

SEATTLE CITY COUNCIL

600 Fourth Ave. 2nd Floor
Seattle, WA 98104



Journal of the Proceedings of the Seattle City Council

Monday, March 16, 2020

2:00 PM

The Council may participate remotely

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

A. CALL TO ORDER

The City Council of The City of Seattle met in the Council Chamber in City Hall in Seattle, Washington, on March 16, 2020, pursuant to the provisions of the City Charter. The meeting was called to order at 2:07 p.m., with Council President Pro Tem Teresa Mosqueda presiding.

By unanimous consent, the Council Rules were suspended to allow Councilmembers to participate and vote at today's City Council meeting by phone, and to not include a Public Comment period.

B. ROLL CALL

The following Councilmembers were present and participating by phone:

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

Excused: 1 - González

Late Arrival: 1 - Juarez

Councilmember Juarez joined the phone line at 2:09 p.m.

C. PRESENTATIONS

A Presentation on the current Civil Emergency on COVID-19 was provided by Mike Fong, Sr. Deputy Mayor; Ben Noble, Director of City Budget Office; and Laurel Nelson, Acting Director of Office of Emergency Management.

D. APPROVAL OF THE JOURNAL

[Min 267](#)

February 18, 2020

Motion was made, duly seconded and carried, to adopt the proposed Minutes by the following vote, and the President signed the Minutes:

In Favor: 8 - Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

Opposed: None

[Min 268](#) **February 24, 2020**

Motion was made, duly seconded and carried, to adopt the proposed Minutes by the following vote, and the President signed the Minutes:

In Favor: 8 - Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

Opposed: None

[Min 269](#) **March 2, 2020**

Motion was made, duly seconded and carried, to adopt the proposed Minutes by the following vote, and the President signed the Minutes:

In Favor: 8 - Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

Opposed: None

E. ADOPTION OF INTRODUCTION AND REFERRAL CALENDAR

[IRC 245](#)**March 16, 2020**ACTION 1:

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

ACTION 2:

By unanimous consent, Council Rule III.A.6., relating to circulation of a Resolution for adoption by 5:00 p.m. on the preceding business day, was suspended to allow consideration of a Resolution for introduction and adoption.

ACTION 3:

Motion was made by Councilmember Mosqueda, duly seconded and carried, to amend the proposed Introduction and Referral Calendar by introducing Resolution 31938, and by referring it to the City Council for adoption at today's meeting.

Resolution 31938, A RESOLUTION modifying the March 14, 2020 emergency order relating to residential evictions.

ACTION 4:

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: 8 - Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

Opposed: None

F. APPROVAL OF THE AGENDA

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

G. PAYMENT OF BILLS

[CB 119755](#) **AN ORDINANCE appropriating money to pay certain audited claims for the week of March 2, 2020 through March 6, 2020 and ordering the payment thereof.**

Motion was made and duly seconded to pass Council Bill 119755.

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

In Favor: 8 - Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

Opposed: None

H. COMMITTEE REPORTS

CITY COUNCIL:

1. [CB 119754](#) **AN ORDINANCE relating to employment in Seattle; amending Sections 14.16.010 and 14.16.030 of the Seattle Municipal Code to strengthen and clarify labor standards requirements for paid sick and paid safe time for employees working in Seattle; declaring an emergency; and establishing an immediate effective date; all by a 3/4 vote of the City Council.**

ACTION 1:

Motion was made and duly seconded to pass Council Bill 119754.

ACTION 2

Motion was made by Councilmember Herbold, duly seconded and carried, to amend Council Bill 119754, as shown in Attachment 1 to the Minutes.

ACTION 3

Motion was made by Councilmember Pedersen, duly seconded and carried, to amend Council Bill 119754, Section 1, by adding a new subsection 1.I, as shown in the underlined language below:

I. In addition to the importance of addressing impacts of the COVID-19 pandemic, it is important to families that paid sick and paid safe time be available also when schools and places of care are closed in the future.

ACTION 4:

Motion was made and duly seconded to pass Council Bill 119754 as amended.

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

In Favor: 8 - Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

Opposed: None

TRANSPORTATION AND UTILITIES COMMITTEE:

2. [Res 31932](#) **A RESOLUTION relating to the City Light Department; acknowledging and approving City Light’s adoption of a biennial energy conservation target for 2020-2021 and ten-year conservation potential.**

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

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

Opposed: None

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

In Favor: 8 - Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

Opposed: None

I. ADOPTION OF OTHER RESOLUTIONS

3. [Res 31938](#) **A RESOLUTION modifying the March 14, 2020 emergency order relating to residential evictions.**

ACTION 1:

Motion was made and duly seconded to adopt Resolution 31938.

ACTION 2:

Motion was made by Councilmember Herbold, duly seconded and carried, to amend Resolution 31938, Exhibit B, Section 1.B, first sentence, as shown in the underlined language below:

Residential or commercial landlord shall not initiate an unlawful detainer action, issue a notice of termination, or otherwise act on any termination notice, including any action or notice related to a rental agreement that has expired or will expire during the effective date of this Emergency Order, unless the unlawful detainer action or action on a termination notice is due to actions by the tenant constituting an imminent threat to the health or safety of neighbors, the landlord, or the tenant's or landlord's household members.

ACTION 3:

By unanimous consent, the City Council meeting recessed until 4:22 p.m.

The City Council meeting came back to order at 4:22 p.m.

ACTION 4:

Motion was made by Councilmember Mosqueda, duly seconded and carried, to hold Resolution 31938, until after the Executive Session.

When the City Council meeting came back to order at 4:22 p.m., the following Councilmembers present by phone:

Present: 7 - Herbold, Juarez, Lewis, Mosqueda, Pedersen, Sawant, Strauss

Excused: 1 - González

Late Arrival: 1 - Morales

K. EXECUTIVE SESSION

At 4:28 p.m., the City Council moved into a 90-minute Executive Session regarding Pending, Potential, or Actual Litigation and Labor Negotiations.

Councilmember Morales rejoined the phone line.

The Executive Session concluded at 5:39 p.m., and the City Council meeting was at ease until 6:00 p.m.

The City Council meeting was called back to order at 6:04 p.m., with the following Councilmembers present by phone:

Present: 8 - Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

Excused: 1 - González

I. ADOPTION OF OTHER RESOLUTIONS

3. [Res 31938](#) **A RESOLUTION modifying the March 14, 2020 emergency order relating to residential evictions.**

ACTION 5:

Motion was made by Councilmember Lewis, duly seconded and carried, to amend Resolution 31938, Exhibit B, by substituting version 3 for version 2.

ACTION 6:

Motion was made by Councilmember Mosqueda, duly seconded and carried, to amend Resolution 31938, Section 2.B, as shown in the underlined language below:

B. Issuing orders or taking other actions to provide rent relief, including deferred payment of rent, requiring payment plans, and other strategies to assist small businesses and nonprofit organizations who are unable to pay rent or pay their employees due to economic disruptions caused by COVID-19.

ACTION 7:

Motion was made and duly seconded to adopt Resolution 31938 as amended.

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

In Favor: 8 - Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

Opposed: None

J. OTHER BUSINESS

There was none.

L. ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 6:32 p.m.

Jodee Schwinn, Deputy City Clerk

Signed by me in Open Session, upon approval of the Council, on March 30, 2020.

M. Lorena González, Council President of the City Council

Monica Martinez Simmons, City Clerk

Attachment:

Att 1 - Action 2 of CB 119754

Att 1 – Action 2 of CB 119754

On page 3, after line 12, amend the following Section as shown below:

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

H. The impacts of the emerging public health crisis on the operation of businesses, schools, and places of care in the City are multifaceted and nuanced and are not easily defined or predictable. These impacts may result in reduced operations or closures. Expanding the use of paid sick and paid safe time to include situations when an employee’s place of business reduces operations or is closed, or when an employee’s family member’s school or place of care is closed, is necessary as an additional step to protect public health and to support the stabilization of an employee’s income while the COVID-19 emergency exists and in the future.

On page 5, after line 6, amend the following Section as shown below:

14.16.010 Definitions

2. For purposes of determining eligibility for “paid safe time” for absences that qualify for leave under subsection ~~14.16.030.A.2.e((.))~~; 14.16.030.A.2.d:

On page 7, after line 2, amend the following Section as shown below:

14.16.030 Use of paid sick and paid safe time

2. Paid safe time shall be provided to an employee by an employer. An employee is authorized to use paid safe time for the following reasons:

a. When the employee's place of business has been closed by order of a public official, for any health-related reason, to limit exposure to an infectious agent, biological toxin, or hazardous material;

b. When the employee's place of business for a Tier 3 employer has reduced operations or closed for any health- or safety-related reason;

c. When the employee's (~~child's~~) family member's school or place of care has been closed (~~by order of a public official, for any health-related reason, to limit exposure to an infectious agent, biological toxin, or hazardous material~~); and

~~(e-)~~ d. For any of the following reasons related to domestic violence, sexual assault, or stalking, as set out in RCW 49.76.030:

1) To enable the employee to seek legal or law enforcement assistance or remedies to ensure the health and safety of the employee or the employee's family or household members including, but not limited to, preparing for, or participating in, any civil or criminal legal proceeding related to or derived from domestic violence, sexual assault, or stalking;

2) To enable the employee to seek treatment by a health care provider for physical or mental injuries caused by domestic violence, sexual assault, or stalking, or to attend to health care treatment for a victim who is the employee's family or household member;

3) To enable the employee to obtain, or assist a family or household member in obtaining, services from a domestic violence shelter, rape crisis center, or other social services program for relief from domestic violence, sexual assault, or stalking;

4) To enable the employee to obtain, or assist a family or household member in obtaining, mental health counseling related to an incident of domestic violence, sexual assault, or stalking, in which the employee or the employee's family or household member was a victim of domestic violence, sexual assault, or stalking; or

5) To enable the employee to participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's family or household members from future domestic violence, sexual assault, or stalking.

* * *

F. For use of paid safe time of more than three consecutive days for a reason set out in subsection 14.16.030.A.2, an employer may require reasonable verification that the employee's use of paid safe time is for an authorized purpose covered by subsection 14.16.030.A.2. If an employer requires reasonable verification, such verification must be provided to the employer within a reasonable time period during or after the leave. An employer's requirements for reasonable verification may not result in an unreasonable burden or expense on the employee and may not exceed privacy or verification requirements otherwise established by law.

1. An employer may require that requests under subsections 14.16.030.A.2.a ~~and 14.16.030.A.2.b~~ through 14.16.030.A.2.c be supported by verification of a ~~closure order or notice of reduced operations or closure~~ closure order or notice of reduced operations or closure ((~~by a public official of the employee's place of business, or employee's child's school or place of care,~~)) and the employee may satisfy this verification

request by providing ((notice of)) the ~~closure order or notice~~, or a copy of the notice, in whatever format the employee received ~~the order or notice~~ it.

2. An employer may require that requests under subsection ~~14.16.030.A.2.e~~ 14.16.030.A.2.d be supported by verification that the employee or employee's family or household member is a victim of domestic violence, sexual assault, or stalking, and that the leave taken was for one of the purposes covered by subsection ~~14.16.030.A.2.e~~ 14.16.030.A.2.d. An employee may satisfy this verification requirement by one or more of the following methods:

- a. An employee's written statement that the employee or the employee's family or household member is a victim of domestic violence, sexual assault, or stalking and that the leave taken was for one of the purposes of subsection ~~14.16.030.A.2.e~~ 14.16.030.A.2.d;
- b. A police report indicating that the employee or employee's family or household member was a victim of domestic violence, sexual assault, or stalking;
- c. A court order protecting or separating the employee or employee's family or household member from the perpetrator of the act of domestic violence, sexual assault, or stalking, or other evidence from the court or the prosecuting attorney that the employee or employee's family or household member appeared, or is scheduled to appear, in court in connection with an incident of domestic violence, sexual assault, or stalking; or
- d. Documentation that the employee or the employee's family or household member is a victim of domestic violence, sexual assault, or stalking, from any of the following persons from whom the employee or employee's family or household member sought assistance in addressing the domestic violence, sexual assault, or stalking: an

advocate for victims of domestic violence, sexual assault, or stalking; an attorney; a member of the clergy; or a medical or other professional. The provision of documentation under this Section 14.16.030 does not waive or diminish the confidential or privileged nature of communications between a victim of domestic violence, sexual assault, or stalking with one or more of the individuals named in this subsection 14.16.030.F.2.d.

Renumber sections and correct any internal references accordingly.