

# SEATTLE CITY COUNCIL

600 Fourth Ave. 2nd Floor  
Seattle, WA 98104



## Journal of the Proceedings of the Seattle City Council

Monday, May 22, 2017

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](mailto:bruce.harrell@seattle.gov)

**A. CALL TO ORDER**

The City Council of The City of Seattle met in the Council Chamber in City Hall in Seattle, Washington, on May 22, 2017, pursuant to the provisions of the City Charter. The meeting was called to order at 2:03 p.m., with Council President Pro Tem Burgess presiding.

**B. ROLL CALL**

**Present:** 7 - Bagshaw, Burgess, González , Johnson, Juarez, O'Brien, Sawant

**Excused:** 1 - Harrell

**Late Arrival:** 1 - Herbold

*Councilmember Herbold entered the Council Chamber at 2:04 p.m.*

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

[IRC 113](#)**May 22, 2017**ACTION 1:

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

ACTION 2:

Motion was made by Councilmember González, duly seconded and carried, to amend the proposed Introduction and Referral Calendar by introducing Resolution 31753, and by referring it to the Full Council for adoption at today's meeting.

Resolution 31753, A RESOLUTION relating to police accountability; instructing the Office of Inspector General for Public Safety and Community Police Commission to review and recommend changes to Seattle laws, policies, and practices within the scope of their expertise.

ACTION 3:

Motion was made by Councilmember O'Brien, duly seconded and carried, to amend the proposed Introduction and Referral Calendar by adding Council Bill 118963, and by re-referring it to the Full Council.

Council Bill 118963, AN ORDINANCE relating to land use and zoning; amending Section 23.76.006 of the Seattle Municipal Code to clarify that a land use decision to waive or modify structure width or setbacks for a youth service center, and integrated SEPA decisions, are Type II decisions that may be appealed to the City Hearing Examiner.

ACTION 4:

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

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

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

**Opposed:** None

**D. APPROVAL OF THE AGENDA**

ACTION 1:

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

ACTION 2:

Motion was made by Councilmember Burgess, duly seconded and carried, to amend the proposed Agenda by moving the Report of the Gender Equity, Safe Communities, and New Americans Committee before the Report of the Affordable Housing, Neighborhoods, and Finance Committee.

ACTION 3:

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

**E. APPROVAL OF THE JOURNAL**

[Min 127](#)

**May 15, 2017**

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

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

**Opposed:** None

[Min 128](#)

**May 17, 2017**

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

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

**Opposed:** None

**F. PRESENTATIONS**

Councilmember González presented a Proclamation recognizing Asian Pacific Islander Month. By unanimous consent, the Council Rules were suspended to allow Councilmember González to present the Proclamation, and to allow Linh Thai to address the Council.

**G. PUBLIC COMMENT**

Susan Taylor addressed the Council regarding Agenda item 6, Council Bill 118969.

Cynthia Linet addressed the Council regarding a non-Agenda item.

David Haines addressed the Council regarding a non-Agenda item.

Pete Holmes addressed the Council regarding Agenda item 6, Council Bill 118969.

Alex Tsimerman addressed the Council regarding a non-Agenda item.

Paula Revere addressed the Council regarding a non-Agenda item.

Tammy Morales addressed the Council regarding Agenda item 6, Council Bill 118969.

Raging Grannies addressed the Council regarding a non-Agenda item.

Eliana Scott-Thomas addressed the Council regarding regarding a non-Agenda item.

Laura Bernstein addressed the Council regarding Agenda item 6, Council Bill 118969.

Alex Broner addressed the Council regarding Agenda item 6, Council Bill 118969.

Robert Madza addressed the Council regarding Agenda item 6, Council Bill 118969.

Mario Sanchez addressed the Council regarding Agenda item 6, Council Bill 118969.

Gus Seixas addressed the Council regarding Agenda item 6, Council Bill 118969.

Miguel Maestas addressed the Council regarding Agenda item 6, Council Bill 118969.

Kevin Stucky addressed the Council regarding Agenda item 6, Council Bill 118969.

A.J. Honoré addressed the Council regarding a non-Agenda item.

Kenny Stuart addressed the Council regarding Agenda item 6, Council Bill 118969.

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

Arsalan Bukhari addressed the Council regarding Agenda item 6, Council Bill 118969.

Pamela Masterman Stearns addressed the Council regarding Agenda item 6, Council Bill 118969.

Diane Narasaki addressed the Council regarding Agenda item 6, Council Bill 118969.

Howard Gale addressed the Council regarding Agenda item 6, Council Bill 118969.

Jerry Savage addressed the Council regarding Agenda item 6, Council Bill 118969.

Melissa Taylor addressed the Council regarding Agenda item 6, Council Bill 118969.

Barbara Geiger addressed the Council regarding Agenda item 6, Council Bill 118969.

Stephanie Cambia addressed the Council regarding Agenda item 6, Council Bill 118969.

Paul Holland addressed the Council regarding Agenda item 6, Council Bill 118969.

Estelle Ortega addressed the Council regarding Agenda item 6, Council Bill 118969.

Kelly McKay addressed the Council regarding Agenda item 6, Council Bill 118969.

Rev James Broughton addressed the Council regarding Agenda item 6, Council Bill 118969.

Lauren Kastanas addressed the Council regarding Agenda item 6, Council Bill 118969.

Glynn Ward addressed the Council regarding a non-Agenda item.

Michelle Storms addressed the Council regarding Agenda item 6, Council Bill 118969.

Andrea Lister addressed the Council regarding Agenda item 6, Council Bill 118969.

#### H. PAYMENT OF BILLS

[CB 118978](#) **AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.**

Motion was made and duly seconded to pass Council Bill 118978.

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

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

**Opposed:** None

#### I. COMMITTEE REPORTS

From the amended Agenda.

**GENDER EQUITY, SAFE COMMUNITIES, AND NEW AMERICANS COMMITTEE:**



6. [CB 118969](#) **AN ORDINANCE relating to civilian and community oversight of the police; adding a new Chapter 3.29 to the Seattle Municipal Code (SMC); recodifying Subchapters VII, VIII, and IX of Chapter 3.28 of the SMC as Subchapters I, II, and III of Chapter 3.29; amending or repealing sections in Chapters 3.28, 4.08, and 14.12 of the SMC; and concerning Ordinance 118482.**

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

**In Favor: 5 - González , Burgess, Bagshaw, O'Brien, Johnson  
Opposed: None**

ACTION 1:

Motion was made by Councilmember González and duly seconded to amend Council Bill 118969, as shown in Attachment 1 to the Minutes.

ACTION 2:

Motion was made by Councilmember Burgess, duly seconded and carried, to amend the amendment in Action 1, Council Bill 118969, Seattle Municipal Code Section 3.29.510.A, second paragraph, as shown in the strike through language below:

For these reasons, the City shall take whatever steps are necessary to fulfill all legal prerequisites ~~—including those related to bargaining the effects of the ordinance on wages, hours, and working conditions of represented police officers—~~ within 30 days of Mayoral signature of this ordinance, or as soon as practicable thereafter, including negotiating with its police unions to update all affected collective bargaining agreements so that the agreements each conform to and are fully consistent with the provisions and obligations of this ordinance, in a manner that allows for the earlier possible implementation to fulfill the purposes of this Chapter 3.29.

ACTION 3:

The Motion in Action 1 as amended was restated and the Motion carried.

ACTION 4:

Motion was made by Councilmember Burgess, duly seconded and carried, to amend Council Bill 118969, as shown in Attachment 2 to the

Minutes.

ACTION 5:

Motion was made by Councilmember González, duly seconded and carried, to amend Council Bill 118969, by amending Seattle Municipal Code Sections 3.29.105.B, 3.29.210.A, and 3.29.330.C, as shown in the underlined language below:

**3.29.105 Office of Police Accountability - Independence**

B. The City shall provide staff and resources that it deems sufficient to enable OPA to perform all of its responsibilities specified in this Chapter 3.29. The OPA Director shall submit an annual budget request to the Mayor. The OPA Director may advocate for resources directly to Councilmembers or the Council during the budget process and throughout the year.

**3.29.210 Office of Inspector General for Public Safety - Independence**

A. The City shall provide staff and resources that it deems sufficient to enable OIG to perform all of its responsibilities specified in this Chapter 3.29. The Inspector General shall submit an annual budget request to the Mayor. The OIG budget shall be appropriated in a Budget Control Level that is independent of any other City department. The Inspector General may advocate for resources directly to Councilmembers or the Council during the budget process and throughout the year.

**3.29.330 Community Police Commission - Independence**

C. The City shall provide staff and resources that it deems sufficient to enable CPC to perform all of its responsibilities specified in this Chapter 3.29. The CPC Executive Director shall submit an annual budget request to the Mayor. The Office of the CPC budget shall be appropriated in a Budget Control Level that is independent of any other City department. CPC Commissioners and the CPC Executive Director may advocate for resources directly to Councilmembers or the Council during the budget process and throughout the year.

ACTION 6:

Motion was made by Councilmember Herbold, duly seconded and carried, to amend Council Bill 118969, as shown in Attachment 3 to the

Minutes.

ACTION 7:

Motion was made by Councilmember Johnson, duly seconded and carried, to amend Council Bill 118969, Seattle Municipal Code Section 3.29.480.B, as shown in the underlined language below:

B. When, due to a conflict of interest, lack of technical expertise, or capacity reasons, the City Attorney's Office declines to provide legal representation to an oversight entity in any legal matter, enforcement action, or court proceeding, the City Attorney shall so indicate to the oversight entity in writing with the reason for the declined representation, and that oversight shall be entitled to representation by private legal counsel. Private legal counsel shall be selected and retained by the City Attorney's Office, in consultation with the oversight entity. The City shall provide sufficient funding for the legal services separate from the oversight entity's operational budget, which shall be reviewed and approved in advance by the City Budget Office.

ACTION 8:

Motion was made by Councilmember González, duly seconded and carried, to amend Council Bill 118969, by amending Seattle Municipal Code Section 3.29.240.F, as shown in Attachment 4 to the Minutes.

ACTION 9:

Motion was made and duly seconded to pass Council Bill 118969 as amended.

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

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

**Opposed:** None

7. [CB 118908](#) AN ORDINANCE amending Ordinance 125207, which adopted the 2017 Budget, creating and revising budget control levels, modifying positions, and changing appropriations to various departments and budget control levels; all by a 3/4 vote of the City Council.

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

In Favor: 4 - González , Burgess, Bagshaw, Johnson

Opposed: None

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

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

Opposed: None

8. [CB 118761](#) AN ORDINANCE relating to a public safety bill of rights for the Seattle public; renumbering Subchapter VI as Subchapter V and creating a new Subchapter VI in Chapter 3.28 of the Seattle Municipal Code.

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

In Favor: 4 - González , Burgess, Bagshaw, Herbold

Opposed: None

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

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

Opposed: None

**AFFORDABLE HOUSING, NEIGHBORHOODS, AND FINANCE COMMITTEE:**

1. [CB 118972](#) **AN ORDINANCE relating to City employment, commonly referred to as the First Quarter 2017 Employment Ordinance; designating positions as exempt from Civil Service status; amending Sections 4.20.315 and 4.20.320 of the Seattle Municipal Code; and ratifying and confirming certain prior acts; all by a 2/3 vote of the City Council.**

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

**In Favor: 2 - Burgess, Johnson**

**Opposed: None**

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

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

**Opposed: None**

2. [Appt 00638](#) **Appointment of Todd Toshio Snider as member, Joint Apprenticeship Training Committee, for a term to December 31, 2017.**

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

**In Favor: 2 - Burgess, Johnson**

**Opposed: None**

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

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

**Opposed: None**

3. [Appt 00639](#) **Appointment of Bill L. Stockman as member, Joint Apprenticeship Training Committee, for a term to December 31, 2017.**

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

**In Favor: 2 - Burgess, Johnson**

**Opposed: None**

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

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

**Opposed:** None

4. [Appt 00680](#) **Reappointment of Matt Hanna as member, Pike Place Market Preservation and Development Authority Council, for a term to June 30, 2020.**

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

**In Favor: 2 - Burgess, Johnson**

**Opposed: None**

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

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

**Opposed:** None

5. [Appt 00692](#) **Appointment of Dianna Finnerty as member, Burke-Gilman Place Preservation and Development Authority Council, for a term to September 30, 2017.**

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

**In Favor: 2 - Burgess, Johnson**

**Opposed: None**

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

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

**Opposed:** None

**SUSTAINABILITY AND TRANSPORTATION COMMITTEE:**

9.     [CB 118977](#)    **AN ORDINANCE relating to the 2017 Budget; amending Ordinance 125207, which adopted the 2017 Budget, including the 2017-2022 Capital Improvement Program (CIP); and creating nonexempt positions.**

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

**In Favor: 3 - O'Brien, Johnson, Sawant**

**Opposed: None**

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

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

**Opposed: None**

10.    [Res 31742](#)    **A RESOLUTION granting conceptual approval to Lakefront Investors 1 LLC and Lakefront Investors 2 LLC to construct, install, and maintain four sets of private communication conduits under and across Boren Avenue North, north of Mercer Street, and under and across the alley between Boren Avenue North and Fairview Avenue North, north of Mercer Street.**

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

**In Favor: 3 - O'Brien, Johnson, Sawant**

**Opposed: None**

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

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

**Opposed: None**

**J. ADOPTION OF OTHER RESOLUTIONS**

11. [Res 31753](#) **A RESOLUTION relating to police accountability; instructing the Office of Inspector General for Public Safety and Community Police Commission to review and recommend changes to Seattle laws, policies, and practices within the scope of their expertise.**

Motion was made and duly seconded to adopt Resolution 31753.

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

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

**Opposed:** None

#### **K. OTHER BUSINESS**

Motion was made, duly seconded and carried, to excuse Councilmember Sawant from the June 5, 2017 Full Council meeting.

#### **L. ADJOURNMENT**

There being no further business to come before the Council, the meeting was adjourned at 4:21 p.m.



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**Jodee Schwinn, Deputy City Clerk**

**Signed by me in Open Session, upon approval of the Council, on June 19, 2017.**

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

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**Monica Martinez Simmons, City Clerk**

**Att 1 - ACTION 1 OF CB 118969**

**Att 2 - ACTION 4 OF CB 118969**

**Att 3 - ACTION 6 OF CB 118969**

**Att 4 - ACTION 8 OF CB 118969**