

# SEATTLE CITY COUNCIL

600 Fourth Ave. 2nd Floor  
Seattle, WA 98104



## Journal of the Proceedings of the Seattle City Council

Monday, December 11, 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*

*Lisa Herbold*

*Rob Johnson*

*Debora Juarez*

*Teresa Mosqueda*

*Mike O'Brien*

*Kshama Sawant*

Chair Info: 206-684-8804; [Bruce.Harrell@seattle.gov](mailto: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 December 11, 2017, pursuant to the provisions of the City Charter. The meeting was called to order at 2:05 p.m., with Council President Harrell presiding.

**B. ROLL CALL**

**Present:** 7 - Bagshaw, González , Harrell, Herbold, Johnson, Mosqueda, O'Brien

**Excused:** 2 - Juarez, Sawant

Motion was made, duly seconded and carried, to excuse Councilmember Juarez from the December 11, 2017 Full Council meeting.

**C. ADOPTION OF INTRODUCTION AND REFERRAL CALENDAR**

[IRC 139](#)**December 11, 2017**ACTION 1:

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

ACTION 2:

Motion was made by Councilmember Herbold, duly seconded and carried, to amend the proposed Introduction and Referral Calendar by introducing Council Bill 119169, and by referring it to the Civil Rights, Utilities, Economic Development, and Arts Committee.

Council Bill 119169, AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the acquisition of real property commonly known as 5104 SW Orleans Street; and authorizing acceptance and recording of the deed for open space, park, and recreation purposes.

ACTION 3:

Motion was made by Councilmember Harrell, duly seconded and carried, to amend the proposed Introduction and Referral Calendar by introducing Resolution 31789, and by referring it to the Full Council for adoption at today's meeting.

Resolution 31789, A RESOLUTION relating to committee structure, membership, meeting times, and duties of the standing committees of the Seattle City Council for 2018 and 2019; and superseding Resolution 31643.

ACTION 4:

Motion was made by Councilmember Harrell, duly seconded and carried, to amend the proposed Introduction and Referral Calendar by introducing Resolution 31790, and by referring it to the Full Council for adoption at today's meeting.

Resolution 31790, A RESOLUTION designating the monthly President Pro Tem of the City Council of The City of Seattle for 2018-2019 and superseding Resolution 31777.

ACTION 5:

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:** 7 - Bagshaw, González , Harrell, Herbold, Johnson, Mosqueda, O'Brien

**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 Herbold, duly seconded and carried, to amend the proposed Agenda by moving Agenda item 8, Council Bill 119153, after item 5, Council Bill 119152.

Council Bill 119153, AN ORDINANCE amending Ordinance 125475, which adopted the 2018 Budget; modifying appropriations to various budget control levels and from various funds in the Budget; and ratifying and confirming certain prior acts.

ACTION 3:

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

**E. APPROVAL OF THE JOURNAL**

[Min 156](#)

**November 6, 2017**

**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 - Bagshaw, González , Harrell, Herbold, Johnson, Mosqueda, O'Brien

**Opposed:** None

[Min 157](#)      **November 13, 2017**

**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 - Bagshaw, González , Harrell, Herbold, Johnson, Mosqueda, O'Brien

**Opposed:** None

[Min 158](#)      **November 20, 2017**

**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 - Bagshaw, González , Harrell, Herbold, Johnson, Mosqueda, O'Brien

**Opposed:** None

[Min 159](#)      **November 27, 2017**

**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 - Bagshaw, González , Harrell, Herbold, Johnson, Mosqueda, O'Brien

**Opposed:** None

**F. PRESENTATIONS**

Councilmember Johnson presented a Proclamation recognizing the 2017 People's Choice Urban Design Awards. By unanimous consent, the Council Rules were suspended to allow Nathan Torgelson, Director of the Seattle Department of Construction and Inspections, to address the Council.

**G. PUBLIC COMMENT**

Darik Eaton addressed the Council regarding Agenda item 3, Council Bill 119081.

William Graf addressed the Council regarding Agenda item 3, Council Bill 119081.

Dan Schmidt addressed the Council regarding Agenda item 3, Council Bill 119081.

Michael Ramos addressed the Council regarding a non-Agenda item.

Jessica Kamirez addressed the Council regarding Agenda item 3, Council Bill 119081.

Yolanda Matthews addressed the Council regarding Agenda item 3, Council Bill 119081.

Antoinette Freeman addressed the Council regarding Agenda item 3, Council Bill 119081.

Noelle Million addressed the Council regarding Agenda item 3, Council Bill 119081.

Damens Durhnzar addressed the Council regarding Agenda item 3, Council Bill 119081.

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

Doug Fraser addressed the Council regarding Agenda item 3, Council Bill 119081.

Laura Spanjian addressed the Council regarding Agenda item 3, Council Bill 119081.

Emma Woods addressed the Council regarding Agenda item 3, Council Bill 119081.

Lilia Medina addressed the Council regarding Agenda item 3, Council Bill 119081.

Jonathan Osborne addressed the Council regarding a non-Agenda item.

Deborah Osborne addressed the Council regarding a non-Agenda item.

By unanimous consent, the Public Comment period was extended to allow the remaining speakers to address the Council.

Michael Fuller addressed the Council regarding a non-Agenda item.

Marguerite Richard addressed the Council regarding a non-Agenda item.

Chris Chang addressed the Council regarding Agenda item 3, Council Bill 119081.

Sally Nichols addressed the Council regarding Agenda item 3, Council Bill 119081.

Sue Hodes addressed the Council regarding Agenda item 3, Council Bill 119081.

Matthew Long addressed the Council regarding Agenda item 3, Council Bill 119081.

Daniel Pacheco addressed the Council regarding Agenda item 3, Council Bill 119081.

Run Mahorani Redis addressed the Council regarding Agenda item 3, Council Bill 119081.

Matthew Strax-Maloer addressed the Council regarding Agenda item 3, Council Bill 119081.

Michelle Acquanolla addressed the Council regarding Agenda item 3, Council Bill 119081.

Heidi Stuber addressed the Council regarding Agenda item 3, Council Bill 119081.

*Councilmember Harrell left the Council Chamber at 2:54 p.m.*

*Councilmember Harrell entered the Council Chamber at 2:55 p.m.*

Louisa Jacobos addressed the Council regarding Agenda item 3, Council Bill 119081.

Andrew Fleming addressed the Council regarding Agenda item 3, Council Bill 119081.

Tom Schavaran addressed the Council regarding Agenda item 3, Council Bill 119081.

Elfie Monroe addressed the Council regarding Agenda item 3, Council Bill 119081.

Michael Daves addressed the Council regarding Agenda item 3, Council Bill 119081.

Kevin Daves addressed the Council regarding Agenda item 3, Council Bill 119081.

Sylvia Deforest addressed the Council regarding Agenda item 3, Council Bill 119081.

Tiniell Cato addressed the Council regarding a non-Agenda item.

Katie Wilson addressed the Council regarding Agenda item 3, Council Bill 119081.

Meagan Murphy addressed the Council regarding Agenda item 3, Council Bill 119081.

Evan Clifthorne addressed the Council regarding Agenda item 3, Council Bill 119081.

Richard Larzo addressed the Council regarding Agenda item 3, Council Bill 119081.

## H. PAYMENT OF BILLS

[CB 119164](#) **AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.**

Motion was made and duly seconded to pass Council Bill 119164.

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

**In Favor:** 7 - Bagshaw, González , Harrell, Herbold, Johnson, Mosqueda, O'Brien

**Opposed:** None

**I. COMMITTEE REPORTS**

**FULL COUNCIL:**

- 1.     [CB 119160](#)   **AN ORDINANCE relating to City employment; authorizing the execution of two memoranda of understanding between The City of Seattle and International Brotherhood of Electrical Workers Local No. 77 to be effective January 23, 2017, through January 22, 2021; and ratifying and confirming certain prior acts.**

Motion was made and duly seconded to pass Council Bill 119160.

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

**In Favor:** 7 - Bagshaw, González , Harrell, Herbold, Johnson, Mosqueda, O'Brien

**Opposed:** None

- 2.     [CB 119161](#)   **AN ORDINANCE approving correction of the Property Use and Development Agreement (PUDA) approved by Ordinance 125394 for property located at 1203 East Spruce Street; and accepting a Corrected PUDA.**

ACTION 1:

Motion was made and duly seconded to pass Council Bill 119161.

ACTION 2:

Motion was made by Councilmember Johnson, duly seconded and carried, to amend Council Bill 119161, Exhibit A, by substituting an executed Property Use and Development Agreement for the unexecuted Property Use and Development Agreement.

ACTION 3:

Motion was made and duly seconded to pass Council Bill 119161 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:** 7 - Bagshaw, González , Harrell, Herbold, Johnson, Mosqueda, O'Brien

**Opposed:** None

**PLANNING, LAND USE, AND ZONING COMMITTEE:**

3. [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**

**ACTION 1:**

Motion was made by Councilmember Bagshaw and duly seconded, to amend Council Bill 119081, Seattle Municipal Code Section 6.660.040.B.2., first sentence, as shown in the underlined and strike through language below:

Seattle Municipal Code Section 6.660.040.B.2

An operator who offered or provided a short-term rental in the Downtown Urban Center, ~~Uptown Urban Center, or the South Lake Union Urban Center~~ south of Olive Way and north of Cherry Street, as established in the Seattle Comprehensive Plan (2016), prior to September 30, 2017, may obtain a short-term rental operator license allowing them to continue to operate those units and to offer or provide up to one additional dwelling units for short-term rental use, or a maximum of two dwelling units, if one of the units is the operator's primary residence, subject to the requirements of subsection 6.600.040.B.4.

The Motion carried by the following vote:

In Favor: 5 - Bagshaw, Harrell, Herbold, Mosqueda, O'Brien

Opposed: 2 - González, Johnson

**ACTION 2:**

Motion was made by Councilmember O'Brien, duly seconded and carried, to amend Council Bill 119081, Seattle Municipal Code sections 6.600.090.D. and 6.600.090.E., as shown in Attachment 1 to the Minutes.

**ACTION 3:**

Motion was made and duly seconded to pass Council Bill 119081 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:** 7 - Bagshaw, González , Harrell, Herbold, Johnson, Mosqueda, O'Brien

**Opposed:** None

**SELECT BUDGET COMMITTEE:**

4. [CB 119158](#) **AN ORDINANCE relating to funding for housing and community development programs; amending the City of Seattle 2014, 2015, and 2017 Annual Action Plans to the 2014 - 2017 Consolidated Plan for Housing and Community Development to repurpose funds to Office of Economic Development (OED) neighborhood business district activities, business technical assistance, Section 108 loan repayment activities, and Housing Affordability and Livability Agenda (HALA) implementation activities, and to add disposition of real property; amending Ordinances 124496, 124756, and 125365, which adopted the 2014, 2015, and 2017 Annual Action Plans; amending Ordinance 125207, which adopted the 2017 Budget, by modifying appropriations to various departments and budget control levels in the 2017 Adopted Budget; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council.**

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

**In Favor:** 8 - Bagshaw, González , Harrell, Herbold, Johnson, Juarez, O'Brien, Mosqueda

**Opposed:** None

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

**In Favor:** 7 - Bagshaw, González , Harrell, Herbold, Johnson, Mosqueda, O'Brien

**Opposed:** None

5. [CB 119152](#) **AN ORDINANCE** pertaining to the fund structure of the City Treasury; reorganizing certain funds and subfunds consistent with the recommendations of the City's Financial Management and Accountability Program; creating new funds; transferring assets, liabilities, and fund balances between certain funds; making technical corrections; repealing Chapters 5.76 and 21.100 of the Seattle Municipal Code; amending Sections 3.02.120, 3.06.010, 3.06.055, 3.12.120, 3.15.007, 3.35.030, 3.35.050, 3.39.035, 4.40.020, 4.44.060, 4.50.020, 4.100.020, 5.06.030, 5.24.010, 5.24.020, 5.40.120, 5.64.030, 5.64.100, 5.78.200, 5.78.210, Chapter 5.80, Sections 11.16.312, 11.61.090, 12A.10.110, 15.04.074, 15.62.110, 15.91.016, 16.08.050, 20.32.050, 22.202.050, 22.202.060, 22.214.087, 22.220.090, 22.220.100, 22.900G.080, 22.930.120, 23.58D.006, and 23.90.018 of the Seattle Municipal Code; and amending Ordinances 104195, 112556, 114893, 115859, 116642, 117342, 117472, 117977, 118289, 118617, 119273, 119758, 120214, 120489, 120912, 120944, 121206, 121661, 121742, 122088, 122424, 122603, 122876, 123177, 123184, 123761, 124652, 124833, and 124906.

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

In Favor: 6 - González , Harrell, Herbold, Johnson, O'Brien, Mosqueda

Opposed: None

Absent(NV): 2 - Bagshaw, Juarez

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

In Favor: 7 - Bagshaw, González , Harrell, Herbold, Johnson, Mosqueda, O'Brien

Opposed: None

8. [CB 119153](#) **AN ORDINANCE amending Ordinance 125475, which adopted the 2018 Budget; modifying appropriations to various budget control levels and from various funds in the Budget; and ratifying and confirming certain prior acts.**

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

In Favor: 6 - González , Harrell, Herbold, Johnson, O'Brien, Mosqueda

Opposed: None

Absent(NV): 2 - Bagshaw, Juarez

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

In Favor: 7 - Bagshaw, González , Harrell, Herbold, Johnson, Mosqueda, O'Brien

Opposed: None

6. [CB 119157](#) **AN ORDINANCE authorizing, in 2017, acceptance of funding from non-City sources; authorizing the heads of the Executive Department, Department of Parks and Recreation, Finance and Administrative Services Department, Seattle Department of Construction and Inspections, Seattle Department of Transportation, Seattle Fire Department, and Seattle Police Department to accept specified grants and private funding and to execute, deliver, and perform corresponding agreements; and ratifying and confirming certain prior acts.**

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

In Favor: 5 - González , Herbold, Johnson, O'Brien, Mosqueda

Opposed: None

Absent(NV): 3 - Bagshaw, Harrell, Juarez

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

In Favor: 7 - Bagshaw, González , Harrell, Herbold, Johnson, Mosqueda, O'Brien

Opposed: None

- 7. [CB 119156](#) **AN ORDINANCE amending Ordinance 125207, which adopted the 2017 Budget, including the 2017-2022 Capital Improvement Program (CIP) (commonly known as the 4th quarter supplemental); changing appropriations to various departments and budget control levels, and from various funds in the Budget; adding new projects; revising project allocations for certain projects in the 2017-2022 CIP; creating non-exempt positions; modifying positions; making cash transfers between various City funds; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council.**

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

In Favor: 6 - González , Harrell, Herbold, Johnson, O'Brien, Mosqueda

Opposed: None

Absent(NV): 2 - Bagshaw, Juarez

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

In Favor: 7 - Bagshaw, González , Harrell, Herbold, Johnson, Mosqueda, O'Brien

Opposed: None

**EDUCATION, EQUITY, AND GOVERNANCE COMMITTEE:**

*Councilmember Bagshaw left the Council Chamber at 3:51 p.m.*

- 9. [Appt 00862](#) **Reappointment of Heather Lewis as member, Community Technology Advisory Board, for a term to December 31, 2019.**

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

In Favor: 3 - Harrell, González , O'Brien

Opposed: None

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

In Favor: 6 - González , Harrell, Herbold, Johnson, Mosqueda, O'Brien

Opposed: None

Absent(NV): 1 - Bagshaw

10. [Appt 00863](#) Reappointment of Mark DeLoura as member, Community Technology Advisory Board, for a term to December 31, 2019.

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

In Favor: 3 - Harrell, González , O'Brien

Opposed: None

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

In Favor: 6 - González , Harrell, Herbold, Johnson, Mosqueda, O'Brien

Opposed: None

Absent(NV): 1 - Bagshaw

11. [Appt 00864](#) Reappointment of Eliab Sisay as member, Community Technology Advisory Board, for a term to December 31, 2019.

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

In Favor: 3 - Harrell, González , O'Brien

Opposed: None

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

In Favor: 6 - González , Harrell, Herbold, Johnson, Mosqueda, O'Brien

Opposed: None

Absent(NV): 1 - Bagshaw

12. [Appt 00865](#) Reappointment of Christopher Ramiro Alejano as member, Community Technology Advisory Board, for a term to December 31, 2019.

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

In Favor: 3 - Harrell, González , O'Brien

Opposed: None

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

In Favor: 6 - González , Harrell, Herbold, Johnson, Mosqueda, O'Brien

Opposed: None

Absent(NV): 1 - Bagshaw

*Councilmember Bagshaw entered the Council Chamber at 3:55 p.m.*

13. [Appt 00877](#) **Reappointment of Bruce D. Carter as member, Seattle Ethics and Elections Commission, for a term to December 31, 2020.**

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

**In Favor: 3 - Harrell, González , O'Brien**

**Opposed: None**

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

**In Favor: 7 - Bagshaw, González , Harrell, Herbold, Johnson, Mosqueda, O'Brien**

**Opposed: None**

**ENERGY AND ENVIRONMENT COMMITTEE:**

14. [CB 119162](#) **AN ORDINANCE relating to the City Light Department; accepting various easements for overhead and underground electrical rights in King County, Washington; placing said easements under the jurisdiction of the City Light Department; and ratifying and confirming certain prior acts.**

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

**In Favor: 3 - Juarez, González , Mosqueda**

**Opposed: None**

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

**In Favor: 7 - Bagshaw, González , Harrell, Herbold, Johnson, Mosqueda, O'Brien**

**Opposed: None**

15. [CB 119163](#) **AN ORDINANCE relating to the City Light Department; accepting statutory warranty deeds to the Citipoint Church, GKI Properties, LLC, the Martin, Nelson, Taylor, and Voegtlin-Anderson properties in Skagit County, Washington, the Crawley and Wright properties in Snohomish County, Washington, and a treasurer’s deed for a Skagit County property in Skagit County, all for salmonid habitat protection purposes; declaring certain real property rights surplus and no longer required for providing public utility service or other municipal purposes; ratifying the grants of Deeds of Right to the State of Washington on the Crawley, GKI Properties, LLC, and Voegtlin-Anderson properties for salmon recovery and conservation purposes; placing said lands under the jurisdiction of the City Light Department; and ratifying and confirming certain prior acts.**

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

In Favor: 3 - Juarez, González , Mosqueda

Opposed: None

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

In Favor: 7 - Bagshaw, González , Harrell, Herbold, Johnson, Mosqueda, O'Brien

Opposed: None

16. [Res 31765](#) **A RESOLUTION relating to the City Light Department; acknowledging and approving City Light’s adoption of a biennial energy conservation target for 2018-2019 and a ten-year conservation potential.**

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

In Favor: 3 - Juarez, González , Mosqueda

Opposed: None

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

In Favor: 7 - Bagshaw, González , Harrell, Herbold, Johnson, Mosqueda, O'Brien

Opposed: None

- 17. [Appt 00874](#) Appointment of Calvin E. Shirley as member, City Light Review Panel, for a term to April 11, 2020.

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

In Favor: 3 - Juarez, González , Mosqueda

Opposed: None

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

In Favor: 7 - Bagshaw, González , Harrell, Herbold, Johnson, Mosqueda, O'Brien

Opposed: None

- 18. [Appt 00875](#) Appointment of Nina Sidneva as member, City Light Review Panel, for a term to April 11, 2020.

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

In Favor: 3 - Juarez, González , Mosqueda

Opposed: None

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

In Favor: 7 - Bagshaw, González , Harrell, Herbold, Johnson, Mosqueda, O'Brien

Opposed: None

**PARKS, SEATTLE CENTER, LIBRARIES AND WATERFRONT COMMITTEE:**

- 19. [CB 119049](#) AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the Superintendent of Parks and Recreation to enter into a Concession Agreement with EarthCorps to occupy and use a portion of Building 30 at Warren G. Magnuson Park for general office purposes.

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

In Favor: 3 - Juarez, Bagshaw, Harrell

Opposed: None

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

In Favor: 7 - Bagshaw, González , Harrell, Herbold, Johnson, Mosqueda, O'Brien

**Opposed:** None

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

20. [CB 119145](#) **AN ORDINANCE relating to employment in Seattle; amending Sections 14.16.010, 14.16.015, 14.16.020, 14.16.025, 14.16.030, 14.16.040, 14.16.045, 14.16.050, 14.16.055, 14.16.120, 14.22.010, and 14.22.020 of the Seattle Municipal Code (SMC) to strengthen and clarify labor standards requirements for paid sick and paid safe time and secure scheduling; and amending the name of Chapter 14.22 of the SMC to make a technical correction.**

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

**In Favor: 1 - Herbold**

**Opposed: None**

**Abstain: 1 - O'Brien**

ACTION 1:

Motion was made by Councilmember Herbold, duly seconded and carried, to amend Council Bill 119145, by amending the first recital and adding nine new recitals, as shown in the underlined and strike through language below:

WHEREAS, the people of Washington passed Initiative Measure No. 1433, amending chapter 49.46 RCW (~~(49.46)~~) to require employers to provide employees with paid sick leave to care for the health of themselves and their families as of January 1, 2018; and

WHEREAS, Initiative 1433 applies to all employers in Washington and provides that employees accrue at least one hour of paid sick leave for every 40 hours worked; and

WHEREAS, employees are authorized to use paid sick leave for: 1) their own medical care; 2) to provide care for a family member; 3) when their place of business or child's school or place of care has been closed by order of a public official due to a health reason; or 4) when their absence qualifies for domestic violence leave under chapter 49.76 RCW; and

WHEREAS, an employee may begin to use accrued paid sick leave beginning on the employee's ninetieth day of employment; and

WHEREAS, an employer may request reasonable notice for an absence from work, and may require verification for absences longer than three days, but may not require an employee to find a replacement for the time the employee will be absent; and

WHEREAS, employees must be paid their normal hourly compensation or the minimum wage, whichever is greater, and must be allowed to carry over

up to 40 hours of unused paid sick leave to the following year; and

WHEREAS, an employer is not required to provide financial or other reimbursement for accrued or unused paid sick time upon an employee's separation from employment; however, if an employee is rehired within 12 months of separation, previously accrued sick leave shall be reinstated and the previous period of employment shall be counted for purposes of determining an employee's eligibility to use paid sick leave; and

WHEREAS, an employer may not adopt or enforce any policy that counts the use of paid sick leave time as an absence that may lead to or result in discipline against the employee; and

WHEREAS, an employer may not discriminate or retaliate against an employee for exercising the right to use of paid sick leave; and

WHEREAS, an employer is not prevented from providing more generous paid sick leave policies or permitting use of paid sick leave for additional purposes; and

ACTION 2:

Motion was made by Councilmember Mosqueda, duly seconded and carried, to amend Council Bill 119145, Seattle Municipal Code Section 14.16.120, as shown in Attachment 2 to the Minutes.

ACTION 3:

Motion was made and duly seconded to pass Council Bill 119145 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:** 7 - Bagshaw, González , Harrell, Herbold, Johnson, Mosqueda, O'Brien

**Opposed:** None

**SUSTAINABILITY AND TRANSPORTATION COMMITTEE:**

21. [CB 119151](#) **AN ORDINANCE relating to the Central Puget Sound Regional Transit Authority (Sound Transit); authorizing the Director of the Seattle Department of Transportation to execute an amendment to the “Agreement between the City of Seattle and Sound Transit for Grant of Non-Exclusive Use of a Light Rail Transit Way as related to the Link Light Rail Transit Project” to reflect the approved alignment for the Link Light Rail Transit Project, including addition of the portion of the Lynnwood Link Extension located within The City of Seattle; and ratifying and confirming certain prior acts.**

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

In Favor: 2 - O'Brien, Johnson

Opposed: None

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

In Favor: 7 - Bagshaw, González , Harrell, Herbold, Johnson, Mosqueda, O'Brien

Opposed: None

22. [CB 119155](#) **AN ORDINANCE relating to the State Route 99 Alaskan Way Viaduct and Seawall Replacement Program; authorizing the Mayor or the Mayor’s designees to execute an Agreement with the State of Washington to set forth roles and responsibilities for the State’s project to demolish the existing Alaskan Way Viaduct structure once the bored tunnel is opened to drivers.**

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

In Favor: 2 - O'Brien, Johnson

Opposed: None

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

In Favor: 7 - Bagshaw, González , Harrell, Herbold, Johnson, Mosqueda, O'Brien

Opposed: None

23. [CF 314309](#) **Petition of Seattle Department of Transportation to vacate Broad Street right-of-way between Dexter Avenue North and Ninth Avenue North, a small area of adjacent Mercer Street, and any remaining Eighth Avenue North right-of-way between Mercer and Roy streets, to consolidate all property on the block between Mercer Street, Roy Street, Dexter Avenue North and Ninth Avenue North.**

**The Committee recommends that Full Council grant the Petition as conditioned.**

**In Favor: 2 - O'Brien, Johnson**

**Opposed: None**

**The Petition was granted as conditioned by the following vote, and the President signed the Conditions of the City Council:**

**In Favor:** 7 - Bagshaw, González , Harrell, Herbold, Johnson, Mosqueda, O'Brien

**Opposed:** None

24. [Res 31784](#) **A RESOLUTION approving the alignment, station locations, and maintenance base location for Sound Transit's Central Link, University Link, Northgate Link Extension, East Link, and Lynnwood Link Extension light rail lines in The City of Seattle; and superseding the alignment, station locations, and maintenance base location approved in Resolution 31465.**

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

**In Favor: 2 - O'Brien, Johnson**

**Opposed: None**

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

**In Favor:** 7 - Bagshaw, González , Harrell, Herbold, Johnson, Mosqueda, O'Brien

**Opposed:** None

25. [Res 31788](#) **A RESOLUTION relating to the Central Puget Sound Regional Transit Authority (“Sound Transit”); affirming the Mayor’s execution of a Partnering Agreement with Sound Transit to implement light rail extensions between Ballard and West Seattle as approved by regional voters under Sound Transit 3.**

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

**In Favor: 2 - O’Brien, Johnson**

**Opposed: None**

**ACTION 1:**

Motion was made by Councilmember Herbold, duly seconded and carried, to amend Resolution 31788, Attachment A, Section 2.4.1., as shown in the underlined and strike through language below:

2.4.1. The Parties will share information on existing conditions and planned projects within the Project area with the intent to identify opportunities for coordination and resolve conflicts as early as possible during the Project development, ~~and to reduce risks to both the City in its own projects as well as to Sound Transit’s~~ Project development and delivery.

**ACTION 2:**

Motion was made and duly seconded to adopt Resolution 31788 as amended.

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

**In Favor:** 7 - Bagshaw, González , Harrell, Herbold, Johnson, Mosqueda, O'Brien

**Opposed:** None

26. [Res 31786](#) **A RESOLUTION calling for the issuance of a combined Request for Proposals (RFP) for the disposition of 800 Mercer Street and 620 Aurora Avenue N where that disposition would address neighborhood interests, creating opportunities for all City residents to take advantage of South Lake Union as a “neighborhood of opportunity.”**

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

**In Favor: 2 - O'Brien, Johnson**

**Opposed: None**

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

**In Favor:** 7 - Bagshaw, González , Harrell, Herbold, Johnson, Mosqueda, O'Brien

**Opposed:** None

27. [Appt 00866](#) **Appointment of Alexander Lew as member, Seattle Bicycle Advisory Board, for a term to August 31, 2019.**

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

**In Favor: 2 - O'Brien, Johnson**

**Opposed: None**

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

**In Favor:** 7 - Bagshaw, González , Harrell, Herbold, Johnson, Mosqueda, O'Brien

**Opposed:** None

28. [Appt 00867](#) **Appointment of Sarah Margeson as member, Seattle Bicycle Advisory Board, for a term to August 31, 2019.**

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

**In Favor: 2 - O'Brien, Johnson**

**Opposed: None**

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

**In Favor:** 7 - Bagshaw, González , Harrell, Herbold, Johnson, Mosqueda, O'Brien

**Opposed:** None

By unanimous consent, item J., Adoption of Other Resolutions, was held until after consideration of item K., Other Business.

## **K. OTHER BUSINESS**

Council President Harrell turned the meeting over to Council President Pro Tem Bagshaw.

Council President Pro Tem Bagshaw opened the floor to nominations for Council President for 2018-2019.

Motion was made by Councilmember O'Brien and duly seconded, to place in nomination the name of Councilmember Bruce Harrell.

Hearing no further nominations, nominations were closed.

The Motion carried, and Councilmember Bruce Harrell was elected Council President by the following vote:

In Favor: 7 - Bagshaw, González, Harrell, Herbold, Johnson, Mosqueda,  
O'Brien

Opposed: None.

Council President Harrell assumed the Chair.

## **J. ADOPTION OF OTHER RESOLUTIONS**

[Res 31789](#) **A RESOLUTION relating to committee structure, membership, meeting times, and duties of the standing committees of the Seattle City Council for 2018 and 2019; and superseding Resolution 31643.**

ACTION 1:

Motion was made and duly seconded to adopt Resolution 31789.

ACTION 2:

Motion was made by Councilmember Harrell and duly seconded, to amend Resolution 31789, Section 1, as shown in the underlined and strike through language below:

Section 1. Effective January 1, 2018 ~~Effective immediately~~ and until further notice, the Seattle City Council's standing committees, membership, and meeting times are shown below, superseding Resolution 31643.

ACTION 3:

By unanimous consent, Council Rule III.A.6, related to amendments presented to the Full Council, was suspended to allow the consideration of the amendment to Resolution 31789.

ACTION 4:

The Motion in Action 2 was restated and the Motion carried.

ACTION 5:

Motion was made and duly seconded to adopt Resolution 31789 as amended.

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

**In Favor:** 7 - Bagshaw, González , Harrell, Herbold, Johnson, Mosqueda, O'Brien

**Opposed:** None

[Res 31790](#) **A RESOLUTION designating the monthly President Pro Tem of the City Council of The City of Seattle for 2018-2019 and superseding Resolution 31777.**

Motion was made and duly seconded to adopt Resolution 31790.

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

**In Favor:** 7 - Bagshaw, González , Harrell, Herbold, Johnson, Mosqueda, O'Brien

**Opposed:** None

**L. ADJOURNMENT**

There being no further business to come before the Council, the meeting was adjourned at 4:30 p.m.

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**Jodee Schwinn, Deputy City Clerk**

**Signed by me in Open Session, upon approval of the Council, on January 8, 2018.**

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**Bruce Harrell, President of the City Council**

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**Monica Martinez Simmons, City Clerk**

**Att 1 - Action 2 of CB 119081**

**Att 2 - Action 2 of CB 119145**

**Att 1 – ACTION 2 of CB 119081**

Sponsors: Councilmember O’Brien and 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~~.

\* \* \*

**6.600.090 License fees**

\* \* \*

D. The Director (~~(may adjust)~~) shall review annually any of the licensing fees in subsections 6.600.090.A, 6.600.090.B and 6.600.090.C and shall make any necessary adjustments in a ((the)) Director’s Rule((s)) to ensure the fees achieve full cost recovery of the Director’s administrative, enforcement, and other regulatory costs and no more, after consideration of the following factors:

1. The projected costs and annual budget allotted for administrative, enforcement and regulatory costs across the short-term rental industry;
2. The need for increased enforcement to reduce illegal activity;
3. The total number of nights booked in City limits across the short-term rental industry; and
4. The administrative burden of issuing additional platform or operator licenses.

E. ~~((The purpose of any adjustment is to ensure the fees achieve full cost recovery of the Director’s administrative, enforcement and other regulatory costs and no more~~

~~F.))~~ License fees are non-refundable and non-transferrable.

\* \* \*

Full Council Amendment 3 to CB 119081

Section 2. Council requests that the Department of Finance and Administrative Services provide a written status update to Council's Planning, Land Use and Zoning Committee by June 1, 2018, on any progress made implementing the short-term rental regulatory license requirements, and the short-term rental tax enacted by the ordinance introduced as Council Bill 119083. This should include updates on: (1) the resources needed for implementing and administering the regulatory license requirements and the tax (including costs already incurred); (2) the status of developing rules, procedures and processes; and, (3) any new data obtained on the anticipated number of short-term rental operators and the estimated number of nights booked for short-term rental use in Seattle through short-term rental platforms. In addition, using the information described above, the Department should review the fee structure for short-term rental platform companies and make a recommendation to the City Council on whether the structure should be modified. Specifically, the Department should consider if the fee structure should be: (1) a per-night fee calculated based on the number of nights booked for short-term rental use through the platform each quarter, as proposed in Council Bill 119081; or (2) a graduated annual fee, with tiers based on the number of listings on a platform or other factors identified by the Department; or (3) an alternative fee structure identified by the Department.

\* \* \*

**Att 2 – ACTION 2 of CB 119145**

**14.16.120 Waiver; Effect on collective bargaining rights**

A. A waiver by employees covered by a bona fide collective bargaining agreement of provisions of this Chapter 14.16 is permitted as follows:

1. ((The)) Effective September 12, 2012 through December 31, 2017, the provisions of this Chapter 14.16 shall not apply to any employees covered by a bona fide collective bargaining agreement to the extent that such requirements are expressly waived in the collective bargaining agreement in clear and unambiguous terms.

2. Effective January 1, 2018 through the later of: December 31, 2018; or the expiration of a collective bargaining agreement in existence on December 31, 2018; the provisions of this Chapter 14.16 that are more generous than those provisions requiring paid sick leave under chapter 49.46 RCW and chapter 296-128 WAC, including but not limited to more generous requirements for accrual and carry over for Tier 2 and Tier 3 employers under Section 14.16.025, shall not apply to any employees covered by a bona fide collective bargaining agreement to the extent that:

a. Such requirements are expressly waived in the collective bargaining agreement, or in an addendum to an existing agreement including an agreement that is open for negotiation;

b. The waiver is in clear and unambiguous terms and shall not impede the ability of the Office of Labor Standards to enforce any unwaived portions of Chapter 14.16; and

c. Any labor organization that seeks to extend a waiver beyond January 1, 2018, files information on the pertinent collective bargaining agreement with the Office of Labor Standards. The information should include the name of the employer, the labor organization, the

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covered employees, the term of the collective bargaining agreement, and the language of the waiver. The information shall be filed with the Office of Labor Standards by the end of January 2018 or, for collective bargaining agreements ratified in 2018, within 30 days of the ratification date of such a collective bargaining agreement.

3. Effective on the later of: January 1, ~~2018~~ 2019; or the expiration of a collective bargaining agreement in existence on December 31, 2018; any waiver by employees covered by a bona fide collective bargaining agreement shall be deemed contrary to public policy and shall be void and unenforceable.

B. ((Any)) With the exceptions noted in subsection 14.16.120.A, any waiver by an individual of any provisions of this Chapter 14.16 shall be deemed contrary to public policy and shall be void and unenforceable.