

SEATTLE CITY COUNCIL

600 Fourth Ave. 2nd Floor
Seattle, WA 98104



Journal of the Proceedings of the Seattle City Council

Monday, January 11, 2016

2:00 PM

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

Full Council

Bruce Harrell, Council President

Sally Bagshaw

Tim Burgess

M. Lorena González

Lisa Herbold

Rob Johnson

Debora Juarez

Mike O'Brien

Kshama Sawant

Chair Info: 206-684-8804; bruce.harrell@seattle.gov

A. CALL TO ORDER

The City Council of The City of Seattle met in the Council Chamber in City Hall in Seattle, Washington, on January 13, 2016, pursuant to the provisions of the City Charter. The meeting was called to order at 2:01p.m., with Council President Harrell presiding.

B. ROLL CALL

Present: 8 - Bagshaw, Burgess, González , Harrell, Herbold, Johnson, O'Brien, Sawant

Late Arrival: 1 - Juarez

Councilmember Juarez entered the Council Chamber at 2:02 p.m.

C. ADOPTION OF INTRODUCTION AND REFERRAL CALENDAR

[IRC 45](#)

January 11, 2016 (Revised; 1/8/16 at 5:00 p.m.)

Motion was made, duly seconded and carried, to adopt the proposed Introduction and Referral Calendar by the following vote:

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

Opposed: None

D. APPROVAL OF THE AGENDA

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

E. APPROVAL OF THE JOURNAL

There was none.

F. PRESENTATIONS

There were none.

G. PUBLIC COMMENT

Imogene Williams addressed the Council regarding Agenda item 1, Clerk File 314278.

Mary Ann Cahill addressed the Council regarding Agenda item 15, Council Bill 118595.

Queen Pearl addressed the Council regarding a non-Agenda item.

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

John Coelbo addressed the Council regarding Agenda item 15, Council Bill 118595.

Terry Holme addressed the Council regarding Agenda item 15, Council Bill 118595.

Diane Adache addressed the Council regarding Agenda item 15, Council Bill 118595.

Roger Williams addressed the Council regarding Agenda item 15, Council Bill 118595.

Logan Bowers addressed the Council regarding Agenda item 5, Council Bill 118580.

Ifrah Wehliye addressed the Council regarding Agenda item 1, Clerk File 314278.

Abdi Yussuf addressed the Council regarding Agenda item 1, Clerk File 314278.

Matt Haney addressed the Council regarding Agenda item 1, Clerk File 314278.

By unanimous consent, the Public Comment period was extended to allow an additional 15 speakers to address the Council.

Ian Eisenberg addressd the Council regarding Agenda item 5, Council Bill 118580.

James Lathrop addressd the Council regarding Agenda item 5, Council Bill 118580.

John Johnson addressed the Council regarding Agenda item 1, Clerk File 314278.

Mike Graham-Squire addressed the Council regarding Agenda item 5, Council Bill 118580.

Stephanie Tschida addressed the Council regarding Agenda item 5, Council Bill 118580.

Howard Greenwich addressed the Council regarding Agenda item 1, Clerk File 314278.

Philip Dowdy addressed the Council regarding Agenda item 5, Council Bill 118580.

Howard Anderson addressed the Council regarding Agenda Item 1, Clerk File 314278.

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

Alex Cooley addressed the Council regarding Agenda item 5, Council Bill 118580.

Dawn Darington addressed the Council regarding Agenda item Agenda item 5, Council Bill 118580.

Gary Kaufman addressed the Council regarding Agenda item 3, Council Bill 118603.

Katie Wilson addressed the Council regarding Agenda item 1, Clerk File 314278.

H. PAYMENT OF BILLS

[CB 118605](#) **AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.**

Motion was made and duly seconded to pass Council Bill 118605.

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

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

Opposed: None

I. COMMITTEE REPORTS

FULL COUNCIL

1. [CF 314278](#) **Petition of Acorn Development LLC for the vacation of the alley in Block 21, Sarah A. Bell's Second Addition to the City of Seattle, bounded by Bell Street, 7th Avenue, Blanchard Street, and 8th Avenue.**

The Committee recommends a that Full Council grant the Petition as conditioned with a Divided Report.

In Favor: 4 - Rasmussen, Godden, Bagshaw, Burgess

Opposed: 1 - Licata

ACTION 1:

Motion was made by Councilmember González, duly seconded and carried, to amend Section 7 of the Conditions included in Clerk File 314278, as shown in the underlined language below:

7. The Petitioner shall develop and maintain the public benefit elements as defined by the City Council. A Property Use and Development Agreement (PUDA) or other binding mechanism shall be required to ensure that the public benefit elements remain open and accessible to the public 24 hours a day with temporary closures permitted for reasons such as maintenance, safety or private functions, and to outline future maintenance obligations of the improvements. Free speech activities such as hand billing, signature gathering, and holding signs, all without obstructing access to the space, the building, or other adjacent amenity features, and without unreasonably interfering with the enjoyment of the space by others, shall be allowed within these public benefit features. While engaged in allowed activities, members of the public may not be asked to leave for any reason other than conduct that unreasonably interferes with the enjoyment of the space by others. Signage clearly identifying public access and allowed free speech activities is required at the public open space elements and shall require the review and approval of SDOT Street Vacations. Signage shall be consistent with signage provided for public amenity space on the site. Any violation of these conditions will be enforced through Chapter 15.90 of the Seattle Municipal Code. The final design of the public benefit elements shall require the review and approval

of SDOT Street Vacations. SDOT may request additional review by the Design Commission of the implementation of the public benefit elements or the pedestrian enhancements, as necessary. Public benefit elements in the right-of-way require additional street use permits and indemnification, public and private areas must be distinguished and markers in the sidewalk shall be required. The public benefit requirements include the following features as well as corresponding development standards, including approximate square footage dimensions, which shall be outlined in the PUDA:

ACTION 2:

Motion was made and duly seconded to grant the Petition as conditioned.

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

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

Opposed: 1 - Sawant

2. [CB 118602](#) **AN ORDINANCE, relating to City employment, to be known as the Pay Zone Ordinance; adjusting the pay zone structures for the City's discretionary pay programs; and ratifying and confirming certain prior acts.**

Motion was made and duly seconded to pass Council Bill 118602.

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

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

Opposed: None

3. [CB 118603](#) **AN ORDINANCE relating to City employment; providing wage increases effective December 31, 2014, December 30, 2015, December 28, 2016 and December 27, 2017 for certain non-represented City employees and officers; providing adjustments to certain pay titles in addition to the 2015 wage increase; authorizing a \$15 per hour minimum wage for all non-represented City of Seattle employees; authorizing and directing the Seattle Human Resources Director to change rates of pay for certain job titles to a minimum of \$15 per hour effective April 1, 2015; authorizing paid leave for City employees who took furloughs in 2010; and ratifying and confirming certain prior acts.**

Motion was made and duly seconded to pass Council Bill 118603.

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

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

Opposed: None

4. [CB 118604](#) **AN ORDINANCE relating to City employment; authorizing the execution of collective bargaining agreements between The City of Seattle and certain unions in the Coalition of City Unions, for the time period January 1, 2015 through December 31, 2018; and ratifying and confirming certain prior acts.**

Motion was made and duly seconded to pass Council Bill 118604.

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

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

Opposed: None

PLANNING, LAND USE, AND SUSTAINABILITY COMMITTEE

5. [CB 118580](#) **AN ORDINANCE relating to land use and zoning; repealing Ordinance 124552 and amending Sections 23.42.058, 23.47A.002, 23.47A.004, 23.47A.020, 23.48.002, 23.48.005, 23.48.065, 23.49.002, 23.49.025, 23.49.042, 23.49.090, 23.49.142, 23.49.300, 23.49.320, 23.49.338, 23.50.002, 23.50.012, 23.50.014, 23.50.044, 23.66.122, 23.66.322, and 23.84A.025 of the Seattle Municipal Code to change marijuana zoning regulations and make technical corrections.**

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

In Favor: 5 - O'Brien, Burgess, Licata, González , Godden

Opposed: None

Abstain: 1 - Harrell

ACTION 1:

Motion was made by Councilmember O'Brien, duly seconded and carried, to amend Council Bill 118580, Section 2, Section 23.42.058 of the Seattle Municipal Code, as shown in the underlined and strike through language below:

C. Major marijuana activity is allowed in all other zones if the activity and site meet the following requirements:

1. The person operating the major marijuana activity must have a current license issued by the State of Washington pursuant to Title 69 RCW authorizing the person to produce, process, or sell, at the proposed site, marijuana, marijuana-infused products, useable marijuana, or marijuana concentrates, or to research or test any of those products at the proposed site for quality assurance pursuant to Title 69 RCW;

2. Any lot line of property having a major marijuana activity must be 1,000 feet or more from any lot line of property on which any of

the following uses as defined in WAC 314-55-010 is located: elementary school; secondary school; or playground;

3. Any lot line of property having a major marijuana activity that includes the retail sale of marijuana products must be 500 feet or more from any lot line of property on which any of the following uses as defined in WAC 314-55-010 is established and operating: child care center; game arcade; library; public park; public transit center; or recreation center or facility;

4. Any lot line of property having a major marijuana activity that does not include the retail sale of marijuana products must be 250 feet or more from any lot line of property on which any of the following uses as defined in WAC 314-55-010 is established and operating: child care center; game arcade; library; public park; public transit center; or recreation center or facility;

45. Any lot line of property having a major marijuana activity that includes the retail sale of marijuana products must be 350 feet or more from any lot line of other property containing major marijuana activity that includes the retail sale of marijuana products;

56. Whether a major marijuana activity complies with the locational requirements prescribed by subsections 23.42.058.C.2, 23.42.058.C.3, ~~or 23.42.058.C.4,~~ or 23.42.058.C.5 shall be based on facts that exist on the date the Washington State Liquor and Cannabis Board issues a "Notice of Marijuana Application" to The City of Seattle.

ACTION 2:

Motion was made by Councilmember Herbold, duly seconded and carried, to amend Council Bill 118580, Section 2, Section 23.42.058 of the Seattle Municipal Code, as shown in the underlined language below:

C. Major marijuana activity is allowed in all other zones if the activity and site meet the following requirements:

1. The person operating the major marijuana activity must have a current license issued by the State of Washington pursuant to Title 69 RCW authorizing the person to produce, process, or sell, at the proposed site, marijuana, marijuana-infused products, useable marijuana, or marijuana concentrates, or to research or test any of those products at the proposed site for quality assurance pursuant to Title 69 RCW;

2. Any lot line of property having a major marijuana activity must be 1,000 feet or more from any lot line of property on which any of the following uses as defined in WAC 314-55-010 is located: elementary school; secondary school; or playground;

3. Any lot line of property having a major marijuana activity must be 500 feet or more, except that in Downtown Mixed Residential and Downtown Mixed Commercial zones within that portion of the Downtown Urban Center that is west of Interstate 5, north of Yesler Way, and south of Denny Way major marijuana activity that includes the

retail sale of marijuana products must be 250 feet or more, from any lot line of property on which any of the following uses as defined in WAC 314-55-010 is established and operating: child care center; game arcade; library; public park; public transit center; or recreation center or facility;

4. Any lot line of property having a major marijuana activity that includes the retail sale of marijuana products must be 350 feet or more from any lot line of other property containing major marijuana activity that includes the retail sale of marijuana products;

5. Whether a major marijuana activity complies with the locational requirements prescribed by subsections 23.42.058.C.2, 23.42.058.C.3, or 23.42.058.C.4 shall be based on facts that exist on the date the Washington State Liquor and Cannabis Board issues a "Notice of Marijuana Application" to The City of Seattle.

ACTION 3:

Motion was made by Councilmember Burgess, duly seconded and carried, to amend Council Bill 118580, Section 2, Section 23.42.058 of the Seattle Municipal Code, as shown in the underlined and strike through language below:

C. Major marijuana activity is allowed in all other zones if the activity and site meet the following requirements:

4. No more than two properties with major marijuana activity that includes the retail sale of marijuana products are allowed within 1000 feet of each other; Anywhere any lot line of two properties with existing major marijuana activity that includes the retail sale of marijuana products are located within 1000 feet of each other, any lot line of another property having with a new major marijuana activity that includes the retail sale of marijuana products must be 350-1000 feet or more from any the closest lot line of other the property containing existing major marijuana activity that includes the retail sale of marijuana products;

ACTION 4:

Motion was made by Councilmember O'Brien, duly seconded and carried, to amend Council Bill 118580, by adding a new Section 1 and renumbering subsequent bill sections, as shown in the language below:

Section 1. Pursuant to the authority granted by RCW

69.50.331(8)(b), Section 3.C of this ordinance is intended to reduce the minimum distances between state-licensed marijuana premises and the facilities described in RCW 69.50.331(8)(a), except elementary schools, secondary schools, and playgrounds, from 1,000 feet to 500 feet for facilities that include the retail sale of marijuana products; from 1,000 feet to 250 feet for premises that do not include retail sale of marijuana

products; and, within a portion of the downtown core only, from 1,000 feet to 250 feet for premises that include the retail sale of marijuana products. The City Council finds that reducing these minimum distances will not negatively impact the City of Seattle's civil regulatory enforcement, criminal law enforcement interests, public safety, or public health.

[Renumber Sections]

ACTION 5:

Motion was made and duly seconded to pass Council Bill 118580 as amended.

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

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

Opposed: None

ENERGY COMMITTEE

6. [CB 118513](#) **AN ORDINANCE relating to the City Light Department; declaring certain real property rights surplus to utility needs; authorizing the General Manager and Chief Executive Officer to execute an agreement for the City to grant an easement for access purposes over a portion of the City's fee-owned transmission corridor at 14355 Linden Avenue North in Seattle, Washington, and to accept the release of an easement at said address; accepting payment for the true and full value of the easement being granted from Rise Properties (Woodland Pointe) Limited Partnership; and ratifying and confirming certain prior acts.**

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

In Favor: 1 - O'Brien

Opposed: None

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

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

Opposed: None

7. [CB 118563](#) **AN ORDINANCE relating to the rates, terms, and conditions for the use and sale of electricity supplied by the City Light Department; adding a new Section 21.49.088 to the Seattle Municipal Code to create a utility tax pass through; and amending Sections 21.49.020, 21.49.030, 21.49.040, 21.49.052, 21.49.055, 21.49.057, 21.49.081, and 21.49.100 of the Seattle Municipal Code to implement new distinct rates for the city of Lake Forest Park to allow for the potential addition of a utility tax.**

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

In Favor: 1 - O'Brien

Opposed: None

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

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

Opposed: None

8. [Res 31631](#) **A RESOLUTION relating to the City Light Department; acknowledging and approving City Light's adoption of a biennial energy conservation target for 2016-2017 and a ten-year conservation potential.**

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

In Favor: 1 - O'Brien

Opposed: None

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

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

Opposed: None

9. [Appt 00274](#) **Reappointment of David E. Allen as member, Seattle City Light Review Panel, for a term of confirmation to November 1, 2018.**

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

In Favor: 1 - O'Brien

Opposed: None

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

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

Opposed: None

HOUSING AFFORDABILITY, HUMAN SERVICES AND ECONOMIC RESILIENCY

10. [Appt 00273](#) **Appointment of Susan Wilder Crane as member, Pacific Hospital Preservation and Development Authority Governing Council, for a term of confirmation to December 31, 2017.**

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

In Favor: 2 - González , Rasmussen

Opposed: None

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

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

Opposed: None

11. [Appt 00287](#) **Reappointment of Eleanor J. Menzies as member, Pacific Hospital Preservation and Development Authority Governing Council, for a term of confirmation to December 31, 2018.**

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

In Favor: 2 - González , Rasmussen

Opposed: None

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

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

Opposed: None

12. [Appt 00288](#) **Reappointment of Judith M. Tobin as member, Pacific Hospital Preservation and Development Authority Governing Council, for a term of confirmation to December 31, 2018.**

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

In Favor: 2 - González , Rasmussen

Opposed: None

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

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

Opposed: None

13. [Appt 00289](#) **Appointment of Tracie L. Stevens as member, Seattle Indian Services Commission, for a term of confirmation to August 1, 2018.**

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

In Favor: 2 - González , Rasmussen

Opposed: None

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

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

Opposed: None

14. [Appt 00290](#) **Appointment of Nicole Grant as member, Washington State Convention Center Public Facilities District Board of Directors, for a term of confirmation to July 30, 2018.**

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

In Favor: 2 - González , Rasmussen

Opposed: None

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

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

Opposed: None

PARKS, SEATTLE CENTER, LIBRARIES AND GENDER PAY EQUITY COMMITTEE

15. [CB 118595](#) **AN ORDINANCE authorizing an agreement with the Arboretum Foundation for support of the Seattle Japanese Garden.**

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

In Favor: 2 - Godden, Rasmussen

Opposed: None

Abstain: 1 - Harrell

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

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

Opposed: None

16. [Appt 00268](#) Reappointment of Gloria Connors as member, Seattle Center Advisory Commission, for a term of confirmation to September 28, 2018.

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

In Favor: 3 - Godden, Harrell, Rasmussen

Opposed: None

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

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

Opposed: None

17. [Appt 00269](#) Reappointment of Todd W. Leber as member, Seattle Center Advisory Commission, for a term of confirmation to September 28, 2018.

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

In Favor: 3 - Godden, Harrell, Rasmussen

Opposed: None

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

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

Opposed: None

18. [Appt 00270](#) Reappointment of Will Ludlam as member, Seattle Center Advisory Commission for a term of confirmation to September 28, 2018.

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

In Favor: 3 - Godden, Harrell, Rasmussen

Opposed: None

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

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

Opposed: None

19. [Appt 00271](#) **Reappointment of Erik Van Rossum as member, Seattle Center Advisory, Commission for a term of confirmation to September 28, 2018.**

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

In Favor: 3 - Godden, Harrell, Rasmussen

Opposed: None

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

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

Opposed: None

20. [Appt 00272](#) **Reappointment of Jonathan D. Scholes as member, Seattle Center Advisory Commission, for a term of confirmation to September 28, 2018.**

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

In Favor: 3 - Godden, Harrell, Rasmussen

Opposed: None

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

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

Opposed: None

J. ADOPTION OF OTHER RESOLUTIONS

There were none.

K. OTHER BUSINESS

Motion was made, duly seconded and carried, to excuse Councilmember Sawant from the January 25, 2016 Full Council meeting.

L. ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 4:04 p.m.

Jodee Schwinn, Deputy City Clerk

Signed by me in Open Session, upon approval of the Council, on January 19, 2016.

Bruce Harrell, President of the City Council

Monica Martinez Simmons, City Clerk