

SEATTLE CITY COUNCIL

600 Fourth Ave. 2nd Floor
Seattle, WA 98104



Journal of the Proceedings of the Seattle City Council

Monday, March 14, 2016

2:00 PM

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

Full Council

Bruce Harrell, Council President

Sally Bagshaw

Tim Burgess

M. Lorena González

Lisa Herbold

Rob Johnson

Debora Juarez

Mike O'Brien

Kshama Sawant

Chair Info: 206-684-8804; bruce.harrell@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 14, 2016, pursuant to the provisions of the City Charter. The meeting was called to order at 2:01 p.m., with Council President Harrell presiding.

B. ROLL CALL

Present: 8 - Bagshaw, Burgess, González , Harrell, Johnson, Juarez, O'Brien, Sawant

Late Arrival: 1 - Herbold

C. ADOPTION OF INTRODUCTION AND REFERRAL CALENDAR

[IRC 54](#)

March 14, 2016

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

In Favor: 8 - Bagshaw, Burgess, González , Harrell, Johnson, Juarez, O'Brien, Sawant

Opposed: None

D. APPROVAL OF THE AGENDA**ACTION 1:**

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

ACTION 2:

Motion was made by Councilmember Johnson, duly seconded and carried, to amend the proposed Agenda, by adding Clerk File 314316 before item 2, Council Bill 118638.

Clerk File 314316, Application of Sachin Kukreja to amend the Property Use and Development Agreement adopted by Ordinance 123923 for property located at 3902 South Ferdinand Street (Project #3020677, Type IV).

Councilmember Herbold entered the Council Chamber at 2:04 p.m.

ACTION 3:

Motion was made by Councilmember Harrell, duly seconded and carried, to amend the proposed Agenda by moving the Sustainability and Transportation Committee Report, item 7, Council Bill 118618, as the first item on the Agenda.

Council Bill 118618, AN ORDINANCE relating to the Seattle bike share program; authorizing a partial removal of the proviso included in 2016 budget Green Sheet 93-1-A-1; and ratifying and confirming certain prior acts.

ACTION 4:

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

E. APPROVAL OF THE JOURNAL

[Min 63](#)**March 7, 2016**

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

In Favor: 9 - Bagshaw, Burgess, González , Harrell, Herbold, Johnson, Juarez, O'Brien, Sawant

Opposed: None

F. PRESENTATIONS

Councilmember González presented a Proclamation recognizing the American Red Cross.

By unanimous consent, the Council Rules were suspended to allow Councilmember González to present the Proclamation to representatives of the Red Cross, and to allow Terry Pollard and Dulce Mason to address the Council.

G. PUBLIC COMMENT

Sara Watkins addressed the council regarding Agenda item 7, Council Bill 118618.

Kimberly Kinchin addressed the council regarding Agenda item 7, Council Bill 118618.

Yvette Dinish addressed the council regarding general Agenda items.

Ref Lindmark addressed the council regarding Agenda item 7, Council Bill 118618.

Rose Ernst addressed the council regarding Agenda item 6, Council Bill 118636.

Rick Derksen addressed the council regarding Agenda item 6, Council Bill 118636.

Sharon Cowdery addressed the council regarding Agenda item 7, Council Bill 118618.

Alex Tsimerman addressed the Council regarding a non-Agenda item.

Sara Mae addressed the Council regarding a non-Agenda item.

Mark Hulscher addressed the council regarding Agenda item 7, Council Bill 118618.

Bob Edmiston addressed the council regarding Agenda item 7, Council Bill 118618.

Brian Estes addressed the council regarding Agenda item 6, Council Bill 118636.

Demi Allen addressed the council regarding Agenda item 7, Council Bill 118618.

Linda Melvin addressed the council regarding Agenda item 7, Council Bill 118618.

Doug McDonald addressed the council regarding Agenda item 6, Council Bill 118636.

Carol D. McRoberts addressed the council regarding Agenda item 6, Council Bill 118636.

Kelli Refer addressed the council regarding Agenda item 7, Council Bill 118618.

H. PAYMENT OF BILLS

[CB 118640](#) **AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.**

Motion was made and duly seconded to pass Council Bill 118640.

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

In Favor: 9 - Bagshaw, Burgess, González , Harrell, Herbold, Johnson, Juarez, O'Brien, Sawant

Opposed: None

I. COMMITTEE REPORTS

SUSTAINABILITY AND TRANSPORTATION COMMITTEE:

7. [CB 118618](#) **AN ORDINANCE relating to the Seattle bike share program; authorizing a partial removal of the proviso included in 2016 budget Green Sheet 93-1-A-1; and ratifying and confirming certain prior acts.**

The Committee recommends that Full Council pass as amended the Council Bill (CB) with a Divided Report.

In Favor: 4 - O'Brien, Johnson, Sawant, Juarez

Opposed: 2 - Herbold, Burgess

ACTION 1:

Motion was made by Councilmember Burgess and duly seconded, to amend Council Bill 118618, Recitals, Sections 1 through 5, and by renumbering the remaining sections accordingly, as shown in the underlined and strike through language below:

Recitals

WHEREAS, the City Council requested a business plan including a financial analysis and information on long-term operations, implementation, and spending before granting such authority; and

WHEREAS, Pronto bike share is facing insolvency; and

WHEREAS, SDOT presented a proposal for City acquisition and on-going City

ownership of Pronto bike share; NOW, THEREFORE,

~~WHEREAS, SDOT continues to develop the business plan for expansion and will~~

~~bring that before the City Council later this year; and~~

~~WHEREAS, to keep bike share operational in 2016, SDOT proposes that the City~~

~~take ownership of the system and contract directly with an operator; and~~

~~WHEREAS, SDOT will then conduct a competitive bid process for long term~~

~~operations and equipment for the bike share system; and~~

~~WHEREAS, the existing bike share system is currently insolvent and may cease~~

~~operations, which would create a gap between Pronto's and the City's operation of the bike share system; NOW, THEREFORE,~~

Amended Section 1

Section 1. The Seattle Department of Transportation is granted a partial lift of the proviso in Green Sheet 93-1-A-1, part of The City of Seattle's 2016 budget, to satisfy the City's obligation on the Federal Transit Administration Grant for bike share and, if necessary, repay up to \$1,000,000 of grant funds in the event that Pronto bike share ceases operations. ~~purchase bike share assets from Pronto for \$1,400,000 to ensure that bike share remains operational in Seattle.~~

Amended Section 2.

Section 2. The remainder of the funds, totaling \$4,000,000, remains under proviso and may be available to support a future public-private partnership for bike share that does not rely on City of Seattle funding for operating revenue and appropriately shares responsibility for capital expenses. The Council understands that a future bike share system may make use of Pronto assets or may propose deploying new equipment. The Council will consider lifting the proviso on the remaining funds when the Seattle Department of Transportation provides a detailed Memorandum of Agreement between the City and an outside partner for Council approval that minimizes City investment and demonstrates a substantial shift in financial risk to the City's private partner, as well as a detailed spending and implementation

~~plan and financial analysis of the future public-private partnership bike share system. If a public-private partnership is not developed by the end of 2016 or the full amount is not needed, the remaining funds will be repurposed for high priority pedestrian and bicycle infrastructure safety projects. \$3,600,000, will not be appropriated until completion of the competitive process and vendor selection needed for expansion. Council anticipates that such authority will not be granted until the Seattle Department of Transportation provides a detailed spending and implementation plan and financial analysis of the expansion and long-term operations of the Bike Share program.~~

Delete Section 3

~~Section 3. Following acquisition of Pronto assets, SDOT will provide a monthly written report on bike share operations to City Council until January 2017. At a minimum, the report will include bike share ridership, program expenses and revenues, and a summary of SDOT actions to manage the bike share program.~~

Delete Section 4

~~Section 4. SDOT will incorporate feedback from the Council in developing the Request for Proposals for expansion of the bike share system. SDOT will involve the Council or Council staff in the review of responses to the Request for Proposals.~~

Delete Section 5

~~Section 5. The City Budget Office shall create a new Bike Share Fund in the development of the 2017-2018 Budget to manage expenses~~

~~and revenues related to the program.~~

The Motion failed by the following vote:

In favor: Burgess, Herbold - 2

Opposed: Bagshaw, González, Harrell, Johnson, Juarez, O'Brien,

Sawant - 7

ACTION 2:

Motion was made by Councilmember O'Brien, duly seconded and carried, to amend Council Bill 118618, Section 2, as shown in the underlined language below:

Section 2. The remainder of the funds, totaling \$3,600,000, will not be appropriated until completion of the competitive process and vendor selection needed for expansion. Council anticipates that such authority will not be granted until the Seattle Department of Transportation provides a detailed spending and implementation plan and financial analysis of the expansion and long-term operations of the Bike Share program; and demonstrates that the following bicycle infrastructure projects are on schedule to be completed prior to an expansion of the bike share system:

- a) Dexter Ave N Protected Bike Lane (Mercer St to Roy St)
- b) Westlake Ave N Protected Bike Lane (W Raye St to Valley St)
- c) 2nd Ave Protected Bike Lane (Yesler Way to S Washington St)
- d) 9th Ave N Protected Bike Lane (Westlake Ave N to Denny Way)
- e) 2nd Ave Protected Bike Lane (Pike St to Denny Way)

ACTION 3:

Motion was made by Councilmember González, duly seconded and carried, to amend Council Bill 118618, by amending Sections 1 and 2, adding a new Section 6, and renumbering the remaining sections accordingly, as shown in the underlined language below:

Amended Section 1

Section 1. The Seattle Department of Transportation is granted a partial lift of the proviso in Green Sheet 93-1-A-1, part of The City of Seattle's 2016 budget, to purchase bike share assets from Pronto for \$1,400,000 to ensure that bike share remains operational in Seattle; and \$50,000 for outreach activities as described in Section 6 of this ordinance.

Amended Section 2

Section 2. The remainder of the funds, totaling \$3,550,000~~\$3,600,000~~, will not be appropriated until completion of the competitive process and vendor selection needed for expansion. Council anticipates that such authority will not be granted until the Seattle Department of Transportation provides a detailed spending and implementation plan and financial analysis of the expansion and long-term operations of the Bike Share program.

New Section 6

Section 6. The Seattle Department of Transportation shall engage low-income populations and communities of color on the need for and expansion of the bike share system to serve these communities.

SDOT shall consult with the Seattle Office for Civil Rights in the development of an outreach plan that is linguistically appropriate and culturally competent, and shall include surveys and direct public engagement. SDOT may engage community based organizations to assist in this outreach. SDOT shall report findings to Council as required by SMC 5.09.040, no later than September 30, 2016.

ACTION 4:

Motion was made by Councilmember O'Brien, duly seconded and carried, to amend Council Bill 118618, Section 4, as shown in the underlined language below:

Section 4. SDOT will incorporate feedback from the Council in developing the Request for Proposals for expansion of the bike share system, including the possibility of a combined free-floating and point-to-point model, deployment of electric bicycles, and expanding the existing system. It is the Council's intention that the Mayor engage the Council in the selection of the future bike share operator for the Bike Share RFP prior to any Council action to lift the proviso on the remaining \$3.5 million for expansion. ~~SDOT will involve the Council or Council staff in the review of responses to the Request for Proposals.~~

ACTION 5:

Motion was made and duly seconded to pass Council Bill 118618 as amended.

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

In Favor: 7 - Bagshaw, González , Harrell, Johnson, Juarez, O'Brien, Sawant

Opposed: 2 - Burgess, Herbold

FULL COUNCIL

1. [CB 118638](#) **AN ORDINANCE relating to City employment; authorizing the execution of collective bargaining agreements between The City of Seattle and certain unions; and ratifying and confirming certain prior acts.**

Motion was made and duly seconded to pass Council Bill 118638.

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

In Favor: 9 - Bagshaw, Burgess, González , Harrell, Herbold, Johnson, Juarez, O'Brien, Sawant

Opposed: None

- [CF 314316](#) **Application of Sachin Kukreja to amend the Property Use and Development Agreement adopted by Ordinance 123923 for property located at 3902 South Ferdinand Street (Project #3020677, Type IV).**

The Committee recommends that Full Council grant the Application.

In Favor: 3 - Johnson, O'Brien, Herbold

Opposed: None

2. [CB 118637](#) **AN ORDINANCE approving an amendment of the Property Use and Development Agreement approved by Ordinance 123923 for property located at 3902 S. Ferdinand Street.**

Motion was made and duly seconded to pass Council Bill 118637.

The Motion carried, the Bill passed by the following vote, and the President signed the Bill:

In Favor: 9 - Bagshaw, Burgess, González , Harrell, Herbold, Johnson, Juarez, O'Brien, Sawant

Opposed: None

3. [Res 31655](#) **A RESOLUTION amending Resolution 31645; updating Seattle City Councilmember participation, for 2016 and 2017, on King County Committees, Regional Committees, State Committees, and City of Seattle Committees.**

Motion was made and duly seconded to adopt Resolution 31655.

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

In Favor: 9 - Bagshaw, Burgess, González , Harrell, Herbold, Johnson, Juarez, O'Brien, Sawant

Opposed: None

4. [Res 31656](#) **A RESOLUTION adopting the Seattle City Council 2016 Work Program.**

Motion was made and duly seconded to adopt Resolution 31656.

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

In Favor: 9 - Bagshaw, Burgess, González , Harrell, Herbold, Johnson, Juarez, O'Brien, Sawant

Opposed: None

5. [Res 31653](#) **A RESOLUTION adopting Statements of Legislative Intent (SLIs) for the 2016 Adopted Budget and 2016-2021 Adopted Capital Improvement Program (CIP).**

Motion was made and duly seconded to adopt Resolution 31653.

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

In Favor: 9 - Bagshaw, Burgess, González , Harrell, Herbold, Johnson, Juarez, O'Brien, Sawant

Opposed: None

CIVIL RIGHTS, UTILITIES, ECONOMIC DEVELOPMENT, AND ARTS COMMITTEE:

6. [CB 118636](#) **AN ORDINANCE relating to civil rights; authorizing the Director of the Office for Civil Rights or her designee to execute an agreement with the Social Justice Fund, a Washington non-profit, to provide services relating to zero youth detention projects; amending Ordinance 124927 by lifting a budget proviso; and ratifying and confirming certain prior acts.**

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

In Favor: 3 - Herbold, Sawant, O'Brien

Opposed: None

ACTION 1:

Motion was made by Councilmember Herbold, duly seconded and carried, to amend Council Bill 118636, Attachment 1, by substituting version 2 for version 1.

ACTION 2:

Motion was made and duly seconded to pass Council Bill 118636 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, González , Harrell, Herbold, Johnson, Juarez, O'Brien, Sawant

Opposed: None

J. ADOPTION OF OTHER RESOLUTIONS

There were none.

K. OTHER BUSINESS

Motion was made, duly seconded and carried, to excuse Councilmember Burgess from the March 28, 2016 Full Council meeting.

L. ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 3:44 p.m.

Emilia M. Sanchez, Deputy City Clerk

Signed by me in Open Session, upon approval of the Council, on March 21, 2016.

Bruce Harrell, President of the City Council

Monica Martinez Simmons, City Clerk