Journal of the Proceedings of the Seattle City Council Monday, April 25, 2011

A. CALL TO ORDER

The City Council of The City of Seattle met in the Council Chamber in City Hall in Seattle, Washington, on Monday, April 25, 2011, pursuant to the provisions of the City Charter. The meeting was called to order at 2:03 p.m., with Council President Conlin presiding.

B. ROLL CALL

On roll call the following members were:

Present: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien, Rasmussen - 9
Absent: None.

C. APPROVAL OF AGENDA

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

D. APPROVAL OF THE JOURNAL

The Journal of the Proceedings of the Seattle City Council meeting of Monday, April 18, 2011, was presented to the Chair for approval. By unanimous consent, the Journal was approved and signed.

E. PRESENTATIONS

Councilmember Clark presented a Proclamation honoring Tsering Yuthok on the occasion of her retirement from the City of Seattle, and acknowledging her dedicated service as the head of Seattle's Sister City Program and coordinator of International Community Programs.

Councilmember Clark presented a Proclamation honoring Bill Stafford for his 30 years of dedicated service to the City of Seattle, the Seattle Sister City Program, and the Trade Development Alliance of Greater Seattle.

F. PUBLIC COMMENT

Hilary Stern addressed the Council regarding Agenda item 11, Council Bill No. 117143.

Joel Coronado addressed the Council regarding Agenda item 11, Council Bill No. 117143.

Art Skolnik addressed the Council regarding Agenda item 5, Council Bill No. 117140.

Jennifer Meisner addressed the Council regarding Agenda item 5, Council Bill No. 117140.

Genevieve Aguilar addressed the Council regarding Agenda item 11, Council Bill No. 117143.

Bob Jeffers-Schroder addressed the Council regarding Agenda items 3 and 4, Clerk File Nos. 311492 and 311459.

Edison Camacho addressed the Council regarding Agenda item 11, Council Bill No. 117143.

Susie Levy addressed the Council regarding Agenda item 11, Council Bill No. 117143.

Jennifer Bright addressed the Council regarding Agenda item 11, Council Bill No. 117143.

Christa Mazzone Palmberg addressed the Council regarding Agenda item 11, Council Bill No. 117143.

Gary Manca addressed the Council regarding Agenda items 3 and 4, Clerk File Nos. 311492 and 311459.

Laura Bachman addressed the Council regarding Agenda item 5, Council Bill No. 117140.

Councilmember Rasmussen left the Council Chamber at 2:44 p.m.

Rebecca Smith addressed the Council regarding Agenda item 11, Council Bill No. 117143.

Toby Guevin addressed the Council regarding Agenda item 11, Council Bill No. 117143.

Councilmember Rasmussen returned to the Council Chamber at 2:49 p.m.

Kathy Smith-DiJulio addressed the Council regarding Agenda item 11, Council Bill No. 117143.

Reyna Ramolete Hayashi addressed the Council regarding Agenda item 11, Council Bill No. 117143.

Nicholas Marritz addressed the Council regarding Agenda item 11, Council Bill No. 117143.

Roger Valdez addressed the Council regarding Agenda item 5, Council Bill No. 117140.

Diana Toledo addressed the Council regarding Agenda items 3 and 4, Clerk File Nos. 311492 and 311459.

Drew Paxton addressed the Council regarding Agenda items 3 and 4, Clerk File Nos. 311492 and 311459.

Katheryn H. Krafft addressed the Council regarding Agenda item 5, Council Bill No. 117140.

Mimi Sheridan addressed the Council regarding Agenda item 5, Council Bill No. 117140.

Evelyn Shapiro O'Connor addressed the Council regarding Agenda item 11, Council Bill No. 117143.

G. REFERRAL CALENDAR

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

COUNCIL BILLS:

BY GODDEN:

Council Bill No. 117158, Appropriating money to pay certain audited claims and ordering the payment thereof.

Referred to Full Council.

BY RASMUSSEN:

Council Bill No. 117159, Relating to street use; adding new Sections 11.14.203 and 11.14.447; amending Section 3.12.030 of the Seattle Municipal Code to authorize the Director of Transportation to designate public places or portions of public places as festival streets, to recommend the designation of public places or portions of public places as pedestrian plazas, and to regulate the use thereof; and amending the Seattle Department of Transportation Street Use Fee Schedule to establish a festival street permit type.

Referred to Transportation Committee.

BY CONLIN:

Council Bill No. 117160, Repealing Seattle Municipal Code Chapter 1.12 to delete provisions related to "Standard Time."

Referred to Full Council.

BY HARRELL:

Council Bill No. 117161, Relating to the rates for the sale of electricity supplied by the City Light Department to large general service customers in the City of Burien; and amending Seattle Municipal Code Chapter 21.49 in connection therewith.

Referred to Energy, Technology, and Civil Rights Committee.

CLERK FILES:

BY CONLIN:

Clerk File No. 311459, Report of the City Clerk on the Certificate of Sufficiency for Referendum No. 1, relating to Ordinance No. 123542, regarding the State Route 99 Alaskan Way Viaduct and Seawall Replacement Program.

Referred to Full Council for Introduction and Action.

Clerk File No. 311492, Referendum No. 1, relating to Ordinance No. 123542, regarding the State Route 99 Alaskan Way Viaduct and Seawall Replacement Program.

Referred to Full Council for Introduction and Action.

BY BAGSHAW:

Clerk File No. 311493, Reappointment of Sharon H. Lee as member, Parks and Green Spaces Levy Oversight Committee, for a term of confirmation to December 31, 2014.

Referred to Parks and Seattle Center Committee.

Clerk File No. 311494, Reappointment of Alec Stephens as member, Parks and Green Spaces Levy Oversight Committee, for a term of confirmation to December 31, 2014.

Referred to Parks and Seattle Center Committee.

Clerk File No. 311495, Appointment of Dorsol Plants as member, Parks and Green Spaces Levy Oversight Committee, for a term of confirmation to December 31, 2014.

Referred to Parks and Seattle Center Committee.

BY CLARK:

Clerk File No. 311496, Appointment of Amoreena R. Miller as member, Seattle Design Review Board, for a term of confirmation to April 4, 2013.

Referred to Committee on the Built Environment.

Clerk File No. 311497, Appointment of Chip Wall as member, Seattle Design Review Board, for a term of confirmation to April 4, 2013.

Referred to Committee on the Built Environment.

Clerk File No. 311498, Appointment of Christina Pizana as member, Seattle Design Review Board, for a term of confirmation to April 4, 2013.

Referred to Committee on the Built Environment.

H. PAYMENT OF BILLS, CLAIMS AND SALARIES

Council Bill No. 117158, Appropriating money to pay certain audited claims and ordering the payment thereof.

Motion was made and duly seconded to pass Council Bill No. 117158.

The Motion carried and the Bill passed by the following roll call vote: In favor: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien, Rasmussen - 9 Against: None. The President signed the Bill.

I. COMMITTEE REPORTS AND FINAL VOTE ON LEGISLATION

FULL COUNCIL:

Agenda Item No. 1 - Resolution No. 31256, Providing an honorary designation of South Lander Street from 16th Avenue South to 17th Avenue South as the "Roberto Maestas Festival Street."

Motion was made and duly seconded to not adopt Resolution No. 31256.

The Motion carried and the Resolution was not adopted by the following voice vote:

In favor: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien, Rasmussen - 9

Against: None.

Agenda Item No. 2 - Council Bill No. 117136, Relating to City streets, renaming the segment of South Lander Street between 16th Avenue South and 17th Avenue South from South Lander Street to South Roberto Maestas Festival Street.

Motion was made and duly seconded to pass Council Bill No. 117136.

The Motion carried and the Bill passed by the following roll call vote:

In favor: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien, Rasmussen - 9

Against: None.

The President signed the Bill.

By unanimous consent, the Council Rules were suspended to allow Estela Ortega to address the Council.

Agenda Item No. 3 - Clerk File No. 311492, Referendum No. 1, relating to Ordinance No. 123542, regarding the State Route 99 Alaskan Way Viaduct and Seawall Replacement Program.

Motion was made and duly seconded to place Clerk File No. 311492 on file.

The Motion carried and the Clerk File was placed on file by the following voice vote:

In favor: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien, Rasmussen - 9

Against: None.

Agenda Item No. 4 - Clerk File No. 311459, Report of the City Clerk on the Certificate of Sufficiency for Referendum No. 1, relating to Ordinance No. 123542, regarding the State Route 99 Alaskan Way Viaduct and Seawall Replacement Program.

Motion was made and duly seconded to place Clerk File No. 311459 on file.

The Motion carried and the Clerk File was placed on file by the following voice vote:

In favor: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien, Rasmussen - 9

Against: None. [Emphasis added]

<u>COMMITTEE ON THE BUILT ENVIRONMENT:</u>

Agenda Item No. 5 - Council Bill No. 117140, Relating to land use and zoning, modifying locational criteria for various downtown zones and industrial zones; creating new zone classifications; modifying use provisions and development standards; enacting and amending affordable housing incentive programs; enacting and amending provisions for height and density bonuses and transfer of development capacity; amending Seattle Municipal Code Sections 23.34.108, 23.34.110, 23.34.114, 23.34.116, 23.41.004, 23.47A.005, 23.49.008, 23.49.011, 23.49.013, 23.49.014, 23.49.015, 23.49.019, 23.49.020, 23.49.022, 23.49.044, 23.49.045, 23.49.046, 23.49.056, 23.49.058, 23.49.146, 23.49.148, 23.49.156, 23.49.158, 23.49.162,

23.49.164, 23.49.166, 23.49.178, 23.49.180, 23.49.181, 23.49.198, 23.49.200, 23.49.208, 23.49.223, 23.49.226, 23.49.236, 23.49.242, 23.50.012, 23.50.016, 23.50.020, 23.50.026, 23.50.027, 23.50.028, 23.50.038, 23.50.051, 23.50.053, 23.53.006, 23.53.020, 23.58A.002, 23.58A.004, 23.58A.008, 23.58A.012, 23.58A.016, 23.58A.018, 23.66.018, 23.66.100, 23.66.150, 23.66.160, 23.66.302, 23.66.306, 23.66.308, 23.66.310, 23.66.318, 23.66.322, 23.66.324, 23.66.326, 23.66.328, 23.66.332, 23.66.334, 23.66.336, 23.66.338, 23.66.342, 23.74.010, 23.84A.002, 23.84A.006, 23.84A.024, 23.84A.025, 23.84A.032, 23.84A.036, 23.84A.038, 23.90.018, 23.90.020; enacting new Sections 22.900G.015, 23.49.023, 23.49.031, 23.49.059, 23.49.060, 23.49.143, 23.49.163, 23.49.165, 23.49.210, 23.49.212, 23.49.220, 23.49.250, 23.50.033, 23.50.039, 23.50.055, 23.58A.020, 23.58A.022, 23.58A.023, 23.58A.024, 23.66.032; repealing maps for Chapter 23.49 and enacting new maps to replace them; repealing maps for Chapter 23.66 and enacting new maps to replace them; repealing sections 23.49.244, 23.49.246, 23.49.248 and 23.66.330; amending Downtown Amenity Standards; and amending the Official Land Use Map, Chapter 23.32, at pages 115, 116, and 117 to rezone areas within the South Downtown planning area and to expand the International Special Review District.

The Committee recommended that the Bill pass as amended.

ACTION 1:

Motion was made by Councilmember Clark, duly seconded and carried, to amend Council Bill No. 117140 by substituting version 17 for version 16.

ACTION 2:

Motion was made and duly seconded to pass Council Bill No. 117140 as amended.

The Motion carried and the Bill passed as amended by the following roll call vote:

In favor: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien, Rasmussen - 9

Against: None.

The President signed the Bill.

Agenda Item No. 6 - Resolution No. 31291, Declaring the City of Seattle's intent to promote and enhance the livability of South Downtown by implementing initiatives that complement changes to land use regulations, and replacing and updating the reporting requirements regarding the use of housing bonuses, transfer of development rights (TDR), and transfer of development potential (TDP) in Resolutions 31104 and 30939.

The Committee recommended that the Resolution be adopted as amended.

The Resolution was adopted by the following voice vote:

In favor: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien, Rasmussen - 9

Against: None.

FINANCE AND BUDGET COMMITTEE:

Agenda Item No. 7 - Council Bill No. 117147, Relating to City employment commonly referred to as the First Quarter 2011 Employment Ordinance; establishing new titles and/or salaries; designating positions as exempt from Civil Service status; amending Section 4.20.320 of the Seattle Municipal Code; and ratifying and confirming prior acts; all by a 2/3 vote of the City Council.

The Committee recommended passage of the Bill.

The Bill passed by the following roll call vote:

In favor: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien, Rasmussen - 9

Against: None.

The President signed the Bill.

Agenda Item No. 8 - Council Bill No. 117148, Authorizing the assignment of the Freeway Park Parking Garage lease between The City of Seattle and the Washington State Convention and Trade Center to the Washington State Convention Center Public Facilities District.

The Committee recommended passage of the Bill.

The Bill passed by the following roll call vote:

In favor: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien, Rasmussen - 9

Against: None.

The President signed the Bill.

Agenda Item No. 9 - Council Bill No. 117149, Relating to the Finance and Administrative Services Department; granting an easement to Puget Sound Energy for a nonexclusive easement over, under, along, and across a portion of the property known as the Charles Street Campus located at 815 South Dearborn Street.

The Committee recommended passage of the Bill.

The Bill passed by the following roll call vote:

In favor: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien, Rasmussen - 9

Against: None.

The President signed the Bill.

ENERGY, TECHNOLOGY, AND CIVIL RIGHTS COMMITTEE:

Agenda Item No. 10 - Council Bill No. 117132, Relating to the City Light Department; accepting Deeds to the Blacks Wholesale Distributing, Inc., in King County and the Goodyear Nelson, Granstrom, Mulberg, Petrich, Thompson, and Riverland LLC properties in Skagit County,

Washington, for salmonid habitat protection purposes, ratifying the grants of Deeds of Right to the State of Washington on the Granstrom, Petrich and Thompson properties for salmon recovery and conservation purposes; placing said lands under the jurisdiction of the City Light Department; and ratifying and confirming certain prior acts.

The Committee recommended passage of the Bill.

The Bill passed by the following roll call vote:

In favor: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien, Rasmussen - 9

Against: None.

The President signed the Bill.

PUBLIC SAFETY AND EDUCATION COMMITTEE:

Agenda Item No. 11 - Council Bill No. 117143, Relating to wage theft; amending Seattle Municipal Code sections 5.55.230 and 12A.08.060; clarifying the definition of theft as it relates to theft of wages; providing a list of circumstances that may be considered in determining whether a person intends to commit wage theft; clarifying the City's jurisdiction in such cases; and allowing the City to refuse to issue, revoke, or refuse to renew business licenses from employers found guilty of wage theft.

The Committee recommended that the Bill pass as amended.

The Bill passed by the following roll call vote:

In favor: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien, Rasmussen - 9

Against: None.

The President signed the Bill.

PARKS AND SEATTLE CENTER COMMITTEE:

Agenda Item No. 12 - Council Bill No. 117150, Relating to the Neighborhood Parks and Playgrounds subcategory of the 2008 Parks and Green Spaces Levy; accepting the recommendation of the 2008 Parks and Green Spaces Levy Oversight Committee relating to projects to convert wading pools to spray parks; amending the 2011 Adopted Budget and 2011-2016 Capital Improvement Program; and increasing appropriations in connection thereto; all by a three-fourths vote of the City Council.

The Committee recommended passage of the Bill.

The Bill passed by the following roll call vote:

In favor: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien, Rasmussen - 9

Against: None.

The President signed the Bill.

Agenda Item No. 13 - Council Bill No. 117157, Relating to the Seattle Center; authorizing the Director of Seattle Center to execute a lease agreement with Center Art, LLC for the development, construction, and operation of a glass and gardens exhibition space for Chihuly glass, a retail shop and related uses, while also providing for improvements to public areas of Seattle Center; and ratifying and confirming certain acts.

The Committee recommended that the Bill pass as amended.

The Bill passed by the following roll call vote:

In favor: Bagshaw, Burgess, Clark, Conlin, Godden, Harrell, Licata, O'Brien, Rasmussen - 9

Against: None.

The President signed the Bill.

J. ADOPTION OF OTHER RESOLUTIONS

There were none.

K. OTHER BUSINESS

Motion was made and duly seconded to excuse Councilmember Licata from the May 16 and June 6, 2011, Full Council meetings.

Motion was made and duly seconded to excuse Councilmember Rasmussen from the May 16, 2011, Full Council meeting.

L. ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 4:12 p.m.

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Laurel Humphrey, Council Clerk

Signed by me in Open Session, upon approval of the Council, on Monday, May 2, 2011.

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Richard Conlin, President of the City Council

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Monica Martinez Simmons, City Clerk