Park, West Green Lake Beach and Madrona Park.

The Committee recommended passage of the Bill.

The Bill passed by the following roll call vote:

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

Against: None.

The President signed the Bill.

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**Agenda Item No. 13. - Clerk File No. 313963**, Appointment of Lydia Albert as member, Board of Park Commissioners, for a term of confirmation to September 1, 2015.

The Committee recommended that the Appointment be confirmed.

The Appointment was confirmed by the following voice vote:

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

Against: None.

## **FINANCE AND CULTURE COMMITTEE:**

**Agenda Item No. 14. - Council Bill No. 118199**, Relating to the Seattle City Employees' Retirement System; removing outdated and redundant language; re-ordering and renumbering sections; correcting Code Section cross-references in accordance therewith; amending Sections 4.36.030, 4.36.040, 4.36.050, 4.36.060, 4.36.100, 4.36.101, 4.36.103, 4.36.106, 4.36.110, 4.36.120, 4.36.124, 4.36.125, 4.36.130, 4.36.135, 4.36.140, 4.36.145, 4.36.160, 4.36.170, 4.36.180, 4.36.185, 4.36.190, 4.36.191, 4.36.192, 4.36.193, 4.36.195, 4.36.200, 4.36.210, 4.36.215, 4.36.220, 4.36.230, 4.36.240, 4.36.250, 4.36.260, 4.36.270, 4.36.280, 4.36.290, 4.36.295, 4.36.300, 4.36.310, 4.36.320, 4.36.330, 4.36.340, 4.36.360, 4.36.370, 4.36.380, 4.36.385, 4.36.400, 4.36.410 and 4.20.610 of the Seattle Municipal Code; creating new Sections 4.36.525, 4.36.585, 4.36.530, 4.36.535, 4.36.540, 4.36.565, 4.36.580, 4.36.555, 4.36.500, 4.36.520, 4.36.505, 4.36.510, 4.36.515, 4.36.545, 4.36.550, 4.36.595, 4.36.665, 4.36.567, 4.36.570, 4.36.675, 4.36.670, 4.36.575, 4.36.600, 4.36.605, 4.36.615, 4.36.645, 4.36.650, 4.36.655, 4.36.660, 4.36.610, 4.36.680, 4.36.620, 4.36.625, 4.36.630, 4.36.560, 4.36.635, 4.36.690, 4.36.695, 4.36.700, 4.36.705, 4.36.710, 4.36.640, 4.36.715, 4.36.590, 4.36.720 and 4.36.900 of the Seattle Municipal Code; and repealing Sections 4.36.150, 4.36.175, 4.36.196 and 4.36.199 of the Seattle Municipal Code.

The Committee recommended that the Bill pass as amended.

## **ACTION 1:**

Motion was made by Councilmember Licata, duly seconded and carried, to amend **Council Bill No. 118199**, section 54, by filling in the Council Bill number line with Council Bill number "118199."

## **ACTION 2:**

Motion was made and duly seconded to pass **Council Bill No. 118199** as amended.

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

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

Against: None.

The President signed the Bill.

**Agenda Item No. 15 - Council Bill No. 118200**, Relating to the Seattle City Employees' Retirement System; clarifying and simplifying the calculations for final compensation and creditable service; amending Sections 4.36.040, 4.36.050, and 4.36.555 of the Seattle Municipal Code.

The Committee recommended passage of the Bill.

## **ACTION1:**

Motion was made by Councilmember Licata, duly seconded and carried, to amend **Council Bill No. 118200**, section 3, introductory phase, by filling in the Council Bill number line with Council Bill number "118199."

## **ACTION 2:**

Motion was made and duly seconded to pass **Council Bill No. 118200** as amended.

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

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

Against: None.

The President signed the Bill.

**Agenda Item No. 16 - Resolution No. 31540**, Relating to the Seattle City Employees' Retirement System; amending Resolution 31334 as amended by Resolution 31474; establishing the Council's intent to fund the Seattle City Employees' Retirement System in accordance with the January 1, 2014 Actuarial Study.

The Committee recommended that the Resolution be adopted.

The Resolution was adopted by the following voice vote:

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

Against: None.

The President signed the Resolution.

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**Agenda Item No. 17. - Resolution No. 31542,** Approving interest rates set by the Seattle City Employees' Retirement System (SCERS) Board of Administration for 2015.

The Committee recommended that the Resolution be adopted.

The Resolution was adopted by the following voice vote:

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

Against: None.

The President signed the Resolution.

**Agenda Item No. 18. - Clerk File No. 313984,** Reappointment of Robert J. Flowers as member, Museum Development Authority Council, for a term of confirmation to July 13, 2017.

The Committee recommended that the Appointment be confirmed.

The Appointment was confirmed by the following voice vote:

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

Against: None.

## **ENERGY COMMITTEE:**

**Agenda Item No. 19. - Council Bill No. 118192,** Relating to the City Light Department, approving a fifteen-year franchise to construct, operate, maintain, replace and repair an electrical light and power system in, across, over, along, under, through and below certain designated public rights- of-way in the City of Burien.

The Committee recommended passage of the Bill.

The Bill passed by the following roll call vote:

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

Against: None.

The President signed the Bill.

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**Agenda Item No. 20. - Council Bill No. 118210**, Relating to the City Light Department; replacing the Department's requirement for a letter of credit or cash deposit for new or enlarged services with an amp fee; and amending Seattle Municipal Code Section 21.49.110.X in connection therewith.

The Committee recommended that the Bill pass as amended.

The Bill passed by the following roll call vote:

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

Against: None.

The President signed the Bill.

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

There were none.

## **K. OTHER BUSINESS**

There was none.

## **L. ADJOURNMENT**

There being no further business to come before the Council, the meeting was adjourned at 2:54 p.m.

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LeeAnne Schirato, Deputy City Clerk

Signed by me in Open Session, upon approval of the Council, on October 6, 2014.

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Tim Burgess, President of the City Council

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Monica Martinez Simmons, City Clerk