



CITY OF SEATTLE

City Council

Agenda

Tuesday, April 19, 2022

2:00 PM

Remote Meeting. Call 253-215-8782; Meeting ID: 586 416 9164; or
Seattle Channel online.

Debora Juarez, Council President

Lisa Herbold, Member

Andrew J. Lewis, Member

Tammy J. Morales, Member

Teresa Mosqueda, Member

Sara Nelson, Member

Alex Pedersen, Member

Kshama Sawant, Member

Dan Strauss, Member

Chair Info: 206-684-8805; Debora.Juarez@seattle.gov

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<http://seattle.gov/cityclerk/accommodations>.



CITY OF SEATTLE

City Council Agenda

April 19, 2022 - 2:00 PM

Meeting Location:

Remote Meeting. Call 253-215-8782; Meeting ID: 586 416 9164; or Seattle Channel online.

Committee Website:

<http://www.seattle.gov/council>

Pursuant to Washington State Governor's Proclamation No. 20-28.15 and Senate Concurrent Resolution 8402, this public meeting will be held remotely. Meeting participation is limited to access by the telephone number provided on the meeting agenda, and the meeting is accessible via telephone and Seattle Channel online.

Register online to speak during the Public Comment period at the 2:00 p.m. City Council meeting at <http://www.seattle.gov/council/committees/public-comment>.

Online registration to speak at the City Council meeting will begin two hours before the 2:00 p.m. meeting start time, and registration will end at the conclusion of the Public Comment period during the meeting. Speakers must be registered in order to be recognized by the Chair.

Submit written comments to all Councilmembers at Council@seattle.gov
Sign-up to provide Public Comment at the meeting at <http://www.seattle.gov/council/committees/public-comment>

Watch live streaming video of the meeting at <http://www.seattle.gov/council/watch-council-live>

Listen to the meeting by calling the Council Chamber Listen Line at 253-215-8782 Meeting ID: 586 416 9164
One Tap Mobile No. US: +12532158782,,5864169164#

A. CALL TO ORDER

B. ROLL CALL

C. PRESENTATIONS

D. APPROVAL OF CONSENT CALENDAR

The Consent Calendar consists of routine items. A Councilmember may request that an item be removed from the Consent Calendar and placed on the regular agenda.

Journal:

1. [Min 375](#) April 12, 2022

Attachments: [Minutes](#)

Introduction and Referral Calendar:

Introduction and referral to Council committees of Council Bills (CB), Resolutions (Res), Appointments (Appt), and Clerk Files (CF) for committee recommendation.

2. [IRC 345](#) April 19, 2022

Attachments: [Introduction and Referral Calendar](#)

Council Bills:

3. [CB 120306](#) AN ORDINANCE appropriating money to pay certain audited claims for the week of April 4, 2022 through April 8, 2022 and ordering payment thereof.

Appointments:

4. [Appt 02165](#) Appointment of Sophia Fang as member, Seattle Arts Commission, for a term to December 31, 2023.

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

In Favor: 5 - Morales, Sawant, Lewis, Nelson, Strauss

Opposed: None

Attachments: [Appointment Packet](#)

E. APPROVAL OF THE AGENDA

F. PUBLIC COMMENT

Members of the public may sign up to address the Council for up to 2 minutes on matters on this agenda; total time allotted to public comment at this meeting is 20 minutes.

Register online to speak during the Public Comment period at the 2:00 p.m. City Council meeting at <http://www.seattle.gov/council/committees/public-comment>.

Online registration to speak at the City Council meeting will begin two hours before the 2:00 p.m. meeting start time, and registration will end at the conclusion of the Public Comment period during the meeting. Speakers must be registered in order to be recognized by the Chair.

G. COMMITTEE REPORTS

Discussion and vote on Council Bills (CB), Resolutions (Res), Appointments (Appt), and Clerk Files (CF).

CITY COUNCIL:

1. [CB 120298](#) AN ORDINANCE relating to City employment; authorizing the execution of a memorandum of understanding between the City of Seattle and the International Brotherhood of Electrical Workers Local 77 Signal Electricians to be effective January 23, 2021 to January 22, 2023; and ratifying and confirming certain prior acts.

Attachments: [Att 1 - SDOT and Local 77 Memorandum of Understanding](#)

Supporting Documents: [Summary and Fiscal Note](#)
[Central Staff Memo](#)

NEIGHBORHOODS, EDUCATION, CIVIL RIGHTS, AND CULTURE COMMITTEE:

2. [CB 120295](#) AN ORDINANCE relating to historic preservation; imposing controls upon La Quinta Apartments, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

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

In Favor: 5 - Morales, Sawant, Lewis, Nelson, Strauss

Opposed: None

Attachments: [Attachment A - La Quinta Site Plan](#)

Supporting

Documents:

[Summary and Fiscal Note](#)

[Summary Ex A - Vicinity Map of La Quinta Apartments](#)

3. [CB 120296](#) AN ORDINANCE relating to historic preservation; imposing controls upon El Monterey, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

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

In Favor: 5 - Morales, Sawant, Lewis, Nelson, Strauss

Opposed: None

Supporting

Documents:

[Summary and Fiscal Note](#)

[Summary Ex A - Vicinity Map of El Monterey](#)

4. [CB 120297](#) AN ORDINANCE relating to historic preservation; imposing controls upon the University National Bank, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

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

In Favor: 5 - Morales, Sawant, Lewis, Nelson, Strauss

Opposed: None

Supporting Documents:

[Summary and Fiscal Note](#)

[Summary Ex A - Vicinity Map of University National Bank](#)

TRANSPORTATION AND SEATTLE PUBLIC UTILITIES COMMITTEE:

5. [CB 120290](#) AN ORDINANCE granting The Boeing Company permission to continue maintaining and operating two pedestrian tunnels under and across 16th Avenue South, 565 feet south of East Marginal Way South, and under and across East Marginal Way South, 510 feet east of 16th Avenue South; repealing Section 8 of Ordinance 123540; and providing for acceptance of the permit and conditions.

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

In Favor: 4 - Pedersen, Strauss, Herbold, Morales

Opposed: None

Supporting Documents:

[Summary and Fiscal Note](#)

[Summary Att A - Boeing Tunnels Area Map](#)

[Summary Att B - Boeing Tunnels Photos](#)

[Summary Att C - Annual Fee Assessment](#)

H. ADOPTION OF OTHER RESOLUTIONS

I. OTHER BUSINESS

J. ADJOURNMENT



Legislation Text

File #: Min 375, **Version:** 1

April 12, 2022

SEATTLE CITY COUNCIL

600 Fourth Ave. 2nd Floor
Seattle, WA 98104



Journal of the Proceedings of the Seattle City Council

Tuesday, April 12, 2022

2:00 PM

Remote Meeting. Call 253-215-8782; Meeting ID: 586 416 9164; or
Seattle Channel online.

City Council

Debora Juarez, Council President

Lisa Herbold, Member

Andrew J. Lewis, Member

Tammy J. Morales, Member

Teresa Mosqueda, Member

Sara Nelson, Member

Alex Pedersen, Member

Kshama Sawant, Member

Dan Strauss, Member

Chair Info: 206-684-8805; Debora.Juarez@seattle.gov

Pursuant to Washington State Governor's Proclamation No. 20-28.15 and Senate Concurrent Resolution 8402, this public meeting will be held remotely. Meeting participation is limited to access by the telephone number provided on the meeting agenda, and the meeting is accessible via telephone 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 20-28.15, and guidance provided by the Attorney General's Office, on April 12, 2022, pursuant to the provisions of the City Charter. The meeting was called to order at 2:02 p.m., with Council President Pro Tem Pedersen presiding.

B. ROLL CALL

The following Councilmembers were present and participating electronically:

Present: 6 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant

Excused: 3 - Juarez, Nelson, Strauss

Motion was made, duly seconded and carried, to excuse Councilmember Juarez from the April 12, 2022 City Council meeting.

C. PRESENTATIONS

Councilmember Herbold presented a Proclamation declaring April as Sexual Assault Awareness Month. The Council Rules were suspended to allow Councilmember Herbold to present the Proclamation, and to allow Amarinthia Toress from the Coalition Ending Gender-Based Violence, and Riddhi Mukhopadhyay, Executive Director of the Sexual Violence Law Center, to address the Council.

D. APPROVAL OF CONSENT CALENDAR

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

Journal:

1. [Min 374](#) April 5, 2022

The item was adopted on the Consent Calendar by the following vote, and the President signed the Minutes:

In Favor: 6 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant

Opposed: None

Introduction and Referral Calendar:

2. [IRC 344](#) April 12, 2022 (Revised 4/11/22 at 1:00 p.m.)

The item was adopted on the Consent Calendar by the following vote:

In Favor: 6 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant

Opposed: None

Council Bills:

3. [CB 120299](#) **AN ORDINANCE appropriating money to pay certain audited claims for the week of March 28, 2022 through April 1, 2022 and ordering the payment thereof.**

The item was passed on the Consent Calendar by the following vote, and the President signed the Council Bill:

In Favor: 6 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant

Opposed: None

Appointments:

FINANCE AND HOUSING COMMITTEE:

4. [Appt 02149](#) **Appointment of Joel C. Ing as member, Housing Levy Oversight Committee, for a term to December 31, 2023.**

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

In Favor: 5 - Mosqueda, Herbold, Pedersen, Nelson, Lewis

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 6 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant

Opposed: None

- 5. [Appt 02150](#) Appointment of Damien James as member, Housing Levy Oversight Committee, for a term to December 31, 2023.

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

In Favor: 5 - Mosqueda, Herbold, Pedersen, Nelson, Lewis
Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 6 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant
Opposed: None

- 6. [Appt 02151](#) Appointment of Denise Rodriguez as member, Housing Levy Oversight Committee, for a term to December 31, 2023.

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

In Favor: 5 - Mosqueda, Herbold, Pedersen, Nelson, Lewis
Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 6 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant
Opposed: None

- 7. [Appt 02152](#) Appointment of Dan Wise as member, Housing Levy Oversight Committee, for a term to December 31, 2023.

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

In Favor: 5 - Mosqueda, Herbold, Pedersen, Nelson, Lewis
Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 6 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant
Opposed: None

8. [Appt 02153](#) Reappointment of Beth Boram as member, Housing Levy Oversight Committee, for a term to December 31, 2023.

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

In Favor: 5 - Mosqueda, Herbold, Pedersen, Nelson, Lewis

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 6 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant

Opposed: None

9. [Appt 02154](#) Reappointment of Vallerie Fisher as member, Housing Levy Oversight Committee, for a term to December 31, 2023.

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

In Favor: 5 - Mosqueda, Herbold, Pedersen, Nelson, Lewis

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 6 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant

Opposed: None

10. [Appt 02155](#) Reappointment of Erin Christensen Ishizaki as member, Housing Levy Oversight Committee, for a term to December 31, 2023.

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

In Favor: 5 - Mosqueda, Herbold, Pedersen, Nelson, Lewis

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 6 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant

Opposed: None

11. [Appt 02156](#) Reappointment of Ann T. Melone as member, Housing Levy Oversight Committee, for a term to December 31, 2023.

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

In Favor: 5 - Mosqueda, Herbold, Pedersen, Nelson, Lewis

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 6 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant

Opposed: None

12. [Appt 02157](#) Reappointment of Colin Morgan-Cross as member, Housing Levy Oversight Committee, for a term to December 31, 2023.

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

In Favor: 5 - Mosqueda, Herbold, Pedersen, Nelson, Lewis

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 6 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant

Opposed: None

13. [Appt 02158](#) Reappointment of Pradeepta Upadhyay as member, Housing Levy Oversight Committee, for a term to December 31, 2023.

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

In Favor: 5 - Mosqueda, Herbold, Pedersen, Nelson, Lewis

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 6 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant

Opposed: None

- 14. [Appt 02159](#) Appointment of Patience M. Malaba as member, Housing Levy Oversight Committee, for a term to December 31, 2023.

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

In Favor: 5 - Mosqueda, Herbold, Pedersen, Nelson, Lewis
Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 6 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant
Opposed: None

- 15. [Appt 02160](#) Appointment of Bilan Aden as member, Sweetened Beverage Tax Community Advisory Board, for a term to August 31, 2023.

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

In Favor: 5 - Mosqueda, Herbold, Pedersen, Nelson, Lewis
Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 6 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant
Opposed: None

- 16. [Appt 02161](#) Appointment of Barbara Rockey as member, Sweetened Beverage Tax Community Advisory Board, for a term to August 31, 2025.

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

In Favor: 5 - Mosqueda, Herbold, Pedersen, Nelson, Lewis
Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 6 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant
Opposed: None

17. [Appt 02162](#) Reappointment of Jen Hey as member, Sweetened Beverage Tax Community Advisory Board, for a term to August 31, 2025.

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

In Favor: 5 - Mosqueda, Herbold, Pedersen, Nelson, Lewis

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 6 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant

Opposed: None

18. [Appt 02163](#) Reappointment of Dan Torres as member, Sweetened Beverage Tax Community Advisory Board, for a term to August 31, 2025.

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

In Favor: 5 - Mosqueda, Herbold, Pedersen, Nelson, Lewis

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 6 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant

Opposed: None

PUBLIC ASSETS AND HOMELESSNESS COMMITTEE:

19. [Appt 02166](#) Appointment of Katie Garrow as member, Washington State Convention Center Public Facilities District Board, for a term July 30, 2022.

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

In Favor: 4 - Lewis, Mosqueda, Herbold, Morales

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 6 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant

Opposed: None

20. [Appt 02167](#) Appointment of Hien Taylor Hoang as member, Washington State Convention Center Public Facilities District Board, for a term to July 30, 2024.

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

In Favor: 4 - Lewis, Mosqueda, Herbold, Morales

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 6 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant

Opposed: None

21. [Appt 02168](#) Reappointment of Gloria Connors as member, Seattle Center Advisory Commission, for a term to September 28, 2024.

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

In Favor: 4 - Lewis, Mosqueda, Herbold, Morales

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 6 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant

Opposed: None

22. [Appt 02169](#) Reappointment of Will Ludlam as member, Seattle Center Advisory Commission, for a term to September 28, 2024.

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

In Favor: 4 - Lewis, Mosqueda, Herbold, Morales

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 6 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant

Opposed: None

E. APPROVAL OF THE AGENDA

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

F. PUBLIC COMMENT

The following individuals addressed the Council:

Howard Gale
David Haines

G. COMMITTEE REPORTS

FINANCE AND HOUSING COMMITTEE:

1. [Res 32047](#) **A RESOLUTION establishing a Watch List of large, complex, discrete capital projects that will require enhanced quarterly monitoring reports for the 2022 calendar year.**

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

**In Favor: 5 - Mosqueda, Herbold, Pedersen, Nelson, Lewis
Opposed: None**

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

In Favor: 6 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant

Opposed: None

TRANSPORTATION AND SEATTLE PUBLIC UTILITIES COMMITTEE:

- 2. [CB 120281](#) **AN ORDINANCE granting BSOP 1, LLC, permission to construct, maintain, and operate a private parking area on East Howe Street, east of Fairview Avenue East, for a 15-year term, renewable for one successive 15-year term; specifying the conditions under which this permit is granted; and providing for the acceptance of the permit and conditions.**

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

In Favor: 4 - Pedersen, Strauss, Herbold, Morales

Opposed: None

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

In Favor: 6 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant

Opposed: None

- 3. [CB 120282](#) **AN ORDINANCE vacating a portion of the alley in Block 6, A.A. Denny's Second Addition, in the block bounded by University Street, 1st Avenue, Seneca Street, and 2nd Avenue, in Downtown, and accepting a Property Use and Development Agreement, on the petition of HS 2U Owner, LLC (Clerk File 314320).**

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

In Favor: 4 - Pedersen, Strauss, Herbold, Morales

Opposed: None

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

In Favor: 6 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant

Opposed: None

4. [CB 120291](#) **AN ORDINANCE relating to rates and charges for water services of Seattle Public Utilities; revising water rates and charges for certain customers; and amending Seattle Municipal Code Section 21.04.440.**

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

In Favor: 4 - Pedersen, Strauss, Herbold, Morales

Opposed: None

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

In Favor: 6 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant

Opposed: None

H. ADOPTION OF OTHER RESOLUTIONS

There were none.

I. OTHER BUSINESS

There was none.

J. ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 2:34 p.m.

Jodee Schwinn, Deputy City Clerk

Signed by me in Open Session, upon approval of the Council, on April 19, 2022.

Debora Juarez, Council President of the City Council

Monica Martinez Simmons, City Clerk



Legislation Text

File #: IRC 345, **Version:** 1

April 19, 2022



Introduction and Referral Calendar

List of proposed Council Bills (CB), Resolutions (Res), Appointments (Appt) and Clerk Files (CF) to be introduced and referred to a City Council committee

Record No.	Title	Committee Referral
<u>By: Mosqueda</u>		
1. CB 120306	AN ORDINANCE appropriating money to pay certain audited claims for the week of April 4, 2022 through April 8, 2022 and ordering payment thereof.	City Council
<u>By: No Sponsor Required</u>		
2. CF 314493	Full unit lot subdivision of Pinehurst Apartments, LLC, to subdivide one development site into 6 parcels of land and one of those parcels into 7 unit lots at 11710 15th Ave NE and 11714 Pinehurst Way NE (Project 3038901-LU; Type III).	City Council
<u>By: Nelson</u>		
3. CB 120307	AN ORDINANCE relating to surveillance technology implementation; authorizing approval of uses and accepting the 2021 surveillance impact report and 2021 executive overview for the Seattle Police Department's use of Audio Recording Systems.	Economic Development, Technology, and City Light Committee
<u>By: Nelson</u>		
4. CB 120308	AN ORDINANCE relating to surveillance technology implementation; authorizing approval of uses and accepting the 2021 surveillance impact report and 2021 executive overview for the Seattle Police Department's use of Maltego.	Economic Development, Technology, and City Light Committee
<u>By: Nelson</u>		
5. CB 120309	AN ORDINANCE relating to surveillance technology implementation; authorizing approval of uses and accepting the 2021 surveillance impact report and 2021 executive overview for the Seattle Police Department's use of IBM i2 iBase.	Economic Development, Technology, and City Light Committee

By: Juarez

6. [Res 32051](#) A RESOLUTION revising certain General Rules and Procedures of the Seattle City Council; amending Rules III and V in Attachment 1 of Resolution 32029.
- Governance,
Native
Communities, and
Tribal
Governments
Committee

By: Strauss

7. [CB 120313](#) AN ORDINANCE relating to land use and zoning; defining the addition of a single development that includes residential uses at a community or technical college located within an Urban Center as a minor amendment to an existing Major Institution master plan; amending Sections 23.42.049, 23.45.504, 23.47A.004, 23.69.008, 23.69.026, and 23.69.035 of the Seattle Municipal Code.
- Land Use
Committee

By: Morales

8. [CB 120310](#) AN ORDINANCE relating to historic preservation; imposing controls upon The Center for Wooden Boats, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.
- Neighborhoods,
Education, Civil
Rights, and
Culture Committee

By: Morales

9. [CB 120311](#) AN ORDINANCE relating to historic preservation; imposing controls upon the Wagner Floating Home, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.
- Neighborhoods,
Education, Civil
Rights, and
Culture Committee

By: Morales

10. [CB 120312](#) AN ORDINANCE relating to historic preservation; imposing controls upon the Seattle-First National Bank Building, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.
- Neighborhoods,
Education, Civil
Rights, and
Culture Committee

By: Morales

11. [Appt 02185](#) Appointment of Linda Thompson-Black as member, Families, Education, Preschool, and Promise Levy, for a term to December 31, 2024.
- Neighborhoods,
Education, Civil
Rights, and
Culture Committee

By: Morales

12. [Appt 02186](#)

Reappointment of Donald T. Felder as member, Families, Education, Preschool, and Promise Levy Oversight Committee, for a term to December 31, 2023.

Neighborhoods, Education, Civil Rights, and Culture Committee



Legislation Text

File #: CB 120306, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE appropriating money to pay certain audited claims for the week of April 4, 2022 through April 8, 2022 and ordering payment thereof.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Payment of the sum of \$19,328,287.71 on PeopleSoft 9.2 mechanical warrants numbered 4100562630- 4100564687 plus manual or cancellation issues for claims, E-Payables of \$28,456.16 on PeopleSoft 9.2 9100011501- 9100011532 and Electronic Financial Transactions (EFT) in the amount of \$24,983,459.88 are presented for ratification by the City Council per RCW 42.24.180.

Section 2. Any act consistent with the authority of this ordinance taken prior to its effective date is hereby ratified and confirmed.

Section 3. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 19th day of April, 2022, and signed by me in open session in authentication of its passage this 19th day of April, 2022.

President _____ of the City Council

Approved / returned unsigned / vetoed this ____ day of _____, 2022.

Bruce A. Harrell, Mayor

Filed by me this ____ day of _____, 2022.

Monica Martinez Simmons, City Clerk

(Seal)



Legislation Text

File #: Appt 02165, **Version:** 1

Appointment of Sophia Fang as member, Seattle Arts Commission, for a term to December 31, 2023.

The Appointment Packet is provided as an attachment.



City of Seattle Boards & Commissions Notice of Appointment

Appointee Name: <i>Sophia Fang</i>		
Board/Commission Name: <i>Seattle Arts Commission</i>		Position Title: <i>Member</i>
<input checked="" type="checkbox"/> Appointment OR <input type="checkbox"/> Reappointment	City Council Confirmation required? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Appointing Authority: <input type="checkbox"/> City Council <input type="checkbox"/> Mayor <input checked="" type="checkbox"/> Other: <i>Seattle Arts Commission</i>	Term of Position: * 1/1/2022 to 12/31/2023 <input type="checkbox"/> <i>Serving remaining term of a vacant position</i>	
Residential Neighborhood: Bellevue, WA (Lakemont)	Zip Code: 98006	Contact Phone No.: [REDACTED]
Background: Sophia Fang is a startup marketer by trade, a creative artist by nature, and a social impact creator by purpose—all towards her personal mission of building vibrancy in her community. Blending vibrant swatches of color and complex details, her watercolors combine whimsy and community joy to celebrate small businesses, immigrant placemaking, and food diasporas. Sophia is passionate about beautifying public spaces in her Seattle hometown and the Rust Belt. As an emerging artist, she received public art commissions in 2021 from the City of Redmond, City of Tukwila, City of Auburn, City of Pittsburgh, Bloomfield-Garfield Corporation, BOOM Concepts, and West Virginia University Libraries. Her artwork has been featured in <i>Pittsburgh City Paper</i> , <i>The Incline PGH</i> , <i>Marketing Pittsburgh Podcast</i> , and <i>love, Pittsburgh</i> . Sophia was also an Artist-in-Residence at Inscape Arts, an Awesome Foundation grant winner, a 2022 Pittsburgh 30 Under 30 honoree, and the 2021 winner of the ATHENA Young Professional Award for excellence in mentoring women and girls to succeed. Passionate about empowering local entrepreneurs, makers, and creators, Sophia is the Head of Marketing at Honeycomb Credit, a Board Member at Prototype PGH, and a Venture For America alumni fellow.		
Authorizing Signature (original signature):  Date Signed (appointed): 3/25/2022	Appointing Signatory: <i>Tammy Morales</i> <i>Council Member, Seattle City Council</i>	

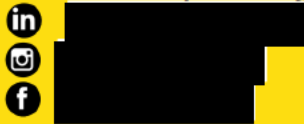
*Term begin and end date is fixed and tied to the position and not the appointment date.

sophia fang



Seattle + Pittsburgh

www.sophiafang.com



awards

30 Under 30, Pittsburgh Business Times (2022)

Emerging Artist Grantee, Pittsburgh Foundation (2022)

Winner, ATHENA Young Professional Award (2021)

Artist-in-Residence, Inscape Arts (2021)

Grant Winner, The Awesome Foundation (2021)

press

Marketing Pittsburgh Podcast, "Invest Locally with Sophia Fang" (2021)

Pittsburgh City Paper, "Sophia Fang Supports small businesses with postcard project" (2020)

speaking

ACES 2022
Carnegie Mellon University
University of Pittsburgh

creativity x social impact

founder | Sophia Fang Art May 2020–Present

- Launch watercolor business with 5-figure revenue and raise \$2,500+ in donations to small businesses and Asian American nonprofits with Painting Main project

head of marketing | Honeycomb Credit Aug 2018–Present

- Built brand to drive \$3.5M+ in investments to 100+ small businesses nationwide
- Grew email newsletter by 18K, social by 6.7K+ followers, inbounds by 3.9K, and web traffic by 182K unique visitors

board member | Prototype PGH Jan 2020–Present

- Run women-owned business incubator with 6 entrepreneurs to build racial and gender equity in entrepreneurship

fellow | Venture For America Mar 2018–June 2020

- Joined entrepreneurship fellowship for recent grads with a 10% acceptance rate

founder | CHIFFON ET RIBBONS Sept 2010–May 2018

- Founded fashion blog with 50,000+ followers and 1.2M+ page views

marketing director | Health Bridges Aug 2015–May 2018

- Built nonprofit assisting 300+ low-income patients monthly with language translations and fundraised \$35,000+ as a founding member

public art

- *Food Hall Mural*, Spice Bridge & City of Tukwila, Tukwila, WA, 2022
- *Redmond Lights*, City of Redmond, Redmond, WA, 2021-2022
- *Arts in Park Storyteller*, City of Pittsburgh & CDCP, Pittsburgh, PA, 2021-2022
- *Rotunda Art Fence*, Bloomfield-Garfield Corporation, Pittsburgh, PA, 2021
- *Tukwila Utility Box Art Program*, City of Tukwila, Tukwila, WA, 2021-2028
- *Auburn Utility Box Art Program*, City of Auburn, Auburn WA, 2021-2028
- *Storefront Window Display*, BOOM Concepts, Pittsburgh, PA, 2021
- *Food Justice in Appalachia*, West Virginia University Libraries & Food Justice Lab, Morgantown, WV, 2021-2022

education

Pomona College Sept 2014–May 2018
B.A., Double Major in Economics and Digital Media Studies, 3.8/4.0

Claremont McKenna College Jan 2017–May 2017
Silicon Valley Program, 3.9/4.0

- 1 of 10 students accepted to pursue a full-time internship in Silicon Valley while taking a full course load on weekends

artist bio

Sophia Fang is a startup marketer by trade, a creative artist by nature, and a social impact creator by purpose—all towards her personal mission of building vibrancy in her community. Blending vibrant swatches of color and complex details, her watercolors combine whimsy and community joy to celebrate small businesses, immigrant placemaking, and food diasporas.

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Passionate about empowering local entrepreneurs, makers, and creators, Sophia is the Head of Marketing at Honeycomb Credit, a Board Member at Prototype PGH, and a Venture For America alumni fellow.

Seattle Arts Commission Roster

16 Members: Pursuant to ordinance 121006, all members subject to City Council confirmation, 2-year terms (Get-Engaged member serves a 1-year term):

- 7 City Council-appointed
- 7 Mayor-appointed
- 1 Commission-appointed
- 1 Get-Engaged

Roster as of 3/17/2022

*D	**G	RD	Position No.	Position Title	Name	Term Begin Date	Term End Date	Term #	Appointed By
2	M	1	1.	At-Large	Yeggy Michael	01/01/22	12/31/23	2 nd	City Council
			2.	At-Large	vacant	01/01/22	12/31/23	1 st	City Council
3	F	1	3.	At-Large	Vanessa Villalobos	01/01/21	12/31/22	1 st	City Council
			4.	At-Large	vacant	01/01/22	12/31/23	1 st	City Council
			5.	At-Large	vacant	01/01/22	12/31/23	1 st	City Council
5	F	3	6.	At-Large	Chieko Phillips	01/01/22	12/31/23	3 rd	City Council
1	O	2	7.	At-Large	Vivian Hua	01/01/21	12/31/23	1 st	City Council
1	F	N/A	8.	At-Large	Sophia Fang	01/01/22	12/31/23	1 st	Commission
			9.	At-Large	vacant	01/01/22	12/31/23	1 st	Mayor
2	F	3	10.	At-Large	Ebony Arunga	01/01/21	12/31/22	1 st	Mayor
6	F	3	11.	At-Large	Kayla DeMonte	01/01/19	12/31/21	1 st	Mayor
2	M	1	12.	At-Large	James Miles	01/01/21	12/31/22	2 nd	Mayor
6	F	2	13.	At-Large	Holly Jacobson	01/01/19	12/31/21	1 st	Mayor
9	F	3	14.	At-Large	Mikhael Mei Williams	01/01/21	12/31/22	2 nd	Mayor
9	M	1	15.	At-Large	Rick Araluce	01/01/21	12/31/22	1 st	Mayor
			16.	Get-Engaged	vacant	09/01/21	08/31/22	One	Mayor

SELF-IDENTIFIED DIVERSITY CHART

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)				
	Men	Women	Transgender	Other/Unknown	Asian	Black/African American	Hispanic/Latino	American Indian/Alaska Native	Other (Specification Optional)	Caucasian / Non-Hispanic	Pacific Islander	Middle Eastern	Multiracial
Mayor	2	5				2				3			2
Council	1	2		1	1	1	1		1				
Other		1			1								
Total	3	8		1	2	3	1		1	3			2



Legislation Text

File #: CB 120298, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to City employment; authorizing the execution of a memorandum of understanding between the City of Seattle and the International Brotherhood of Electrical Workers Local 77 Signal Electricians to be effective January 23, 2021 to January 22, 2023; and ratifying and confirming certain prior acts.

WHEREAS, a collective bargaining agreement between The City of Seattle (City) and the International Brotherhood of Electrical Workers Local 77 expired on January 22, 2021; and

WHEREAS, employees represented by the International Brotherhood of Electrical Workers Local 77 continued to work after January 22, 2021 during collective bargaining, on condition that the subject of their wages continued to be negotiated; and

WHEREAS, collective bargaining has led to an agreement concerning wages, benefits, and other conditions of employment between the City and the International Brotherhood of Electrical Workers Local 77; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. As requested by the Seattle Human Resources Director and recommended by the Mayor, the Mayor is authorized on behalf of The City of Seattle to execute a memorandum of understanding with the International Brotherhood of Electrical Workers Local 77, effective January 23, 2021 to January 22, 2023, substantially in the form attached to this ordinance as Attachment 1 and identified as “Memorandum of Understanding By and Between City of Seattle and the Seattle City Light Department And the International Brotherhood of Electrical Workers Local 77.”

Section 2. Any act consistent with the authority of this ordinance taken prior to its effective date is ratified and confirmed.

Section 3. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2022, and signed by me in open session in authentication of its passage this _____ day of _____, 2022.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2022.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2022.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment 1 - Memorandum of Understanding By and Between City of Seattle and the Seattle City Light Department And the International Brotherhood of Electrical Workers Local 77

Memorandum of Understanding
By and Between

City of Seattle
and the
Seattle Department of Transportation
And the
International Brotherhood of Electrical Workers
Local 77

Effective January 23, 2021 through January 22, 2023

This MEMORANDUM OF UNDERSTANDING is supplemental to the AGREEMENT by and between the City of Seattle, hereinafter referred to as the City, Seattle Department of Transportation, hereinafter referred to as SDOT, and the International Brotherhood of Electrical Workers Local 77, hereinafter referred to as the Union. Collectively they shall be known as the Parties.

It is understood and agreed by and between the Parties that all the terms and conditions of the Collective Bargaining Agreement, currently in effect from January 23, 2017 through January 22, 2021 shall be extended to provide for a new contract period from January 23, 2021 through January 22, 2023 except for the following changes:

1. WAGES/COMPENSATION:

- a) Effective January 23, 2021, the base wage rates for titles covered under this Collective Bargaining Agreement shall receive a cost of living adjustment (COLA) equal to two-point-five percent (2.5%).
- b) Effective January 23, 2022, the base wage rates for titles covered under this Collective Bargaining Agreement shall receive a cost of living adjustment (COLA) equal to one hundred percent (100%) of the percentage increase in the Seattle-Tacoma-Bellevue area Consumer Price Index for the June over June method consistent with "Article 23 Rates of Pay" in the current agreement. However, this percentage increase shall not be less than one-and-a-half percent (1.5%) nor shall it exceed four percent (4%).

2. HEALTHCARE BENEFITS:

The Parties agree that for the period of January 23, 2021 through January 22, 2023, healthcare benefits shall remain status quo as identified in Article 12 of the current Collective Bargaining Agreement.

3. MEMORANDUMS of UNDERSTANDING:

- a) The terms of all amending memoranda of understanding, memoranda of agreement, and letters of agreement identified in the current Collective Bargaining Agreement which would have expired as of

January 22, 2021, and any subsequent memoranda or letters signed between the Parties since the last round of negotiations that may not be identified in the agreement, shall be extended for the period of January 23, 2021 through January 22, 2023.

4. BEREAVEMENT LEAVE:

The Parties agree to amend Section 9.9 of the current collective bargaining agreement as follows – Regular employees covered by this Agreement shall be allowed five (5) days off without salary deduction for bereavement purposes in the event of the death of any close relative. In like circumstances and upon like application, the appointing authority or designee may authorize bereavement leave in the event of the death of a relative other than a close relative, not to exceed five (5) days chargeable to the sick leave account of an employee. For purposes of this Section, the term "close relative" shall mean the spouse or domestic partner, child, mother, stepmother, father, stepfather, brother, sister, grandchild, grandfather or grandmother of the employee or spouse or domestic partner, or an employee's legal guardian, ward or any person over whom the employee has legal custody, and the term "relative other than a close relative" shall mean the uncle, aunt, cousin, niece, nephew, or the spouse or domestic partner of the brother, sister, child or grandchild of the employee or spouse or domestic partner; or the uncle, aunt, cousin, niece, nephew, spouse or domestic partner of the brother or sister of the spouse or domestic partner of such employee.

5. CREW STRUCTURES, COMPENSATORY TIME, and OVERTIME:

The City and Union agree to the following items and language:

Upon full execution of this agreement, the Parties hereby agree to start the process of addressing the following items (5.a, 5.b, and, 5.c below) in Joint Labor Management Committees with the understanding that "Article 5-Joint Labor Management" of the agreement by and between the City of Seattle, Seattle Department of Transportation, and the International Brotherhood of Electrical Workers Local 77 shall apply. It is further agreed that items 5.a, 5.b, and, 5.c below will be resolved through good faith negotiations by both Parties prior to the expiration of the term of this agreement. Other than the existing elements already included in the collective bargaining agreement, compensation will not be the subject of good faith negotiations to resolve items 5.a, 5.b, and, 5.c below.

- a) Restructuring of crews to increase the ratio of Signal Electricians assigned to a Crew Chief to more accurately reflect the body of work and context of the collective bargaining agreement.
- b) Clarification of overtime assignments for Signal Electricians when there exists a shared jurisdiction of work (e.g., Crew Chiefs).

- c) Clarification of compensatory time accumulation practices for Signal Electricians.

6. REOPENERS:

- a) The Parties agree to a reopener on impacts associated with the Affordable Care Act (ACA).

7. SIGNAL ELECTRICIAN WAGE EVALUATION:

The Parties agree to the following regarding a Signal Electrician Wage Evaluation.

Within six (6) months of full execution of this agreement, the Union, the City, and SDOT agree to evaluate the wages of Signal Electrician classification series. This evaluation shall include comparable organizations with similar responsibilities as the Signal Electrician classifications at SDOT. The Union, the City, and SDOT shall mutually agree to organizations that are determined to be comparable. This evaluation shall also include analysis of the "Signal Electrician V" rate of pay structure. The parties agree that the information garnered from the evaluation will be a subject of the next round of negotiations.

8. HOLIDAYS:

The Parties agree to the addition of Juneteenth and Indigenous Peoples' Day (2nd Monday in October) as paid City holidays and shall be added to Article 11 of the collective bargaining agreement.

9. IMSA TRAINING:

Within six months of full execution of this agreement, SDOT shall provide training and testing opportunities for all members within the bargaining unit to become IMSA Level I certified. Beginning 12 months after IMSA Level I certification all members of the bargaining unit shall be provided training and testing opportunities to become IMSA Level II certified.

Signed this _____ day of _____ 2022

Executed under this Authority of
Ordinance _____

THE CITY OF SEATTLE:

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, LOCAL 77:

Bruce Harrell, Mayor

Rex Habner, Business Manager

DEPT. OF TRANSPORTATION:

SEATTLE HUMAN RESOURCES:

Kristen Simpson, Interim Director

Richard Groff, Labor Negotiator

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
Seattle Department of Human Resources	Jeff Clark/206-684-7871 Rich Groff/206-256-5241	Kailani DeVille/206-615-0703

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title:

AN ORDINANCE relating to City employment; authorizing the execution of a memorandum of understanding between the City of Seattle and the International Brotherhood of Electrical Workers Local 77 Signal Electricians to be effective January 23, 2021 to January 22, 2023; and ratifying and confirming certain prior acts.

Summary and Background of the Legislation:

This legislation authorizes the Mayor to implement a memorandum of understanding (“MOU”) between The City of Seattle (“City”) and the International Brotherhood of Electrical Workers Local 77 Signal Electricians (“Local 77”), collectively referred to as “the Parties.” The memorandum of understanding extends the collective bargaining agreement that expired on January 22, 2021, with some new provisions. This legislation affects approximately 25 regularly appointed City employees employed at Seattle Department of Transportation (“SDOT”).

The MOU is an agreement on wages, benefits, hours, and other working conditions from January 23, 2021 to January 22, 2023. It provides for base wage adjustments of 2.5 percent effective January 23, 2021. On January 23, 2022, base wages will be adjusted 4 percent, which is 100 percent of the percentage increase in the Seattle-Tacoma-Bellevue area Consumer Price Index for the June over June method consistent with “Article 23 Rates of Pay” in the current agreement (with a minimum of 1.5 percent and a maximum of 4 percent).

The City and Local 77 members will continue to split health care premiums with 90 percent paid by the City and 10 percent paid by union members.

Additionally, the parties agreed to other working conditions:

- 1) Five days of bereavement leave for the death of a close relative.
- 2) Addition of Juneteenth and Indigenous Peoples’ Day as paid City holidays for employees.
- 3) Evaluation of Signal Electrician wages, for which the information garnered shall be the subject of the next round of negotiations.
- 4) Provision of training and testing opportunities for the International Municipal Signal Association.
- 5) The parties agreed to address the topic of crew structure, compensatory time and overtime in the Labor management Committee.
- 6) Reopener on impacts associated with the Affordable Care Act.

2. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? ___ Yes X No

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

The aggregate costs of wages for the MOU are estimated to grow from \$4.1 million in 2020 to \$4.5 million in 2022. Funds were held in reserve for the 2021 and 2022 budgets and will be proposed for appropriation in upcoming legislation.

Are there financial costs or other impacts of *not* implementing the legislation?

Legislation is required to implement bargained changes to union members' wages and other working conditions. There may be other implications of not authorizing the legislation.

3. OTHER IMPLICATIONS

- a. Does this legislation affect any departments besides the originating department?
- b. Yes, the agreement being legislated covers employees in the Seattle Department of Transportation.
- c. Is a public hearing required for this legislation? No.
- d. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation? No.
- e. Does this legislation affect a piece of property? No.
- f. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?
N/A
- g. **Climate Change Implications**
 1. **Emissions:** Is this legislation likely to increase or decrease carbon emissions in a material way?
N/A
 2. **Resiliency:** Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.
N/A

h. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)? N/A

Summary Attachments: None.

April 8, 2022

MEMORANDUM

To: Seattle City Council
From: Karina Bull, Analyst
Subject: CB 120298: Signal Electricians Local 77 MOU

On April 19, 2021, the Seattle City Council (Council) will discuss and possibly vote on Council Bill (CB) 120298, legislation that would authorize a Memorandum of Understanding (MOU) between the City of Seattle (City) and the International Brotherhood of Electrical Workers Local 77 Signal Electricians (Local 77). This memo provides a high-level summary of the legislation, including financial impacts, and identifies next steps.

Summary

This legislation would approve a MOU between the City and Local 77 that would cover approximately 25 employees at the Seattle Department of Transportation. The MOU would extend a collective bargaining agreement that expired on January 22, 2021, and establish a new contract period from January 23, 2021, through January 22, 2023. The MOU would also include several changes to the terms and conditions of the collective bargaining agreement. Table 1 summarizes key changes.

Table 1. Key changes to the collective bargaining agreement

Issue	MOU
Annual Wage Increases (AWIs)	Employees would receive two AWIs: <ul style="list-style-type: none"> • 2.5 percent AWI would apply to base wage rates effective January 23, 2021; and • Four percent AWI would apply to base wage rates effective January 23, 2022.
Two holidays	Juneteenth (June 19) and Indigenous Peoples’ Day (second Monday in October) would be established as paid City holidays for covered employees.
Bereavement leave	Employees would receive five days of bereavement leave for the death of a close relative.
Wage evaluation	The City and Local 77 would collaborate on a comparative evaluation of Signal Electrician wages. The information gathered in the evaluation would be a subject for negotiation in the next round of contract negotiations.
Training	The City would provide training and testing opportunities for all members of the bargaining unit to obtain certification with the International Municipal Signal Association.
Crew structures, compensatory time, and overtime	The City and Local 77 would address issues related to crew structures, compensatory time, and overtime in Joint Labor Management Committees.
Healthcare premiums	The City and members of the bargaining unit would continue to split health care premiums, with 90 percent paid by the City and 10 percent paid by union members.

Financial Impacts

The Executive estimates that the aggregate wage costs to implement this MOU would be about \$300,000 above the baseline contract. The Executive states that there are sufficient funds held in reserve to cover these costs.

Next Steps

If the Council votes to approve CB 120298, the Executive would have authority to execute the MOU with Local 77. The Executive would transmit separate budget legislation to appropriate the funding needed to cover the costs of implementing this legislation.

Please contact me if you have questions about this proposed legislation.

cc: Aly Pennucci, Deputy Director
Yolanda Ho, Lead Analyst



Legislation Text

File #: CB 120295, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to historic preservation; imposing controls upon La Quinta Apartments, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

WHEREAS, the Landmarks Preservation Ordinance, Chapter 25.12 of the Seattle Municipal Code (SMC), establishes a procedure for the designation and preservation of sites, improvements, and objects having historical, cultural, architectural, engineering, or geographic significance; and

WHEREAS, the Landmarks Preservation Board (“Board”), after a public meeting on February 3, 2021, voted to approve the nomination of the improvement located at 1710 E Denny Way and the site on which the improvement is located (which are collectively referred to as “La Quinta Apartments”) for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on March 17, 2021, the Board voted to approve the designation of La Quinta Apartments under SMC Chapter 25.12; and

WHEREAS, on October 20, 2021, the Board and La Quinta’s owner agreed to controls and incentives to be applied to specific features or characteristics of the designated landmark; and

WHEREAS, the Board recommends that the City Council enact a designating ordinance approving the controls and incentives; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Designation. Under Seattle Municipal Code (SMC) 25.12.660, the designation by the

Landmarks Preservation Board (“Board”) of the improvement located at 1710 E Denny Way and the site on which the improvement is located (which are collectively referred to as “La Quinta Apartments”) is acknowledged.

A. Legal Description. La Quinta Apartments is located on the property legally described as:

Lots 7, 8 and 9, Block 16, Summit Supplemental Addition to the City of Seattle, according to the plat thereof recorded in Volume 3 of Plats, Page(s) 125, in King County, Washington.

B. Specific Features or Characteristics Designated. Under SMC 25.12.660.A.2, the Board designated the following specific features or characteristics of La Quinta Apartments:

1. The site, except for the northerly portion as shown on Attachment A.
2. The exterior of the building.

C. Basis of Designation. The designation was made because La Quinta Apartments is more than 25 years old; has significant character, interest, or value as a part of the development, heritage, or cultural characteristics of the City, state, or nation; has integrity or the ability to convey its significance; and satisfies the following SMC 25.12.350 provisions:

1. It is associated in a significant way with the life of a person important in the history of the City, state, or nation (SMC 25.12.350.B).
2. It embodies the distinctive visible characteristics of an architectural style, or period, or of a method of construction (SMC 25.12.350.D).
3. It is an outstanding work of a designer or builder (SMC 25.12.350.E).

Section 2. Controls. The following controls are imposed on the features or characteristics of La Quinta Apartments that were designated by the Board for preservation:

A. Certificate of Approval Process.

1. Except as provided in subsection 2.A.2 or subsection 2.B of this ordinance, the owner must obtain a Certificate of Approval issued by the Board according to SMC Chapter 25.12, or the time for denying a

Certificate of Approval must have expired, before the owner may make alterations or significant changes to the features or characteristics of the La Quinta Apartments that were designated by the Board for preservation.

2. No Certificate of Approval is required for the following:

- a. Any in-kind maintenance or repairs of the features or characteristics of La Quinta Apartments that were designated by the Board for preservation.
- b. Removal of trees that are not included in any of the following categories:
 - 1) Significant to the property's history or design, as outlined in the nomination application.
 - 2) A designated Heritage Tree on the City of Seattle/Plant Amnesty list.
 - 3) An Exceptional Tree per City of Seattle regulations.
- c. Planting of new trees in locations that will never obscure the view of designated features of the landmark, or physically undermine a built feature of the landmark.
- d. Planting or removal of shrubs, perennials, or annuals, in locations that will never obscure the view of designated features of the landmark, or physically undermine a built feature of the landmark.
- e. Installation, removal, or alteration (including repair) of underground irrigation and underground utilities, provided that the site is restored in kind.
- f. Installation, removal, or alteration of the following site furnishings: benches, chairs, tables, swings, movable planters, and trash/recycling receptacles.
- g. Installation or removal of interior, temporary window shading devices that are operable and do not obscure the glazing when in the open position.
- h. Removal of stand-alone non-historic garage, or alterations that do not increase its height or footprint.
- i. New construction or alterations to an area on the north end of the site, with a boundary

defined by the north, west, and east property lines, and a line running east-west that is measured 15 feet perpendicular to the main north wall of the apartment building as illustrated in Attachment A to this ordinance, incorporated by reference.

j. Alterations or changes to non-historic masonry wall on west side of rear yard, outside of the boundary illustrated in Attachment A to this ordinance. If the wall is being cut and removed on the excluded portion of the site, this work shall be coordinated with the Landmarks Board coordinator for related repairs to the remaining length of wall on the designated site.

B. City Historic Preservation Officer (CHPO) Approval Process.

1. The CHPO may review and approve alterations or significant changes to the features or characteristics listed in subsection 2.B.3 of this ordinance according to the following procedure:

a. The owner shall submit to the CHPO a written request for the alterations or significant changes, including applicable drawings or specifications.

b. If the CHPO, upon examination of submitted plans and specifications, determines that the alterations or significant changes are consistent with the purposes of SMC Chapter 25.12, the CHPO shall approve the alterations or significant changes without further action by the Board.

2. If the CHPO does not approve the alterations or significant changes, the owner may submit revised materials to the CHPO, or apply to the Board for a Certificate of Approval under SMC Chapter 25.12. The CHPO shall transmit a written decision on the owner's request to the owner within 14 days of receipt of the request. Failure of the CHPO to timely transmit a written decision constitutes approval of the request.

3. CHPO approval of alterations or significant changes to the features or characteristics of La Quinta Apartments that were designated by the Board for preservation is available for the following:

a. The installation, removal, or alteration of ducts, conduits, HVAC vents, grills, pipes, panels, weatherheads, wiring, meters, utility connections, downspouts and gutters, or other similar mechanical, electrical, and telecommunication elements necessary for the normal operation of the building or site.

b. Removal of trees more than 6 inches in diameter measured 4-1/2 feet above ground, when identified as a hazard by an International Society of Arboriculture (ISA) Certified Arborist, and not already excluded from review in subsection 2.A.2.b of this ordinance.

c. Installation, removal, or alteration of exterior non-historic light fixtures, exterior security lighting, and security system equipment. If proposed equipment is similar in size and location to existing, the staff may determine it to be in-kind maintenance, provided the fixture or equipment does not obscure designated features and is attached to a material that is easily repairable.

d. Installation, removal, or alteration of exterior building and site signage.

e. Installation of improvements for safety or accessibility compliance.

f. Installation, removal, or alteration of fire and life safety equipment.

g. Changes to exterior paint colors when painting a previously painted material. If the proposed color is similar to the existing, staff may determine it to be in-kind maintenance.

h. Replacement of non-original windows and doors when located in original openings.

i. Alterations or changes to non-historic masonry wall and gate on west side of rear yard, residing on the designated site.

j. Emergency repairs or measures (including immediate action to secure the area, install temporary equipment, and employ stabilization methods as necessary to protect the public's safety, health, and welfare) to address hazardous conditions with adverse impacts to the buildings or site as related to a seismic or other unforeseen event. Following such an emergency, the owner shall adhere to the following:

1) The owner shall immediately notify the City Historic Preservation Officer and document the conditions and actions the owner took.

2) If temporary structural supports are necessary, the owner shall make all reasonable efforts to prevent further damage to historic resources.

3) The owner shall not remove historic building materials from the site as part of

the emergency response.

4) In consultation with the City Historic Preservation Officer and staff, the owner shall adopt and implement a long-term plan to address any damage through appropriate solutions.

Section 3. Incentives. The following incentives are granted on the features or characteristics of La Quinta Apartments that were designated by the Board for preservation:

A. Uses not otherwise permitted in a zone may be authorized in a designated landmark by means of an administrative conditional use permit issued under SMC Title 23.

B. Exceptions to certain of the requirements of the Seattle Building Code and the Seattle Energy Code, adopted by SMC Chapter 22.101, may be authorized according to the applicable provisions.

C. Special tax valuation for historic preservation may be available under chapter 84.26 RCW upon application and compliance with the requirements of that statute.

D. Reduction or waiver, under certain conditions, of minimum accessory off-street parking requirements for uses permitted in a designated landmark structure may be permitted under SMC Title 23.

Section 4. Enforcement of this ordinance and penalties for its violation are as provided in SMC 25.12.910.

Section 5. La Quinta is added alphabetically to Section I, Residences, of the Table of Historical Landmarks contained in SMC Chapter 25.32.

Section 6. The City Clerk is directed to record a certified copy of this ordinance with the King County Recorder's Office, deliver two certified copies to the CHPO, and deliver one copy to the Director of the Seattle Department of Construction and Inspections. The CHPO is directed to provide a certified copy of this ordinance to La Quinta's owner.

Section 7. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by

Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2022, and signed by
me in open session in authentication of its passage this _____ day of _____, 2022.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2022.

Bruce A. Harrell, Mayor

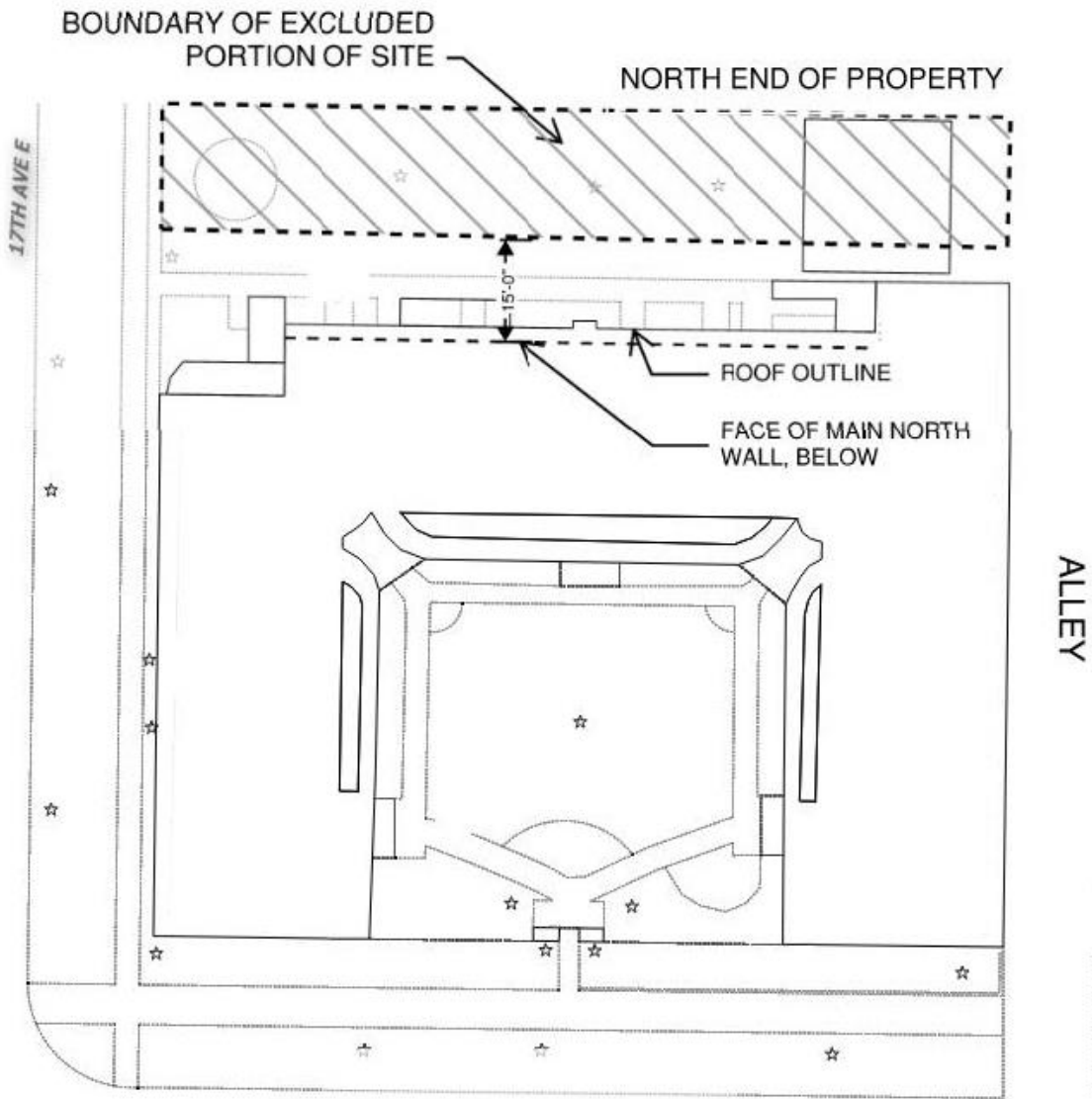
Filed by me this _____ day of _____, 2022.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:
Attachment A - La Quinta Site Plan

ATTACHMENT A La Quinta Site Plan



LA QUINTA APARTMENTS
1710 E DENNY WAY

E DENNY WAY

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
Neighborhoods	Erin Doherty/206-684-0380	Miguel Jimenez/206-684-5805

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title:

AN ORDINANCE relating to historic preservation; imposing controls upon La Quinta Apartments, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

Summary and Background of the Legislation:

The attached legislation acknowledges the designation of La Quinta Apartments as a historic landmark by the Landmarks Preservation Board, imposes controls, grants incentives, and adds La Quinta Apartments to the Table of Historical Landmarks contained in SMC Chapter 25.32. The legislation does not have a financial impact.

La Quinta Apartments was built in 1927. The property is located in the Capitol Hill neighborhood. A Controls and Incentives Agreement has been signed by the owner and has been approved by the Landmarks Preservation Board. The controls in the agreement apply to the site, and the exterior of the apartment building, but do not apply to any in-kind maintenance or repairs of the designated features.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? Yes No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? Yes No

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?
No.

Are there financial costs or other impacts of *not* implementing the legislation?
No.

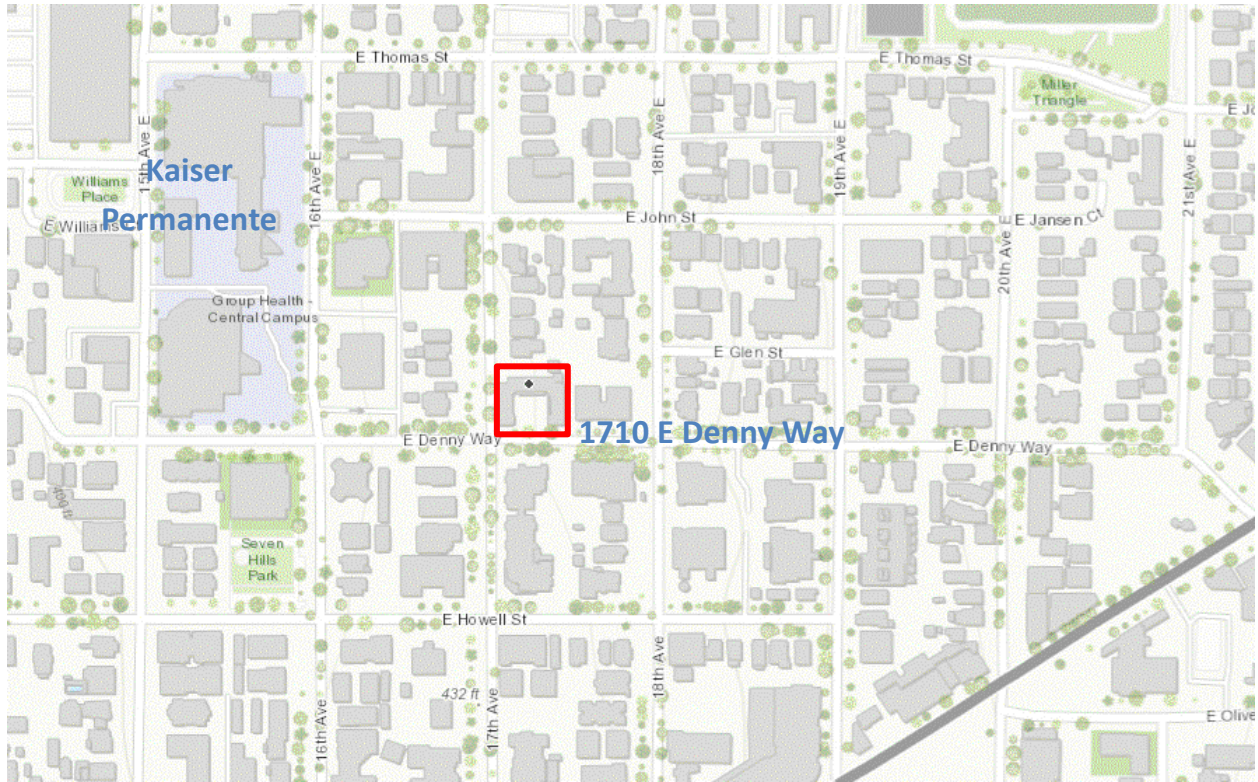
4. OTHER IMPLICATIONS

- a. **Does this legislation affect any departments besides the originating department?**
No.
- b. **Is a public hearing required for this legislation?**
No.
- c. **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**
No.
- d. **Does this legislation affect a piece of property?**
Yes, see attached map.
- e. **Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?**
This building has historically been rental apartments, and the tenants prepared the Landmark Nomination application with assistance from Historic Seattle. There are no known negative impacts to vulnerable or historically disadvantaged communities. A language access plan is not anticipated.
- f. **Climate Change Implications**
- 1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?**
This legislation supports the sustainable practice of preserving historic buildings and their embodied energy. Reuse and restoration of a building or structure reduces the consumption of new natural resources, and the carbon emissions associated with new construction. Preservation also avoids contributing to the ever-growing landfills
 - 2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle’s resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.**
Many historic buildings possess materials and craftsmanship that cannot be duplicated today. When properly maintained and improved, they will benefit future generations, and surpass the longevity of most of today’s new construction. They can also support upgraded systems for better energy performance, and these investments typically support local or regional suppliers, and labor industries.
- g. **If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program’s desired goal(s)?**
No new initiative or programmatic expansion.

Summary Attachments:

Summary Exhibit A – Vicinity Map of La Quinta Apartments

Summary Ex A – Vicinity Map of La Quinta Apartments
V1a



Note: This map is intended for illustrative or informational purposes only and is not intended to modify anything in the legislation.



Legislation Text

File #: CB 120296, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to historic preservation; imposing controls upon El Monterey, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

WHEREAS, the Landmarks Preservation Ordinance, Chapter 25.12 of the Seattle Municipal Code (SMC), establishes a procedure for the designation and preservation of sites, improvements, and objects having historical, cultural, architectural, engineering, or geographic significance; and

WHEREAS, the Landmarks Preservation Board (“Board”), after a public meeting on March 3, 2021, voted to approve the nomination of the improvement located at 4204 11th Avenue NE and the site on which the improvement is located (which are collectively referred to as “El Monterey”) for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on April 7, 2021, the Board voted to approve the designation of El Monterey under SMC Chapter 25.12; and

WHEREAS, on September 1, 2021, the Board and El Monterey’s owner agreed to controls and incentives to be applied to specific features or characteristics of the designated landmark; and

WHEREAS, the Board recommends that the City Council enact a designating ordinance approving the controls and incentives; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Designation. Under Seattle Municipal Code (SMC) 25.12.660, the designation by the

Landmarks Preservation Board (“Board”) of the improvement located at 4204 11th Avenue NE and the site on which the improvement is located (which are collectively referred to as “El Monterey”) is acknowledged.

A. Legal Description. El Monterey is located on the property legally described as:

El Monterey, a Condominium, according to the Declaration recorded under Recording Nos. 8412280592 and 8412310267 (which supersedes 7806211052 and 7901220162), and any Amendments thereto, and Survey Map and Plans in Vol. 20 of Condominium Plats, pages 74 through 78, inclusive, and any Amendments thereto, records of King County, Washington. Situate in County of King, State of Washington.

B. Specific Features or Characteristics Designated. Under SMC 25.12.660.A.2, the Board designated the following specific features or characteristics of El Monterey:

1. The site.
2. The exterior of the residential building.
3. The exterior of the garage building.
4. The interior of the six main stair towers.

C. Basis of Designation. The designation was made because El Monterey is more than 25 years old; has significant character, interest, or value as a part of the development, heritage, or cultural characteristics of the City, state, or nation; has integrity or the ability to convey its significance; and satisfies the following SMC 25.12.350 provisions:

1. It embodies the distinctive visible characteristics of an architectural style, or period, or of a method of construction (SMC 25.12.350.D).
2. It is an outstanding work of a designer or builder (SMC 25.12.350.E).
3. Because of its prominence of spatial location, contrasts of siting, age, or scale, it is an easily identifiable visual feature of its neighborhood or the City and contributes to the distinctive quality or identity of such neighborhood or the City (SMC 25.12.350.F).

Section 2. Controls. The following controls are imposed on the features or characteristics of El Monterey that were designated by the Board for preservation:

A. Certificate of Approval Process.

1. Except as provided in subsection 2.A.2 or subsection 2.B of this ordinance, the owner must obtain a Certificate of Approval issued by the Board according to SMC Chapter 25.12, or the time for denying a Certificate of Approval must have expired, before the owner may make alterations or significant changes to the features or characteristics of El Monterey that were designated by the Board for preservation.

2. No Certificate of Approval is required for the following:

a. Any in-kind maintenance or repairs of the features or characteristics of El Monterey that were designated by the Board for preservation.

b. Removal of trees that are not included in any of the following categories:

1) Significant to the property's history or design, as outlined in the nomination application.

2) A designated Heritage Tree on the City of Seattle/Plant Amnesty list.

3) An Exceptional Tree per City of Seattle regulations.

c. Planting of new trees in locations that will never obscure the view of designated features of the landmark, or physically undermine a built feature of the landmark.

d. Planting or removal of shrubs, perennials, or annuals, in locations that will never obscure the view of designated features of the landmark, or physically undermine a built feature of the landmark.

e. Installation, removal, or alteration (including repair) of underground irrigation and underground utilities, provided that the site is restored in kind.

f. Installation, removal, or alteration of the following site furnishings: benches, chairs, tables, swings, movable planters, and trash/recycling receptacles.

g. Installation or removal of interior, temporary window shading devices that are operable and do not obscure the glazing when in the open position.

B. City Historic Preservation Officer (CHPO) Approval Process.

1. The CHPO may review and approve alterations or significant changes to the features or characteristics listed in subsection 2.B.3 of this ordinance according to the following procedure:

a. The owner shall submit to the CHPO a written request for the alterations or significant changes, including applicable drawings or specifications.

b. If the CHPO, upon examination of submitted plans and specifications, determines that the alterations or significant changes are consistent with the purposes of SMC Chapter 25.12, the CHPO shall approve the alterations or significant changes without further action by the Board.

2. If the CHPO does not approve the alterations or significant changes, the owner may submit revised materials to the CHPO, or apply to the Board for a Certificate of Approval under SMC Chapter 25.12. The CHPO shall transmit a written decision on the owner's request to the owner within 14 days of receipt of the request. Failure of the CHPO to timely transmit a written decision constitutes approval of the request.

3. CHPO approval of alterations or significant changes to the features or characteristics of El Monterey that were designated by the Board for preservation is available for the following:

a. The installation, removal, or alteration of ducts, conduits, HVAC vents, grills, pipes, panels, weatherheads, wiring, meters, utility connections, downspouts and gutters, or other similar mechanical, electrical, and telecommunication elements necessary for the normal operation of the building or site.

b. Removal of trees more than 6 inches in diameter measured 4-1/2 feet above ground, when identified as a hazard by an International Society of Arboriculture (ISA) Certified Arborist, and not already excluded from review in subsection 2.A.2.b of this ordinance.

c. Installation, removal, or alteration of exterior non-historic light fixtures, exterior security lighting, and security system equipment. If proposed equipment is similar in size and location to existing, staff may determine it to be in-kind maintenance, provided the fixture or equipment does not obscure designated features and is attached to a material that is easily repairable.

- d. Installation, removal, or alteration of exterior building and site signage.
- e. Installation of improvements for safety or accessibility compliance.
- f. Installation, removal, or alteration of fire and life safety equipment.
- g. Changes to exterior paint colors when painting a previously painted material. If the proposed color is similar to the existing, staff may determine it to be in-kind maintenance.
- h. Replacement of non-original windows and doors when located in original openings.
- i. Alterations to the designated interior features.
- j. Installation, or alteration of exterior cloth awnings and shades.
- k. Emergency repairs or measures (including immediate action to secure the area, install temporary equipment, and employ stabilization methods as necessary to protect the public's safety, health, and welfare) to address hazardous conditions with adverse impacts to the buildings or site as related to a seismic or other unforeseen event. Following such an emergency, the owner shall adhere to the following:

1) The owner shall immediately notify the City Historic Preservation Officer and document the conditions and actions the owner took.

2) If temporary structural supports are necessary, the owner shall make all reasonable efforts to prevent further damage to historic resources.

3) The owner shall not remove historic building materials from the site as part of the emergency response.

4) In consultation with the City Historic Preservation Officer and staff, the owner shall adopt and implement a long-term plan to address any damage through appropriate solutions.

Section 3. Incentives. The following incentives are granted on the features or characteristics of El Monterey that were designated by the Board for preservation:

A. Uses not otherwise permitted in a zone may be authorized in a designated landmark by means of an administrative conditional use permit issued under SMC Title 23.

B. Exceptions to certain of the requirements of the Seattle Building Code and the Seattle Energy Code, adopted by SMC Chapter 22.101, may be authorized according to the applicable provisions.

C. Special tax valuation for historic preservation may be available under chapter 84.26 RCW upon application and compliance with the requirements of that statute.

D. Reduction or waiver, under certain conditions, of minimum accessory off-street parking requirements for uses permitted in a designated landmark structure may be permitted under SMC Title 23.

Section 4. Enforcement of this ordinance and penalties for its violation are as provided in SMC 25.12.910.

Section 5. El Monterey is added alphabetically to Section II, Buildings, of the Table of Historical Landmarks contained in SMC Chapter 25.32.

Section 6. The City Clerk is directed to record a certified copy of this ordinance with the King County Recorder's Office, deliver two certified copies to the CHPO, and deliver one copy to the Director of the Seattle Department of Construction and Inspections. The CHPO is directed to provide a certified copy of this ordinance to El Monterey's owner.

Section 7. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2022, and signed by me in open session in authentication of its passage this _____ day of _____, 2022.

President _____ of the City Council

Approved / returned unsigned / vetoed this ____ day of _____, 2022.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2022.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
Neighborhoods	Erin Doherty/206-684-0380	Miguel Jimenez/206-684-5805

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title:

AN ORDINANCE relating to historic preservation; imposing controls upon El Monterey, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

Summary and Background of the Legislation:

The attached legislation acknowledges the designation of El Monterey as a historic landmark by the Landmarks Preservation Board, imposes controls, grants incentives, and adds El Monterey to the Table of Historical Landmarks contained in SMC Chapter 25.32. The legislation does not have a financial impact.

El Monterey was built in 1930. The property is located in the University District neighborhood. A Controls and Incentives Agreement has been signed by the owner and has been approved by the Landmarks Preservation Board. The controls in the agreement apply to the site, the exteriors of the residential and garage buildings, and the interior of the six main stair towers, but do not apply to any in-kind maintenance or repairs of the designated features.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? Yes No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? Yes No

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?
No.

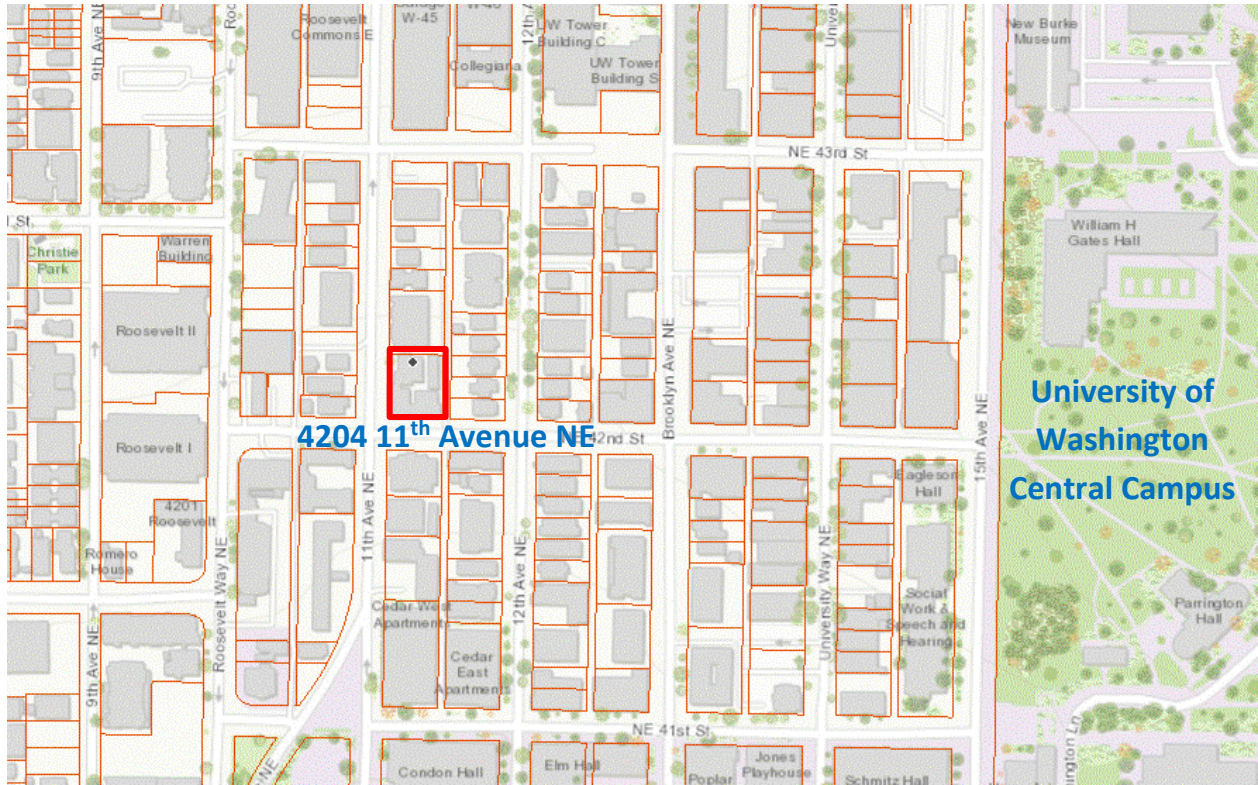
Are there financial costs or other impacts of *not* implementing the legislation?
No.

4. OTHER IMPLICATIONS

- a. **Does this legislation affect any departments besides the originating department?**
No.
- b. **Is a public hearing required for this legislation?**
No.
- c. **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**
No.
- d. **Does this legislation affect a piece of property?**
Yes, see attached map.
- e. **Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?**
Maintaining this Landmark will preserve residential units, and through its architectural design and contrast of scale it will be a physical reminder of the history of a quickly changing urban neighborhood. The property owner plans to sell the Landmark's Transfer of Development Potential (TDP) to a nearby receiving site for use in new residential development. A language access plan is not anticipated.
- f. **Climate Change Implications**
1. **Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?**
This legislation supports the sustainable practice of preserving historic buildings and their embodied energy. Reuse and restoration of a building or structure reduces the consumption of new natural resources, and the carbon emissions associated with new construction. Preservation also avoids contributing to the ever-growing landfills
2. **Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.**
Many historic buildings possess materials and craftsmanship that cannot be duplicated today. When properly maintained and improved, they will benefit future generations, and surpass the longevity of most of today's new construction. They can also support upgraded systems for better energy performance, and these investments typically support local or regional suppliers, and labor industries.
- g. **If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)?**
No new initiative or programmatic expansion.

Summary Attachments:
Summary Exhibit A – Vicinity Map of El Monterey

Summary Ex A – Vicinity Map of El Monterey
V1a



Note: This map is intended for illustrative or informational purposes only and is not intended to modify anything in the legislation.



Legislation Text

File #: CB 120297, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to historic preservation; imposing controls upon the University National Bank, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

WHEREAS, the Landmarks Preservation Ordinance, Chapter 25.12 of the Seattle Municipal Code (SMC), establishes a procedure for the designation and preservation of sites, improvements, and objects having historical, cultural, architectural, engineering, or geographic significance; and

WHEREAS, the Landmarks Preservation Board (“Board”), after a public meeting on May 19, 2021, voted to approve the nomination of the improvement located at 4500-4502 University Way NE (which is referred to as the “University National Bank”) for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on July 7, 2021, the Board voted to approve the designation of the University National Bank under SMC Chapter 25.12; and

WHEREAS, on October 6, 2021, the Board and the University National Bank’s owner agreed to controls and incentives to be applied to specific features or characteristics of the designated landmark; and

WHEREAS, the Board recommends that the City Council enact a designating ordinance approving the controls and incentives; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Designation. Under Seattle Municipal Code (SMC) 25.12.660, the designation by the Landmarks Preservation Board (“Board”) of the improvement located at 4500-4502 University Way NE (which

is referred to as the “University National Bank”) is acknowledged.

A. Legal Description. The University National Bank is located on the property legally described as:

Lots 16 and 17, Block 1, University Heights, according to the plat thereof recorded in Volume 9 of Plats, Page 41, in King County, Washington; Except that part of said Lot 17 as conveyed to J. W. Taylor and Emma Taylor by deed recorded July 14, 1925 under recording no. 2045590; and Except that portion of Lot 16 lying within the right of way for Northeast 45th Street.

B. Specific Features or Characteristics Designated. Under SMC 25.12.660.A.2, the Board designated the following specific features or characteristics of the University National Bank:

1. The exterior of the building.

C. Basis of Designation. The designation was made because the University National Bank is more than 25 years old; has significant character, interest, or value as a part of the development, heritage, or cultural characteristics of the City, state, or nation; has integrity or the ability to convey its significance; and satisfies the following SMC 25.12.350 provisions:

1. It embodies the distinctive visible characteristics of an architectural style, or period, or of a method of construction (SMC 25.12.350.D).
2. It is an outstanding work of a designer or builder (SMC 25.12.350.E).
3. Because of its prominence of spatial location, contrasts of siting, age, or scale, it is an easily identifiable visual feature of its neighborhood or the City and contributes to the distinctive quality or identity of such neighborhood or the City (SMC 25.12.350.F).

Section 2. Controls. The following controls are imposed on the features or characteristics of the University National Bank that were designated by the Board for preservation:

A. Certificate of Approval Process.

1. Except as provided in subsection 2.A.2 or subsection 2.B of this ordinance, the owner must obtain a Certificate of Approval issued by the Board according to SMC Chapter 25.12, or the time for denying a Certificate of Approval must have expired, before the owner may make alterations or significant changes to the

features or characteristics of the University National Bank that were designated by the Board for preservation.

2. No Certificate of Approval is required for the following:

a. Any in-kind maintenance or repairs of the features or characteristics of the University National Bank that were designated by the Board for preservation.

b. Installation, removal, or alteration of signage for accessibility compliance, and other signage as required by City code.

c. Installation, removal, or alteration of signage, if consistent with a comprehensive signage and graphics plan approved by the Landmarks Preservation Board.

d. Installation or removal of interior, temporary window shading devices that are operable and do not obscure the glazing when in the open position.

B. City Historic Preservation Officer (CHPO) Approval Process.

1. The CHPO may review and approve alterations or significant changes to the features or characteristics listed in subsection 2.B.3 of this ordinance according to the following procedure:

a. The owner shall submit to the CHPO a written request for the alterations or significant changes, including applicable drawings or specifications.

b. If the CHPO, upon examination of submitted plans and specifications, determines that the alterations or significant changes are consistent with the purposes of SMC Chapter 25.12, the CHPO shall approve the alterations or significant changes without further action by the Board.

2. If the CHPO does not approve the alterations or significant changes, the owner may submit revised materials to the CHPO, or apply to the Board for a Certificate of Approval under SMC Chapter 25.12. The CHPO shall transmit a written decision on the owner's request to the owner within 14 days of receipt of the request. Failure of the CHPO to timely transmit a written decision constitutes approval of the request.

3. CHPO approval of alterations or significant changes to the features or characteristics of the University National Bank that were designated by the Board for preservation is available for the following:

a. The installation, removal, or alteration of ducts, conduits, HVAC vents, grills, pipes, panels, weatherheads, wiring, meters, utility connections, downspouts and gutters, or other similar mechanical, electrical, and telecommunication elements necessary for the normal operation of the building.

b. Installation, removal, or alteration of exterior light fixtures, exterior security lighting, and security system equipment.

c. Signage other than signage excluded in subsections 2.A.2.b and 2.A.2.c of this ordinance.

d. Installation, removal, or alteration of improvements for safety, or accessibility compliance.

e. Installation, removal, or alteration of fire and life safety equipment.

f. Installation of photovoltaic panels.

g. Changes to paint colors for any of the features or characteristics of the landmark that were designated by the Board for preservation.

h. Replacement of non-historic doors and windows within original openings, when the Landmarks staff determines that the design intent is consistent with the *Secretary of Interior's Standards for Rehabilitation*.

i. Emergency repairs or measures (including immediate action to secure the area, install temporary equipment, and employ stabilization methods as necessary to protect the public's safety, health, and welfare) to address hazardous conditions with adverse impacts to the building or site as related to a seismic or other unforeseen event. Following such an emergency, the owner shall adhere to the following:

1) The owner shall immediately notify the CHPO and document the conditions and actions the owner took.

2) If temporary structural supports are necessary, the owner shall make all reasonable efforts to prevent further damage to historic resources.

3) The owner shall not remove historic building materials from the site as part of the emergency response.

4) In consultation with the CHPO and staff, the owner shall adopt and implement a long-term plan to address any damage through appropriate solutions.

Section 3. Incentives. The following incentives are granted on the features or characteristics of the University National Bank that were designated by the Board for preservation:

A. Uses not otherwise permitted in a zone may be authorized in a designated landmark by means of an administrative conditional use permit issued under SMC Title 23.

B. Exceptions to certain of the requirements of the Seattle Building Code and the Seattle Energy Code, adopted by SMC Chapter 22.101, may be authorized according to the applicable provisions.

C. Special tax valuation for historic preservation may be available under chapter 84.26 RCW upon application and compliance with the requirements of that statute.

D. Reduction or waiver, under certain conditions, of minimum accessory off-street parking requirements for uses permitted in a designated landmark structure may be permitted under SMC Title 23.

Section 4. Enforcement of this ordinance and penalties for its violation are as provided in SMC 25.12.910.

Section 5. The University National Bank is added alphabetically to Section II, Buildings, of the Table of Historical Landmarks contained in SMC Chapter 25.32.

Section 6. The City Clerk is directed to record a certified copy of this ordinance with the King County Recorder's Office, deliver two certified copies to the CHPO, and deliver one copy to the Director of the Seattle Department of Construction and Inspections. The CHPO is directed to provide a certified copy of this ordinance to the University National Bank's owner.

Section 7. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if

not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2022, and signed by me in open session in authentication of its passage this _____ day of _____, 2022.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2022.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2022.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
Neighborhoods	Erin Doherty/206-684-0380	Miguel Jimenez/206-684-5805

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title:

AN ORDINANCE relating to historic preservation; imposing controls upon the University National Bank, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

Summary and Background of the Legislation:

The attached legislation acknowledges the designation of the University National Bank as a historic landmark by the Landmarks Preservation Board, imposes controls, grants incentives, and adds the University National Bank to the Table of Historical Landmarks contained in SMC Chapter 25.32. The legislation does not have a financial impact.

The University National Bank was built in 1913. The property is located in the University District neighborhood. A Controls and Incentives Agreement has been signed by the owner and has been approved by the Landmarks Preservation Board. The controls in the agreement apply to the building exterior, but do not apply to any in-kind maintenance or repairs of the designated features.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ___ Yes X No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? ___ Yes X No

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?
No.

Are there financial costs or other impacts of *not* implementing the legislation?
No.

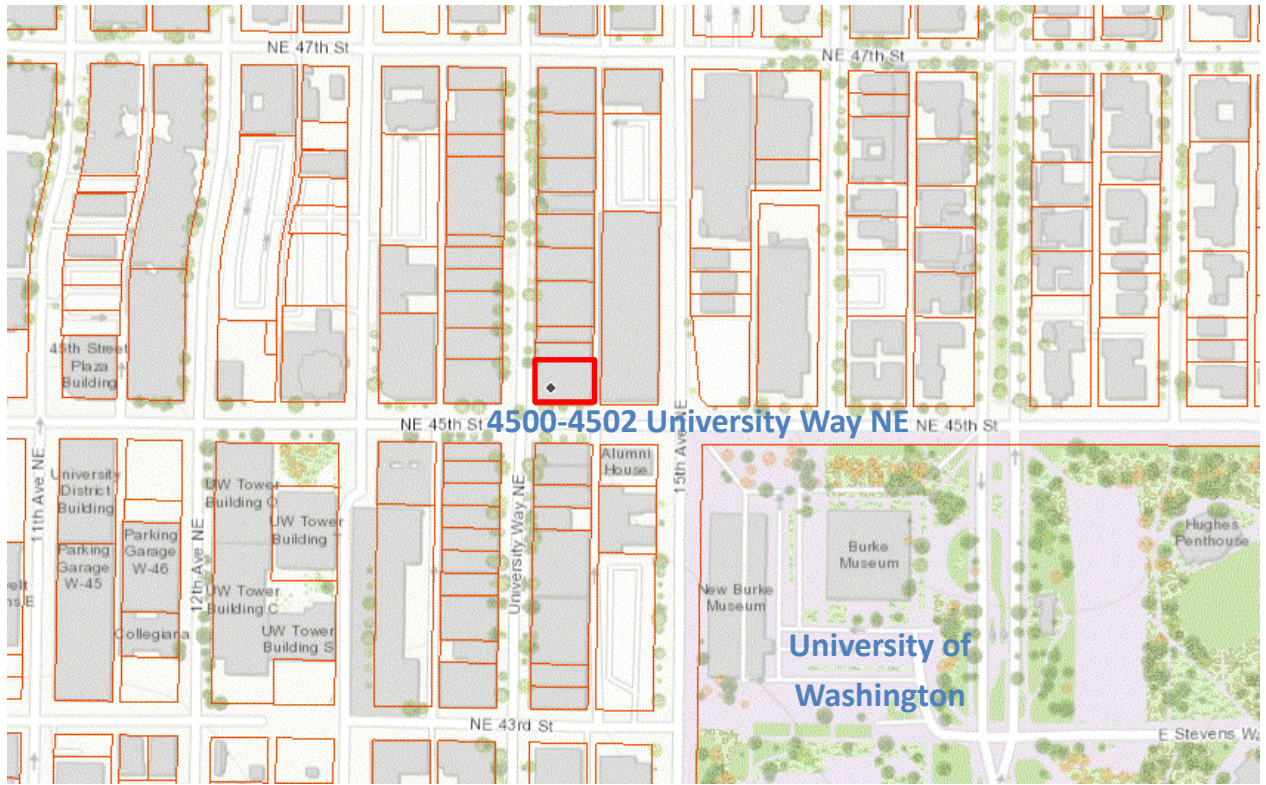
4. OTHER IMPLICATIONS

- a. **Does this legislation affect any departments besides the originating department?**
No.
- b. **Is a public hearing required for this legislation?**
No.
- c. **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**
No.
- d. **Does this legislation affect a piece of property?**
Yes, see attached map.
- e. **Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?**
There are no known negative impacts to vulnerable or historically disadvantaged communities. A language access plan is not anticipated.
- f. **Climate Change Implications**
- 1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?**
This legislation supports the sustainable practice of preserving historic buildings and their embodied energy. Reuse and restoration of a building or structure reduces the consumption of new natural resources, and the carbon emissions associated with new construction. Preservation also avoids contributing to the ever-growing landfills
 - 2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle’s resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.**
Many historic buildings possess materials and craftsmanship that cannot be duplicated today. When properly maintained and improved, they will benefit future generations, and surpass the longevity of most of today’s new construction. They can also support upgraded systems for better energy performance, and these investments typically support local or regional suppliers, and labor industries.
- g. **If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program’s desired goal(s)?**
No new initiative or programmatic expansion.

Summary Attachments:

Summary Exhibit A – Vicinity Map of University National Bank

Summary Ex A – Vicinity Map of University National Bank
V1a



Note: This map is intended for illustrative or informational purposes only and is not intended to modify anything in the legislation.



Legislation Text

File #: CB 120290, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE granting The Boeing Company permission to continue maintaining and operating two pedestrian tunnels under and across 16th Avenue South, 565 feet south of East Marginal Way South, and under and across East Marginal Way South, 510 feet east of 16th Avenue South; repealing Section 8 of Ordinance 123540; and providing for acceptance of the permit and conditions.

WHEREAS, by Ordinance 123540, the City of Seattle granted The Boeing Company permission to maintain and operate two pedestrian tunnels under and across 16th Avenue South, 565 feet south of East Marginal Way South, and under and across East Marginal Way South, 510 feet east of 16th Avenue South, for a 10-year term, renewable for two successive 10-year terms; and

WHEREAS, the permission authorized by Ordinance 123540 was due for renewal on November 11, 2020; and

WHEREAS, since the adoption of Ordinance 123540, The City of Seattle has established a practice for the length of permit to one 15-year term, renewable for one successive 15-year term; and

WHEREAS, reflective of this change, The Boeing Company submitted an application to the Director of Transportation to renew the permission granted by Ordinance 123540 for a 15-year term; and

WHEREAS, the obligations of Ordinance 123540 remain in effect after the ordinance term expires until the encroachment is removed, or The Boeing Company is relieved of the obligations by the Seattle Department of Transportation Director, or the Seattle City Council passes a new ordinance to renew the permission granted; and

WHEREAS, The Boeing Company satisfied all the terms of the original authorizing ordinance and the Director of Transportation recommends that the term permit be renewed for 15 years subject to the terms

identified in this ordinance; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. **Permission.** Subject to the terms and conditions of this ordinance, The City of Seattle (“City”) grants permission (also referred to in this ordinance as a permit) to The Boeing Company, and its successors and assigns as approved by the Director of the Seattle Department of Transportation (“Director”) according to Section 14 of this ordinance (the party named above and each such approved successor and assign are referred to as “Permittee”), to continue maintaining and operating two existing pedestrian tunnels under and across 16th Avenue South, 565 feet south of East Marginal Way South, and under and across East Marginal Way South, 510 feet east of 16th Avenue South. The pedestrian tunnels are adjacent in whole or in part to the properties legally described as:

A TRACT OF LAND BETWEEN THE DUWAMISH WATERWAY AS ESTABLISHED BY COMMERCIAL WATERWAY DISTRICT NO. 1 OF KING COUNTY, WASHINGTON AND EAST MARGINAL WAY SOUTH IN SECTIONS 28, 29, 32 AND 33, TOWNSHIP 24 NORTH, RANGE 4 EAST, W.M., DESCRIBED AS FOLLOWS; BEGINNING AT THE INTERSECTION OF THE SOUTH MARGIN OF SOUTH WEBSTER STREET, BEING 12 FEET SOUTH OF THE CENTERLINE THEREOF, AND THE SOUTHWESTERLY MARGIN AT EAST MARGINAL WAY SOUTH, BEING 65 FEET SOUTHWESTERLY OF THE CENTERLINE THEREOF; THENCE SOUTH 47°52'17" EAST, ALONG THE SOUTHWESTERLY MARGIN OF EAST MARGINAL WAY SOUTH, 221.97 FEET, TO THE WEST MARGIN OF 14TH AVENUE SOUTH; THENCE SOUTH 00°58'43" WEST, ALONG THE WEST MARGIN OF 14TH AVENUE SOUTH BEING 60 FEET IN WIDTH, 543.66 FEET, TO A POINT THAT IS 637.11 FEET NORTH OF THE SOUTH LINE OF GOVERNMENT LOT 13 IN SAID SECTION 29; THENCE SOUTH 88°05'51" EAST; PARALLEL WITH SAID SOUTH LINE, 60.01 FEET TO THE EAST MARGIN OF 14TH AVENUE SOUTH; THENCE NORTH 00°58'43" EAST, ALONG SAID EAST MARGIN, 131.35 FEET; THENCE SOUTH 89°12'41" EAST, A DISTANCE OF 182.89 FEET; THENCE NORTH 00°47'19" EAST, A DISTANCE OF 45.88 FEET; THENCE SOUTH 89°12'41" EAST, A DISTANCE OF 137.92 FEET TO THE WEST MARGIN OF 16TH AVENUE SOUTH; THENCE SOUTH 01°57'52" WEST, ALONG THE SAID WEST MARGIN OF 16TH AVENUE SOUTH, 585.85 FEET, TO A POINT OF CURVE; THENCE CONTINUING ALONG SAID WEST MARGIN ON A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1860.08 FEET, THROUGH A CENTRAL ANGLE OF 11°02'53" AN ARC LENGTH OF 358.67 FEET, TO THE POINT OF TANGENCY; THENCE CONTINUING ALONG SAID WEST MARGIN, SOUTH 13°00'45" WEST 282.75 FEET, TO THE NORTHEAST CORNER OF A PORTION OF 16TH AVENUE SOUTH, AS VACATED BY KING COUNTY ORDINANCE NO. 858 AND FILED IN KING COUNTY RECORDS UNDER RECORDING NO. 7111090468; THENCE SOUTH 76°59'15" EAST, TO THE SOUTHEAST CORNER THEREOF A DISTANCE OF 89.03 FEET; THENCE NORTH 13°00'45" EAST, A DISTANCE OF 121.86 FEET; THENCE NORTH 14°06'06" EAST; A DISTANCE OF 303.66 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF SAID SECTION 28, WHENCE THE SOUTHWEST SECTION

CORNER BEARS SOUTH 88°09'49" EAST, A DISTANCE OF 35.92 FEET; SAID POINT BEING ON A CURVE ON THE EASTERLY MARGIN OF 16TH AVENUE SOUTH FROM WHENCE THE CENTER BEARS NORTH 81°09'46" WEST 1960.08 FEET; THENCE NORTHERLY ALONG SAID EASTERLY MARGIN AND SAID CURVE THROUGH A CENTRAL ANGLE OF 06°52'22" AN ARC LENGTH OF 235.12 FEET TO THE POINT OF TANGENCY; THENCE CONTINUING ALONG SAID EASTERLY MARGIN NORTH 01°57'52" EAST 534.65 FEET TO A POINT OF INTERSECTION WITH THE SOUTHWESTERLY MARGIN OF SAID EAST MARGINAL WAY SOUTH, BEING 65 FEET DISTANT FROM, AS MEASURED AT RIGHT ANGLES TO, THE CENTERLINE OF SAID EAST MARGINAL WAY SOUTH;

CONTINUED THENCE ALONG SAID SOUTHWESTERLY MARGIN OF EAST MARGINAL WAY SOUTH ON THE FOLLOWING COURSES: SOUTH 47°52'17" EAST 1189.40 FEET TO THE SOUTH LINE OF SAID SECTION 28; THENCE SOUTH 88°09'49" EAST ALONG SAID SOUTH LINE 23.20 FEET; THENCE SOUTH 47°52'17" EAST 761.80 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 2814.67 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 25°20'43" AN ARC LENGTH 1245.10 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 22°32'06" EAST 165.28 FEET TO AN INTERSECTION WITH A LINE PARALLEL WITH AND 825 FEET SOUTHERLY OF, MEASURED AT RIGHT ANGLES TO, THE NORTH LINE OF THE JOHN BUCKLEY DONATION LAND CLAIM NO. 42; THENCE LEAVING SAID SOUTHWESTERLY MARGIN OF EAST MARGINAL WAY SOUTH AND PROCEEDING ALONG SAID PARALLEL LINE NORTH 89°12'23" WEST 1385.87 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID DUWAMISH WATERWAY, SAID POINT BEING ON A CURVE FROM WHENCE THE CENTER BEARS SOUTH 53°50'05" WEST 1969.12 FEET; THENCE NORTHWESTERLY ALONG SAID RIGHT-OF-WAY LINE AND SAID CURVE, THROUGH A CENTRAL ANGLE OF 11°41'41" AN ARC LENGTH OF 401.92 FEET TO THE POINT OF TANGENCY; THENCE NORTH 47°51'36" WEST ALONG SAID RIGHT OF WAY LINE 1068.05 FEET TO A POINT ON THE EASTERLY LINE OF THAT 11 FOOT VACATION OF 16TH AVENUE SOUTH AS RECORDED IN VOLUME 38 PAGE 455 OF KING COUNTY COUNCIL RECORDS DATED JUNE 24, 1940; THENCE CONTINUING NORTH 47°51'36" WEST, ALONG SAID EASTERLY LINE OF THE WATERWAY 101.91 FEET, TO THE WESTERLY LINE OF SAID VACATED 16TH AVENUE SOUTH; THENCE CONTINUING NORTH 47°51'36" WEST, ALONG SAID EASTERLY LINE OF SAID WATERWAY 2380.00 FEET TO THE MEDIAN LINE OF SLIP NO. 4 AS DEFINED IN AN AGREEMENT RECORDED UNDER RECORDING NO. 4477307 IN KING COUNTY RECORDS;

CONTINUED THENCE NORTH 56°29'43" EAST, ALONG SAID MEDIAN LINE, 290.45 FEET TO AN ANGLE POINT IN SAID MEDIAN LINE; THENCE NORTH 43°08'07" EAST, ALONG SAID MEDIAN LINE, 293.08 FEET; THENCE SOUTH 51°08'00" EAST, PERPENDICULAR TO VACATED RIVERSIDE AVENUE, 107.50 FEET, TO THE INTERSECTION WITH THE EXTENSION OF THE SOUTH LINE OF LOT 7 BLOCK 43 OF RIVERPARK AS FILED IN KING COUNTY RECORDS, IN VOLUME 7 OF PLATS PAGE 41; THENCE SOUTH 88°14'56" EAST, ALONG SAID SOUTH LINE EXTENDED, 199.95 FEET, TO THE WEST LINE OF ABRAMS ADDITION AS FILED IN KING COUNTY RECORDS, IN VOLUME 11 OF PLATS PAGE 30; THENCE NORTH 01°51'19" EAST, ALONG SAID WEST LINE, 68.25 FEET, TO THE NORTHWEST CORNER OF BLOCK 5 OF ABRAMS ADDITION AS PLATTED; THENCE SOUTH 88°14'51" EAST, ALONG THE NORTH LINE OF SAID BLOCK 5, 367.67 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 01°40'39" WEST, ALONG THE EAST LINE

OF SAID BLOCK 5, 236.00 FEET, TO THE SOUTHEAST CORNER THEREOF; THENCE CONTINUING SOUTH 01°40'39" WEST, 24.00 FEET, TO THE NORTHEAST CORNER OF BLOCK 4 OF SAID ABRAMS ADDITION; THENCE SOUTH 88°14'51" EAST, PARALLEL WITH SOUTH AUSTIN STREET 3.55 FEET; TO A PARCEL OF LAND DEEDED TO THE CITY OF SEATTLE, FILED UNDER RECORDING NO. 8802190331, RECORDS OF KING COUNTY; THENCE SOUTH 48°16'50" EAST, 89.36 FEET; THENCE NORTH 42°25'28" EAST, 45.24 FEET; THENCE NORTH 02°22'56" EAST, 23.09 FEET TO THE SOUTH MARGIN OF SOUTH AUSTIN STREET; THENCE SOUTH 88°14'51" EAST, ALONG THE SOUTH MARGIN OF SOUTH AUSTIN STREET 14.20 FEET TO THE WEST LINE OF CITY OF SEATTLE VACATION ORDINANCE 114027; THENCE NORTH 01°45'09" EAST, ALONG THE WEST LINE, 24.00 FEET TO THE SOUTHEAST CORNER OF LOT 1 BLOCK 6 OF SAID ABRAMS ADDITION; THENCE NORTH 88°14'51" WEST, ALONG THE SOUTH LINE OF LOT 1, 92.01 FEET TO THE SOUTHWEST CORNER LOT 1 BLOCK 6; THENCE NORTH 01°40'39" EAST ALONG THE WEST LINE OF BLOCK 6, 236.00 FEET TO THE NORTHWEST CORNER OF LOT 8, BLOCK 6 AND THE SOUTH MARGIN OF SOUTH WEBSTER STREET; THENCE SOUTH 88°14'51" EAST, ALONG THE SOUTH MARGIN OF SOUTH WEBSTER STREET, 284.45 FEET TO THE TRUE POINT OF BEGINNING. CONTAINING 4,777,635 SQUARE FEET, OR +/- 109.679 ACRES MORE OR LESS.

Section 2. **Term.** The permission granted to the Permittee is for a second and final renewed term of 15 years starting on the effective date of this ordinance and ending at 11:59 p.m. on the last day of the fifteenth year. This second and final term shall not exceed 30 years total from the term authorized in Ordinance 123540, subject to the right of the City to require the removal of the pedestrian tunnels or to revise by ordinance any of the terms and conditions of the permission granted by this ordinance. The Permittee shall submit any application for a new permission no later than one year prior to the expiration of the then-existing term.

Section 3. **Protection of utilities.** The permission granted is subject to the Permittee bearing the expense of any protection, support, or relocation of existing utilities deemed necessary by the owners of the utilities, and the Permittee being responsible for any damage to the utilities due to the construction, repair, reconstruction, maintenance, operation, or removal of the pedestrian tunnels and for any consequential damages that may result from any damage to utilities or interruption in service caused by any of the foregoing.

Section 4. **Removal for public use or for cause.** The permission granted is subject to use of the street right-of-way or other public place (collectively, "public place") by the City and the public for travel, utility purposes, and other public uses or benefits. The City expressly reserves the right to deny renewal, or terminate the permission at any time prior to expiration of the initial term or any renewal term, and require the Permittee

to remove the pedestrian tunnels, or any part thereof or installation on the public place, at the Permittee's sole cost and expense in the event that:

A. The City Council determines by ordinance that the space occupied by the pedestrian tunnels is necessary for any public use or benefit or that the pedestrian tunnels interfere with any public use or benefit; or

B. The Director determines that use of the pedestrian tunnels has been abandoned; or

C. The Director determines that any term or condition of this ordinance has been violated, and the violation has not been corrected by the Permittee by the compliance date after a written request by the City to correct the violation (unless a notice to correct is not required due to an immediate threat to the health or safety of the public).

A City Council determination that the space is needed for, or the pedestrian tunnels interfere with, a public use or benefit is conclusive and final without any right of the Permittee to resort to the courts to adjudicate the matter.

Section 5. Permittee's obligation to remove and restore. If the permission granted is not renewed at the expiration of a term, or if the permission expires without an application for a new permission being granted, or if the City terminates the permission, then within 90 days after the expiration or termination of the permission, or prior to any earlier date stated in an ordinance or order requiring removal of the pedestrian tunnels, the Permittee shall, at its own expense, remove the pedestrian tunnels and all of the Permittee's equipment and property from the public place and replace and restore all portions of the public place that may have been disturbed for any part of the pedestrian tunnels in as good condition for public use as existed prior to construction of the pedestrian tunnels and in at least as good condition in all respects as the abutting portions of the public place as required by Seattle Department of Transportation (SDOT) right-of-way restoration standards.

Failure to remove the pedestrian tunnels as required by this section is a violation of Chapter 15.90 of the Seattle Municipal Code (SMC) or successor provision; however, applicability of Chapter 15.90 does not

eliminate any remedies available to the City under this ordinance or any other authority. If the Permittee does not timely fulfill its obligations under this section, the City may in its sole discretion remove the pedestrian tunnels and restore the public place at the Permittee's expense and collect such expense in any manner provided by law.

Upon the Permittee's completion of removal and restoration in accordance with this section, or upon the City's completion of the removal and restoration and the Permittee's payment to the City for the City's removal and restoration costs, the Director shall then issue a certification that the Permittee has fulfilled its removal and restoration obligations under this ordinance. Upon prior notice to the Permittee and entry of written findings that it is in the public interest, the Director may, in the Director's sole discretion, conditionally or absolutely excuse the Permittee from compliance with all or any of the Permittee's obligations under this section.

Section 6. **Repair or reconstruction.** The pedestrian tunnels shall remain the exclusive responsibility of the Permittee and the Permittee shall maintain the pedestrian tunnels in good and safe condition for the protection of the public. The Permittee shall not reconstruct or repair the pedestrian tunnels except in strict accordance with plans and specifications approved by the Director. The Director may, in the Director's judgment, order the pedestrian tunnels reconstructed or repaired at the Permittee's cost and expense: because of the deterioration of the pedestrian tunnels; because of the installation, construction, reconstruction, maintenance, operation, or repair of any municipally owned public utilities; or for any other cause.

Section 7. **Failure to correct unsafe condition.** After written notice to the Permittee and failure of the Permittee to correct an unsafe condition within the time stated in the notice, the Director may order the pedestrian tunnels be removed at the Permittee's expense if the Director deems that the pedestrian tunnels create a risk of injury to the public. If there is an immediate threat to the health or safety of the public, a notice to correct is not required.

Section 8. **Continuing obligations.** Notwithstanding termination or expiration of the permission granted, or removal of the pedestrian tunnels, the Permittee shall remain bound by all of its obligations under

this ordinance until the Director has issued a certification that the Permittee has fulfilled its removal and restoration obligations under Section 5 of this ordinance, or the Seattle City Council passes a new ordinance to renew the permission granted and/or establish a new term. Notwithstanding the issuance of that certification, the Permittee shall continue to be bound by the obligations in Section 9 of this ordinance and shall remain liable for any unpaid fees assessed under Section 15 and Section 17 of this ordinance.

Section 9. **Release, hold harmless, indemnification, and duty to defend.** The Permittee, by accepting the terms of this ordinance, releases the City, its officials, officers, employees, and agents from any and all claims, actions, suits, liability, loss, costs, expense, attorneys' fees, or damages of every kind and description arising out of or by reason of the pedestrian tunnels or this ordinance, including but not limited to claims resulting from injury, damage, or loss to the Permittee or the Permittee's property.

The Permittee agrees to at all times defend, indemnify, and hold harmless the City, its officials, officers, employees, and agents from and against all claims, actions, suits, liability, loss, costs, expense, attorneys' fees, or damages of every kind and description, excepting only damages that may result from the sole negligence of the City, that may accrue to, be asserted by, or be suffered by any person or property including, without limitation, damage, death, or injury to members of the public or to the Permittee's officers, agents, employees, contractors, invitees, tenants, tenants' invitees, licensees, or successors and assigns, arising out of or by reason of:

A. The existence, condition, construction, reconstruction, modification, maintenance, operation, use, or removal of the pedestrian tunnels;

B. Anything that has been done or may at any time be done by the Permittee by reason of this ordinance; or

C. The Permittee failing or refusing to strictly comply with every provision of this ordinance; or arising out of or by reason of the pedestrian tunnels or this ordinance in any other way.

If any suit, action, or claim of the nature described above is filed, instituted, or begun against the City,

the Permittee shall upon notice from the City defend the City, with counsel acceptable to the City, at the sole cost and expense of the Permittee, and if a judgment is rendered against the City in any suit or action, the Permittee shall fully satisfy the judgment within 90 days after the action or suit has been finally determined, if determined adversely to the City. If it is determined by a court of competent jurisdiction that Revised Code of Washington (RCW) 4.24.115 applies to this ordinance, then in the event claims or damages are caused by or result from the concurrent negligence of the City, its agents, contractors, or employees, and the Permittee, its agents, contractors, or employees, this indemnity provision shall be valid and enforceable only to the extent of the negligence of the Permittee or the Permittee's agents, contractors, or employees.

Section 10. **Insurance.** For as long as the Permittee exercises any permission granted by this ordinance and until the Director has issued a certification that the Permittee has fulfilled its removal and restoration obligations under Section 5 of this ordinance, the Permittee shall obtain and maintain in full force and effect, at its own expense, insurance and/or self-insurance that protects the Permittee and the City from claims and risks of loss from perils that can be insured against under commercial general liability (CGL) insurance policies in conjunction with:

A. Construction, reconstruction, modification, operation, maintenance, use, existence, or removal of the pedestrian tunnels, as well as restoration of any disturbed areas of the public place in connection with removal of the pedestrian tunnels;

B. The Permittee's activity upon or the use or occupation of the public place described in Section 1 of this ordinance; and

C. Claims and risks in connection with activities performed by the Permittee by virtue of the permission granted by this ordinance.

Minimum insurance requirements are CGL insurance written on an occurrence form at least as broad as the Insurance Services Office (ISO) CG 00 01. The City requires insurance coverage to be placed with an insurer admitted and licensed to conduct business in Washington State or with a surplus lines carrier pursuant to

chapter 48.15 RCW. If coverage is placed with any other insurer or is partially or wholly self-insured, such insurer(s) or self-insurance is subject to approval by the City's Risk Manager.

Minimum limits of liability shall be \$5,000,000 per Occurrence; \$10,000,000 General Aggregate; \$5,000,000 Products/Completed Operations Aggregate, including Premises Operations; Personal/Advertising Injury; Contractual Liability. Coverage shall include the "City of Seattle, its officers, officials, employees and agents" as additional insureds for primary and non-contributory limits of liability subject to a Separation of Insureds clause.

Within 60 days after the effective date of this ordinance, the Permittee shall provide to the City, or cause to be provided, certification of insurance coverage including an actual copy of the blanket or designated additional insured policy provision per the ISO CG 20 12 endorsement or equivalent. The insurance coverage certification shall be delivered or sent to the Director or to SDOT at an address as the Director may specify in writing from time to time. The Permittee shall provide a certified complete copy of the insurance policy to the City promptly upon request.

If the Permittee is self-insured, a letter of certification from the Corporate Risk Manager may be submitted in lieu of the insurance coverage certification required by this ordinance, if approved in writing by the City's Risk Manager. The letter of certification must provide all information required by the City's Risk Manager and document, to the satisfaction of the City's Risk Manager, that self-insurance equivalent to the insurance requirements of this ordinance is in force. After a self-insurance certification is approved, the City may from time to time subsequently require updated or additional information. The approved self-insured Permittee must provide 30 days' prior notice of any cancellation or material adverse financial condition of its self-insurance program. The City may at any time revoke approval of self-insurance and require the Permittee to obtain and maintain insurance as specified in this ordinance.

In the event that the Permittee assigns or transfers the permission granted by this ordinance, the Permittee shall maintain in effect the insurance required under this section until the Director has approved the

assignment or transfer pursuant to Section 14 of this ordinance.

Section 11. **Contractor insurance.** The Permittee shall contractually require that any and all of its contractors performing work on any premises contemplated by this permit name “The City of Seattle, its officers, officials, employees and agents” as additional insureds for primary and non-contributory limits of liability on all CGL, Automobile and Pollution liability insurance and/or self-insurance. The Permittee shall also include in all contract documents with its contractors a third-party beneficiary provision extending to the City construction indemnities and warranties granted to the Permittee.

Section 12. **Performance bond.** Within 60 days after the effective date of this ordinance, the Permittee shall deliver to the Director for filing with the City Clerk a sufficient bond executed by a surety company authorized and qualified to do business in the State of Washington, in the amount of \$410,000 and conditioned with a requirement that the Permittee shall comply with every provision of this ordinance and with every order the Director issues under this ordinance. The Permittee shall ensure that the bond remains in effect until the Director has issued a certification that the Permittee has fulfilled its removal and restoration obligations under Section 5 of this ordinance. An irrevocable letter of credit approved by the Director in consultation with the City Attorney’s Office may be substituted for the bond. In the event that the Permittee assigns or transfers the permission granted by this ordinance, the Permittee shall maintain in effect the bond or letter of credit required under this section until the Director has approved the assignment or transfer pursuant to Section 14 of this ordinance.

Section 13. **Adjustment of insurance and bond requirements.** The Director may adjust minimum liability insurance levels and surety bond requirements during the term of this permission. If the Director determines that an adjustment is necessary to fully protect the interests of the City, the Director shall notify the Permittee of the new requirements in writing. The Permittee shall, within 60 days of the date of the notice, provide proof of the adjusted insurance and surety bond levels to the Director.

Section 14. **Consent for and conditions of assignment or transfer.** When the Property is transferred,

the permission granted by this ordinance shall be assignable and transferable by operation of law pursuant to Section 20 of this ordinance. Continued occupation of the right-of-way constitutes the Permittee's acceptance of the terms of this ordinance, and the new owner shall be conferred with the rights and obligations of the Permittee by this ordinance. Other than a transfer to a new owner of the Property, the Permittee shall not transfer, assign, mortgage, pledge or encumber the same without the Director's consent, which the Director shall not unreasonably refuse. The Director may approve assignment or transfer of the permission granted by this ordinance to a successor entity only if the successor or assignee has provided, at the time of the assignment or transfer, the bond and certification of insurance coverage required under this ordinance; and has paid any fees due under Section 15 and Section 17 of this ordinance. Upon the Director's approval of an assignment or transfer, the rights and obligations conferred on the Permittee by this ordinance shall be conferred on the successors and assigns. Any person or entity seeking approval for an assignment or transfer of the permission granted by this ordinance shall provide the Director with a description of the current and anticipated use of the pedestrian tunnels.

Section 15. **Inspection fees.** The Permittee shall, as provided by SMC Chapter 15.76 or successor provision, pay the City the amounts charged by the City to inspect the pedestrian tunnels during construction, reconstruction, repair, annual safety inspections, and at other times deemed necessary by the City. An inspection or approval of the pedestrian tunnels by the City shall not be construed as a representation, warranty, or assurance to the Permittee or any other person as to the safety, soundness, or condition of the pedestrian tunnels. Any failure by the City to require correction of any defect or condition shall not in any way limit the responsibility or liability of the Permittee.

Section 16. **Inspection reports.** The Permittee shall submit to the Director, or to SDOT at an address specified by the Director, an inspection report that:

- A. Describes the physical dimensions and condition of all load-bearing elements;
- B. Describes any damages or possible repairs to any element of the pedestrian tunnels;

C. Prioritizes all repairs and establishes a timeframe for making repairs; and

D. Is stamped by a professional structural engineer licensed in the State of Washington.

A report meeting the foregoing requirements shall be submitted within 60 days after the effective date of this ordinance; subsequent reports shall be submitted every two years, provided that, in the event of a natural disaster or other event that may have damaged the pedestrian tunnels, the Director may require that additional reports be submitted by a date established by the Director. The Permittee has the duty of inspecting and maintaining the pedestrian tunnels. The responsibility to submit structural inspection reports periodically or as required by the Director does not waive or alter any of the Permittee's other obligations under this ordinance. The receipt of any reports by the Director shall not create any duties on the part of the Director. Any failure by the Director to require a report, or to require action after receipt of any report, shall not waive or limit the obligations of the Permittee.

Section 17. **Annual fee.** Beginning on the effective date of this ordinance the Permittee shall pay an Issuance Fee, and annually thereafter, the Permittee shall promptly pay to the City, upon statements or invoices issued by the Director, an Annual Renewal Fee, and an Annual Use and Occupation Fee of \$4,503.29, or as adjusted annually thereafter, for the privileges granted by this ordinance.

Adjustments to the Annual Use and Occupation Fee shall be made in accordance with a term permit fee schedule adopted by the City Council and may be made every year. In the absence of a schedule, the Director may only increase or decrease the previous year's fee to reflect any inflationary changes so as to charge the fee in constant dollar terms. This adjustment will be calculated by adjusting the previous year's fee by the percentage change between the two most recent year-end values available for the Consumer Price Index for the Seattle-Tacoma-Bellevue Area, All Urban Consumers, All Products, Not Seasonally Adjusted. Permittee shall pay any other applicable fees, including fees for reviewing applications to renew the permit after expiration of the first term. All payments shall be made to the City Finance Director for credit to the Transportation Fund.

Section 18. **Compliance with other laws.** The Permittee shall construct, maintain, and operate the

pedestrian tunnels in compliance with all applicable federal, state, County, and City laws and regulations.

Without limitation, in all matters pertaining to the pedestrian tunnels, the Permittee shall comply with the City's laws prohibiting discrimination in employment and contracting including Seattle's Fair Employment Practices Ordinance, Chapter 14.04, and Fair Contracting Practices Code, Chapter 14.10 (or successor provisions).

Section 19. Acceptance of terms and conditions. The Permittee shall provide evidence of insurance coverage required by Section 10 of this ordinance, the bond as required by Section 12 of this ordinance, and the covenant agreement required by Section 20 of this ordinance within 60 days after the effective date of this ordinance. Continued occupation of the right-of-way constitutes the Permittee's acceptance of the terms of this ordinance.

Section 20. Obligations run with the Property. The obligations and conditions imposed on the Permittee by and through this ordinance are covenants that run with the land and bind subsequent owners of the property adjacent to the pedestrian tunnels and legally described in Section 1 of this ordinance (the "Property"), regardless of whether the Director has approved assignment or transfer of the permission granted herein to such subsequent owner(s). At the request of the Director, the Permittee shall provide to the Director a current title report showing the identity of all owner(s) of the Property and all encumbrances on the Property. The Permittee shall, within 60 days of the effective date of this ordinance, and prior to conveying any interest in the Property, deliver to the Director upon a form to be supplied by the Director, a covenant agreement imposing the obligations and conditions set forth in this ordinance, signed and acknowledged by the Permittee and any other owner(s) of the Property and recorded with the King County Recorder's Office. The Director shall file the recorded covenant agreement with the City Clerk. The covenant agreement shall reference this ordinance by its ordinance number. At the request of the Director, Permittee shall cause encumbrances on the Property to be subordinated to the covenant agreement.

Section 21. Section titles. Section titles are for convenient reference only and do not modify or limit the text of a section.

Section 22. **Repeal of Section 8 of Ordinance 123540.** Section 8 of Ordinance 123540 is repealed.

Section 23. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2022, and signed by me in open session in authentication of its passage this ____ day of _____, 2022.

President _____ of the City Council

Approved / returned unsigned / vetoed this ____ day of _____, 2022.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2022.

Monica Martinez Simmons, City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
Seattle Department of Transportation	Amy Gray/206-386-4638	Christie Parker/206-684-5211

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE granting The Boeing Company permission to continue maintaining and operating two pedestrian tunnels under and across 16th Avenue South, 565 feet south of East Marginal Way South, and under and across East Marginal Way South, 510 feet east of 16th Avenue South; repealing Section 8 of Ordinance 123540; and providing for acceptance of the permit and conditions.

Summary and Background of the Legislation:

This legislation allows The Boeing Company to continue maintaining and operating a two pedestrian tunnels under and across 16th Avenue South, 565 feet south of East Marginal Way South,, and under and across East Marginal Way South, 510 feet east of 16th Avenue South. The pedestrian tunnels permit is for a period of 15 years, commencing on the effective date of the ordinance. The legislation specifies the conditions under which permission is granted.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? Yes No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? Yes No

Appropriation change (\$):	General Fund \$		Other \$	
	2022	2023	2022	2023
	\$0	\$0	\$0	\$0
Estimated revenue change (\$):	Revenue to General Fund		Revenue to Other Funds	
	2022	2023	2022	2023
	\$0	\$0	Annual Fee: \$4,503.29	TBD
			Accrued Annual Fee: \$3,778.77	
Positions affected:	No. of Positions		Total FTE Change	
	2022	2023	2022	2023
	0	0	0	0

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

No.

Are there financial costs or other impacts of *not* implementing the legislation?

Estimate the costs to the City of not implementing the legislation, including estimated costs to maintain or expand an existing facility or the cost avoidance due to replacement of an existing facility, potential conflicts with regulatory requirements, or other potential costs or consequences.

If the legislation is not enacted by the City Council, the City of Seattle would not receive the 2022 annual fee of \$4,503.29, the 2021 annual fee of \$3,778.77, and future annual fees.

3.a. Appropriations

This legislation adds, changes, or deletes appropriations.

3.b. Revenues/Reimbursements

This legislation adds, changes, or deletes revenues or reimbursements.

Anticipated Revenue/Reimbursement Resulting from This Legislation:

Fund Name and Number	Dept	Revenue Source	2022 Revenue	2023 Estimated Revenue
Transportation Fund (13000)	SDOT	Annual Fee	2022 Fee: \$4,503.29 2021 Accrued Fee: \$3,778.77	TBD
TOTAL			\$8,282.06	TBD

Is this change one-time or ongoing?

Ongoing

Revenue/Reimbursement Notes:

The 2022 and 2021 fees are based on the 2022 and 2021 land value as assessed by King County.

3.c. Positions

This legislation adds, changes, or deletes positions.

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?

If so, please list the affected department(s) and the nature of the impact (financial, operational, etc.).

No.

b. Is a public hearing required for this legislation?

No.

c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

No.

d. Does this legislation affect a piece of property?

Yes, the Boeing Company property legally described in Section 1 of the Council Bill.

e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?

This legislation does not have any implications for the principles of the Race and Social Justice Initiative and does not impact vulnerable or historically disadvantaged communities.

f. Climate Change Implications

1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?

No.

2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.

No.

g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)?

N/A

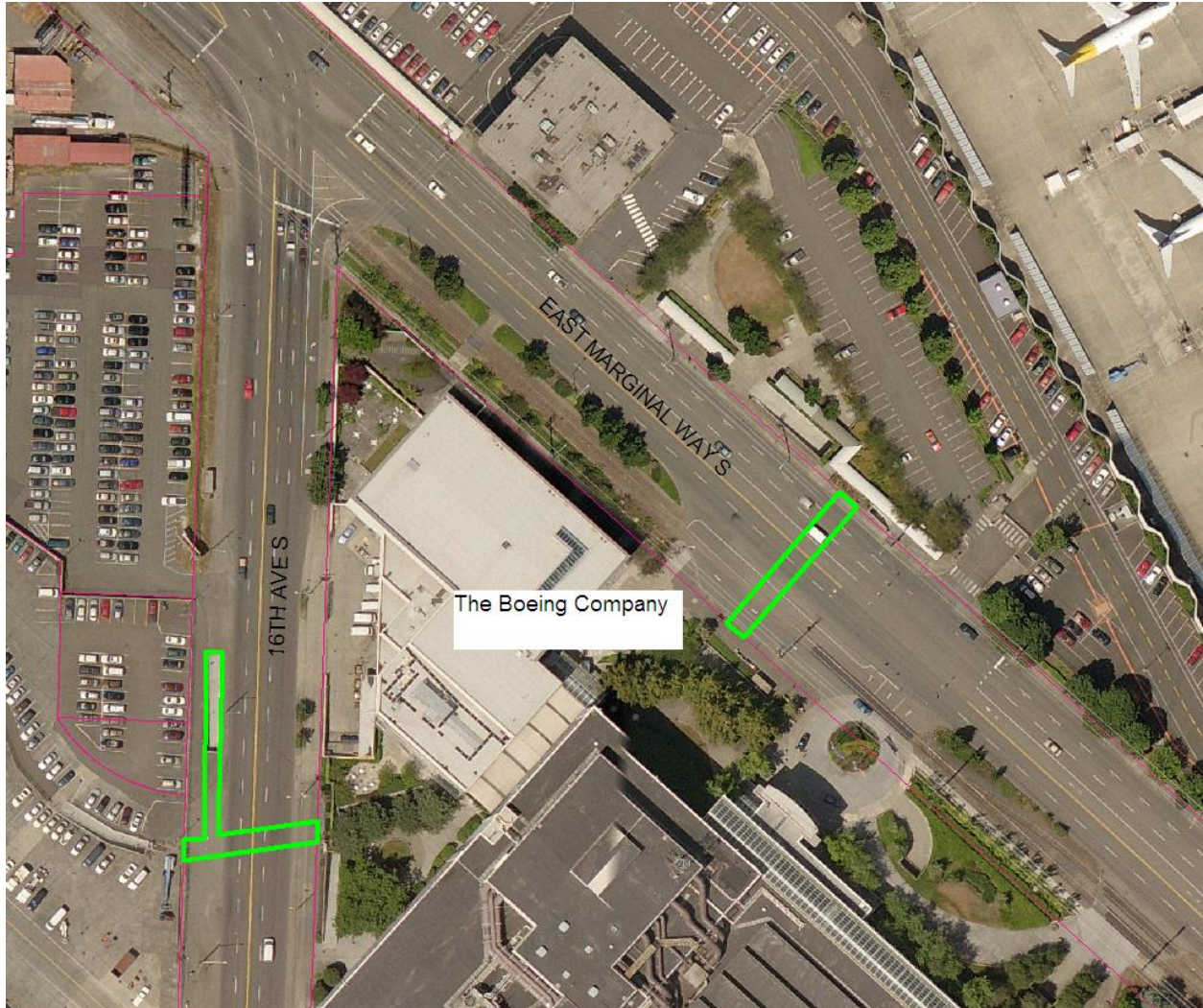
Summary Attachments:

Summary Attachment A - The Boeing Company Tunnels Area Map

Summary Attachment B - The Boeing Company Tunnels Photos

Summary Attachment C - Street Use Annual Fee Assessment

The Boeing Company Tunnels Area Map



Map is for informational purposes only and is not intended to modify or supplement the legal description(s) in the Ordinance.

The Boeing Company Tunnels Photos





STREET USE ANNUAL FEE ASSESSMENT

Date: 12/27/2021

Summary:
Land Value: \$42.09/SF
2022 Permit Fee:
\$4,503.29

I. Property Description:

Two existing pedestrian tunnels under and across 16th Avenue South, south of East Marginal Way South and under and across East Marginal Way South, east of 16th Avenue South. The tunnels provide a pedestrian connection for employees of The Boeing Company between their properties. The tunnels total area is 5,350 square feet.

Applicant:

The Boeing Company

Abutting Parcels, Property Size, Assessed Value:

2022

Parcel 2824049009; Lot size: 349,350
Tax year 2022 Appraised Land Value \$13,047,200 (\$38.38/sq ft)

Parcel 2924049098; Lot size: 4,133
Tax year 2022 Appraised Land Value \$185,900 (\$44.98/sq ft)

Parcel 2924049056; Lot size: 9,811
Tax year 2022 Appraised Land Value \$441,400 (\$44.99/sq ft)

Parcel 0022000005; Lot size: 1,631,114
Tax year 2022 Appraised Land Value \$65,244,500 (\$40.00/sq ft)

2021

Parcel 2824049009; Lot size: 349,350
Tax year 2021 Appraised Land Value \$12,887,600 (\$36.89/sq ft)

Parcel 2924049098; Lot size: 4,133
Tax year 2021 Appraised Land Value \$185,900 (\$44.98/sq ft)

Parcel 2924049056; Lot size: 9,811
Tax year 2021 Appraised Land Value \$441,400 (\$44.99/sq ft)

Parcel 0022000005; Lot size: 1,631,114
Tax year 2021 Appraised Land Value \$23,492,800 (\$14.40/sq ft)

II. Annual Fee Assessment:

The 2022 permit fee is calculated as follows:

$(\$42.09/\text{SF}) \times (5,350 \text{ SF}) \times (25\%) \times (8\%) = \$4,503.29$ where 25% is the degree of alienation for below grade tunnels and 8% is the annual rate of return.

Using the same methodology as above at \$35.32 per square foot, the 2021 permit fee is \$3,778.77.

Fee methodology authorized under Ordinance 123485, as amended by Ordinances 123585, 123907, and 124532.