

# SEATTLE CITY COUNCIL

600 Fourth Ave. 2nd Floor  
Seattle, WA 98104



## Journal of the Proceedings of the Seattle City Council

Tuesday, May 9, 2023

2:00 PM

Council Chamber, City Hall  
600 4th Avenue  
Seattle, WA 98104

### City Council

*Debora Juarez, Council President*

*Lisa Herbold, Member*

*Andrew J. Lewis, Member*

*Tammy J. Morales, Member*

*Teresa Mosqueda, Member*

*Sara Nelson, Member*

*Alex Pedersen, Member*

*Kshama Sawant, Member*

*Dan Strauss, Member*

Chair Info: 206-684-8805; [Debora.Juarez@seattle.gov](mailto:Debora.Juarez@seattle.gov)

**A. CALL TO ORDER**

The City Council of The City of Seattle met in the Council Chamber in Seattle, Washington, on May 9, 2023, pursuant to the provisions of the City Charter. The meeting was called to order at 2:01 p.m., with Council President Juarez presiding.

**B. ROLL CALL**

**Present:** 6 - Juarez, Herbold, Lewis, Nelson, Pedersen, Strauss

**Excused:** 3 - Morales, Mosqueda, Sawant

**C. PRESENTATIONS**

Councilmember Strauss presented a Proclamation for Councilmember Mosqueda proclaiming the week of May 7 to 13, 2023 as Affordable Housing Week. The Council Rules were suspended to allow Councilmember Strauss to present the Proclamation, and to allow Patience Malabe, Executive Director, Housing Development Consortium, and Vanessa Tran, Board President, and Kate Smith, Boardmember, Housing Development Consortium of Seattle King County, to address the City Council.

Councilmember Herbold presented a Proclamation proclaiming May 2023 to be Mental Health Awareness Month. The Council Rules were suspended to allow Councilmember Herbold to present the Proclamation, and to allow Matthew Kanter, NAMI Washington's Director of Community Programs, to address the City Council.

**D. PUBLIC COMMENT**

The following individuals addressed the Council:

Fire Chief Harold Scoggins  
Kenny Stuart  
Liam Roney  
Roger Weber  
Ray Simon  
Letania Severe  
Renaissance  
Alex Tsimmerman  
Gerald Seminatore  
Howard Gale  
Edwin Burgado  
Douglas Grey  
Castill Hightower  
BJ Last  
Jon Goins  
Alice Lockhart  
Aidan Carroll

**E. ADOPTION OF INTRODUCTION AND REFERRAL CALENDAR:**

[IRC 392](#)      **May 9, 2023 (Revised 5/8/23 at 12:55 p.m.)**

**Motion was made, duly seconded and carried, to adopt the Introduction & Referral Calendar (IRC) by the following vote:**

**In Favor:** 6 - Juarez, Herbold, Lewis, Nelson, Pedersen, Strauss

**Opposed:** None

**F. APPROVAL OF THE AGENDA**

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

**G. APPROVAL OF CONSENT CALENDAR**

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

**Journal:**

1. [Min 426](#) **May 2, 2023**

**The item was adopted on the Consent Calendar by the following vote, and the President signed the Minutes:(Min):**

**In Favor:** 6 - Juarez, Herbold, Lewis, Nelson, Pedersen, Strauss

**Opposed:** None

**Bills:**

2. [CB 120561](#) **AN ORDINANCE appropriating money to pay certain claims for the week of April 24, 2023 through April 28, 2023 and ordering the payment thereof; and ratifying and confirming certain prior acts.**

**The item was passed on the Consent Calendar by the following vote, and the President signed the Council Bill:**

**In Favor:** 6 - Juarez, Herbold, Lewis, Nelson, Pedersen, Strauss

**Opposed:** None

**Appointments:**

**NEIGHBORHOODS, EDUCATION, CIVIL RIGHTS, AND CULTURE COMMITTEE:**

3. [Appt 02528](#) **Reappointment of Marques Gittens as member, Families, Education, Preschool, and Promise Levy Oversight Committee, for a term to December 31, 2025.**

**The Committee recommends that City Council confirm the Appointment (Appt).**

**In Favor:** 3 - Morales, Sawant, Nelson

**Opposed:** None

**The item was confirmed on the Consent Calendar by the following vote:**

**In Favor:** 6 - Juarez, Herbold, Lewis, Nelson, Pedersen, Strauss

**Opposed:** None

4. [Appt 02529](#) **Reappointment of Susan Yu Yi Lee as member, Families, Education, Preschool, and Promise Levy Oversight Committee, for a term to December 31, 2025.**

**The Committee recommends that City Council confirm the Appointment (Appt).**

**In Favor: 3 - Morales, Sawant, Nelson**

**Opposed: None**

**The item was confirmed on the Consent Calendar by the following vote:**

**In Favor: 6 - Juarez, Herbold, Lewis, Nelson, Pedersen, Strauss**

**Opposed:** None

5. [Appt 02530](#) **Appointment of Krystal Guerrero as member, Seattle Women's Commission, for a term to July 1, 2024.**

**The Committee recommends that City Council confirm the Appointment (Appt).**

**In Favor: 3 - Morales, Sawant, Nelson**

**Opposed: None**

**The item was confirmed on the Consent Calendar by the following vote:**

**In Favor: 6 - Juarez, Herbold, Lewis, Nelson, Pedersen, Strauss**

**Opposed:** None

6. [Appt 02531](#) **Appointment of Sarah Lui as member, Seattle Women's Commission, for a term to July 1, 2024.**

**The Committee recommends that City Council confirm the Appointment (Appt).**

**In Favor: 3 - Morales, Sawant, Nelson**

**Opposed: None**

**The item was confirmed on the Consent Calendar by the following vote:**

**In Favor:** 6 - Juarez, Herbold, Lewis, Nelson, Pedersen, Strauss

**Opposed:** None

7. [Appt 02532](#) **Appointment of Ry Armstrong as member, Seattle LGBTQ Commission, for a term to April 30, 2025.**

**The Committee recommends that City Council confirm the Appointment (Appt).**

**In Favor: 3 - Morales, Sawant, Nelson**

**Opposed: None**

**The item was confirmed on the Consent Calendar by the following vote:**

**In Favor:** 6 - Juarez, Herbold, Lewis, Nelson, Pedersen, Strauss

**Opposed:** None

8. [Appt 02533](#) **Appointment of Jeremy Erdman as member, Seattle LGBTQ Commission, for a term to April 30, 2025.**

**The Committee recommends that City Council confirm the Appointment (Appt).**

**In Favor: 3 - Morales, Sawant, Nelson**

**Opposed: None**

**The item was confirmed on the Consent Calendar by the following vote:**

**In Favor:** 6 - Juarez, Herbold, Lewis, Nelson, Pedersen, Strauss

**Opposed:** None

9. [Appt 02534](#) **Appointment of Gerald Seminatore as member, Seattle LGBTQ Commission, for a term to April 30, 2025.**

**The Committee recommends that City Council confirm the Appointment (Appt).**

**In Favor: 3 - Morales, Sawant, Nelson**

**Opposed: None**

**The item was confirmed on the Consent Calendar by the following vote:**

**In Favor:** 6 - Juarez, Herbold, Lewis, Nelson, Pedersen, Strauss

**Opposed:** None

10. [Appt 02535](#) **Appointment of Julia Jannon-Shields as member, Community Involvement Commission, for a term to May 31, 2025.**

**The Committee recommends that City Council confirm the Appointment (Appt).**

**In Favor:** 3 - Morales, Sawant, Nelson

**Opposed:** None

**The item was confirmed on the Consent Calendar by the following vote:**

**In Favor:** 6 - Juarez, Herbold, Lewis, Nelson, Pedersen, Strauss

**Opposed:** None

11. [Appt 02536](#) **Appointment of Saba Rahman as member, Community Involvement Commission, for a term to May 31, 2025.**

**The Committee recommends that City Council confirm the Appointment (Appt).**

**In Favor:** 3 - Morales, Sawant, Nelson

**Opposed:** None

**The item was confirmed on the Consent Calendar by the following vote:**

**In Favor:** 6 - Juarez, Herbold, Lewis, Nelson, Pedersen, Strauss

**Opposed:** None

12. [Appt 02537](#) Reappointment of Martha Lucas as member, Community Involvement Commission, for a term to May 31, 2025.

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 3 - Morales, Sawant, Nelson

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 6 - Juarez, Herbold, Lewis, Nelson, Pedersen, Strauss

Opposed: None

13. [Appt 02538](#) Reappointment of Dong Soo Michael Seo as member, Community Involvement Commission, for a term to May 31, 2025.

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 3 - Morales, Sawant, Nelson

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 6 - Juarez, Herbold, Lewis, Nelson, Pedersen, Strauss

Opposed: None

14. [Appt 02539](#) Appointment of Heather L. Hargesheimer as member, International Special Review District Board, for a term to December 31, 2024.

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 3 - Morales, Sawant, Nelson

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 6 - Juarez, Herbold, Lewis, Nelson, Pedersen, Strauss



**Opposed:** None

## **H. COMMITTEE REPORTS**

### **NEIGHBORHOODS, EDUCATION, CIVIL RIGHTS, AND CULTURE COMMITTEE:**

1. [CB 120554](#) **AN ORDINANCE** relating to historic preservation; imposing controls upon The Fairfax, 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.

The Committee recommends that City Council pass the Council Bill (CB).

**In Favor:** 3 - Morales, Sawant, Nelson

**Opposed:** None

The Council Bill (CB) was passed by the following vote, and the President signed the Council Bill (CB):

**In Favor:** 6 - Juarez, Herbold, Lewis, Nelson, Pedersen, Strauss

**Opposed:** None

2. [CB 120555](#) **AN ORDINANCE** relating to historic preservation; imposing controls upon the University of Washington Faculty Club, 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.

The Committee recommends that City Council pass the Council Bill (CB).

**In Favor:** 3 - Morales, Sawant, Nelson

**Opposed:** None

The Council Bill (CB) was passed by the following vote, and the President signed the Council Bill (CB):

**In Favor:** 6 - Juarez, Herbold, Lewis, Nelson, Pedersen, Strauss

**Opposed:** None

### **PUBLIC ASSETS AND HOMELESSNESS COMMITTEE:**

3. [CB 120548](#) **AN ORDINANCE relating to the Seattle Department of Finance and Administrative Services (FAS); authorizing the acquisition of real property identified in King County Records as Parcel Number 766620-2390, commonly known as the Bakun Building, from the Washington State Department of Transportation; authorizing acceptance and recording of deeds for general municipal purposes including, but not limited to, the acquisition of the Bakun Building property; and ratifying and confirming certain prior acts.**

**The Committee recommends that City Council pass the Council Bill (CB).**

**In Favor: 4 - Lewis, Mosqueda, Juarez, Morales**

**Opposed: None**

**The Council Bill (CB) was passed by the following vote, and the President signed the Council Bill (CB):**

**In Favor: 6 - Juarez, Herbold, Lewis, Nelson, Pedersen, Strauss**

**Opposed: None**

4. [CB 120559](#) **AN ORDINANCE relating to current use taxation; approving applications for current use taxation of properties located 4200 Baker Avenue NW and 2317 S Norman Street under the King County Public Benefit Rating System.**

**The Committee recommends that City Council pass the Council Bill (CB).**

**In Favor: 4 - Lewis, Mosqueda, Juarez, Morales**

**Opposed: None**

**The Council Bill (CB) was passed by the following vote, and the President signed the Council Bill (CB):**

**In Favor: 6 - Juarez, Herbold, Lewis, Nelson, Pedersen, Strauss**

**Opposed: None**

**PUBLIC SAFETY AND HUMAN SERVICES COMMITTEE:**

5. [CB 120549](#) **AN ORDINANCE relating to the City’s criminal code; amending the crime of Obstructing a Public Officer to include obstructing firefighters and fire department personnel; and amending Section 12A.16.010 of the Seattle Municipal Code.**

**The Committee recommends that City Council pass as amended the Council Bill (CB).**

**In Favor: 4 - Herbold, Mosqueda, Nelson, Pedersen**

**Opposed: None**

ACTION 1:

Motion was made by Councilmember Herbold, duly seconded and carried, to amend Council Bill 120549, as presented on Attachment 1 on the Minutes.

ACTION 2:

Motion was made by Councilmember Herbold, duly seconded and carried, to amend Council Bill 120549, as presented on Attachment 2 on the Minutes.

ACTION 3:

Motion was made by Councilmember Herbold, duly seconded and carried, to amend Council Bill 120549, as presented on Attachment 3 on the Minutes.

ACTION 4:

Motion was made and duly seconded to pass Council Bill 120549 as amended.

**The Motion carried, the Council Bill (CB) was passed as amended by the following vote, and the President signed the Council Bill (CB):**

**In Favor: 6 - Juarez, Herbold, Lewis, Nelson, Pedersen, Strauss**

**Opposed: None**

**TRANSPORTATION AND SEATTLE PUBLIC UTILITIES COMMITTEE:**

6. [CB 120543](#) **AN ORDINANCE granting SeaPort Midstream Partners, LLC permission to maintain and operate a pipeline system in, under, along, and across Southwest Florida Street, between 13th Avenue Southwest and 16th Avenue Southwest, for a 30-year term, renewable for two successive 15-year terms; specifying the conditions under which this permit is granted; and providing for the acceptance of the permit and conditions.**

**The Committee recommends that City Council pass the Council Bill (CB).**

**In Favor: 4 - Pedersen, Herbold, Morales, Sawant**

**Opposed: None**

**The Council Bill (CB) was passed by the following vote, and the President signed the Council Bill (CB):**

**In Favor: 6 - Juarez, Herbold, Lewis, Nelson, Pedersen, Strauss**

**Opposed: None**

7. [CB 120544](#) **AN ORDINANCE granting Qwest Corporation permission to continue maintaining and operating an existing utility tunnel under and across Seneca Street, east of 3rd Avenue; repealing Section 8 of Ordinance 123615; and providing for the acceptance of the permit and conditions.**

**The Committee recommends that City Council pass the Council Bill (CB).**

**In Favor: 4 - Pedersen, Herbold, Morales, Sawant**

**Opposed: None**

**The Council Bill (CB) was passed by the following vote, and the President signed the Council Bill (CB):**

**In Favor: 6 - Juarez, Herbold, Lewis, Nelson, Pedersen, Strauss**

**Opposed: None**

8. [CF 314517](#) Request for an extension to the conditional approval of a petition of City Investors IV, LLC to vacate a portion of the alley in Block 89, D.T. Denny's 5th Addition to the City of Seattle (CF 313894).

The Committee recommends that City Council approve the Clerk File (CF).

In Favor: 4 - Pedersen, Herbold, Morales, Sawant

Opposed: None

The Clerk File (CF) was approved as Conditioned by the following vote, and the Council President signed the Conditions of the City Council:

In Favor: 6 - Juarez, Herbold, Lewis, Nelson, Pedersen, Strauss

Opposed: None

**I. ITEMS REMOVED FROM CONSENT CALENDAR**

There were none.

**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 3:53 p.m.

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**Jodee Schwinn, Deputy City Clerk**

**Signed by me in Open Session, upon approval of the Council, on May 16, 2023.**

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**Debora Juarez, Council President of the City Council**

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**Anne Frantilla, Interim City Clerk**

**ATT 1 - Action 1 of CB 120549**

**ATT 2 - Action 2 of CB 120549**

**ATT 3 - Action 3 of CB 120549**

ATT 1 – ACTION 1 of CB 120549

1. On page 2, in subsection A of Section 1, amend list item 6 as follows:

A. A person is guilty of obstructing a public officer, if, with knowledge that the person being obstructed is a public officer, he or she:

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6. Intentionally refuses to leave the scene of a fire department emergency response while it is in progress after being requested to leave by a public officer when the person's conduct or presence hinders, delays, or compromises legitimate fire department actions or rescue efforts; threatens the safety of fire department personnel or members of the public; or attempts to incite others to violence by intentionally advocating or directing imminent violence toward a specific person or group, when it is likely that such advocacy or direction will imminently result in actual violence toward that person or group.

2. Beginning on page 2, following subsection A of Section 1, amend an existing subsection and add new subsections as follows, renumbering accordingly:

B. Hindering, delaying, or compromising one's own medical treatment shall not be the basis for a charge under this Section 12A.16.010, when such treatment was being provided by fire department personnel.

~~((B.))~~ C. No person shall be convicted of violating this Section 12A.16.010 if the public officer was not acting lawfully in a governmental fashion.

D. No person shall be convicted of violating this Section 12A.16.010 if the person was obstructing their own medical treatment, when such treatment was being provided by fire department personnel.

~~((C.))~~ E. For purposes of this Section 12A.16.010, a "public officer" means those individuals responsible for the enforcement of the provisions of the Seattle Municipal Code, including provisions related to fire, building, zoning, and life and safety codes; those individuals empowered to make arrests for offenses under the Seattle Municipal Code; those individuals responsible for the enforcement of the federal state or criminal laws; or a firefighter or other employee of a fire department who was performing his or her official duties as the time of the obstruction.

~~((D.))~~ F. Obstructing a public officer is a gross misdemeanor.

3. On page 3, after Section 2, add a new Section as follows:

Section 3. The Seattle Police Department (SPD) is requested to update its policy manual to include amendments made to Seattle Municipal Code Section 12A.16.010, including the

ATT 1 – ACTION 1 of CB 120549

provision that exempts from conviction those persons who are attempting to obstruct their own medical treatment, when such treatment is being provided by fire department personnel. SPD should include in this update instructions to officers not to arrest persons who are attempting to obstruct their own medical care under Section 12A.16.010.

Renumber the remaining Section(s) and subsection(s) accordingly.



ATT 2 – ACTION 2 of CB 120549

On page 3, after Section 2, add a new Section 3 as follows:

Section 3. The Seattle Police Department (SPD) and Seattle Fire Department (SFD) are requested to develop a joint inter-departmental operational policy, or update an appropriate existing operational policy, to establish processes, procedures, and protocols for the on-scene enforcement of Seattle Municipal Code Section 12A.16.010, as amended. This policy shall ensure that any and all enforcement of Section 12A.16.010 is, when safe and feasible, provided with deference to SFD commanders in charge of fire or emergency medical response scenes, and may include:

A. A request for SPD personnel to remain off-site in a stand-by mode until specifically requested by SFD commanders; and

B. A requirement for SPD personnel to consult with SFD personnel before engaging with any subjects that are present on a fire or emergency response scene.

Nothing in this policy shall supersede a department's Charter authority or responsibility to directly and timely deliver fire, medical or public safety services. The Council recognizes that the development of new on-scene protocols, while discretionary to SFD and SPD management, may result in a need for collective bargaining with represented employees.

The Executive should provide a draft copy of the policy to the Public Safety and Human Services Committee Chair, and the Central Staff Director by August 31, 2023.

Renumber the remaining subsection(s) accordingly.

ATT 3 – ACTION 3 of CB 120549

On page 3, after Section 2, add new sections and renumber accordingly:

Section 3. The Seattle Police Department (SPD) and Seattle Fire Department (SFD) are requested to complete a Racial Equity Toolkit (RET) analysis of the impacts of this legislation.

The Executive should provide written updates on the status of this work, with a current estimate of when it will be completed, to the Public Safety and Human Services Committee Chair and the Central Staff Director. The first such update is requested 30 days after the effective date of this legislation. Subsequent updates are requested by the first working days of the month in September, January, April, and July, until the RET is completed. The Executive should also provide the completed RET analysis to the same parties.

Section 4. Consistent with the Council's interest in understanding the potentially disparate impact to vulnerable populations of the amendments made to Section 12A.16.010, SPD and SFD are requested to report on the degree to which they collect data on whether those who are arrested for obstruction of SFD personnel are or may be experiencing mental or behavioral health crisis at the time of such arrest and whether such reporting could be expanded. That report should include the specific data dimensions that each department currently collects related to Council interest and recommendations for additional data dimensions not currently collected that would support a more comprehensive future analysis of this potentially disparate impact.

This report would be due to the Public Safety and Human Services Committee Chair and the Central Staff Director by August 31, 2023.