

# SEATTLE CITY COUNCIL

600 Fourth Ave. 2nd Floor  
Seattle, WA 98104



## Journal of the Proceedings of the Seattle City Council

Monday, February 10, 2020

2:00 PM

**Council Chamber, City Hall**

**600 Fourth Avenue**

**Seattle, WA 98104**

**City Council**

*M. Lorena González, President*

*Lisa Herbold, Member*

*Debora Juarez, Member*

*Andrew J. Lewis, Member*

*Tammy J. Morales, Member*

*Teresa Mosqueda, Member*

*Alex Pedersen, Member*

*Kshama Sawant, Member*

*Dan Strauss, Member*

*Chair Info: 206-684-8809; [Lorena.González@seattle.gov](mailto:Lorena.González@seattle.gov)*

**A. CALL TO ORDER**

The City Council of The City of Seattle met in the Council Chamber in City Hall in Seattle, Washington, on February 10, 2020, pursuant to the provisions of the City Charter. The meeting was called to order at 2:05 p.m., with Council President Pro Tem Teresa Mosqueda presiding.

**B. ROLL CALL**

**Present:** 7 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

**Excused:** 2 - González , Juarez

**C. PRESENTATIONS**

Councilmember Strauss recognized a Proclamation declaring February 10, 2020, as "Alyson McLean-Wright Day."

**D. APPROVAL OF THE JOURNAL**

There were no Minutes presented for approval.

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

[IRC 240](#)**February 10, 2020**ACTION 1:

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

ACTION 2:

Motion was made by Councilmember Herbold, duly seconded and carried, to amend the proposed Introduction and Referral Calendar by introducing Appointment 01547, and by referring it to the Public Safety and Human Services Committee.

Appointment 01547, Reappointment of Colleen Echohawk as member, Community Police Commission, for a term to December 31, 2022.

ACTION 3:

Motion was made, duly seconded and carried, to amend Council Bill 119469, by adding Councilmember Herbold as a Sponsor.

ACTION 4:

Motion was made by Councilmember Sawant and duly seconded, to amend the proposed Introduction and Referral Calendar by introducing a Resolution, and by referring it to the City Council for adoption at today's meeting.

A RESOLUTION supporting the taxation of big businesses in Seattle to fund housing and essential services, urging the Washington State Legislature to oppose any "preemption" or other ban on Seattle's ability to raise revenue through big business taxes or other progressive revenue sources, and requesting the Office of Intergovernmental Relations communicate this resolution to Washington State Lawmakers.

The Motion failed by the following vote:

In Favor: 2 - Morales, Sawant

Opposed: 5 - Herbold, Lewis, Mosqueda, Pedersen, Strauss

ACTION 5:

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

**The Motion carried, and the Introduction & Referral Calendar (IRC) was adopted as amended by the following vote:**

**In Favor:** 7 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

**Opposed:** None

**F. APPROVAL OF THE AGENDA**

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

**G. PUBLIC COMMENT**

Queen B King-Rios addressed the Council regarding Agenda item 1, Council Bill 119726.

Travis JL Johnson addressed the Council regarding Agenda item 1, Council Bill 119726.

Jessica Froehlich addressed the Council regarding Agenda item 1, Council Bill 119726.

Bruce Backer addressed the Council regarding Agenda item 1, Council Bill 119726.

Steve Andreason addressed the Council regarding Agenda item 1, Council Bill 119726.

Jessica Scalzo addressed the Council regarding Agenda item 1, Council Bill 119726.

Larry Wyatt addressed the Council regarding Agenda item 1, Council Bill 119726.

Cory Brewer addressed the Council regarding Agenda item 1, Council Bill 119726.

Barbara Phinney addressed the Council regarding the proposed Resolution to the Introduction and Referral Calendar.

Tom Friedman addressed the Council regarding Agenda item 1, Council Bill 119726.

Kathy Partida addressed the Council regarding Agenda item 1, Council Bill 119726.

Kailyn Nicholson addressed the Council regarding the proposed Resolution to the Introduction and Referral Calendar.

Jordan Quinn addressed the Council regarding the proposed Resolution to the Introduction and Referral Calendar.

Laura Day addressed the Council regarding Agenda item 1, Council Bill 119726.

Violet Lavatai addressed the Council regarding Agenda item 1, Council Bill 119726.

Angela Ying addressed the Council regarding the proposed Resolution to the Introduction and Referral Calendar and Agenda item 1, Council Bill 119726.

Xoe Amer addressed the Council regarding Agenda item 1, Council Bill 119726.

By unanimous consent, the Council Rules were suspended to extend the Public Comment period for an additional 13 minutes.

Negist Berihun addressed the Council regarding a non-Agenda item.

Alycia Lewis addressed the Council regarding Agenda item 1, Council Bill 119726.

*Councilmember Lewis left the Council Chamber at 2:50 p.m.*

Eva Metz addressed the Council regarding Agenda item 1, Council Bill 119726.

Calvin Priest addressed the Council regarding the proposed Resolution to the Introduction and Referral Calendar.

Judy Gibbs addressed the Council regarding Agenda item 1, Council Bill 119726.

*Councilmember Lewis entered the Council Chamber at 2:54 p.m.*

Angela Gerrald addressed the Council regarding Agenda item 1, Council Bill 119726.

Aden Nardone addressed the Council regarding Agenda item 1, Council Bill 119726.

Emily McArthur addressed the Council regarding the proposed Resolution to the Introduction and Referral Calendar and Agenda item 1, Council Bill 119726.

Altan Orhon addressed the Council regarding Agenda item 1, Council Bill 119726.

#### H. PAYMENT OF BILLS

[CB 119738](#) **AN ORDINANCE appropriating money to pay certain audited claims for the week of January 27, 2020 through January 31, 2020 and ordering the payment thereof.**

Motion was made and duly seconded to pass Council Bill 119738.

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

**In Favor:** 7 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

**Opposed:** None

#### I. COMMITTEE REPORTS

##### **SUSTAINABILITY AND RENTERS' RIGHTS COMMITTEE:**

1. [CB 119726](#) **AN ORDINANCE relating to termination of residential rental tenancies; prohibiting evictions in winter months; and amending Section 22.206.160 of the Seattle Municipal Code.**

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

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

**Opposed: None**

**Abstain: 1 - Pedersen**

**ACTION 1:**

Motion was made by Councilmember Sawant, duly seconded and carried, to amend Council Bill 119726, as shown in Attachment 1 to the Minutes.

**ACTION 2:**

Motion was made by Councilmember Lewis, duly seconded and carried, to amend Council Bill 119726, as shown in Attachment 2 to the Minutes.

**ACTION 3:**

By Unanimous consent, the Council Rules were suspended to allow Aly Pennucci, Council Central Staff, to address the Council.

Motion was made by Councilmember Pedersen and duly seconded, to amend Council Bill 119726, as shown in Attachment 3 to the Minutes.

The Motion carried by the following vote:

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

Opposed: 3 - Herbold, Morales, Sawant

**ACTION 4:**

Motion was made by Councilmember Herbold and duly seconded, to amend Council Bill 119726, as shown in Attachment 4 to the Minutes.

The Motion carried by the following vote:

In Favor: 5 - Herbold, Lewis, Mosqueda, Pedersen, Strauss

Opposed: 2 - Morales, Sawant



**ACTION 5:**

Motion was made by Councilmember Strauss and duly seconded, to amend Council Bill 119726, as shown in Attachment 5 to the Minutes.

The Motion carried by the following vote:

In Favor: 4 - Lewis, Mosqueda, Pedersen, Strauss  
Opposed: 3 - Herbold, Morales, Sawant

**ACTION 6:**

Motion was made by Councilmember Strauss and duly seconded, to amend Council Bill 119726, as shown in Attachment 6 to the Minutes.

The Motion carried by the following vote:

In Favor: 4 - Herbold, Lewis, Pedersen, Strauss  
Opposed: 3 - Morales, Mosqueda, Sawant

**ACTION 7:**

Motion was made and duly seconded to pass Council Bill 119726 as amended.

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

**In Favor:** 7 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss  
**Opposed:** None

The President announced that Council Bill 119726 as amended, was not available for presentation for her signature and that an announcement would be made once the Bill as amended is presented.

**PUBLIC SAFETY AND HUMAN SERVICES COMMITTEE:**

- 2. [Res 31930](#) **A RESOLUTION affirming the City's good faith intent to consider raising in the collective bargaining process for the Seattle Police Officer's Guild (SPOG) 2021 contract renewal police accountability proposals that have been identified by the public and the City's police oversight agencies.**

The Committee recommends that City Council adopt as amended the Resolution (Res).

In Favor: 3 - Herbold, Lewis, Morales

Opposed: None

Abstain: 1 - Pedersen

The Resolution (Res) was adopted by the following vote, and the President signed the Resolution:

In Favor: 7 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

Opposed: None

**TRANSPORTATION AND UTILITIES COMMITTEE:**

- 3. [Appt 01527](#) **Appointment of Kevin Werner as member, Levy to Move Seattle Oversight Committee, for a term to December 31, 2021.**

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

In Favor: 3 - Pedersen, Strauss, Morales

Opposed: None

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

In Favor: 7 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

Opposed: None

**FINANCE AND HOUSING COMMITTEE:**

- 4. [Appt 01544](#) **Appointment of Judith Blinder as member, Seattle City Employees' Retirement System Board of Administration, for a term to June 30, 2020.**

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

In Favor: 5 - Mosqueda, Herbold, Lewis, Strauss, Morales

Opposed: None

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

**In Favor:** 7 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

**Opposed:** None

5. [Appt 01150](#) **Appointment of Betsy McFeely as member, Labor Standards Advisory Commission, for a term to April 30, 2021.**

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

**In Favor:** 5 - Mosqueda, Herbold, Lewis, Strauss, Morales

**Opposed:** None

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

**In Favor:** 7 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

**Opposed:** None

Council President Mosqueda announced that Council Bill 119726 as amended was available for presentation to the City Council and ready to be signed. The President signed Council Bill 119726.

#### **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 4:16 p.m.

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**Jodee Schwinn, Deputy City Clerk**

**Signed by me in Open Session, upon approval of the Council, on March 2, 2020.**

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**Teresa Mosqueda, Council President Pro Tem of the City Council**

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**Monica Martinez Simmons, City Clerk**

**Att 1 - Action 1 of CB 119726**

**Att 2 - Action 2 of CB 119726**

**Att 3 - Action 3 of CB 119726**

**Att 4 - Action 4 of CB 119726**

**Att 5 - Action 5 of CB 119726**

**Att 6 - Action 6 of CB 119726**

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Att 1 – Action 1 of CB 119726

- Double underlines indicate new language to be added.
- ~~Double strikethroughs~~ indicate language proposed to be removed.

**Amendment\***

Amend the recitals as follows:

WHEREAS, on November 2, 2015, the Mayor issued a Civil Emergency to address the homelessness crisis in the City of Seattle; and

\* \* \*

WHEREAS, people experiencing homelessness have a much higher risk than the general population of developing exposure-related conditions. The KCMEO 2018 investigation found that over half (n=107) of presumed homeless deaths investigated occurred outside and that approximately 62 percent (n=121) of presumed homeless deaths investigate were attributed to non-natural causes (drug overdose, accidents (that includes hypothermia), suicide, homicide, and undetermined); and

WHEREAS, the Washington State Legislature has declared a state policy to help residents who are experiencing a temporary crisis in retaining stable housing to avoid eviction from their homes, as expressed in Laws of 2019 c 356 section 1; and

WHEREAS, prohibiting evictions during winter months will protect the public health, safety, and welfare by reducing the number of individuals and families entering into homelessness during the wintertime, which means lowering the number of people at higher risk of developing exposure-related conditions; NOW, THEREFORE,

\* \* \*

Amend Section 1 of Council Bill 119726 as follows:

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City Council Meeting Minutes of February 10, 2020

Att 1 – Action 1 of CB 119726

\* \* \*

8. Except as provided in subsection 22.206.160.C.8.a, ~~((an owner may not evict a residential tenant from a rental housing unit if the eviction))~~ it is a defense to eviction if the eviction would result in the tenant having to vacate the housing unit at any time between November 1 and April 1.

a. If the reason for termination ~~of the tenancy~~ is due to conditions described in subsections 22.206.160.C.1.e, 22.206.160.C.1.f provided that the tenant was provided at least 90 days' written notice prior to the date set for vacating the unit, 22.206.160.C.1.j, 22.206.160.C.1.k, ~~22.206.160.C.1.l~~, 22.206.160.C.1.m, 22.206.160.C.1.n, 22.206.160.C.1.o, or 22.206.160.C.1.p, or if the reason for termination is due to the tenant's failure to comply with a three day notice to vacate for a drug-related activity nuisance pursuant to chapter 7.43 RCW or maintenance of an unlawful business or conduct pursuant to RCW 59.12.030(5), the eviction may occur as otherwise allowed by law.

\* \* \*

Att 2 – Action 2 of CB 119726

- Double underlines indicate new language to be added.
- ~~Double strikethroughs~~ indicate language proposed to be removed.

**Amendment\***

Amend Section 1 of Council Bill 119726 as follows:

8. Except as provided in subsection 22.206.160.C.8.a, an owner may not evict a residential tenant from a rental housing unit if the eviction would result in the tenant having to vacate the housing unit at any time between November 1 and April 1.

a. If the reason for termination is due to conditions described in subsections 22.206.160.C.1.e, 22.206.160.C.1.f provided that the tenant was provided at least 90 days' written notice prior to the date set for vacating the unit, 22.206.160.C.1.j, 22.206.160.C.1.k, 22.206.160.C.1.m, 22.206.160.C.1.n, 22.206.160.C.1.o, or 22.206.160.C.1.p, or if the reason for termination is due to the tenant's failure to comply with a three day notice to vacate for a drug-related activity nuisance pursuant to chapter 7.43 RCW or maintenance of an unlawful business or conduct pursuant to RCW 59.12.030(5), the eviction may occur as otherwise allowed by law.

b. A rent mitigation fund is created to provide funds to eligible low-income tenant households at risk of residential eviction during the period described in subsection 22.206.160.C.8, if other sources of funds are not available to assist the tenant, or to provide financial assistance to a non-profit corporation or other housing provider that cannot evict a tenant from a rental housing unit during the period described in subsection 22.206.160.C.8 because the unit is subject to restrictions on tenant incomes or rent as a condition of that assistance.

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Att 2 – Action 2 of CB 119726

1) Tenant eligibility. To be eligible to receive funds, (1) the reason for termination must include nonpayment of rent; and (2) the tenant household must be a low-income household as defined in Section 23.84A.016; and (3) the tenant must demonstrate that the tenant does not have the financial resources to avoid eviction; and (4) the tenant must request mitigation funds on or before the date a writ of restitution is executed.

2) Housing provider eligibility. To be eligible to receive funds the housing provider shall (1) demonstrate that an eviction was delayed during this period because the tenant raised the defense described in subsection 22.206.160.C.8; and (2) demonstrate that the tenant does not have financial resources available to pay rent during the period described in subsection 22.206.160.C.8; and (3) demonstrate that the tenant resides in a unit that is subject to restrictions on tenant incomes or rent; and (4) sign an agreement stating that the housing provider will not report the tenant's delinquency on rent payment to credit reporting agencies.

3) The Director shall have rulemaking authority to administer the fund. This authority includes the ability to have the fund administered by a public or private organization having experience administering or capable of administering similar tenant assistance programs. If by rule the Director determines that payments shall be made directly to a landlord, the landlord shall sign an agreement with the Director prior to payment stating that the landlord will not report the tenant's delinquent rent payment to credit reporting agencies.

4) The availability of funds is subject to the existence of budget appropriations for that purpose. A request for funding shall be denied if insufficient funds are available. The City is not civilly or criminally liable for failure to provide funding and no penalty or cause of action may be brought against the City resulting from the provision or lack of provision of funds.



Att 2 – Action 2 of CB 119726

5) When a landlord issues a notice to terminate tenancy due to nonpayment of rent, the notice must contain information to the tenant about how to access the tenant mitigation fund. The landlord is not required to provide this information if insufficient funds have been appropriated by the City Council to provide the funds for mitigation. The information for the notice shall be adopted by the Seattle Department of Construction and Inspections by rule.

Att 3 – Action 3 of CB 119726

- Double underlines indicate new language to be added.
- ~~Double strikethroughs~~ indicate language proposed to be removed.

**Amendment\***

Amend Section 1 of Council Bill 119726 as follows:

8. Except as provided in subsection 22.206.160.C.8.~~ac~~, an owner may not evict a residential tenant from a rental housing unit if:

a. ~~the~~ The eviction would result in the tenant having to vacate the housing unit at any time between November 1 and April 1; and

b. The housing unit that the tenant would have to vacate is owned by a person who owns more than four rental housing units in The City of Seattle. For purposes of this subsection 22.206.160.C.8.c, “owns” includes having an ownership interest in the housing units.

c. If the reason for termination is due to conditions described in subsections 22.206.160.C.1.e, 22.206.160.C.1.f provided that the tenant was provided at least 90 days' written notice prior to the date set for vacating the unit, 22.206.160.C.1.j, 22.206.160.C.1.k, 22.206.160.C.1.m, 22.206.160.C.1.n, 22.206.160.C.1.o, or 22.206.160.C.1.p, or if the reason for termination is due to the tenant’s failure to comply with a three day notice to vacate for a drug-related activity nuisance pursuant to chapter 7.43 RCW or maintenance of an unlawful business or conduct pursuant to RCW 59.12.030(5), the eviction may occur as otherwise allowed by law.

- Double underlines indicate new language to be added.
- ~~Double strikethroughs~~ indicate language proposed to be removed.

**Amendment\***

Amend Section 1 of Council Bill 119726 as follows:

\* \* \*

8. Except as provided in subsection 22.206.160.C.8.a, an owner may not evict a residential tenant from a rental housing unit if the eviction would result in the tenant having to vacate the housing unit at any time between November 1 and April 1.

a. If the reason for termination is due to conditions described in subsections 22.206.160.C.1.e, 22.206.160.C.1.f provided that the tenant was provided at least 90 days' written notice prior to the date set for vacating the unit, 22.206.160.C.1.j, 22.206.160.C.1.k, 22.206.160.C.1.m, 22.206.160.C.1.n, 22.206.160.C.1.o, or 22.206.160.C.1.p, or if the reason for termination is due to the tenant's failure to comply with a three day or ~~ten day~~ notice to vacate for a drug-related activity nuisance pursuant to chapter 7.43 RCW or maintenance of an unlawful business or conduct pursuant to RCW 59.12.030(5) ~~or because the tenant's conduct has a substantial detrimental impact on, or constitutes an imminent threat to, the health or safety of other tenants in the rental building or the owner,~~ the eviction may occur as otherwise allowed by law.

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Att 5 – Action 5 of CB 119726

- Double underlines indicate new language to be added.
- ~~Double strikethroughs~~ indicate language proposed to be removed.

**Amendment\***

Amend Section 1 of Council Bill 119726 as follows:

8. Except as provided in subsection 22.206.160.C.8.a, an owner may not evict a residential tenant from a rental housing unit if the eviction would result in the tenant having to vacate the housing unit at any time between ~~November 1 and April 1~~ December 1 and March 1; and

a. If the reason for termination is due to conditions described in subsections 22.206.160.C.1.e, 22.206.160.C.1.f provided that the tenant was provided at least 90 days' written notice prior to the date set for vacating the unit, 22.206.160.C.1.j, 22.206.160.C.1.k, 22.206.160.C.1.m, 22.206.160.C.1.n, 22.206.160.C.1.o, or 22.206.160.C.1.p, or if the reason for termination is due to the tenant's failure to comply with a three day notice to vacate for a drug-related activity nuisance pursuant to chapter 7.43 RCW or maintenance of an unlawful business or conduct pursuant to RCW 59.12.030(5), the eviction may occur as otherwise allowed by law.

- Double underlines indicate new language to be added.
- ~~Double strikethroughs~~ indicate language proposed to be removed.

**Amendment\***

Amend Section 1 of Council Bill 119726 as follows:

8. Except as provided in subsection 22.206.160.C.8.~~ac~~, an owner may not evict a residential tenant from a rental housing unit if ~~the~~:

a. ~~The~~ eviction would result in the tenant having to vacate the housing unit at any time between November 1 and April 1; and

b. ~~The tenant household is a moderate-income household as defined in Section 23.84A.016.~~

c. If the reason for termination is due to conditions described in subsections 22.206.160.C.1.e, 22.206.160.C.1.f provided that the tenant was provided at least 90 days' written notice prior to the date set for vacating the unit, 22.206.160.C.1.j, 22.206.160.C.1.k, 22.206.160.C.1.m, 22.206.160.C.1.n, 22.206.160.C.1.o, or 22.206.160.C.1.p, or if the reason for termination is due to the tenant's failure to comply with a three day notice to vacate for a drug-related activity nuisance pursuant to chapter 7.43 RCW or maintenance of an unlawful business or conduct pursuant to RCW 59.12.030(5), the eviction may occur as otherwise allowed by law.