

SEATTLE CITY COUNCIL

600 Fourth Ave. 2nd Floor
Seattle, WA 98104



Journal of the Proceedings of the Seattle City Council

Tuesday, December 13, 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 December 13, 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: 9 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Sawant, Strauss

C. PRESENTATIONS

There were none.

D. PUBLIC COMMENT

The following individuals addressed the Council:

James Clark
Marguerite Richard
Brady Nordstrom
Steve Hooper
Megan Kruse
Howard Gale
Nick Jackal
Kate Smith
Deb Barker
Aliesha Ruiz
Laura Loe
Alex Tsimmerman

E. ADOPTION OF INTRODUCTION AND REFERRAL CALENDAR:

[IRC 373](#) **December 13, 2022**

Motion was made, duly seconded and carried, to adopt the Introduction & Referral Calendar (IRC) 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 406](#) **December 6, 2022**

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

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

Opposed: None

Bills:

- 2. [CB 120482](#) **AN ORDINANCE appropriating money to pay certain claims for the week of November 28, 2022 through December 2, 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 Council Bill:

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

Opposed: None

Appointments:

LAND USE COMMITTEE:

3. [Appt 02416](#) Appointment of Juan C. Rodriguez as member, Equitable Development Initiative Advisory Board, for a term to February 28, 2025.

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

In Favor: 5 - Strauss, Morales, Mosqueda, Nelson, Pedersen

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

PUBLIC ASSETS AND HOMELESSNESS COMMITTEE:

4. [Appt 02418](#) Reappointment of Robert J. Flowers as member, Washington State Convention Center Public Facilities District Board, for a term to July 30, 2026.

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

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

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

5. [Appt 02419](#) Reappointment of Katie Garrow as member, Washington State Convention Center Public Facilities District Board, for a term to July 30, 2026.

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

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

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

CITY COUNCIL:

1. [Res 32076](#) **A RESOLUTION setting forth The City of Seattle's 2023 State Legislative Agenda.**

ACTION 1:

Motion was made and duly seconded to adopt Resolution 32076.

ACTION 2:

Motion was made by Councilmember Strauss, duly seconded and carried, to amend Resolution 32076, Exhibit 1, the second paragraph under the heading "An Interconnected City - one supported by a cohesive and multimodal transportation network," by adding a new sentence at the end of the paragraph, as shown in the underlined language below:

We support transportation policies and funding that help to address the climate crisis and meet both the City's and the State's greenhouse gas emissions reduction targets and vehicle miles traveled (VMT) reductions, including electric vehicle (EV) charging infrastructure, incentives for EVs and e-bikes, and greater congestion pricing authority as a means of reducing emissions. We support making e-bikes, e-cargo, or e-family bikes more affordable and accessible as a low-carbon and lower cost alternative to driving for low and middle-income families. We are committed to environmental justice in the transportation sector, including the removal of freeways in marginalized communities such as South Park. We are committed to expanding the use of freeway lids across the city, including on Interstate 5 and State Route 520, to reconnect neighborhoods and provide public land with amenities such as affordable housing, open space, and pedestrian and bike connections to transit stations.

ACTION 3:

Motion was made and duly seconded to adopt Resolution 32076 as amended.

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

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

Opposed: None

Abstain: 2 - Nelson, Pedersen

2. [CB 120469](#) **AN ORDINANCE relating to the Department of Finance and Administrative Services; authorizing the Director of the Department of Finance and Administrative Services or the Director’s designee to negotiate and execute a real property lease with the 2724 6th Ave South, Limited Partnership on behalf of the Seattle Police Department; and ratifying and confirming certain prior acts.**

Motion was made and duly seconded to pass Council Bill 120469.

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

LAND USE COMMITTEE:

3. [CB 120462](#) **AN ORDINANCE relating to land use and zoning; amending the Seattle Comprehensive Plan to incorporate changes proposed as part of the 2022 Comprehensive Plan annual amendment process.**

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

In Favor: 5 - Strauss, Morales, Mosqueda, Nelson, Pedersen

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, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: 1 - Sawant

4. [CB 120464](#) **AN ORDINANCE relating to Design Review for affordable housing; adopting temporary regulations to exempt affordable housing projects from Design Review; amending Section 23.41.004 of the Seattle Municipal Code; and adopting a work plan.**

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

In Favor: 5 - Strauss, Morales, Mosqueda, Nelson, Pedersen

Opposed: None

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

PUBLIC ASSETS AND HOMELESSNESS COMMITTEE:

5. [CB 120467](#) **AN ORDINANCE relating to the Department of Parks and Recreation; approving the execution of a settlement agreement with the Washington State Department of Transportation; authorizing the transfer of real property rights and the acceptance of the mitigation contribution for the Arboretum North Entry Project required for the SR 520, I-5 to Medina: Bridge Replacement and HOV Project, which includes the SR 520 Portage Bay Bridge Roanoke Lid Project; superseding the requirements of Ordinance 118477, which adopted Initiative 42, with respect to the exchange; authorizing the Superintendent or Superintendent's designee to execute, deliver, and perform corresponding documents; authorizing acceptance of recording of deeds for open space, park, and recreation purposes; creating a fund for depositing monies received from the settlement agreement; and ratifying and confirming certain prior acts.**

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

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

Opposed: None

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

TRANSPORTATION AND SEATTLE PUBLIC UTILITIES COMMITTEE:

6. [CB 120429](#) **AN ORDINANCE related to street and sidewalk use; to make permanent programmatic elements of the Temporary Business Recovery Permit program that authorized vending, merchandise display, outdoor cafes, and street closures in the city during the COVID-19 pandemic; adding new Chapter 15.15 and new Sections 11.14.711, 11.14.712, 11.14.713, 11.72.452, 15.17.040, and 15.17.051 to the Seattle Municipal Code; renumbering existing Section 11.14.712 of the Seattle Municipal Code as Section 11.14.714; amending Sections 11.14.228, 11.16.280.G, 11.23.160.F, 11.23.420, 11.23.440, 11.31.121, 11.72.195, 15.02.044, 15.02.046, 15.04.010, 15.04.035, 15.04.045, 15.04.060, 15.04.070, 15.04.074, 15.04.090, 15.16.040, 15.16.051, 15.16.080, 15.17.005, 15.17.006, 15.17.152, 15.17.200, 15.32.250.F, and 15.91.002 of the Seattle Municipal Code; and repealing Sections 15.17.007, 15.17.008, 15.17.009, 15.17.050, 15.17.080, 15.17.100, 15.17.120, 15.17.130, 15.17.150, and 15.17.250 of the Seattle Municipal Code; and amending the Street Use Fee Schedule.**

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

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

Opposed: None

ACTION 1:

Motion was made by Councilmember Strauss, duly seconded and carried, to amend Council Bill 120429, by amending the 9th Recital, Section 45, and Table A2 of Attachments A and B, as shown on Attachment 1 to the Minutes.

ACTION 2:

Motion was made and duly seconded to pass Council Bill 120429 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: 9 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

7. [CB 120471](#) **AN ORDINANCE relating to Seattle Public Utilities; accepting easements granted to The City of Seattle for installation, operation, and maintenance of sanitary sewers, storm drains, and appurtenances at various locations in Seattle; placing the real property rights and interests conveyed by the easements under the jurisdiction of Seattle Public Utilities; and ratifying and confirming certain prior acts.**

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

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

Opposed: None

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

8. [CB 120472](#) **AN ORDINANCE relating to Seattle Public Utilities; declaring certain real property rights relating to sewer and storm drain easements within Seattle as being surplus to City utility needs; authorizing the General Manager/CEO of Seattle Public Utilities to relinquish such easement rights; and ratifying and confirming certain prior acts.**

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

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

Opposed: None

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

9. [CB 120473](#) **AN ORDINANCE relating to Seattle Public Utilities; accepting easements granted to The City of Seattle for installation, operation, and maintenance of hydrants, water mains, domestic meter vaults, fire service meters, and appurtenances necessary for water utility purposes at various locations in Seattle; placing the property rights and interests conveyed by the easements under the jurisdiction of Seattle Public Utilities; and ratifying and confirming certain prior acts.**

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

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

Opposed: None

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

10. [CB 120474](#) **AN ORDINANCE relating to Seattle Public Utilities; declaring the real property rights relating to a water utility easement as being surplus to City utility needs; authorizing the General Manager/CEO of Seattle Public Utilities to relinquish such easement rights; and ratifying and confirming certain prior acts.**

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

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

Opposed: None

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

11. [CB 120477](#) **AN ORDINANCE relating to compost procurement; establishing a compost procurement policy for The City of Seattle; and adding a new Subchapter IV to Chapter 20.60 of the Seattle Municipal Code.**

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

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

Opposed: None

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

12. [CB 120470](#) **AN ORDINANCE relating to Seattle Public Utilities; declaring certain real property rights relating to sewer and storm drain easements within Seattle as being surplus to City utility needs; authorizing the General Manager/CEO of Seattle Public Utilities to relinquish such easement rights; and ratifying and confirming certain prior acts.**

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

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

Opposed: None

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

13. [CB 120475](#) **AN ORDINANCE relating to Seattle Public Utilities; authorizing the General Manager/CEO of Seattle Public Utilities to execute an interagency agreement with the Washington Department of Fish and Wildlife to operate the Cedar River Hatchery; and ratifying and confirming certain prior acts.**

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

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

Opposed: None

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

14. [CB 120476](#) **AN ORDINANCE relating to Seattle Public Utilities; authorizing the General Manager and Chief Executive Officer of Seattle Public Utilities or designee to execute an interlocal agreement with King County, the City of Tukwila, and the Port of Seattle to cost-share a Duwamish Basin Steward staff position that will provide Basin Stewardship Services in the Duwamish Service area.**

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

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

Opposed: None

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

I. ITEMS REMOVED FROM CONSENT CALENDAR

There were none.

J. ADOPTION OF OTHER RESOLUTIONS

15. [Res 32077](#) **A RESOLUTION endorsing the 2023-2024 Legislative Department Racial Equity Work Plan developed by the Legislative Department’s Race and Social Justice Initiative Change Team to improve racial equity in the Legislative Department and The City of Seattle.**

Motion was made and duly seconded to adopt Resolution 32077.

The Motion carried, 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

K. OTHER BUSINESS

There was none.

L. ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 3:30 p.m.

Jodee Schwinn, Deputy City Clerk

Signed by me in Open Session, upon approval of the Council, on January 3, 2023.

Debora Juarez, Council President of the City Council

Elizabeth M. Adkisson, Interim City Clerk

Att 1 - Action 1 of CB 120429

Att 1 – Action 1 of CB 120429

Amendment A
to Council Bill 120429
Sponsor: Strauss

Amend the 9th Whereas clause as follows:

WHEREAS, the City Council wishes to extend the free permit program for temporary business uses excluding vending through June 30, 2023, or as soon thereafter as SDOT is ready to implement the adaptations from the Temporary Business Recovery permit program; and to extend the free permit program for temporary business uses located within historic districts excluding vending through December 31, 2023; and

Amend Section 45 as follows:

Section 45. Attachment A authorizes an extension of the Temporary Business Use permit program (use code 3AA) excluding vending for uses located outside of historic districts through June 30, 2023, or as soon thereafter as SDOT is ready to implement the adaptations from the Temporary Business Recovery permit program. Temporary Business Use permits (use code 3AA) excluding vending for uses located within historic districts are authorized through December 31, 2023, or as soon thereafter as SDOT is ready implement the adaptations from the Temporary Business Recovery permit program. Vending permits authorized under the Temporary Business Use permit program will expire on January 31, 2023.

Amend Table A2 in Attachment A as follows:

Table A2 - Uses with No Base Permit Fee	
Use Description	Use Code
Gardening in the ROW	1
Tree Planting, Pruning or Removal	1A, 1B, and 1C
Unimproved right-of-way and shoulder planting with minimal ground disturbance of 1 cubic yard or less	1D
Miscellaneous User per SMC 15.04.100	54
Residential Street Barricading for Neighborhood Activation (e.g. block parties, play streets)	54B
Barricading for Public Safety	54C
Sidewalk or Driveway Maintenance or Repair (less than 100 sq. ft.)	55
First Amendment Vending or Expressive Activity	19B/19K
Public Activation Amenities (e.g. street furniture, art)	52
Advertising in the ROW (e.g. signs, graphics)	6
((Temporary Business Recovery Uses (e.g., cafes, displays, vending) – Through January 31, 2023))	((3AA))
<u>Temporary Business Recovery Uses (vending) – Expire no later than January 31, 2023 and no new permit issuances allowed after passage of permanent legislation</u>	<u>3AA</u>
<u>Temporary Business Recovery Uses (cafes, displays, street closures located outside of historic districts) – Expire no later than June 30, 2023 or as soon thereafter as SDOT is ready to implement the adaptations from the Temporary Business Recovery permit program and no new permit issuances allowed after passage of permanent legislation</u>	<u>3AA</u>
<u>Temporary Business Recovery Uses (cafes, displays, street closures located inside of historic districts) – Expire no later than December 31, 2023 or as soon thereafter as SDOT is ready to implement the adaptations from the Temporary Business Recovery permit program and no new permit issuances allowed after passage of permanent legislation</u>	<u>3AA</u>

Amend Table A2 in Attachment B as follows:

Table A2 - Uses with No Base Permit Fee	
Use Description	Use Code
Gardening in the ROW	1
Tree Planting, Pruning or Removal	1A, 1B, and 1C
Unimproved right-of-way and shoulder planting with minimal ground disturbance of 1 cubic yard or less	1D
Miscellaneous User per SMC 15.04.100	54
Residential Street Barricading for Neighborhood Activation (e.g. block parties, play streets)	54B
Barricading for Public Safety	54C
Sidewalk or Driveway Maintenance or Repair (less than 100 sq. ft.)	55
First Amendment Vending or Expressive Activity	19B/19K
Public Activation Amenities (e.g. street furniture, art)	52
Advertising in the ROW (e.g. signs, graphics)	6
Temporary Business Recovery Uses (vending) – Expire no later than January 31, 2023 and no new permit issuances allowed after passage of permanent legislation	3AA
Temporary Business Recovery Uses (cafes, displays, street closures <u>located outside of historic districts</u>) – Expire no later than June 30, 2023 or as soon thereafter as SDOT is ready to implement the adaptations from the Temporary Business Recovery permit program and no new permit issuances allowed after passage of permanent legislation	3AA
<u>Temporary Business Recovery Uses (cafes, displays, street closures located inside of historic districts) – Expire no later than December 31, 2023 or as soon thereafter as SDOT is ready to implement the adaptations from the Temporary Business Recovery permit program and no new permit issuances allowed after passage of permanent legislation</u>	<u>3AA</u>