



SEATTLE CITY COUNCIL

Legislative Summary

CB 119504

Record No.: CB 119504

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125846

In Control: City Clerk

File Created: 04/17/2019

Final Action: 06/21/2019

Title: AN ORDINANCE relating to the Pike Place Market Historical District; amending Ordinance 125650 to extend its effective date by six months.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Herbold

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments: Mayor's Letter on Returning Bill Unsigned

Drafter: patrick.wigren@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

Yes

No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Clerk	04/23/2019	sent for review	Council President's Office			
	Action Text: The Council Bill (CB) was sent for review. to the Council President's Office						
	Notes:						
1	Council President's Office	04/24/2019	sent for review	Civil Rights, Utilities, Economic Development, and Arts Committee			
	Action Text: The Council Bill (CB) was sent for review. to the Civil Rights, Utilities, Economic Development, and Arts Committee						
	Notes:						
1	City Council	05/06/2019	referred	Civil Rights, Utilities, Economic Development, and Arts Committee			

- Action Text:** The Council Bill (CB) was referred. to the Civil Rights, Utilities, Economic Development, and Arts Committee
- 1 Civil Rights, Utilities, 06/04/2019 pass Pass
Economic Development,
and Arts Committee
Action Text: The Committee recommends that City Council pass the Council Bill (CB).
In Favor: 3 Chair Herbold, Vice Chair Sawant, Member O'Brien
Opposed: 0
Abstain: 1 Alternate Pacheco
- 1 City Council 06/10/2019 passed Pass
Action Text: The Council Bill (CB) was passed by the following vote, and the President signed the Bill:
In Favor: 8 Councilmember Bagshaw, Councilmember González , Council
President Harrell, Councilmember Herbold, Councilmember Juarez,
Councilmember Mosqueda, Councilmember O'Brien, Councilmember
Sawant
Opposed: 1 Councilmember Pacheco
- 1 City Clerk 06/14/2019 submitted for Mayor
Mayor's signature
Action Text: The Council Bill (CB) was submitted for Mayor's signature. to the Mayor
- 1 Mayor 06/21/2019 returned unsigned
Action Text: The Council Bill (CB) was returned unsigned.
- 1 Mayor 06/21/2019 returned City Clerk
Action Text: The Council Bill (CB) was returned. to the City Clerk
- 1 City Clerk 06/21/2019 attested by City Clerk
Action Text: The Ordinance (Ord) was attested by City Clerk.
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CITY OF SEATTLE

ORDINANCE 125846

COUNCIL BILL 119504

AN ORDINANCE relating to the Pike Place Market Historical District; amending Ordinance 125650 to extend its effective date by six months.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The City Council makes the following legislative findings of fact and declarations:

A. The City Council incorporates by reference the findings of fact contained in Ordinance 125650.

B. In August 2018, the City Council passed and the Mayor signed Ordinance 125650 establishing an interim boundary expansion for the Pike Place Market Historical District through July 23, 2019.

C. The City is currently studying the historical significance of the Showbox theater, the historical connection between the Pike Place Market and Showbox theater, and the impacts of a permanent expansion of the Historical District, as appropriate.

D. The study is ongoing but will likely not be completed in time to allow the City Council enough time to adequately review the study's findings and take final action by July 23, 2019.

E. Revised Code of Washington (RCW) 36.70A.390 authorizes the City to extend the duration of an interim official control by ordinance for one or more six-month periods.

Section 2. Pursuant to RCW 36.70A.390, the interim official control created by Sections 2 and 3 of Ordinance 125650 is renewed for six months by amending Section 5 of Ordinance 125650 as follows:

1 Section 5. Sunset provision. Sections 2 and 3 of this ordinance shall expire on the
2 earlier of: (a) (~~ten months from the effective date of this ordinance~~) January 23, 2020 or
3 (b) the date an ordinance establishing the boundaries of a permanent expansion becomes
4 effective.

1 Section 3. This ordinance shall take effect and be in force 30 days after its approval by
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the 10th day of June, 2019,
5 and signed by me in open session in authentication of its passage this 10th day of
6 June, 2019.

7 

8 President _____ of the City Council

9 Approved by me this _____ day of _____, 2019.

10 **Returned Unsigned by Mayor**

11 _____
Jenny A. Durkan, Mayor

12 Filed by me this 21st day of June, 2019.

13 

14 Monica Martinez Simmons, City Clerk

15 (Seal)



FILED
CITY OF SEATTLE

19 JUN 21 PM 4: 22

City of Seattle CITY CLERK


June 21, 2019

Monica Martinez Simmons
Seattle City Clerk
600 4th Avenue, 3rd Floor
Seattle, WA 98124

Dear Ms. Martinez Simmons,

I have returned Council Bill 119504 unsigned. This morning, King County Superior Court Judge Patrick Oishi ruled that the City Council's bill that temporarily expanded the boundaries of the Pike Place Market Historical District to include the Showbox Theatre was an "illegal spot zone" that violated due process. In light of Judge Oishi's ruling, I understand that Council Bill 119504 is of questionable validity. The City Attorney's Office and outside counsel will evaluate the impacts of the ruling on this ordinance to understand our future legal options.

Sincerely,


Jenny A. Durkan
Mayor of Seattle