

SEATTLE CITY COUNCIL

600 Fourth Ave. 2nd Floor
Seattle, WA 98104



Journal of the Proceedings of the Seattle City Council

Monday, October 5, 2015

2:00 PM

Council Chamber, City Hall
600 Fourth Avenue
Seattle, WA 98104

Full Council

Tim Burgess, Council President

Sally Bagshaw

Jean Godden

M. Lorena Gonzalez

Bruce Harrell

Nick Licata

Mike O'Brien

Tom Rasmussen

Kshama Sawant

Chair Info: 206-684-8806; tim.burgess@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 October 5, 2015, pursuant to the provisions of the City Charter. The meeting was called to order at 2:03 p.m., with Council President Burgess presiding.

B. ROLL CALL

Present: 8 - Bagshaw, Burgess, Godden, Harrell, Licata, O'Brien, Rasmussen, Sawant

C. ADOPTION OF INTRODUCTION AND REFERRAL CALENDAR

[IRC 33](#)

October 5, 2015

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

In Favor: 8 - Bagshaw, Burgess, Godden, Harrell, Licata, O'Brien, Rasmussen, Sawant

Opposed: None

D. APPROVAL OF THE AGENDA

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

E. APPROVAL OF THE JOURNAL

There were none.

F. PRESENTATIONS

There were none.

G. PUBLIC COMMENT

Queen Pearl addressed the Council regarding a non-Agenda item.

Sally Schultz addressed the Council regarding a non-Agenda item.

Shan Shan Chien addressed the Council regarding a non-Agenda item.

Andrew Hayman addressed the Council regarding a non-Agenda item.

Alex Gagnon addressed the Council regarding Agenda item 2, Council Bill 118509.

Paula Revere addressed the Council regarding a non-Agenda item.

Barbara Warren addressed the Council regarding Agenda item 2, Council Bill 118509.

Pete Delaunay addressed the Council regarding Agenda item 1, Resolution 31611.

Imogene Williams addressed the Council regarding Agenda item 4, Council Bill 118516.

Carl Stixrood addressed the Council regarding Agenda item 1, Resolution 31611.

Joan Stewart addressed the Council regarding Agenda item 1, Resolution 31611.

Annie Stixrood addressed the Council regarding Agenda item 1, Resolution 31611.

By unanimous consent, the Public Comment at Full Council Rule was suspended to allow additional public comment.

Ron Mewlkoff addressed the Council regarding Agenda item 1, Resolution 31611.

Jim O'Halloran addressed the Council regarding Agenda item 2, Council Bill 118509.

Jack Mowreader addressed the Council regarding Agenda item 2, Council Bill 118509.

Oman Osinh addressed the Council regarding Agenda item 4, Council

Bill 118516.

Sahro Fara addressed the Council regarding Agenda item 4, Council Bill 118516.

Samira addressed the Council regarding Agenda item 4, Council Bill 118516.

H. PAYMENT OF BILLS

[CB 118519](#) **AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.**

Motion was made and duly seconded to pass Council Bill 118519.

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

In Favor: 8 - Bagshaw, Burgess, Godden, Harrell, Licata, O'Brien, Rasmussen, Sawant

Opposed: None

I. COMMITTEE REPORTS

FULL COUNCIL

1. [RES 31611](#) **A RESOLUTION relating to the State Route 520, Interstate 5 to Medina Bridge Replacement and High Occupancy Vehicle Project; recognizing the completion of a design refinements effort and a recommendations report for the west side portion of the project and recommending actions by the City of Seattle and State of Washington based on results of this effort.**

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

In Favor: 5 - Rasmussen, O'Brien, Godden, Sawant, Burgess

Opposed: None

Absent(NV): 1 - Okamoto

ACTION 1:

Motion was made by Councilmember O'Brien, duly seconded and carried, to amend Resolution 31611, section 4.B., last sentence, as shown in the underlined language below:

Additional refinements to the current design should align with the City of Seattle Complete Streets policy, and include protected bike lanes providing direct access to and from the Montlake Bridge to East Roanoke Street.

ACTION 2:

Motion was made and duly seconded to adopt Resolution 31611 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 - Bagshaw, Burgess, Godden, Harrell, Licata, O'Brien, Rasmussen, Sawant

Opposed: None

PARKS, SEATTLE CENTER, LIBRARIES AND GENDER PAY EQUITY COMMITTEE

Councilmember Okamoto entered the Council Chamber at 2:52 p.m.

2. [CB 118509](#) **AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the Superintendent of the Department of Parks and Recreation to acquire by negotiation certain land and other necessary property rights, commonly known as the northwest corner of 14th Avenue NE and NE 65th Street, for open space, park, and recreation purposes, and to execute, accept, and record the deed and instruments deemed by the Superintendent to be necessary; authorizing the Seattle City Attorney to commence condemnation proceedings; placing the acquired real property under the jurisdiction of the Department of Parks and Recreation and designating the property for open spaces, parks, and recreational purposes; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council.**

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

In Favor: 3 - Godden, Harrell, Rasmussen

Opposed: None

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

In Favor: 9 - Bagshaw, Burgess, Godden, Harrell, Licata, O'Brien, Okamoto, Rasmussen, Sawant

Opposed: None

3. [CB 118515](#) **AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the Superintendent of Parks and Recreation to enter into a lease agreement with Boyer Children's Clinic to occupy and use a portion of Building 11 at Warren G. Magnuson Park for a children's clinic and related general office purposes.**

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

In Favor: 3 - Godden, Harrell, Rasmussen

Opposed: None

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

In Favor: 9 - Bagshaw, Burgess, Godden, Harrell, Licata, O'Brien, Okamoto, Rasmussen, Sawant

Opposed: None

PLANNING, LAND USE, AND SUSTAINABILITY COMMITTEE

4. [CB 118516](#) **AN ORDINANCE relating to the provision of tenant relocation assistance to displaced tenants; establishing requirements for residential tenancies; establishing regulations about penalties and the issuance of building permits for violators of the Tenant Relocation Assistance Ordinance; amending Sections 7.24.030, 7.24.050, 10.09.085, 22.210.030, 22.210.140, 22.210.150, and 22.210.180 of the Seattle Municipal Code and adding a new Section 22.210.136; amending Section 106.6.3 of the 2012 Seattle Building Code; and amending Section R105.6.3 of the 2012 Seattle Residential Code.**

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

In Favor: 3 - O'Brien, Burgess, Licata

Opposed: None

ACTION 1:

Motion was made by Councilmember Burgess and duly seconded to amend Council Bill 118516, Section 3, Seattle Municipal Code 22.210.136 , as shown in the underlined language below:

22.210.136 Rent increase to avoid application of Chapter 22.210

B. If a tenant has received notice of a rent increase of ten percent or more that the tenant believes is for the purpose of avoiding the application of this Chapter 22.210, and the tenant makes a complaint to the Director within one year of receiving the notice of the rent increase, the owner shall, within ten days of being notified by the Director of the complaint, complete and file a certification with the Director stating that the rent increase is not for the purpose of avoiding the application of this Chapter 22.210. The failure of the owner to complete and timely file the certification is a defense for the tenant in an eviction action based upon the tenant's failure to pay the increased rent.

ACTION 2:

Motion was made by Councilmember Licata, duly seconded and carried, to further amend the amendment in Action 1, as shown in the underlined language below:

22.210.136 Rent increase to avoid application of Chapter 22.210

B. If a tenant has received notice of a rent increase of ten percent or more within a year that the tenant believes is for the purpose of avoiding the application of this Chapter 22.210, and the tenant makes a complaint to the Director within one year of receiving the notice of the rent increase, the owner shall, within ten days of being notified by the Director of the complaint, complete and file a certification with the Director stating that the rent increase is not for the purpose of avoiding the application of this Chapter 22.210. The failure of the owner to complete and timely file the certification is a defense for the tenant in an eviction action based upon the tenant's failure to pay the increased rent.

ACTION 3:

Motion was made, duly seconded and carried, to adopt amendment in Action 1 as amended, and shown below with the underlined language below:

22.210.136 Rent increase to avoid application of Chapter 22.210

B. If a tenant has received notice of a rent increase of ten percent or more within a year that the tenant believes is for the purpose of avoiding the application of this Chapter 22.210, and the tenant makes a complaint to the Director within one year of receiving the notice of the rent increase, the owner shall, within ten days of being notified by the Director of the complaint, complete and file a certification with the Director stating that the rent increase is not for the purpose of avoiding the application of this Chapter 22.210. The failure of the owner to complete and timely file the certification is a defense for the tenant in an eviction action based upon the tenant's failure to pay the increased rent.

ACTION 4:

Councilmember Burgess announced that Council Bill 118516 as amended was not ready for final consideration.

By unanimous consent, Council Bill 118516 was held until after Agenda item 11.

5. [CB 118429](#) **AN ORDINANCE relating to land use and zoning, amending the Official Land Use Map at pages 72, 73, 87, 101, 102, 133, 145 to designate new zone names, repealing and replacing Chapter 23.48, amending Sections 22.210.030, 22.900G.015, 23.30.010, 23.34.009, 23.34.128, 23.41.012, 23.42.124, 23.42.126, 23.42.128, 23.47A.012, 23.49.011, 23.66.140, 23.84A.004, 23.84A.038, 23.84A.048, 23.86.007, 25.05.800, and 25.08.100 to reorganize, make corrections, and update standards for the Seattle Mixed Zones; and making technical corrections.**

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

In Favor: 3 - O'Brien, Burgess, Licata

Opposed: None

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

In Favor: 9 - Bagshaw, Burgess, Godden, Harrell, Licata, O'Brien, Okamoto, Rasmussen, Sawant

Opposed: None

6. [Appt 00214](#) **Appointment of Charles E. Beck as member, Construction Codes Advisory Board, for a term of confirmation to June 1, 2018.**

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

In Favor: 3 - O'Brien, Burgess, Licata

Opposed: None

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

In Favor: 9 - Bagshaw, Burgess, Godden, Harrell, Licata, O'Brien, Okamoto, Rasmussen, Sawant

Opposed: None

7. [Appt 00215](#) **Appointment of Lachlan Foss as member, Construction Codes Advisory Board, for a term of confirmation to June 1, 2018.**

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

In Favor: 3 - O'Brien, Burgess, Licata

Opposed: None

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

In Favor: 9 - Bagshaw, Burgess, Godden, Harrell, Licata, O'Brien, Okamoto, Rasmussen, Sawant

Opposed: None

8. [Appt 00216](#) **Appointment of Judy Tucker as member, Construction Codes Advisory Board, for a term of confirmation to June 1, 2018.**

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

In Favor: 3 - O'Brien, Burgess, Licata

Opposed: None

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

In Favor: 9 - Bagshaw, Burgess, Godden, Harrell, Licata, O'Brien, Okamoto, Rasmussen, Sawant

Opposed: None

9. [Appt 00217](#) **Reappointment of Allan Wakeling as member, Construction Codes Advisory Board, for a term of confirmation to June 1, 2018.**

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

In Favor: 3 - O'Brien, Burgess, Licata

Opposed: None

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

In Favor: 9 - Bagshaw, Burgess, Godden, Harrell, Licata, O'Brien, Okamoto, Rasmussen, Sawant

Opposed: None

10. [Appt 00218](#) **Reappointment of Daniel M. Foltz as member, Seattle Design Review Board, for a term of confirmation to April 3, 2017.**

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

In Favor: 3 - O'Brien, Burgess, Licata

Opposed: None

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

In Favor: 9 - Bagshaw, Burgess, Godden, Harrell, Licata, O'Brien, Okamoto, Rasmussen, Sawant

Opposed: None

J. ADOPTION OF OTHER RESOLUTIONS

11. [Res 31622](#) **A RESOLUTION declaring the City Council's intent to consider strategies to increase the availability of affordable housing in The City of Seattle; requesting the State Legislature to adopt new policies or modify existing policies in order to provide additional opportunities for cities and counties to increase the availability of affordable housing; and repealing Resolution 31609.**

Motion was made and duly seconded to to adopt Resolution 31622.

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

In Favor: 9 - Bagshaw, Burgess, Godden, Harrell, Licata, O'Brien, Okamoto, Rasmussen, Sawant

Opposed: None

[CB 118516](#) **AN ORDINANCE relating to the provision of tenant relocation assistance to displaced tenants; establishing requirements for residential tenancies; establishing regulations about penalties and the issuance of building permits for violators of the Tenant Relocation Assistance Ordinance; amending Sections 7.24.030, 7.24.050, 10.09.085, 22.210.030, 22.210.140, 22.210.150, and 22.210.180 of the Seattle Municipal Code and adding a new Section 22.210.136; amending Section 106.6.3 of the 2012 Seattle Building Code; and amending Section R105.6.3 of the 2012 Seattle Residential Code.**

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

In Favor: 3 - O'Brien, Burgess, Licata

Opposed: None

ACTION 5:

Motion was made by Councilmember O'Brien, duly seconded and carried, to amend Council Bill 118516, Section 3, Seattle Municipal Code 22.210.136, as shown in the underlined and stike through language below:

22.210.136 Rent increase to avoid application of Chapter 22.210

B. If a tenant has received notice of a rent increase of ten percent or more ~~within a year over the periodic or montly rental rate charged the~~ same tenant for the same housing unit and same services for any period or month during the preceding 12 months that the tenant believes is for the purpose of avoiding the application of this Chapter 22.210, and the tenant makes a complaint to the Director within one year of receiving the notice of the rent increase, the owner shall, within ten days of being notified by the Director of the complaint, complete and file a certification with the Director stating that the rent increase is not for the purpose of avoiding the application of this Chapter 22.210. The failure of the owner to complete and timely file the certification is a defense for the tenant in an eviction action based upon the tenant's failure to pay the increased rent.

ACTION 6:

Motion was made and duly seconded to pass Council Bill 118516 as

amended.

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

In Favor: 9 - Bagshaw, Burgess, Godden, Harrell, Licata, O'Brien, Okamoto, Rasmussen, Sawant

Opposed: None

K. OTHER BUSINESS

There was none.

L. ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 3:25 p.m.

Emilia M. Sanchez, Deputy City Clerk

Signed by me in Open Session, upon approval of the Council, on October 19, 2015.

Tim Burgess, President of the City Council

Monica Martinez Simmons, City Clerk