

SEATTLE CITY COUNCIL

600 Fourth Ave. 2nd Floor
Seattle, WA 98104



Journal of the Proceedings of the Seattle City Council

Tuesday, August 2, 2022

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

A. CALL TO ORDER

The City Council of The City of Seattle met in the Council Chamber in Seattle, Washington, on August 2, 2022, 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: 7 - Juarez, Lewis, Morales, Nelson, Pedersen, Sawant, Strauss

Excused: 2 - Herbold, Mosqueda

Motion was made, duly seconded and carried, to excuse Councilmember Mosqueda from the August 2, 2022 City Council meeting.

C. PRESENTATIONS

Councilmember Nelson presented a Proclamation proclaiming August 7th to August 13th, 2022 as Seattle Farmers Market Week. The Council Rules were suspended to allow Councilmember Nelson to present the Proclamation, and to allow Jennifer Antos, Executive Director of the Seattle Farmers Markets, to address the Council.

D. PUBLIC COMMENT

The following individuals addressed the Council:

Maria Hudson
Ann Myers
Olivia Stasaitis
Thomas Dagley
Alex Tsimmerman
Nate Pruditon
Marguerite Richard
Bryan Clark
Steve Hooper
Emily Boyer
Jordan Van Voast
Zachary Kirshbaum
Joe Sugrue
Jessica Scalzo
Fox Matthews
Ruth Blinderman
Anna Powell
Barbara Phinney
Joelle Craft
Holly Chisa
Isaac Miller
Bryan Rodriguez
Marcos Wanless
Tiffany Sanders
Jonatha Bishofsky-Crews
Anne Woodford
Trent Wu
Jack Francis
Sarah James
Matthew Henderson
Brett James
Preston Sahabu
Margot Stewart
Julia Buck
Ritchie Thai
John Harshman
Karl Dyer
Aidan Carroll
Emily McArthur
Lucas Krueger
Alyssa Kaufman

Madeline Danks
Tammie Hetrick
Logan Swan
Daniel Wang
Thelma Jones
Rex Quimpo

E. ADOPTION OF INTRODUCTION AND REFERRAL CALENDAR:

[IRC 360](#) **August 2, 2022**

Motion was made, duly seconded and carried, to adopt the proposed Introduction and Referral Calendar by the following vote:

In Favor: 7 - Juarez, Lewis, Morales, Nelson, Pedersen, Sawant, 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 393](#) **July 26, 2022**

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

In Favor: 7 - Juarez, Lewis, Morales, Nelson, Pedersen, Sawant, Strauss

Opposed: None

Bills:

2. [CB 120385](#) **AN ORDINANCE appropriating money to pay certain claims for the week of July 18, 2022 through July 22, 2022 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 Bill:

In Favor: 7 - Juarez, Lewis, Morales, Nelson, Pedersen, Sawant, Strauss

Opposed: None

Appointments:

GOVERNANCE, NATIVE COMMUNITIES, AND TRIBAL GOVERNMENTS COMMITTEE:

3. [Appt 02289](#) **Appointment of Cece Hoffman as member, Indigenous Advisory Council, for a term to July 31, 2023.**

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

In Favor: 3 - Juarez, Pedersen, Strauss

Opposed: None

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

In Favor: 7 - Juarez, Lewis, Morales, Nelson, Pedersen, Sawant, Strauss

Opposed: None

4. [Appt 02290](#) **Appointment of Esther Lucero as member, Indigenous Advisory Council, for a term to July 31, 2023.**

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

In Favor: 3 - Juarez, Pedersen, Strauss

Opposed: None

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

In Favor: 7 - Juarez, Lewis, Morales, Nelson, Pedersen, Sawant, Strauss

Opposed: None

- 5. [Appt 02291](#) **Appointment of Donny Stevenson as member, Indigenous Advisory Council, for a term to July 31, 2023.**

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

In Favor: 3 - Juarez, Pedersen, Strauss

Opposed: None

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

In Favor: 7 - Juarez, Lewis, Morales, Nelson, Pedersen, Sawant, Strauss

Opposed: None

- 6. [Appt 02292](#) **Appointment of Asia Tail as member, Indigenous Advisory Council, for a term to July 31, 2023.**

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

In Favor: 3 - Juarez, Pedersen, Strauss

Opposed: None

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

In Favor: 7 - Juarez, Lewis, Morales, Nelson, Pedersen, Sawant, Strauss

Opposed: None

- 7. [Appt 02293](#) **Appointment of Derrick Leonard Belgarde, Indigenous Advisory Council, for a term to July 31, 2024.**

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

In Favor: 3 - Juarez, Pedersen, Strauss

Opposed: None

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

In Favor: 7 - Juarez, Lewis, Morales, Nelson, Pedersen, Sawant, Strauss

Opposed: None

- 8. [Appt 02294](#) **Appointment of Jaci S. McCormack as member, Indigenous Advisory Council, for a term to July 31, 2024.**

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

In Favor: 3 - Juarez, Pedersen, Strauss

Opposed: None

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

In Favor: 7 - Juarez, Lewis, Morales, Nelson, Pedersen, Sawant, Strauss

Opposed: None

- 9. [Appt 02295](#) **Appointment of Luther F. Mills Jr. as member, Indigenous Advisory Council, for a term to July 31, 2024.**

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

In Favor: 3 - Juarez, Pedersen, Strauss

Opposed: None

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

In Favor: 7 - Juarez, Lewis, Morales, Nelson, Pedersen, Sawant, Strauss

Opposed: None

- 10. [Appt 02296](#) **Appointment of Suzanne Sailto as member, Indigenous Advisory Council, for a term to July 31, 2024.**

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

In Favor: 3 - Juarez, Pedersen, Strauss

Opposed: None

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

In Favor: 7 - Juarez, Lewis, Morales, Nelson, Pedersen, Sawant, Strauss

Opposed: None

- 11. [Appt 02297](#) **Appointment of Jeremy Takala as member, Indigenous Advisory Council, for a term to July 31, 2024.**

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

In Favor: 3 - Juarez, Pedersen, Strauss

Opposed: None

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

In Favor: 7 - Juarez, Lewis, Morales, Nelson, Pedersen, Sawant, Strauss

Opposed: None

- 12. [Appt 02304](#) **Appointment of Billy Hetherington as member, Labor Standards Advisory Commission, for a term to April 30, 2023.**

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

In Favor: 3 - Juarez, Pedersen, Strauss

Opposed: None

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

In Favor: 7 - Juarez, Lewis, Morales, Nelson, Pedersen, Sawant, Strauss

Opposed: None

H. COMMITTEE REPORTS

CITY COUNCIL:

- 1. [CB 120372](#) **AN ORDINANCE relating to employment in Seattle; amending Sections 100.025, 100.030, and 5 of Ordinance 126274 to establish a new date for ending hazard pay requirements and automatically repealing the ordinance.**

Motion was made and duly seconded to pass Council Bill 120372.

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

In Favor: 5 - Juarez, Lewis, Nelson, Pedersen, Strauss

Opposed: 2 - Morales, Sawant

FINANCE AND HOUSING COMMITTEE

2. [CB 120366](#) **AN ORDINANCE amending Ordinance 126490, which adopted the 2022 Budget, including the 2022-2027 Capital Improvement Program (CIP); changing appropriations to various departments and budget control levels, and from various funds in the Budget; revising project allocations for certain projects in the 2022-2027 CIP; creating positions; modifying positions; abrogating positions; modifying or adding provisos; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council.**

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

In Favor: 4 - Mosqueda, Pedersen, Nelson, Lewis

Opposed: None

ACTION 1:

Motion was made by Councilmember Lewis, duly seconded and carried, to amend Council Bill 120366, Section 15, and renumber the remaining sections accordingly, as shown in the strike through and underlined language below:

Section 15. The proviso in Council Budget Action LAW-001-A-002 is amended as follows: "Of the appropriations in the 2022 budget for the City Attorney's Office Criminal Budget Summary Level (BO-LW-J1500), ~~\$1,140,859~~ \$910,231 is appropriated solely for pre-filing diversion and may be spent for no other purpose."

Section ~~15~~16. Any act consistent with the authority of this ordinance taken after its passage and prior to its effective date is ratified and confirmed.

Section ~~16~~17. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

ACTION 2:

Motion was made and duly seconded to pass Council Bill 120366 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: 7 - Juarez, Lewis, Morales, Nelson, Pedersen, Sawant, Strauss

Opposed: None

ECONOMIC DEVELOPMENT, TECHNOLOGY, AND CITY LIGHT COMMITTEE:

3. [Appt 02279](#) **Appointment of Markham McIntyre as Director of the Office of Economic Development.**

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

In Favor: 3 - Nelson, Herbold, Strauss

Opposed: None

The Appointment (Appt) was confirmed by the following vote:

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

Opposed: 1 - Sawant

Council President Juarez invited Director Markham McIntyre to provide brief remarks to the Council.

4. [CB 120378](#) **AN ORDINANCE related to the City Light Department; authorizing the General Manager and Chief Executive Officer of City Light to execute an operation and maintenance agreement and a telecommunications agreement, both with Public Utility District No. 1 of Snohomish County; and ratifying and confirming certain prior acts.**

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

In Favor: 3 - Nelson, Herbold, Strauss

Opposed: None

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

In Favor: 7 - Juarez, Lewis, Morales, Nelson, Pedersen, Sawant, Strauss

Opposed: None

5. [CB 120379](#) **AN ORDINANCE relating to regulations of food delivery platforms; establishing requirements for food delivery platforms providing delivery services to restaurants; and amending Chapter 7.30 of the Seattle Municipal Code.**

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

In Favor: 3 - Nelson, Herbold, Strauss

Opposed: None

ACTION 1:

Motion was made by Councilmember Morales and duly seconded, to amend Council Bill 120379, Sections 1 and 2, as shown in Attachment 1 to the Minutes.

The Motion carried by the following vote:

In favor: 6 - Juarez, Lewis, Morales, Pedersen, Sawant, Strauss

Opposed: 1 - Nelson

ACTION 2:

Motion was made and duly seconded to pass Council Bill 120379 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: 7 - Juarez, Lewis, Morales, Nelson, Pedersen, Sawant, 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 3:58 p.m.

Jodee Schwinn, Deputy City Clerk

Signed by me in Open Session, upon approval of the Council, on August 9, 2022.

Debora Juarez, Council President of the City Council

Elizabeth M. Adkisson, Interim City Clerk

Att 1 – Action 1 of CB 120379

Amend Section 1 of CB 120379 as follows:

* * *

B. This ordinance protects and promotes public health, safety, and welfare by clarifying requirements for food delivery platforms to obtain agreements with restaurants for food delivery platform services; ~~((and))~~ regulating fees for delivery services that food delivery platforms charge restaurants; and prohibiting food delivery platforms from reducing the compensation of food delivery platform workers to offset the costs of compliance to protect the interests of consumers, ~~((and))~~ restaurants, and workers.

* * *

T. It is in the public's interest to prevent food delivery platforms from reducing the compensation of food delivery platform workers to offset any costs of implementing this ordinance because these workers perform services that are fundamental to delivering food and/or beverages from restaurants to consumers. Preventing pay reductions for food delivery platform workers will stabilize their incomes, support their continued provision of delivery services, ensure that they can better support and care for their families, and encourage their full participation in Seattle's civic, cultural, and economic life.

U. As the use of food delivery platform services grows and evolves, clarifying requirements for agreements between food delivery platforms and restaurants and establishing permanent yet flexible caps on delivery service fees charged to restaurants will accomplish the legitimate government purpose of easing the financial burden on struggling restaurants and will ensure that restaurants can exercise appropriate control over their businesses.

~~((U.))~~ V. Requiring food delivery platforms to retain records on food delivery platform agreements and charges will support the City’s efforts to verify compliance with food delivery platform requirements.

Amend Section 2 of CB 120379 as follows:

7.30.010 Scope and purpose

This Chapter 7.30 applies to all food delivery platforms operating within Seattle. The purpose of this Chapter 7.30 is to ~~((require that food delivery platforms establish an agreement with restaurants prior to offering pick-up or delivery from such restaurants on the food delivery platform and delivering orders from such restaurants to consumers, with the goal of protecting))~~ require food delivery platforms to engage in agreed-upon, ~~((reasonable,))~~ predictable, and transparent business transactions when operating in Seattle to protect the interests of the City’s consumers, ~~((and))~~ restaurants, and workers ~~((purchasing or))~~ relying upon the services and opportunities provided by food delivery platform services.

7.30.020 Definitions

* * *

“Compensation” means the total amount of payment owed to a food delivery platform worker by reason of performing work facilitated or presented by a food delivery platform, including but not limited to payments for delivering food and/or beverage orders and other services, bonuses, incentives, and tips earned from customers.

* * *

“Food delivery platform” means a person that (1) provides a means through which a consumer may submit a food and/or beverage order to a restaurant~~((5))~~ and ~~((arranges for the))~~ (2) facilitates and/or performs delivery of the order from the restaurant to the consumer.

“Food delivery platform worker” means a person affiliated with and accepting offers to perform delivery of a food and/or beverage order for compensation from a food delivery platform.

* * *

7.30.033 Food delivery platform worker protections

A. A food delivery platform shall not reduce the compensation of a food delivery platform worker to comply with the requirements of this Chapter 7.30.

B. It shall be a violation of this Section 7.30.033 if compliance with this Chapter 7.30 is a motivating factor in a food delivery platform’s decision to reduce the compensation of a food delivery platform worker.