

# SEATTLE CITY COUNCIL

600 Fourth Ave. 2nd Floor  
Seattle, WA 98104



## Journal of the Proceedings of the Seattle City Council

Monday, May 11, 2020

2:00 PM

Remote Meeting. Call listen line at 206-684-8566 or access Seattle Channel online.

### City Council

*M. Lorena González, President*

*Lisa Herbold, Member*

*Debora Juarez, Member*

*Andrew J. Lewis, Member*

*Tammy J. Morales, Member*

*Teresa Mosqueda, Member*

*Alex Pedersen, Member*

*Kshama Sawant, Member*

*Dan Strauss, Member*

Chair Info: 206-684-8809; [Lorena.González@seattle.gov](mailto:Lorena.González@seattle.gov)

*In-person attendance is currently prohibited per the Washington Governor's Proclamation No. 20-28.2 until May 31, 2020. Meeting participation is limited to access by telephone conference line and Seattle Channel online.*

## A. CALL TO ORDER

The City Council of The City of Seattle met remotely pursuant to Washington State Governor's Proclamation 20-28.2 and guidance provided by the Attorney General's Office, on May 11, 2020, pursuant to the provisions of the City Charter. The meeting was called to order at 2:00 p.m., with Council President González presiding.

## B. ROLL CALL

**The following Councilmembers were present and participating electronically:**

**Present:** 7 - González , Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

**Late Arrival:** 2 - Herbold, Juarez

## C. PRESENTATIONS

There were none.

## D. APPROVAL OF THE JOURNAL

[Min 280](#)

**May 4, 2020**

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

**In Favor:** 7 - González , Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

**Opposed:** None

## E. ADOPTION OF INTRODUCTION AND REFERRAL CALENDAR

[IRC 254](#)**May 11, 2020**ACTION 1:

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

ACTION 2:

By unanimous consent, Council Rule III.A.5., relating to circulation of a Council Bill for introduction by 5:00 p.m. on the preceding business day, was suspended to allow consideration of an amendment to the proposed Introduction and Referral Calendar.

*Councilmember Herbold joined the meeting at 2:02 p.m.*

ACTION 3:

Motion was made by Councilmember Mosqueda, duly seconded and carried, to amend the proposed Introduction and Referral Calendar by introducing Council Bill 119791, and by referring it to the City Council.

Council Bill 119791, AN ORDINANCE related to the City's response to the 2020 COVID-19 crisis; amending Ordinance 126000, which adopted the 2020 Budget; changing appropriations to various departments and budget control levels, and from various funds in the Budget; declaring an emergency; and establishing an immediate effective date, all by a 3/4 vote of the City Council.

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:** 8 - González , Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

**Opposed:** None

**F. APPROVAL OF THE AGENDA**

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

**G. PUBLIC COMMENT**

Emily McArthur addressed the Council regarding a non-Agenda item.

MariLyn Yim addressed the Council regarding Agenda items 1 and 2, Council Bills 119787 and 119788.

*Councilmember Juarez joined the meeting at 2:09 p.m.*

Jennifer Lekisch addressed the Council regarding Agenda items 1 and 2, Council Bills 119787 and 119788.

Neil Wilson addressed the Council regarding Agenda item 1, Council Bill 119787.

William Shadbolt addressed the Council regarding Agenda items 1 and 2, Council Bills 119787 and 119788.

Sujatha Ramni addressed the Council regarding a non-Agenda item.

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

Leslie Hoge addressed the Council regarding Agenda items 1 and 2, Council Bills 119787 and 119788.

Maya Garfinkel addressed the Council regarding agenda item 1, Council Bill 119787.

Edmund Witter addressed the Council regarding Agenda items 1 and 2, Council Bills 119787 and 119788.

Laura Loe Bernstein addressed the Council regarding Agenda items 1 and 2, Council Bills 119787 and 119788.

Rev. Angela Afzali addressed the Council regarding a non-Agenda item.

John Wisdom addressed the Council regarding Agenda item 2, Council Bill 119788.

LeeAnn Stivers addressed the Council regarding Agenda item 1, Council Bill 119787.

Daniel Ojalvo 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 20 minutes.

Kate Rubin addressed the Council regarding Agenda item 1, Council Bill 119787.

Nicco Eblum-Tabanda addressed the Council regarding Agenda item 2, Council Bill 119788.

Logan Swan addressed the Council regarding a non-Agenda item

Jacob Shear addressed the Council regarding a non-Agenda item.

Dana Frank addressed the Council regarding Agenda item 1, Council Bill 119787.

Eva Metz addressed the Council regarding a non-Agenda item.

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

Brendan McGovern addressed the Council regarding a non-Agenda item.

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

Hannah Swoboda addressed the Council regarding a non-Agenda item.

Aden Nardone addressed the Council regarding Agenda item 2, Council Bill 119788.

Greyson Van Arsdale addressed the Council regarding a non-Agenda item.

Ya'Vonne Hubbard addressed the Council regarding Agenda item 2, Council Bill 119788.

Sabrina Argyle addressed the Council regarding Agenda item 2, Council Bill 119788.

Carolyn Riley Paine addressed the Council regarding a non-Agenda item.

Gina Owens addressed the Council regarding Agenda item 2, Council Bill 119788.

QoQo Weber addressed the Council regarding a non-Agenda item.

Maya Ramakrishnan addressed the Council regarding Agenda items 1 and 2, Council Bills 119787 and 119788.

Sherae-Lyn Lascelles addressed the Council regarding Agenda items 1 and 2, Council Bills 119787 and 119788.

Joelle Craft addressed the Council regarding Agenda item 2, Council Bill 119788

## H. PAYMENT OF BILLS

[CB 119789](#) **AN ORDINANCE appropriating money to pay certain audited claims for the week of April 27, 2020 through May 1, 2020 and ordering the payment thereof.**

Motion was made and duly seconded to pass Council Bill 119789.

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

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

**Opposed:** None

## I. COMMITTEE REPORTS

### CITY COUNCIL:

1. [CB 119787](#) **AN ORDINANCE relating to the use of eviction records; regulating the use of eviction history in residential housing; prohibiting landlords from considering evictions related to COVID-19 during and after the civil emergency; amending the title of Chapter 14.09 and Sections 14.09.005, 14.09.010, 14.09.020, and 14.09.030 of, and adding a new Section 14.09.026 to, the Seattle Municipal Code; declaring an emergency; and establishing an immediate effective date; all by a 3/4 vote of the City Council.**

ACTION 1:

Motion was made and duly second to pass Council Bill 119787.

ACTION 2:

Motion was made by Councilmember Morales, duly seconded and carried, to amend Council Bill 119787, as shown on Attachment 1 to the Minutes.

ACTION 3:

Motion was made by Councilmember Morales and duly seconded, to amend Council Bill 119787, as shown on Attachment 2 to the Minutes.

The Motion passed by the following vote:

In Favor: 8 - González, Herbold, Juarez, Lewis, Morales, Mosqueda,  
Sawant, Strauss

Opposed: 1 - Pedersen

ACTION 4:

Motion was made and duly seconded to pass Council Bill 119787 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 - González, Herbold, Juarez, Lewis, Morales, Mosqueda, Sawant, Strauss

**Opposed:** 1 - Pedersen

2. [CB 119788](#) **AN ORDINANCE relating to residential rental agreements; allowing residential tenants to pay rent in installments when the tenant is unable to timely pay rent; declaring an emergency; and establishing an immediate effective date; all by a 3/4 vote of the City Council.**

Motion was made and duly seconded to pass Council Bill 119788.

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

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

**Opposed:** None

3. [CB 119785](#) **AN ORDINANCE relating to funding for housing and community development programs; adopting The City of Seattle 2020 Annual Action Plan to the 2018-2022 Consolidated Plan for Housing and Community Development and authorizing its submission to the United States Department of Housing and Urban Development; authorizing acceptance of grant funds from that department for programs and activities included in the Annual Action Plan; amending Ordinance 126000 which adopted the 2020 Budget, by modifying appropriations to various departments and budget control levels in the 2020 Adopted Budget; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council.**

ACTION 1:

Motion was made and duly seconded to pass Council Bill 119785.

ACTION 2:

Motion was made by Councilmember Mosqueda, duly seconded and carried, to amend Council Bill 119785, Attachment 1, by substituting version 2 for version 1a.

ACTION 3:

Motion was made and duly seconded to pass Council Bill 119785 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:** 9 - González , Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

**Opposed:** None

4. [Appt 01576](#) **Appointment of Jennifer E. Lee as member, Community Surveillance Working Group, for a term to December 31, 2021.**

Motion was made and duly seconded to confirm Appointment 01576.

**The Motion carried, and the Appointment (Appt) was confirmed by the following vote:**

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

**Opposed:** 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 3:42 p.m.

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**Jodee Schwinn, Deputy City Clerk**

**Signed by me in Open Session, upon approval of the Council, on May 26, 2020.**

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**M. Lorena González, Council President of the City Council**

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**Monica Martinez Simmons, City Clerk**

**Att 1 - Action 2 of Council Bill 119787**

**Att 2 - Action 3 of Council Bill 119787**

**Section 14.09.026: Amend the following as shown:**

**14.09.026 Prohibited use of COVID-19-related eviction ~~history records~~**

A. No landlord may take an adverse action against a prospective or existing tenant or occupant or a member of the tenant or occupant’s household based on any eviction history occurring during or within six months after the end of the civil emergency proclaimed by Mayor Durkan on March 3, 2020 unless ~~that eviction history the unlawful detainer action or action on a termination notice~~ is due to actions by the tenant constituting an imminent threat to the health or safety of neighbors, the landlord, or the tenant’s or landlord’s household members, subject to the exclusions and legal requirements in subsections 14.09.115.A, 14.09.115.B, 14.09.115.E, and 14.09.115.F.

B. The City intends that any eviction history occurring during or within six months after the end of the civil emergency proclaimed by Mayor Durkan on March 3, 2020 ~~should be considered good cause for an order of limited dissemination pursuant to RCW 59.18.367(1)(c),~~ unless ~~the unlawful detainer action or action on a termination notice that eviction history~~ is due to actions by the tenant constituting an imminent threat to the health or safety of neighbors, the landlord, or the tenant’s or landlord’s household members, ~~should be considered good cause for an order of limited dissemination pursuant to RCW 59.18.367(1)(c).~~

**Section 14.09.030: Amend the following as shown:**

**14.09.030 Retaliation prohibited**

\* \* \*

Att 1 – Action 2 of CB 119787

B. No person shall take any adverse action against any person because the person has exercised in good faith the rights protected under this Chapter 14.09. Such rights include but are not limited to the right to fair chance housing and regulation of the use of criminal history in housing by this Chapter 14.09; ~~the right to limited regulation of the use by others~~ of eviction history occurring during or within six months after the end of the civil emergency proclaimed by Mayor Durkan on March 3, 2020; the right to make inquiries about the rights protected under this Chapter 14.09; the right to inform others about their rights under this Chapter 14.09; the right to inform the person's legal counsel or any other person about an alleged violation of this Chapter 14.09; the right to file an oral or written complaint with the Department for an alleged violation of this Chapter 14.09; the right to cooperate with the Department in its investigations of this Chapter 14.09; the right to testify in a proceeding under or related to this Chapter 14.09; the right to refuse to participate in an activity that would result in a violation of City, state, or federal law; and the right to oppose any policy, practice, or act that is unlawful under this Chapter 14.09.

Att 2 – Action 3 of CB 119787

**Section 14.09.026: Amend the following as shown:**

A. No landlord may take an adverse action against a prospective or existing tenant or occupant or a member of the tenant or occupant's household based on any eviction history occurring during or within six months after the end of the civil emergency proclaimed by Mayor Durkan on March 3, 2020 unless the unlawful detainer action or action on a termination notice is due to actions by the tenant constituting an imminent threat to the health or safety of neighbors, the landlord, or the tenant's or landlord's household members, subject to the exclusions and legal requirements in subsections 14.09.115.A, 14.09.115.B, 14.09.115.E, and 14.09.115.F. For purposes of this subsection 14.09.026.A, if eviction history that the landlord is not permitted to consider appears in information given to a landlord and a landlord takes an adverse action against the person who is the subject of the eviction history, there is a rebuttable presumption that the adverse action was taken on the basis of eviction history that the landlord is not permitted to consider under this subsection 14.09.026.A.