

SEATTLE CITY COUNCIL

600 Fourth Ave. 2nd Floor
Seattle, WA 98104



Journal of the Proceedings of the Seattle City Council

Monday, August 17, 2015

2:00 PM

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

Full Council

Tim Burgess, Council President

Sally Bagshaw

Jean Godden

M. Lorena Gonzalez

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 August 17, 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: 6 - Bagshaw, Burgess, Godden, Harrell, Rasmussen, Sawant

Excused: 1 - Licata

Late Arrival: 1 - O'Brien

C. ADOPTION OF INTRODUCTION AND REFERRAL CALENDAR

[IRC 28](#) **August 17, 2015 (Revised; 8/14/15 at 3:00 p.m.)**

The Motion carried, and the Introduction & Referral Calendar (IRC) was adopted by the following vote:

In Favor: 7 - Bagshaw, Burgess, Godden, Harrell, Okamoto, Rasmussen, Sawant

Opposed: None

D. APPROVAL OF THE AGENDA

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

E. APPROVAL OF THE JOURNAL

[Min 34](#) **August 10, 2015**

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

In Favor: 7 - Bagshaw, Burgess, Godden, Harrell, Okamoto, Rasmussen, Sawant

Opposed: None

F. PRESENTATIONS

Councilmember Godden read a Proclamation relating to women's equality. By unanimous consent, the Council Rules were suspended to allow Councilmember Godden to present the Proclamation.

G. PUBLIC COMMENT

Councilmember O'Brien entered the council Chambers at 2:03 p.m.

Kate Martin addressed the Council regarding Agenda item 1, Resolution No. 31607.

Dick Falkenbury addressed the Council regarding Agenda item 1, Resolution No. 31607.

Richard Warner addressed the Council regarding Agenda item 1, Resolution No. 31607.

Eileen Pollet addressed the Council regarding Agenda item F, Women's Equality Day Proclamation.

Morgan Beach addressed the Council regarding Agenda item F, Women's Equality Day Proclamation.

Michael Beard addressed the Council regarding Agenda item 1, Resolution No. 31607.

Carl Wassilie addressed the Council regarding Agenda item 2, Council Bill No. 118479.

By unanimous consent, the Public Comment at Full Council Rule was suspended to allow additional public comment for items relating to Hookah Lounges.

Ariel Hart addressed the Council regarding a non-Agenda item.

Saed Amoura addressed the Council regarding a non-Agenda item.

Ahmed Ali addressed the Council regarding a non-Agenda item.

Maria Batayola addressed the Council regarding a non-Agenda item.

Hector Pang addressed the Council regarding a non-Agenda item.

Ubah Warsame addressed the Council regarding a non-Agenda item.

Abdirizaq Goni addressed the Council regarding a non-Agenda item.

Abdi Mohamed addressed the Council regarding a non-Agenda item.

Kinte Perry addressed the Council regarding a non-Agenda item.

Nazirauit addressed the Council regarding a non-Agenda item.

Henry Luke addressed the Council regarding a non-Agenda item.

Yitayal Mengistu addressed the Council regarding a non-Agenda item.

Ubah Warsame addressed the Council regarding a non-Agenda item.

Teresita Batayola addressed the Council regarding a non-Agenda item.

Ron Chew addressed the Council regarding a non-Agenda item.

Maiko Chin addressed the Council regarding a non-Agenda item.

Nebil Mohammed addressed the Council regarding a non-Agenda item.

Representatives of Legacy House Residents addressed the Council regarding a non-Agenda item.

Mohamed Aden addressed the Council regarding a non-Agenda item.

Tomio Moriguchi addressed the Council regarding a non-Agenda item.

Adam Mohamed addressed the Council regarding a non-Agenda item.

Andrea Akita addressed the Council regarding a non-Agenda item.

Ali Ayoub addressed the Council regarding a non-Agenda item.

Elaine Ishihara addressed the Council regarding a non-Agenda item.

Taki Alazadi addressed the Council regarding a non-Agenda item.

Ahmed Ali addressed the Council regarding a non-Agenda item.

Banaa Abera addressed the Council regarding a non-Agenda item.

The Council was at ease at 2:56 p.m.

The Council came back to order at 2:59 p.m.

H. PAYMENT OF BILLS

[CB 118480](#) **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. 118480.

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

In Favor: 8 - Bagshaw, Burgess, Godden, Harrell, O'Brien, Okamoto, Rasmussen, Sawant

Opposed: None

I. COMMITTEE REPORTS

FULL COUNCIL

1. [Res 31607](#) **A RESOLUTION regarding a voter-proposed Initiative Measure establishing a public development authority (PDA) to build and operate a mile-long elevated park and other amenities along Seattle's waterfront, integrating one block of the existing Alaskan Way Viaduct into the design of the elevated park; authorizing the City Clerk and the Executive Director of the Ethics and Elections Commission to take those actions necessary to enable the proposed Initiative to appear on the August 2, 2016 ballot and the local voters' pamphlet; requesting the King County Elections' Director to place the proposed initiative on the August 2, 2016 election ballot; and providing for the publication of such initiative.**

Motion was made and duly seconded to adopt Resolution No. 31607.

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

In Favor: 8 - Bagshaw, Burgess, Godden, Harrell, O'Brien, Okamoto, Rasmussen, Sawant

Opposed: None

ENERGY COMMITTEE

2. [CB 118479](#) **AN ORDINANCE relating to the City Light Department; and amending Section 21.49.042 of the Seattle Municipal code to align income eligibility guidelines for the utility-funded Emergency Low-Income Assistance program with other city rate assistance programs and allow year-round program operation.**

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

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

Opposed: None

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

In Favor: 8 - Bagshaw, Burgess, Godden, Harrell, O'Brien, Okamoto, Rasmussen, Sawant

Opposed: None

FINANCE AND CULTURE COMMITTEE

3. [CB 118452](#) **AN ORDINANCE authorizing, in 2015, acceptance of funding from non-City sources; authorizing the heads of the Executive Department, Department of Planning and Development, Department of Parks and Recreation, Human Services Department, Seattle Police Department, and the Seattle Public Utilities 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 the Council Bill (CB).

In Favor: 3 - Licata, Godden, Burgess

Opposed: None

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

In Favor: 8 - Bagshaw, Burgess, Godden, Harrell, O'Brien, Okamoto, Rasmussen, Sawant

Opposed: None

4. [CB 118453](#) **AN ORDINANCE relating to the 2015 Budget; amending Ordinance 124648, which adopted the 2015 Budget, including the 2015-2020 Capital Improvement Program (CIP); changing appropriations to various departments and budget control levels, and from various funds in the Budget; creating new appropriations; adding new projects; revising project allocations for certain projects in the 2015-2020 CIP; creating both exempt and nonexempt positions; abrogating 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 the Council Bill (CB).

In Favor: 3 - Licata, Godden, Burgess

Opposed: None

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

In Favor: 8 - Bagshaw, Burgess, Godden, Harrell, O'Brien, Okamoto, Rasmussen, Sawant

Opposed: None

5. [CB 118412](#) **AN ORDINANCE declaring the Property at 339 22nd Avenue East (PMA 156) as surplus to the City's needs; authorizing the Director of Finance and Administrative Services to sell two parcels through an open and competitive process; and designating the disposition of sales proceeds.**

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

In Favor: 3 - Licata, Godden, Burgess

Opposed: None

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

In Favor: 8 - Bagshaw, Burgess, Godden, Harrell, O'Brien, Okamoto, Rasmussen, Sawant

Opposed: None

6. [CB 118472](#) **AN ORDINANCE relating to the Department of Finance and Administrative Services, declaring the vacant property located at 5622 40th Avenue West as surplus to the City's needs; authorizing the sale of said property; authorizing the Director of Finance and Administrative Services to execute all documents for the sale and transfer of the property; and directing how proceeds from the sale shall be distributed.**

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

In Favor: 3 - Licata, Godden, Burgess

Opposed: None

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

In Favor: 8 - Bagshaw, Burgess, Godden, Harrell, O'Brien, Okamoto, Rasmussen, Sawant

Opposed: None

7. [CB 118473](#) **AN ORDINANCE authorizing the Director of Finance and Administrative Services to execute an amendment extending certain lease agreements between The City of Seattle and KBS SOR CENTRAL BUILDING, LLC, a Delaware limited liability company, for office space the City leases at 810 Third Avenue; and ratifying and confirming certain prior acts.**

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

In Favor: 3 - Licata, Godden, Burgess

Opposed: None

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

In Favor: 8 - Bagshaw, Burgess, Godden, Harrell, O'Brien, Okamoto, Rasmussen, Sawant

Opposed: None

8. [CB 118474](#) **AN ORDINANCE relating to the North Precinct project in the Department of Finance and Administrative Services; amending Ordinance 124648, which adopted the 2015 Budget; authorizing the loan of funds from the City’s Consolidated (Residual) Cash Pool, or its participating funds, in the amount of \$2,750,000, to the 2016 Bond Fund for bridge financing of the North Precinct project; establishing a budget control level in the 2016 Multipurpose LTGO Bond Fund; increasing 2015 appropriations of \$1,500,000 in the 2016 Multipurpose LTGO Bond Fund; 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: 3 - Licata, Godden, Burgess

Opposed: None

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

In Favor: 8 - Bagshaw, Burgess, Godden, Harrell, O'Brien, Okamoto, Rasmussen, Sawant

Opposed: None

9. [Appt 00179](#) **Appointment of Marissa A. Tanimura as member, Seattle Music Commission, for a term of confirmation to May 1, 2018.**

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

In Favor: 3 - Licata, Godden, Burgess

Opposed: None

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

In Favor: 8 - Bagshaw, Burgess, Godden, Harrell, O'Brien, Okamoto, Rasmussen, Sawant

Opposed: None

10. [Appt 00178](#) Reappointment of Douglass A. Raff as member, Museum Development Authority Council, for a term of confirmation to July 12, 2018.

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

In Favor: 3 - Licata, Godden, Burgess

Opposed: None

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

In Favor: 8 - Bagshaw, Burgess, Godden, Harrell, O'Brien, Okamoto, Rasmussen, Sawant

Opposed: None

PLANNING, LAND USE, AND SUSTAINABILITY COMMITTEE

11. [CB 118407](#) **AN ORDINANCE relating to land use, zoning, and environmental policy; amending Sections 3.58.070, 3.58.090, 23.22.024, 23.24.020, 23.28.030, 23.34.009, 23.40.060, 23.41.004, 23.41.008, 23.41.010, 23.41.012, 23.42.038, 23.44.010, 23.44.014, 23.44.041, 23.44.051, 23.45.504, 23.45.508, 23.45.510, 23.45.512, 23.45.518, 23.45.526, 23.45.529, 23.45.532, 23.45.536, 23.45.570, 23.46.002, 23.47A.004, 23.47A.012, 23.47A.013, 23.47A.014, 23.47A.016, 23.47A.032, 23.47A.039, 23.48.010, 23.49.008, 23.49.010, 23.49.012, 23.49.013, 23.49.041, 23.49.178, 23.49.242, Map 1I in Chapter 23.49, 23.50.020, 23.53.006, 23.53.015, 23.54.015, 23.54.025, 23.54.030, 23.58A.044, 23.66-.020, 23.67.060, 23.75.140, 23.75.180, 23.76.006, 23.76.012, 23.76.026, 23.76.032, 23.84A.002, 23.84A.008, 23.84A.012, 23.84A.032, 23.84A.038, 23.86.006, 23.86.010, 23.86.012, 23.86.016, 23.88.020, 25.05.164, 25.05.508, 25.05.510, 25.05.610, 25.05.756, 25.05.800, 25.05.920, 25.05.960, 25.06.030, 25.06.050, 25.08.425, 25.08.590, and 25.08.655, and repealing Section 23.40.050 of the Seattle Municipal Code, to correct typographical errors, correct section references, clarify regulations, and make minor amendments; and amending the Wallingford Design Guidelines to update the title page and to correct the map of the Wallingford Planning Area Boundary.**

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

In Favor: 3 - O'Brien, Burgess, Licata

Opposed: None

ACTION 1:

Motion was made by Councilmember O'Brien, duly seconded and carried, to amend Council Bill No. 118407, in three sections:

A. Section 11, item 18 of Seattle Municipal Code 23.41.010.B, by deleting "2014" after "Wallingford Design Guidelines," and by adding "2013" after "Wallingford Design Guidelines."

B. Section 83, by deleting Section 83 and by renumbering the next section accordingly, and shown below in the underline and strike though language below:

~~Section 83. The Wallingford Design Guidelines, enacted by Ordinance 124389, are amended to change the title page and to correct the map of~~

~~the Wallingford Planning Area Boundary on page vii, as shown on Exhibit A to this ordinance.~~

Section ~~84~~ 83.

C. After the City Clerk signature line by deleting "Attachment: Exhibit A: Wallingford Design Guidelines 2014."

ACTION 2:

Motion was made by Councilmember Harrell and duly seconded, to amend Council Bill No. 118407, Section 9, by deleting Seattle Municipal Code Section 23.41.004.A.8, as shown in the strike through language below:

23.41.004 Applicability

A. Design review required

~~8. Except for development within the boundaries of a Master Planned Community, design review pursuant to Section 23.41.014 is required for a development proposal if the proposal is (a) for three or more attached or detached dwelling units or 2,000 square feet or more of non-residential gross floor area; and (b) on a lot that is abutting one or more qualifying lots and the combined size of development proposals on the subject lot and abutting qualifying lot or lots exceeds thresholds in Table A or Table B to Section 23.41.004. For purposes of the preceding sentence, a "qualifying lot" is a lot for which, on the day a complete application is submitted for a development proposal on the subject lot: (a) a complete Master Use Permit or building permit application for a development proposal that does not exceed thresholds in Table A or B to Section 23.41.004 is or has been submitted; and (b) a certificate of occupancy for the development has not been issued or, for a project where no certificate of occupancy is required, the final inspection pursuant to any issued building permit has not been completed. If complete applications for development proposals are submitted for the subject lot and qualifying lot on the same day, design review is required for both development proposals.~~

* * *

The Motion failed by the following vote:

In favor: Harrell - 1

Opposed: Burgess, Bagshaw, Godden, O'Brien, Rasmussen, Sawant - 6

ACTION 3:

Motion was made by Councilmember O'Brien, duly seconded and carried, to amend Council Bill No. 118407, Section 81, Seattle Municipal Code Section 25.08.590.E, by deleting title subsection E. "Variance Conditions;" by deleting subsection E.2; and by renumbering subsection E.1 accordingly, as shown below in the strike through language below:

25.08.590 Granting of variance

E. ~~Variance conditions~~

1. The Administrator may impose conditions, including but not limited to conditions relating to types of equipment, hours of use, and duration, to mitigate the adverse impacts of granting the variance. The Administrator may also include conditions proposed by the applicant as part of the variance application. Compliance with the Noise Management and Mitigation Plan approved by the Administrator is a condition of every variance.

~~2. Failure to comply with the conditions of a noise variance or with any permit conditions relating to noise may be subject to issuance of a citation under Section 25.08.900 and to the penalties of Section 25.08.960, at the discretion of the Administrator, for a single incidence of non-compliance. This remedy is an alternative to, but not in lieu of, the procedures in Sections 25.08.720 and 25.08.730. The procedures of Sections 25.08.720 and 25.08.730 shall apply to continuing failure to comply.~~

ACTION 4:

Motion was made and duly seconded to pass Council Bill No. 118407 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, Burgess, Godden, Harrell, O'Brien, Okamoto, Rasmussen, Sawant

Opposed: None

SEATTLE PUBLIC UTILITIES AND NEIGHBORHOODS COMMITTEE

12. [Appt 00081](#) Appointment of Deborah A. Jones as member, Pike Place Market Historical Commission for a term of confirmation to December 1, 2015.

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

In Favor: 3 - Bagshaw, Harrell, Godden

Opposed: None

Absent(NV): 1 - Sawant

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

In Favor: 8 - Bagshaw, Burgess, Godden, Harrell, O'Brien, Okamoto, Rasmussen, Sawant

Opposed: None

13. [Appt 00180](#) Appointment of Cass O'Callaghan as member, Ballard Avenue Landmark District Board, for a term of confirmation to June 30, 2017.

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

In Favor: 3 - Bagshaw, Harrell, Godden

Opposed: None

Absent(NV): 1 - Sawant

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

In Favor: 8 - Bagshaw, Burgess, Godden, Harrell, O'Brien, Okamoto, Rasmussen, Sawant

Opposed: None

TRANSPORTATION COMMITTEE

14. [CF 313195](#) **Petition of Seattle City Light to vacate Pontius Avenue North between the south margin of John Street and the north margin of Denny Way.**

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

In Favor: 4 - Rasmussen, O'Brien, Godden, Bagshaw

Opposed: None

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

In Favor: 8 - Bagshaw, Burgess, Godden, Harrell, O'Brien, Okamoto, Rasmussen, Sawant

Opposed: None

15. [CF 314305](#) **Council Concept Approval and waiver or modification of certain development standards to allow development of an electrical substation, the Denny Substation, located at 1250 Denny Way (Project No. 3014772; Type V).**

The Committee recommends that Full Council approve the project.

In Favor: 4 - Rasmussen, O'Brien, Godden, Bagshaw

Opposed: None

The Project was approved in concept and granted with development standard modifications by the following vote, and the President signed the Findings, Conclusions, and Decisions of the City Council:

In Favor: 8 - Bagshaw, Burgess, Godden, Harrell, O'Brien, Okamoto, Rasmussen, Sawant

Opposed: None

J. ADOPTION OF OTHER RESOLUTIONS

16. [Res 31608](#) **A RESOLUTION setting the public hearing on the petition of City Investors IV LLC for the vacation of a subterranean portion of the alley in Block 89, D.T. Denny's 5th Addition to North Seattle in the South Lake Union neighborhood of Seattle, according to Chapter 35.79 Revised Code of Washington, Seattle Municipal Code 15.62, and Clerk's File 313894.**

Motion was made and duly seconded to adopt Resolution No. 31608.

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

In Favor: 8 - Bagshaw, Burgess, Godden, Harrell, O'Brien, Okamoto, Rasmussen, Sawant

Opposed: None

K. OTHER BUSINESS

There was none.

L. ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 3:39 p.m.

Emilia M. Sanchez, Deputy City Clerk

Signed by me in Open Session, upon approval of the Council, on September 8, 2015.

Tim Burgess, President of the City Council

Monica Martinez Simmons, City Clerk