

SEATTLE CITY COUNCIL

600 Fourth Ave. 2nd Floor
Seattle, WA 98104



Journal of the Proceedings of the Seattle City Council

Monday, November 13, 2017

2:00 PM

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

Full Council

Bruce Harrell, Council President

Sally Bagshaw

M. Lorena González

Kirsten Harris-Talley

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 November 13, 2017, pursuant to the provisions of the City Charter. The meeting was called to order at 2:03 p.m., with Council President Harrell presiding.

B. ROLL CALL

Present: 9 - Bagshaw, González , Harrell, Harris-Talley, Herbold, Johnson, Juarez, O'Brien, Sawant

By unanimous consent, Order of Business items C through F, were held until after consideration of item G., Public Comment.

G. PUBLIC COMMENT

By unanimous consent, the Council Rules were suspended to allow senior members of the Vietnamese Community to speak for four minutes at the beginning of the Public Comment period.

Kim Lundgreen addressed the Council regarding a non-Agenda item.

Do Nguyen addressed the Council regarding a non-Agenda item.

Wendy Nguyen addressed the Council regarding a non-Agenda item.

Nhieu Nguyen addressed the Council regarding a non-Agenda item.

Mario Santos addressed the Council regarding a non-Agenda item.

Christopher Weidenaar addressed the Council regarding a non-Agenda item.

Matthew Lang addressed the Council regarding a non-Agenda item.

Hai Pham addressed the Council regarding a non-Agenda item.

Katie Wilson addressed the Council regarding a non-Agenda item.

James Dayton addressed the Council regarding a non-Agenda item.

Cristobal Aguilar addressed the Council regarding a non-Agenda item.

Patrice Thomas addressed the Council regarding Agenda item 3, Council Bill 119083.

Doug Fraser addressed the Council regarding Agenda item 3, Council Bill 119083.

Enrique Gonzalez addressed the Council regarding a non-Agenda item.

Eric Friedland addressed the Council regarding a non-Agenda item.

Jill Margaliman addressed the Council regarding a non-Agenda item.

Jessica Ramirez addressed the Council regarding a non-Agenda item.

Tammy Morales addressed the Council regarding a non-Agenda item.

Van Woods addressed the Council regarding Agenda item 3, Council Bill 119083.

Emma Woods addressed the Council regarding Agenda item 3, Council Bill 119083.

Heidi Stuber addressed the Council regarding Agenda item 3, Council Bill 119083.

Councilmember Juarez left the Council Chamber at 2:39 p.m.

Darik Eaton addressed the Council regarding Agenda item 3, Council Bill 119083.

Patricia Sully addressed the Council regarding a non-Agenda item.

By unanimous consent, the Council Rules were suspended to extend the Public Comment period for an additional 15 minutes.

Councilmember Juarez entered the Council Chamber at 2:42 p.m.

Robert Joel Brown addressed the Council regarding a non-Agenda item.

Jessica Wy addressed the Council regarding a non-Agenda item.

Christen Beaty addressed the Council regarding a non-Agenda item.

Rodney Acre addressed the Council regarding a non-Agenda item.

Robert Lightfeather addressed the Council regarding a non-Agenda item.

John O'Loughlin addressed the Council regarding a non-Agenda item.

Alison Eisinger addressed the Council regarding a non-Agenda item.

Lisa Daugaard addressed the Council regarding a non-Agenda item.

Courtney Kaylor addressed the Council regarding a non-Agenda item.

Tammy Nalbach addressed the Council regarding Agenda item 3, Council Bill 119083.

Daniel Malone addressed the Council regarding a non-Agenda item.

John Grant addressed the Council regarding a non-Agenda item.

Felton Johnson addressed the Council regarding a non-Agenda item.

The Women in Black addressed the Council regarding a non-Agenda item.

C. ADOPTION OF INTRODUCTION AND REFERRAL CALENDAR

[IRC 135](#)**November 13, 2017**ACTION 1:

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

ACTION 2:

Motion was made by Councilmember Harris-Talley, duly seconded and carried, to amend the proposed Introduction and Referral Calendar by introducing Council Bill 119138, and by referring it to the Full Council.

Council Bill 119138, AN ORDINANCE relating to procedures for filling Council vacancies; adding a new Chapter 3.93, consisting of Section 3.93.010, to the Seattle Municipal Code.

ACTION 3:

Motion was made by Councilmember Harrell, duly seconded and carried, to amend the proposed Introduction and Referral Calendar by introducing Council Bill 119137, and by referring it to the Select Budget Committee.

Council Bill 119137, AN ORDINANCE relating to the Revenue Stabilization Account of the Cumulative Reserve Subfund; transferring money from the Revenue Stabilization Account to the General Subfund for one-time expenditures related to homelessness.

ACTION 4:

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 - Bagshaw, González , Harrell, Harris-Talley, Herbold, Johnson, Juarez, O'Brien, Sawant

Opposed: None

D. APPROVAL OF THE AGENDAACTION 1:

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

ACTION 2:

Motion was made by Councilmember Johnson and duly seconded, to refer Agenda items 2 and 3, Council Bills 119082 and 119083, to the Planning, Land Use, and Zoning Committee for further consideration.

CB 119082, AN ORDINANCE relating to short-term rental uses and bed and breakfast uses; amending Sections 22.214.030, 23.44.051, 23.45.545, 23.84A.024, 23.84A.030, and 23.84A.036 of the Seattle Municipal Code (SMC); and adding a new Section 23.42.060 to the SMC.

CB 119083, AN ORDINANCE relating to imposing a tax on engaging in the business of being a short-term rental operator; adding a new Chapter 5.54, Short-Term Rental Tax, to the Seattle Municipal Code; and amending Sections 5.30.010, 5.30.060, 5.55.010, 5.55.040, 5.55.060, 5.55.150, 5.55.165, 5.55.220, and 5.55.230 of the Seattle Municipal Code.

ACTION 3:

Motion was made by Councilmember Sawant and duly seconded, to amend the Motion in Action 2, by removing Agenda item 3, Council Bill 119083.

The Motion carried by the following vote:

In favor: 5 - Harris-Talley, Herbold, Juarez, O'Brien, Sawant
Opposed: 4 - Bagshaw, González, Harrell, Johnson

ACTION 4:

The Motion in Action 2 was restated as amended and the Motion carried by the following vote:

In favor: 5 - Bagshaw, González, Harrell, Johnson, Juarez
Opposed: 4 - Harris-Talley, Herbold, O'Brien, Sawant

ACTION 5:

Motion was made by Councilmember Johnson and duly seconded, to refer Agenda item 3, Council Bill 119083, to the Planning, Land Use, and Zoning Committee for further consideration.

The Motion failed by the following vote:

In favor: 4 - Bagshaw, González, Harrell, Johnson

Opposed: 5 - Juarez, Harris-Talley, Herbold, O'Brien, Sawant

ACTION 6:

Motion was made by Councilmember Herbold, duly seconded and carried, to suspend Council Rule IV.L., Parliamentary Procedures motion to Hold Indefinitely, to allow consideration of Agenda items 4 through 7.

ACTION 7:

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

E. APPROVAL OF THE JOURNAL

[Min 155](#)

October 30, 2017

The Minutes (Min) were adopted by the following vote, and the President signed the Minutes.

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

Opposed: None

F. PRESENTATIONS

There were none.

H. PAYMENT OF BILLS

[CB 119133](#) **AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.**

Motion was made and duly seconded to pass Council Bill 119133.

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

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

Opposed: None

I. COMMITTEE REPORTS

FULL COUNCIL:

1. [CB 119126](#) **AN ORDINANCE relating to City employment; authorizing the execution of a collective bargaining agreement between The City of Seattle and the Seattle Police Management Association to be effective January 1, 2014 through December 31, 2019; amending Ordinance 125207, which adopted the 2017 Budget, by increasing appropriations to the Seattle Police Department for providing the 2014, 2015, 2016, and 2017 payments therefor; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council.**

Motion was made and duly seconded to pass Council Bill 119126.

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

In Favor: 8 - Bagshaw, González , Harrell, Harris-Talley, Herbold, Johnson, Juarez, O'Brien

Opposed: 1 - Sawant

AFFORDABLE HOUSING, NEIGHBORHOODS, AND FINANCE COMMITTEE:

2. [CB 119081](#) **AN ORDINANCE** relating to the regulation of short-term rental businesses; adding a new Chapter 6.600, Short-Term Rentals, to the Seattle Municipal Code.

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

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

Opposed: None

Absent(NV): 2 - Herbold, Mosqueda

The Council Bill (CB) was referred to the Planning, Land Use, and Zoning Committee.

In Favor: 5 - Bagshaw, González , Harrell, Juarez, O'Brien

Opposed: 4 - Harris-Talley, Herbold, Johnson, Sawant

3. [CB 119083](#) **AN ORDINANCE relating to imposing a tax on engaging in the business of being a short-term rental operator; adding a new Chapter 5.54, Short-Term Rental Tax, to the Seattle Municipal Code; and amending Sections 5.30.010, 5.30.060, 5.55.010, 5.55.040, 5.55.060, 5.55.150, 5.55.165, 5.55.220, and 5.55.230 of the Seattle Municipal Code.**

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

In Favor: 2 - Burgess, Johnson

Opposed: None

By unanimous consent, the Council Rules were suspended to allow Aly Pennucci, Council Central Staff, to address the Council.

ACTION 1:

Motion was made by Councilmember Johnson, duly seconded and carried, to amend Council Bill 119083, Section 11, as shown in Attachment 1 to the Minutes.

ACTION 2:

Motion was made by Councilmember O'Brien and duly seconded, to amend Council Bill 119083, Sections 1 and 12, as shown in Attachment 2 to the Minutes.

The Motion passed by the following vote:

In favor: 5 - Bagshaw, Harrell, Herbold, O'Brien, Sawant

Opposed: 4 - González, Harris-Tally, Johnson, Juarez

ACTION 3:

Motion was made and duly seconded to pass Council Bill 119083 as amended.

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

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

Opposed: None

The President announced that Council Bill 119083 as amended, was not available for presentation for his signature and that an announcement would be made once the Bill as amended is presented.

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

Councilmember Bagshaw left the Council Chamber at 4:10 p.m.

- 4. [Res 31760](#) **A RESOLUTION relating to Seattle Public Utilities; adopting a 2018-2023 Strategic Business Plan Update for Seattle Public Utilities; and endorsing a six-year rate path to support the Strategic Business Plan Update.**

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

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

Opposed: None

ACTION 1:

Motion was made by Councilmember Herbold, duly seconded and carried, to amend Resolution 31760, by substituting version 3a for version 2a.

ACTION 2:

Motion was made and duly seconded to adopt Resolution 31760 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 - González , Harrell, Harris-Talley, Herbold, Johnson, Juarez, O'Brien, Sawant

Opposed: None

Absent(NV): 1 - Bagshaw

Council President Harrell announced that Council Bill 119083 as amended was available for presentation to the City Council and ready to be signed. The President signed Council Bill 119083.

Councilmember Bagshaw entered the Council Chamber at 4:14 p.m.

5. [CB 119075](#) **AN ORDINANCE relating to wastewater and drainage services of Seattle Public Utilities; adjusting wastewater and drainage rates; amending Sections 21.28.040 and 21.33.030 of the Seattle Municipal Code to reflect the adjusted rates; and amending Section 21.76.040 of the Seattle Municipal Code to adjust credits to low-income wastewater and drainage customers.**

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

In Favor: 2 - Herbold, O'Brien

Opposed: None

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

In Favor: 8 - Bagshaw, González , Harrell, Harris-Talley, Herbold, Johnson, Juarez, O'Brien

Opposed: 1 - Sawant

6. [CB 119050](#) **AN ORDINANCE relating to rates and charges for water services of Seattle Public Utilities; authorizing withdrawals from the Water Fund Revenue Stabilization Subfund; revising water rates and charges, and credits to low-income customers; and amending Seattle Municipal Code Sections 21.04.430, 21.04.440, and 21.76.040.**

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

In Favor: 2 - Herbold, O'Brien

Opposed: None

ACTION 1:

Motion was made by Councilmember Herbold, duly seconded and carried, to amend Council Bill 119050, by substituting version 2a for version 1.

ACTION 2:

Motion was made and duly seconded to pass Council Bill 119050 as amended.

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

In Favor: 8 - Bagshaw, González , Harrell, Harris-Talley, Herbold, Johnson, Juarez, O'Brien

Opposed: 1 - Sawant

7. [CB 119051](#) **AN ORDINANCE relating to water services of Seattle Public Utilities; revising water rates and charges for service to wholesale customers; and amending Seattle Municipal Code Section 21.04.440 in connection therewith.**

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

In Favor: 2 - Herbold, O'Brien

Opposed: None

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

In Favor: 8 - Bagshaw, González , Harrell, Harris-Talley, Herbold, Johnson, Juarez, O'Brien

Opposed: 1 - Sawant

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 4:28 p.m.

Jodee Schwinn, Deputy City Clerk

Signed by me in Open Session, upon approval of the Council, on December 11, 2017.

Bruce Harrell, President of the City Council

Monica Martinez Simmons, City Clerk

Att 1 – ACTION 1 of CB 119083

Att 2 – ACTION 2 of CB 119083

Att 1 – ACTION 1 of CB 119083

Sponsor: Councilmember Johnson

- Language proposed to be added by this amendment is shown with a double underline.
- Language proposed to be deleted by this amendment is shown with a ~~double-strikeout~~.

Section 11. The Council expresses the following intent as to the application of Seattle Municipal Code Chapter 5.54. To maintain a level playing field for the short-term rental industry and other lodging businesses, the Council intends to monitor proposals for any taxes imposed by the Washington State Convention Center Public Facilities District, King County, or the State of Washington, on the short-term rental industry. The City will work with ~~the State and County~~ such jurisdictions to ensure that short-term rental businesses are not subject to a short-term rental tax at the State or County level in addition to a City of Seattle short-term rental tax. In the event any short-term rental tax is imposed by any such jurisdiction and the jurisdiction imposing such tax enters into a legally binding agreement with the City to provide to the City proceeds equivalent to the City's collections from tax authorized under this ordinance, the City may commit in such agreement with the other jurisdiction to suspend collection of the City's tax for the duration of the term of such agreement.

Att 2 – ACTION 2 of CB 119083

Sponsors: Councilmember O’Brien & Councilmember
Herbold

Note:

- Language proposed to be added by this amendment is shown with a double underline.
- Language proposed to be deleted by this amendment is shown with a ~~double-strikeout~~.

Section 1. A new Chapter 5.54 is added to the Seattle Municipal Code as follows

* * *

5.54.020 Definitions

The definitions contained in Chapter 5.30 and Chapter 6.600 shall be fully applicable to this Chapter 5.54 except as may be expressly stated to the contrary. The following additional definition shall apply throughout this Chapter 5.54:

"Guest room" means a private or shared room offered or provided to a guest or guests by a short-term rental operator for sleeping purposes and that may share common bathrooms and cooking facilities.

5.54.030 Tax imposed; rates

There is imposed a tax on every person engaging within Seattle in the business of being a short-term rental operator. The amount of the tax due for each short-term rental shall be ~~\$10 per night for each short-term rental in Seattle~~ \$14 per night for each dwelling unit, and \$8 per night for each guest room, in Seattle.

* * *

Section 12. Services funded by the proceeds of the short-term rental tax are intended to support investments in affordable housing and to support community-initiated equitable

development projects, including but not limited to projects described in Resolution 31711.

Eligible expenditures include:

A. Resources necessary to (1) fund one-time expenditures to administer the tax and ongoing administration of assessing and collecting the tax, and (2) to offset the cost of implementing and administering Chapter 6.600.

B. The remainder of net proceeds shall be ~~split equally to support investments in affordable housing and to support community-initiated equitable development projects.~~ used as follows:

1. The first \$5,000,000 of net proceeds, after monies spent pursuant to subsection A of this section, shall be applied to investments in community-initiated equitable development projects;

2. The next \$2,000,000 of net proceeds shall be applied to investments in affordable housing;

3. The remainder of net proceeds shall be used to support community-initiated equitable development projects, including the affordable housing component of those projects.

C. In the annual City budget or by separate ordinance, the City's legislative authority shall from year to year determine the services and funding allocations that will most effectively achieve the goals and outcomes in accordance with chapter 35.32A RCW.