

SEATTLE CITY COUNCIL

600 Fourth Ave. 2nd Floor
Seattle, WA 98104



Journal of the Proceedings of the Seattle City Council

Monday, March 23, 2015

2:00 PM

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

Full Council

Tim Burgess, Council President

Sally Bagshaw

Sally Clark

Jean Godden

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 March 23, 2015 pursuant to the provisions of the City Charter. The meeting was called to order at 2:01 p.m., with Council President Burgess presiding.

B. ROLL CALL

Present: 7 - Burgess, Clark, Godden, Harrell, Licata, O'Brien, Rasmussen

Excused: 1 - Bagshaw

Late Arrival: 1 - Sawant

C. ADOPTION OF INTRODUCTION AND REFERRAL CALENDAR

[IRC 7](#) **March 23, 2015 (Revised; 3/20/15 at 4:00 p.m.)**

Attachments: [Introduction and Referral Calendar](#)

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

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

Opposed: None

D. APPROVAL OF THE AGENDA

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

Councilmember Sawant entered the Council Chamber at 2:02 p.m.

E. APPROVAL OF THE JOURNAL

[Min 6](#) **March 9, 2015**

The Journal of the Proceedings of the Seattle City Council meeting of March 9, 2015 was presented for approval. By unanimous consent, the Journal was approved and signed.

F. PRESENTATIONS

There were none.

G. PUBLIC COMMENT

Battery Bob addressed the Council regarding a non-Agenda item.

Pavel Goberman addressed the Council regarding a non-Agenda item.

Karl de Jong addressed the Council regarding Agenda item 1, Appointment No. 00021.

Joan Paulson addressed the Council regarding Agenda item 5, Council Bill No. 118339.

Frank Coble addressed the Council regarding Agenda item 5, Council Bill No. 118339.

H. PAYMENT OF BILLS

[CB 118353](#) **AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.**

Motion was made and duly seconded to pass Council Bill No. 118353.

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

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

Opposed: None

I. COMMITTEE REPORTS

PARKS, SEATTLE CENTER, LIBRARIES AND GENDER PAY EQUITY COMMITTEE

1. [Appt 00021](#) **Reappointment and Oath of Office of Robert L. Nellams as Director of Seattle Center.**

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

In Favor: 3 - Godden, Harrell, Rasmussen

Opposed: None

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

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

Opposed: None

The Oath of Office was administered to Mr. Nellams by Monica Martinez Simmons, City Clerk, and Mr. Nellams addressed the Council.

PUBLIC SAFETY, CIVIL RIGHTS, AND TECHNOLOGY COMMITTEE

2. [CB 118347](#) **AN ORDINANCE relating to the City’s Cable Communications Ordinance; amending Chapter 21.60 of the Seattle Municipal Code to reflect advances in technology and changes in federal law, to create a logical organization of the Chapter for ease of reference, to promote competition in cable services, to enhance consumer protection, and to reserve the City’s authority in a fluid regulatory environment; updating the membership requirements and duties of the Citizens’ Telecommunications and Technology Advisory Board, renaming it the Community Technology Advisory Board, and moving the requirements and duties of the Board from Chapter 21.60 to Chapter 3.22; renaming Subtitle V of Title 21 and Chapter 21.60; amending Sections 3.02.125, 21.60.010, 21.60.020, 21.60.030, 21.60.040, 21.60.050, 21.60.060, 21.60.080, 21.60.090, 21.60.100, 21.60.110, 21.60.120, 21.60.130, 21.60.140, 21.60.150, 21.60.160, 21.60.170, 21.60.180, 21.60.190, 21.60.200, 21.60.210, 21.60.220, 21.60.240, 21.60.250, 21.60.260, 21.60.270, 21.60.280, 21.60.800, 21.60.820, and 21.60.830; repealing Sections 21.60.230, 21.60.290, 21.60.295, 21.60.300, 21.60.310, 21.60.320, 21.60.330, 21.60.340, 21.60.350, 21.60.360, 21.60.370, 21.60.380, 21.60.390, 21.60.400, 21.60.440, 21.60.450, 21.60.460, 21.60.470, 21.60.480, 21.60.490, 21.60.500, 21.60.510, 21.60.520, 21.60.530, 21.60.540, 21.60.550, 21.60.560, 21.60.570, 21.60.580, 21.60.590, 21.60.600, 21.60.620, 21.60.630, 21.60.640, 21.60.650, 21.60.660, 21.60.670, 21.60.680, 21.60.690, 21.60.700, 21.60.710, and 21.60.810; and adding Sections 3.22.050, 21.60.070, 21.60.125, 21.60.825, 21.60.840, and 21.60.850 of the Seattle Municipal Code; and repealing Ordinance 123461.**

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

In Favor: 2 - Harrell, Licata

Opposed: None

Motion was made by Councilmember Harrell, duly seconded and carried, to amend Council Bill No. 118347, Section 21, by substituting Subsection A.3 of SMC 21.60.170 and by adding a new SMC 21.60.170.A.4, as shown below in the underlined and strike through language below:

Action 1:

SMC 21.60.170.A.3:

3. All grantees to verify low-income requirement. Grantee shall meet with [and provide documentation to](#) the Office of Cable Communications not less frequently than semiannually to demonstrate that it has met the low-income service provision requirement in subsection 21.60.170.A.1.b (for a new franchise, if applicable at the time of a particular meeting) or in subsection 21.60.170.A.2 (for a renewed franchise). ~~Each year,~~ [Quarterly](#), the Office of Cable Communications shall [provide forward](#) to Council a copy of grantee's [documentation-report or other document](#) demonstrating that grantee has met its low-income [service provision](#) requirement [along with the Office of Cable Communications' analysis of grantee's documentation](#). If grantee does not demonstrate compliance, the Office of Cable Communications shall report the noncompliance to Council in its ~~quarterly~~ [annual](#) report. [The Office of Cable Communications shall provide these quarterly reports for the first five years of a new franchise, and for the first two years of a renewed franchise, and shall continue to provide these quarterly reports thereafter if so requested by the chair of the Council committee with oversight responsibility for cable issues.](#)

a. If the Office of Cable Communications determines that the requirement is not being met, it may impose other requirements, including but not limited to (i) imposing penalties; (ii) requiring grantee to expand the provision of cable service to other areas of the city, to ensure that the low-income service provision requirement will be met; and (iii) mandating any other action intended to incent compliance with the low-income service provision requirement.

b. The Office of Cable Communications may also impose penalties for grantee's failure to comply with such additional requirements within a specified time.

SMC 21.60.170.A.4:

[4. The Office of Cable Communications shall develop procedures and metrics to implement this subsection 21.60.170.A to describe how compliance with the low-income service provision requirement will be measured and what threshold of service will be deemed to constitute compliance.](#)

Action 2:

Motion was made by Councilmember Harrell, duly seconded and carried, to amend Council Bill No. 118347, Section 32, to fill in two blanks with Council Bill No. "118347."

Action 3:

Motion was made and duly seconded to pass Council Bill No. 118347 as amended.

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

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

Opposed: None

3. [Appt 00032](#) **Appointment of Karia Wong as member, Citizens' Telecommunications and Technology Advisory Board, for a term of confirmation to January 1, 2017.**

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

In Favor: 2 - Harrell, Licata

Opposed: None

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

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

Opposed: None

4. [Appt 00033](#) **Appointment of Amy Hirotaka as member, Citizens' Telecommunications and Technology Advisory Board, for a term ending January 1, 2017.**

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

In Favor: 2 - Harrell, Licata

Opposed: None

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

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

Opposed: None

**CENTRAL WATERFRONT, SEAWALL AND ALASKAN WAY VIADUCT
REPLACEMENT PROGRAM**

5. [CB 118339](#) **AN ORDINANCE relating to the Pike Place Market Preservation and Development Authority; authorizing the Director of the Office of the Waterfront to enter into a development agreement to distribute \$34 million in bond proceeds and to convey certain real property located at 1901 Western Avenue, Seattle, Washington to the Authority for the development of a mixed-used project with public parking, low-income housing, public open space, retail and commercial space; authorizing the acceptance of an easement from the Authority on that property; and authorizing the Director of the Office of the Waterfront and the Housing Director to execute documents and take other actions in connection with this project.**

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

In Favor: 8 - Godden, Bagshaw, Burgess, Clark, Harrell, Licata, Rasmussen, Sawant

Opposed: None

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

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

Opposed: None

HOUSING AFFORDABILITY, HUMAN SERVICES AND ECONOMIC RESILIENCY

6. [CB 118340](#) **AN ORDINANCE amending Seattle Municipal Code sections 22.206.160 and 22.214.075 to prohibit evictions of residential tenants from rental housing units if the units are not registered with the Department of Planning and Development as required by SMC 22.214.040.**

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

In Favor: 2 - Clark, Rasmussen

Opposed: None

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

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

Opposed: None

7. [Appt 00006](#) **Reappointment of Robert J. Flowers as member, Washington State Convention Center Public Facilities District Board of Directors, for a term of confirmation to July 30, 2018.**

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

In Favor: 2 - Clark, Rasmussen

Opposed: None

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

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

Opposed: None

8. [Appt 00036](#) **Appointment of David Carl Freiboth as member, Washington State Convention Center Public Facilities District Board of Directors, for a term of confirmation to July 30, 2018.**

Motion was made and duly seconded to confirm Appt. 00036.

The Motion carried and the Appointment was confirmed by the following vote:

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

Opposed: None

9. [Appt 00015](#) **Appointment of Vu H. Le as member, Seattle Investment Fund LLC Advisory Board, for a term of confirmation to December 31, 2017.**

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

In Favor: 2 - Clark, Rasmussen

Opposed: None

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

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

Opposed: None

J. ADOPTION OF OTHER RESOLUTIONS

There were none.

K. OTHER BUSINESS

There were none.

L. ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 2:52 p.m.

Jodee Schwinn, Deputy City Clerk

Signed by me in Open Session, upon approval of the Council, on April 6, 2015.

Tim Burgess, President of the City Council

Monica Martinez Simmons, City Clerk