

SEATTLE CITY COUNCIL

600 Fourth Ave. 2nd Floor
Seattle, WA 98104



Journal of the Proceedings of the Seattle City Council

Tuesday, September 19, 2023

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 City Hall in Seattle, Washington, on September 19, 2023, pursuant to the provisions of the City Charter. The meeting was called to order at 2:05 p.m., with Council President Juarez presiding.

B. ROLL CALL

Present: 9 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Sawant, Strauss

C. PRESENTATIONS

Councilmember Herbold presented a Proclamation recognizing Diaper Need Awareness Week. By unanimous consent, the Council Rules were suspended to allow Councilmember Herbold, to present the Proclamation, and to allow Becky Schroeder and Laura Skelton from Westside Baby, to address the Council.

D. PUBLIC COMMENT

The following individuals addressed the Council:

Michael Mellini
Drew Batchelor
Alex Fay
Shomya Tripathy
Linnea May
David Gill
Alice Lockhart
Mark Epstein
Rudy Pantoja
Alexander Mayben
Bailey Medilo
Jordan Vanvoast
Teresa Lamb
Tanya Wa
Randy Worang
Reza Marashi
Dennis Sills
Steve Rubstello
Josh Hou
Sandy Shettler
June BlueSpruce
Samuel Wolff
Barbara Bernard
Chairman Robert de los Angeles
Sean Blackwell
Kim Butler
Kathleen Brose
Taylor Riley
Meilani Mandery
Andrea Suarez
Fe Lopez Gatke
Peter Condit
Larry Marshall
Howard Gale
Kathleen Kerkof
Rob Saka
Mike Stewart
Scott Ingham
Nathan Fisher
Jennifer Godfrey
Julia Shettler

Wendy Kwan
Alysha Koehler
Joshua Morris
Sara Lidstrom
Denise Hotchkiss
Rose H
Tim Moisio
Jade Weise
Aretha Basu
Erika Rusher
Bradley Dosch
Maggie McKelvy
JM Wong
Shemona Moreno
Lilly Hayward
Aidon Carroll
Soren Smith

By unanimous consent, the Council Rules were suspended to allow an additional 10 speakers to address the Council.

Joe Kunzler
Richard Ellison
BJ Last
David Cacanindin
Yin Y
Anita Freeman
Eliana Horn
Kisha K.
Barry Blanton
Shannon Kelley

E. ADOPTION OF INTRODUCTION AND REFERRAL CALENDAR:

[IRC 409](#)

September 19, 2023

ACTION 1:

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

ACTION 2:

Motion was made by Councilmember Pedersen and duly seconded to amend the proposed Introduction and Referral Calendar by introducing Council Bill 120670, and by referring it to the City Council.

Council Bill 120670, AN ORDINANCE relating to tree protections; adding new provisions related to trees that are part of an archaeological site; and amending Sections 25.11.060 and 25.11.130 of the Seattle Municipal Code.

The Motion carried by the following vote:

In favor: 5 - Herbold, Lewis, Morales, Pedersen, Sawant

Opposed: 4 - Juarez, Mosqueda, Nelson, Strauss

ACTION 3:

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: 9 - Juarez, Herbold, Lewis, Morales, Mosqueda, 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 443](#) **September 12, 2023**

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

In Favor: 9 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

Bills:

2. [CB 120662](#) **AN ORDINANCE appropriating money to pay certain claims for the week of September 04, 2023 through September 08, 2023 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 Council Bill:

In Favor: 9 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

Appointments:

CITY COUNCIL:

3. [Appt 02636](#) **Appointment of Emma Adkins as member, Seattle Disability Commission, for a term to August 31, 2024.**

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

In Favor: 9 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

4. [Appt 02637](#) **Appointment of Dei'Marlon Scisney as member, Community Technology Advisory Board, for a term to August 31, 2024.**

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

In Favor: 9 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

5. [Appt 02638](#) **Appointment of P Xiomara Alvarez as member, Seattle Planning Commission, for a term to August 31, 2024.**

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

In Favor: 9 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

6. [Appt 02639](#) **Appointment of Logan Woodyard as member, Urban Forestry Commission, for a term to August 31, 2024.**

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

In Favor: 9 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

7. [Appt 02640](#) **Appointment of Cade Wiger as member, Community Involvement Commission, for a term to August 31, 2024.**

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

In Favor: 9 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

8. [Appt 02641](#) **Appointment of Tyler Hall as member, Pioneer Square Preservation Board, for a term to August 31, 2024.**

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

In Favor: 9 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

9. [Appt 02642](#) **Appointment of Athena Scott as member, Seattle Arts Commission, for a term to August 31, 2024.**

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

In Favor: 9 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

10. [Appt 02643](#) **Appointment of Rachel Lockerbie as member, Seattle Human Rights Commission, for a term to August 31, 2024.**

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

In Favor: 9 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

11. [Appt 02644](#) **Appointment of Amelia Ossorio as member, Seattle Immigrant and Refugee Commission, for a term to August 31, 2024.**

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

In Favor: 9 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

12. [Appt 02645](#) **Appointment of Ashley E. Ford as member, Seattle LGBTQ Commission, for a term to August 31, 2024.**

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

In Favor: 9 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

13. [Appt 02646](#) **Appointment of Veronica La Mont as member, Seattle Women's Commission, for a term to August 31, 2024.**

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

In Favor: 9 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

14. [Appt 02647](#) **Appointment of Lauren I. Lanham as member, Board of Parks and Recreation Commissioners, for a term to August 31, 2024.**

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

In Favor: 9 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

15. [Appt 02648](#) **Appointment of Tavo Moline as member, Seattle Renters' Commission, for a term to August 31, 2024.**

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

In Favor: 9 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

16. [Appt 02649](#) **Appointment of Eli Davis as member, Seattle Bicycle Advisory Board, for a term to August 31, 2024.**

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

In Favor: 9 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

- 17. [Appt 02650](#) **Appointment of Delaney Lind as member, Seattle Pedestrian Advisory Board, for a term to August 31, 2024.**

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

In Favor: 9 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

- 18. [Appt 02651](#) **Appointment Braxton Williams as member, Seattle Transit Advisory Board, for a term to August 31, 2024.**

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

In Favor: 9 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

- 19. [Appt 02652](#) **Appointment of Jay Backman as member, Seattle Design Commission, for a term to August 31, 2024.**

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

In Favor: 9 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

- 20. [Appt 02679](#) **Appointment of Shabazz M. Abdulkadir as member, Design Review Board, for a term to August 31, 2024.**

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

In Favor: 9 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

ECONOMIC DEVELOPMENT, TECHNOLOGY, AND CITY LIGHT COMMITTEE:

- 21. [Appt 02653](#) **Appointment of Kelli Faryar as member, Seattle Music Commission, for a term to August 31, 2026.**

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

In Favor: 4 - Nelson, Juarez, Herbold, Strauss

Opposed: None

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

In Favor: 9 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

- 22. [Appt 02654](#) **Appointment of Nick Turner as member, Seattle Music Commission, for a term to August 31, 2026.**

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

In Favor: 4 - Nelson, Juarez, Herbold, Strauss

Opposed: None

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

In Favor: 9 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

H. COMMITTEE REPORTS

PUBLIC SAFETY AND HUMAN SERVICES:

1. [CB 120645](#) **AN ORDINANCE relating to controlled substances; adding the crimes of knowing possession of a controlled substance and use of a controlled substance in a public place; amending Section 12A.09.020 of the Seattle Municipal Code; and adding a new Section 3.28.141 to the Seattle Municipal Code.**

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

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

Opposed: 1 - Mosqueda

ACTION 1:

By unanimous consent, the Council Rules were suspended to allow Asha Venkataraman from Council Central Staff to address the Council.

ACTION 2:

Motion was made by Councilmember Herbold and duly seconded, to amend Council Bill 120645, as presented on Amendment A on the Agenda.

The Motion carried by the following vote:

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

Opposed: 3 - Morales, Mosqueda, Sawant

ACTION 3:

Motion was made by Councilmember Nelson and duly seconded, to amend Council Bill 120645, as presented on Amendment B on the Agenda.

The Motion failed by the following vote:

In Favor: 2 - Nelson, Pedersen

Opposed: 7 - Herbold, Juarez, Lewis, Morales, Mosqueda, Sawant, Strauss

ACTION 4:

Motion was made by Councilmember Nelson and duly seconded, to amend Council Bill 120645, as presented on Amendment C on the Agenda.

The Motion failed by the following vote:

In Favor: 2 - Nelson, Strauss

Opposed: 7 - Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Sawant

ACTION 5:

Motion was made by Councilmember Mosqueda and duly seconded, to amend Council Bill 120645, as presented on Amendment D on the Agenda.

The Motion failed by the following vote:

In Favor: 4 - Herbold, Morales, Mosqueda, Sawant

Opposed: 5 - Juarez, Lewis, Nelson, Pedersen, Strauss

ACTION 6:

Motion was made and duly seconded to pass Council Bill 120645 as amended, as presented on Attachment 1 to the Minutes.

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: 6 - Juarez, Herbold, Lewis, Nelson, Pedersen, Strauss

Opposed: 3 - Morales, Mosqueda, Sawant

CITY COUNCIL:

- 2. [CB 120654](#) **AN ORDINANCE relating to City employment, commonly referred to as the Third Quarter 2023 Employment Ordinance; returning positions to the Civil Service system; exempting a position from the Civil Service system; administratively adjusting the salary schedule for two titles; and establishing three new titles; all by a 2/3 vote of the City Council.**

Motion was made duly seconded to pass Council Bill 120654.

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

In Favor: 9 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

3. [CB 120655](#) **AN ORDINANCE relating to City employment; authorizing execution of a collective bargaining agreement between The City of Seattle and the United Association of Journeymen and Apprentices of the Plumbing & Pipe Fitting Industry Local 32; and ratifying and confirming certain prior acts.**

Motion was made by and duly seconded to pass Council Bill 120655.

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

In Favor: 9 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

ECONOMIC DEVELOPMENT, TECHNOLOGY, AND CITY LIGHT COMMITTEE:

Councilmember Morales left the meeting at 5:34 p.m.

4. [CB 120634](#) **AN ORDINANCE relating to Ballard Business Improvement Areas; establishing a new 12-year Business Improvement Area to be known as the Ballard Improvement Area; levying special assessments upon owners of commercial property, multifamily residential property, and mixed-use property within the area; providing for the deposit of revenues in a special account and expenditures therefrom; providing for collection of and penalties for delinquencies; providing for the establishment of a Ratepayers Advisory Board; providing for an implementation agreement with a Program Manager; disestablishing the existing Ballard Business Improvement Area that was established by Ordinance 125151 (“2017 BIA”); suspending the issuance of assessments and providing for the continuity of services under the 2017 BIA; providing for the transfer of any remaining funds from the 2017 BIA Account; and ratifying and confirming certain prior acts.**

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

In Favor: 4 - Nelson, Juarez, Herbold, Strauss

Opposed: None

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

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

Opposed: None

Absent(NV): 1 - Morales

5. [CB 120641](#) **AN ORDINANCE** relating to Seattle Tourism Improvement Areas; establishing a new 15-year business improvement area to be known as the Seattle Tourism Improvement Area; levying special assessments upon owners of businesses offering transient accommodations with 60 or more rooms within the area; providing for the deposit of revenues in a special account and expenditures therefrom; providing for collection of and penalties for delinquencies; providing for the establishment of a Ratepayers Advisory Board; providing for an implementation agreement with a Program Manager; disestablishing the existing Seattle Tourism Improvement Area that was established by Ordinance 123714 (“2011 STIA”) and later modified by Ordinance 126552; suspending the issuance of special assessments and providing for the continuity of services under the 2011 STIA; providing for the transfer of any remaining funds from the 2011 STIA Account; and ratifying and confirming certain prior acts.

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

In Favor: 4 - Nelson, Juarez, Herbold, Strauss

Opposed: None

Councilmember Morales joined the meeting at 5:40 p.m.

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

In Favor: 9 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

6. [Res 32108](#) **A RESOLUTION** relating to the City Light Department; documenting compliance with the Public Utility Regulatory Policies Act of 1978, as amended by the Infrastructure Investment and Jobs Act of 2021.

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

In Favor: 4 - Nelson, Juarez, Herbold, Strauss

Opposed: None

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

In Favor: 9 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

FINANCE AND HOUSING COMMITTEE:

7. [Res 32109](#) **A RESOLUTION approving the Seattle Housing Authority’s use of certain excess revenues from the sale, lease, or other disposition of property in the Yesler Terrace Redevelopment Area for the provision of services that benefit the residents of the community.**

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

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

Opposed: None

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

In Favor: 9 - Juarez, Herbold, Lewis, Morales, Mosqueda, 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 5:48 p.m.

Jodee Schwinn, Deputy City Clerk

Signed by me in Open Session, upon approval of the Council, on September 26, 2023.

Debora Juarez, Council President of the City Council

Scheereen Dedman, City Clerk

ATT 1 - ACTION 6 OF CB 120645

ATT 1 – ACTION 6 of CB 120645

Amend Section 3 of CB 120645 as follows:

Section 3. A new Section 3.28.141 is added to the Seattle Municipal Code as follows:

3.28.141 Policies governing arrests for knowing possession of a controlled substance and use of a controlled substance in a public place

A. The provisions of this Section 3.28.141 apply to enforcement of RCW 69.50.4013(1), (2), (7), and (8) as amended by 2E2SSB 5536 (68th Legislature, 2023 1st Special Session), Section 2.

B. Policy. Consistent with any public health and safety-related Mayor-issued executive orders, the Seattle Police Department (SPD) will adopt policies governing arrests for the crimes described in subsection 3.28.141.A. These new policies will seek to minimize use of force and incorporate de-escalation and crisis intervention that reflect existing SPD policies in those areas. SPD will train its officers on these new policies.

C. Body-worn videos. When officers interact with individuals allegedly committing the crimes described in subsection 3.28.141.A, officers shall comply with SPD policies and procedures for body-worn video cameras and/or other equipment intended to record officer interactions with the public.

D. Probable cause for arrest. An officer must have probable cause for arrest.

E. Arrest: Nothing in this ~~((section))~~ Section 3.28.141 or in any other provisions of this ~~((ordinance))~~ legislation shall mandate an arrest to occur.

F. Diversion. Diversion, treatment, and other alternatives to booking are the preferred approach when enforcing the crimes adopted under this Section 3.28.141 as described in subsection 3.28.141.A.

1. SPD policies adopted under this Section 3.28.141 will contain guidance on diversion.

2. SPD policies will state that diversion and referral to services is the preferred response to the crimes described in subsection 3.28.141.A.

3. A lack of diversion opportunities shall not be a reason for arrest.

4. SPD shall collect data and report to the City Council Public Safety and Human Services Committee or its successor that identifies the racial composition of those:

a. Arrested and diverted to community-based services prior to jail booking or referral for prosecution; and

b. Booked and referred for prosecution.

G. Threat of harm to others. When considering making an arrest, releasing, or diverting an individual, pursuant to subsection 3.28.141.F, officers may determine whether the individual, through their actions and conduct, presents a threat of harm to others. This determination will occur after probable cause has been established. This determination is based on the totality of the circumstances and the officer's training and experience. SPD policy will identify factors to guide officers when assessing the threat of harm presented by the individual. The threat of harm assessment governs officer decisionmaking and is not an element of the crime to be proved during the prosecution of the crimes described in subsection 3.28.141.A and cannot be used as a defense at trial.

H. Threat of harm to self

1. If an officer determines there is probable cause to arrest, and the officer's assessment indicates that the individual does not pose a threat of harm to others, the individual only poses a threat of harm to self.

2. An officer may attempt to contact and coordinate efforts for diversion, outreach, and other alternatives to arrest. An officer may arrest at the officer's discretion to avoid additional ~~((self harm))~~ harm to self.

3. An officer will not arrest when the individual only poses a threat of harm to self absent articulable facts and circumstances warranting such action.

4. The threat of harm assessment will govern officer decisionmaking and will not be an element of the crime to be proved during the prosecution of the crimes described in subsection 3.28.141.A and cannot be used as a defense at trial.

I. Officer safety. Nothing in this Section 3.28.141 is intended to compromise the safety or well-being of police officers.

J. An officer's failure to comply with this Section 3.28.141 shall not render an arrest unlawful if the arrest is otherwise supported by probable cause ~~((subsections 3.28.141.G and 3.28.141.H, or any other provisions of this legislation, will not be a basis to exclude or render inadmissible any subsequently obtained evidence))~~.

K. Reporting ~~((Requirements))~~ requirements

1. If an officer determines, based on the totality of circumstances, that an arrest is authorized by this Section 3.28.141, an arrest report shall be completed by the officer that includes, at a minimum, the facts establishing probable cause, an assessment of the threat presented by the individual, and whether, and in what manner, arrest or diversion was considered or utilized.

2. The Office of Inspector General for Public Safety (OIG) (and/or an independent, academically based research organization engaged by OIG) and SPD shall work with the City Attorney's Office, Seattle Municipal Court, the Seattle Fire Department, and any

other relevant departments to obtain the data described in subsections 3.28.141.L.1 through 3.28.141.L.12 by January 1, 2025 and annually on January 1 until 2030.

3. To the extent practicable, SPD officers shall collect and record in the department's record management system (RMS) data each contact with an individual in pursuit of enforcement of the crimes described in subsection 3.28.141.A and the number of attempts to contact and coordinate efforts for diversion, outreach, and other alternatives to arrest as described in subsection 3.28.141.F. If SPD is unable to collect the data described in this subsection 3.28.141.K.3, SPD and OIG shall endeavor to collect such data from service providers.

L. Annual reporting and recommendations. OIG and/or an independent, academically based research organization engaged by ~~((the Office of the Inspector General))~~ OIG shall review implementation of this Section 3.28.141 to determine the impact of subsections 3.28.141.G and 3.28.141.H, including but not limited to the ability of SPD officers to effectively address incidents described in subsection 3.28.141.A and based upon that review, provide recommendations to improve this Section 3.28.141 and related policy. OIG shall also provide recommendations regarding data collection and operationalization of such data collection to improve the City's ability to assess the effectiveness of this ~~((ordinance))~~ legislation. A preliminary report shall be provided to the Council by June 30, 2025. The following data, or an explanation of why the data is unavailable, and written recommendations shall be provided by the OIG to the Council by December 31, 2025, and at least annually by December 31 until 2030:

1. The number of drug overdoses in Seattle on a quarterly basis (including baseline years of 2019 – 2022 and the first three quarters of 2023);

2. The number of shootings in which drugs were present or an individual was under the influence of drugs within Seattle on a quarterly basis (including baseline years of 2019 – 2022 and the first three quarters of 2023);

3. The number of 911 calls about use of controlled substances in a public place on a quarterly basis (including baseline years of 2019 – 2022 and the first three quarters of 2023);

4. The number of documented contacts between police officers, including community service officers, and individuals encountered (~~(in-pursuit-of)~~ during enforcement of the crimes described in subsection 3.28.141.A;

5. The number of attempts by police officers, including community service officers, to contact and coordinate efforts for diversion, outreach, and other alternatives to arrest as described in subsection 3.28.141.F;

6. The number of arrests for the crimes described in subsection 3.28.141.A;

7. The number of individuals transported for booking at jail and of that number: the name of the jail, the number of individuals who are booked into jail, the number of individuals the jail did not accept, the number of individuals transported to a medical facility, and the number of individuals released without booking into jail or being transported to a medical facility;

8. The number of possession and public use cases referred to the City Attorney's Office for prosecution;

9. The number of referred cases dismissed before or during trial, including pre-filing diversion cases;

10. The reasons for dismissal of referred cases;

11 The results of any interviews of SPD personnel with experience in the field implementing this Section 3.28.141 and their suggestions, if any, for improving the law or related policies, including the feasibility of implementing subsection 3.28.141.G and 3.28.141.H; and

12. Any other information deemed by OIG as helpful for the purposes of the review required by this subsection 3.28.141.L or providing written recommendations.

M. Based on officer availability, location, and deployment limitations, SPD shall seek to prioritize use of officers who have received at least 40 hours of crisis intervention team (CIT) training when enforcing the crimes described in subsection 3.28.141.A.

Section 4. Given that there are numerous unscaled community-based care teams in Seattle and that an effective response to complex behavioral health needs requires coordination and division of labor, this ~~((ordinance))~~ legislation establishes a behavioral health alternatives committee. This committee shall advise the Mayor, City Council, the Seattle Police Department (SPD), and ~~((the Civilian Assisted Response and Engagement (CARE) Department))~~ other public safety-related departments on an ongoing basis regarding any need for change in operationalized police protocols, legislation, or other policies. Committee approval shall not be required prior to implementation of SPD policies.

A. Reporting. The behavioral health alternatives committee created in this section shall produce bi-annually a report that identifies for individuals who are referred to diversion through SPD social contact, demographic and other information as recommended by the state's substance abuse and recovery services plan. Data used to produce the report shall be made available to the City for subsequent analysis to include persons who were arrested, booked, or prosecuted for the crimes described in subsection 3.28.141.A of the Seattle Municipal Code.

Section 5. This legislation is enacted as an exercise of the police power of the City of Seattle to protect the public peace, health, safety, and welfare, and its provisions shall be liberally construed to accomplish those purposes. The express purpose of this ~~((code))~~ legislation is to promote the health, safety, and welfare of the general public, and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefitted by the terms of this ~~((code or ordinance))~~ legislation. The specific intent of this legislation is to provide guidance to police officers enforcing the crimes described in subsection 3.28.141.A. of the Seattle Municipal Code and increase public safety. No provision or term used in this ~~((code))~~ legislation is intended to impose any duty whatsoever on the City, or any of its officers or employees.