



# City of Seattle

Gregory J. Nickels, Mayor

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## SEATTLE PLANNING COMMISSION SEPTEMBER 14, 2006 APPROVED MEETING MINUTES

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### **Commissioners in Attendance**

Martin Kaplan – Acting Chair, Linda Amato, Hilda Blanco, George Blomberg, Tom Eanes, Chris Fiori, Valerie Kinast, Kay Knapton, M. Michelle Mattox, Carl See, and Steve Sheehy

### **Commissioners Absent**

Jerry Finrow - Chair, Tony To – Vice-Chair, Mahlon Clements, Kevin McDonald and Kirsten Pennington

### **Commission Staff**

Barbara Wilson – Director, Robin Magonegil – Administrative Assistant, and Justin McCaffree – Planning Commission Intern

### **Guests**

Tom Hauger and John Rahaim -DPD

### **In Attendance**

Rebecca Herzfeld; Council Central Staff, Gary Gayton, Angela Galloway

*Please Note: Seattle Planning Commission meeting minutes are not an exact transcript but instead represent key points and the basis of the discussion.*

### **CALL TO ORDER**

The meeting was called to order at 3:00 pm by Commissioner Martin Kaplan who was Acting Chair in the absence of Chair Jerry Finrow and Vice-Chair Tony To.

### **COMMISSION BUSINESS**

- **Approve July 27 and August 24, 2006 Minutes**

**ACTION:** Commissioner Kay Knapton moved that approval of the minutes be deferred until the next Commission meeting. Commissioner M. Michelle Mattox seconded the motion. The motion passed unanimously.

- **Chairs Report**

- **Announcements & Upcoming Meetings**

Commissioner Kaplan reviewed the upcoming meetings and events. He noted some important dates in regard to the Commission's 520 DEIS review. Commissioner Kaplan added that the Planning Commission's comments are due to staff by Thursday, September 21<sup>st</sup>. He asked that the Commissioners complete their reviews. Commissioner Kaplan stated that the comments on the DEIS are due to WSDOT on Monday, October 2<sup>nd</sup>. He added that the Council Committee of the Whole will meet at 2:30 pm on October 2<sup>nd</sup> on the 520 replacement project and that Councilmember Richard Conlin has requested that the Planning Commission attend the meeting to offer the results of our review.

Director Barbara Wilson thanked Scott Dvorak for his work for the Planning Commission and congratulated him on his new position within DPD.

Director Wilson noted that every year we have a new get engaged member on the Commission. She noted that this is Commissioner Carl See's next to last meeting. Ms. Wilson stated that the new get engaged member, Amalia Leighton, will be at the next meeting.

She also noted that the Planning Commission intern, Justin McCaffree completed his summer internship. She thanked him for his hard work on researching industrial lands information, the nightlife ordinance and condo conversion.

Ms. Wilson reported on the interview process for the Planning Analyst position. She noted that she is hoping to have someone soon

Director Wilson updated the Commission on the Ethics Legislation. She stated that last week the Ethics Commission was asked to look at the Ethics Legislation that was forwarded by Councilmember Sally Clark. She added that the Ethics Commission came out in favor of the legislation and recommended to the Committee that they approve it. Ms. Wilson noted that the Committee forwarded on the legislation as written and this will go to a vote by City Council on Monday. She stressed that anything could happen on Monday but is hopeful that a balanced and workable solution would prevail. Commissioner Steve Sheehy added that after this is wrapped up we will schedule some time for Commissioner training on this legislation. Commissioner Kaplan thanked Commissioner Sheehy and Director Wilson for their hard work on the Ethics legislation.

Intern Justin McCaffree thanked the Commission for the internship opportunity. He gave a brief report on the work that he completed during his summer internship.

#### ▪ ACTION ITEMS

#### SPC Recommendation on Proposed Adult Cabaret Legislation

**NOTES FOR THE RECORD: Commissioner Kaplan asked if there were any Commissioners who wished to disclose any conflict of interest. There was none noted. He asked that anyone who felt the need to recuse themselves from debate on the recommendation do so now. No members of the Commission present recused themselves from the discussion on the action and vote.**

Scott Dvorak and Barbara Wilson gave a report on the draft letter and report. Mr. Dvorak noted that there have been some changes which have been noted on the copy that the Commissioners have.

Commissioner Tom Eanes noted that the letter and report is what we voted to be done in the last meeting. Mr. Dvorak noted that there were questions concerning the issue of policing and enforcement that staff particularly worked to clarify. He noted changes in this draft help to clarify that the Commission review was focused of land use analysis.

**ACTION: Commissioner Steve Sheehy moved to approve the draft letter and report as a final. Commissioner Tom Eanes seconded the motion. A call for public comment was made. There was none. The motion passed unanimously.**

***Attachment #1: In response to Councilmember Steinbrueck's request, Planning Commission September 14<sup>th</sup> letter and report detailing the SPC review of proposed legislation (C.B. 115522) to amend the Seattle Municipal Land Use Code to regulate adult cabarets.***

### Alaskan Way Viaduct - SPC Update and Discussion

Commissioner Kaplan stated that a number of Commissioners felt compelled to continue the discussion on the Viaduct. He noted that he along with Commissioners Valerie Kinast, Chris Fiori, and Director Wilson got together and came up with some bullet points with the idea of writing one more letter to the Council regarding the Viaduct.

Commissioner Kaplan opened the issue up for discussion.

Commissioner Fiori noted that the draft letter is intended for discussion and focuses mostly on the Council's upcoming decision regarding the possible public advisory ballot. He noted that the working group did not intend to have a letter but their intention was to get together, hash out some areas where there might be some agreement and get two or three bullet points. He added that during their discussion it seemed that it might just be easier to respond with a drafted letter as some of the way that we say things is as important as what we are saying. Commissioner Fiori noted that they started from the assumption that this issue of the advisory vote is too big and too important for the Planning Commission to pass up without saying something.

Commissioner Kaplan stated that, because of the complexity of the issue, they are once again encouraging the SPC to recommend that the City Council make a recommendation to the State rather than to put the issue of for a public vote. He added that they tried to craft something along those lines.

Commissioner Kay Knapton noted that she thought the draft letter was very well thought out and that it had some very good suggestions.

Commissioner Eanes stated that the idea that there might be some creative way to make it work sounds good but he is not sure what that means. He added that he has a problem believing that the public will ever have the benefit of unfiltered project information however he does not support the Commission sending a letter stating that we oppose a public vote on a decision involving billions of dollars.

Commissioner Sheehy noted that the letter sounds like the SPC is hedging on our longtime support for the tunnel option. He stated that he believes if the SPC changes its support for the preferred option

then that should warrant a much longer discussion and perhaps the benefit of reviewing all of the new information that has been released since the SPC last reviewed the project details. On the issue of the public advisory vote he stated that the most important thing is that City Council is going to ask the public. He agrees that this matter should be decided by the City Council. He worries that, because of the crafting of the question, the City could be boxed in down the road. He added that he could support this letter if it was focused on the point that the City should box itself in or lose its negotiating ability as a result of a public vote. Again, he continued, it would all come down to what the question is before the voters.

Commissioner Kaplan stated that it is his understanding that most of the Commission is in support of the tunnel but that he is aware that there are some Commissioners who are in support of taking a closer look at other options such as surface option. Commissioner Kaplan noted that it might be easier to say that we are just totally against the rebuild.

Commissioner Linda Amato stated that she likes what Commissioner Kaplan is saying and agrees with that.

**DEFERED ACTION & DISCUSSION: Commissioner Kaplan stated that we will continue this discussion later in the meeting after briefings.**

## **COMMISSION DISCUSSION**

### **▪ Briefing – Review of 2006 Comp Plan Amendments – Tom Hauger, Department of Planning & Development**

Chair Kaplan welcomed Tom Hauger and invited him to update the Commission on the City's review the 2006 proposed Comp Plan Amendments. He passed out a briefing paper that listed the Mayor's recommended amendments. The briefing paper also included issues raised by Council UDP committee.

#### **- South Lake Union**

Mr. Hauger reported that with regard to South Lake Union the proposed changes are to replace existing South Lake Union neighborhood plan with a new set of goals and policies and the amend the future land use map to redesignate the industrial rectangle in the middle of the areas as "Commercial/mixed use." Mr. Hauger noted that there were a few issues raised by City Council. They received a letter from WSDOT about the proximity of certain uses and excessive heights to Kenmore Air operations which has raised some questions. He also indicated that the committee expressed its desire to ensure that upzones (such as IC to SM) be accompanied by requirement for developer to provide affordable housing. Mr. Hauger noted that the City Council voted to add triangle bounded by Aurora Avenue, Denny Way and Broad Street to Uptown Urban Center.

#### **- Annexation**

Mr. Hauger reported that in regards to the annexation the proposed amendment was to designate all of the North Highline area as a Planned Annexation Area. He noted that City Council raised the need for an agreement with King County about South Park Bridge before adopting PAA. They also expressed the need to have a better understanding of the potential costs to City of providing services to annexed

area. Commissioner Hilda Blanco asked if there was a plan update. Mr. Hauger replied that there was not at this time but that they would look at King County's most recent plan was.

**- Central Waterfront**

Mr. Hauger stated that the proposed amendments would facilitate replacement of the Alaskan Way Viaduct and amend policies to permit future commercial development, along with ferry terminal upgrade on Colman Dock. He noted that the issues raised by City Council were; concerns about naming the tunnel as the replacement for the Viaduct; the fact that the proposed amendment is not drawn tightly enough as to height or use; better defining what public purpose is served by the proposed exception; and that the ferry system has not done enough to reduce future vehicle use of ferries and the view corridors and "stepping down" of height from downtown to the water.

Commissioner Kaplan asked what the Council expected the ferry system to do with reducing future vehicle use. Mr. Hauger answered that there are ferry systems in this country where when you get off of the ferry there is a shuttle service so more people could come on ferries as walk on.

**- Industrial Land**

Mr. Hauger stated that the proposed amendment is to redesignate a portion of the Industrial land in the eastern portion of the International District (the Goodwill site) to mixed-use/commercial.

**- Station Area Planning**

Mr. Hauger noted that the UDP committee approved two of the recommended amendments; 1) To replace the Roosevelt neighborhood plan with new goals and policies that reflect the identification of a light rail station; and 2) to remove the reference to the proposed First Hill light rail station in the Neighborhood Planning section of the Plan.

**- Open Space**

Mr. Hauger stated that the City Council approved the amending of existing policy LU 36 regarding open space to say: "Outside urban centers, use requirements for onsite open space or required yards to help ensure that new development maintains existing patterns of landscaped front yards, to encourage permeable surfaces and vegetation, and to mitigate the cumulative effects of development.

Mr. Hauger reported that there were potential new amendments raised by the Councilmembers. Councilmembers Conlin, Licata, Rasmussen proposed a new policy stating that legislative rezones or Land Use Code amendments will be considered only if they are accompanied by incentives for development of low- or moderate-income housing. The second one, proposed by Councilmember Steinbrueck, is to revise LU Goal 47 to say "Relocate or demolish transportation facilities that are functionally or aesthetically disruptive to the shoreline, such as the aerial portion of the Alaskan Way Viaduct on the Central Waterfront, or rebuild those facilities so that they do not negatively affect the shoreline." The second part of this was to revise a second policy to prohibit aerial transportation facilities on the central waterfront. Mr. Hauger noted that there was no vote on these and that they are suggestions will continue to be discussed. He added that the last suggestion that came from Council President Licata was to address pedestrian safety when a large amount of growth occurs in a concentrated area near a major arterial.

Mr. Hauger stated that the schedule is that they will go back to the Council UDP Committee in two weeks on September 27 and then there will be a second hearing on November 28. He added that on December 1 the UDP Committee will have the final vote on the amendments and then on December

11 the Full Council will vote. Ms. Wilson clarified that the ones marked with asterisks were approved by the Committee and not the Council and that it will be forwarded as an entire package to the full Council.

Commissioner Blomberg asked a question about open space and if it is similar to what the Commission has been discussing lately. Commissioner Eanes stated that there have been a number of initiatives to provide more flexibility in open space requirements in a number of the zones and this sounds like it is in line with that. Mr. Hauger added that this language is intended to make that work.

Ms. Wilson whether other amendment concerning industrial lands have been dropped for the year. Mr. Hauger replied that they were withdrawn by the proponents.

#### ▪ **SPC Discussion of 2006 Comp Plan Amendments**

Ms. Wilson noted that this is a significant issue for the Commission and is in SPC mission statement the Comp Plan is the framework document for the Commission. She added that the Commission traditionally will provide comment and review two times during the amendment process, on the threshold recommendations and then again on the comp plan amendments that will be moved forward. This review usually is focused on the merits of the proposal and includes a review of the staff analysis in the Director's report and other documents. Acting Chair Kaplan opened the floor for discussion and questions.

Commissioner Eanes commented about the last item concerning pedestrian safety. He noted he would like to see that flushed out and addressed in a more comprehensive or enforceable way. He added that the city already has policies about pedestrian safety that do not seem to get much more than lip service.

Rebecca Herzfeld, from Council Central Staff, responded that the context of this is a little different. She noted that Councilmember Licata is looking at actions the city can take to improve pedestrian safety in right of way.

Commissioner Kaplan asked if Councilmember Steinbrueck had any particular idea in mind when he talked about tighter language regarding Colman Dock. Mr. Hauger replied that it seemed like he just wanted to get clear about what their final proposal was and be as specific as they could.

Commissioner Kaplan questioned what they would expect by the 27<sup>th</sup>. Mr. Hauger replied that he was unsure but they might settle on a height or start talking about which view corridors we need to pay attention to or even to specify a use. Ms. Herzfeld added that she did not think Councilmember Steinbrueck had a specific height in mind but that the way it is written does not give much guidance to developers.

Commissioner Eanes added that if you write something that is vague then it is not workable. Mr. Hauger replied that the language may be revised or some parameters put in.

Commissioner Blomberg asked what it means "at or adjacent to Colman Dock". Mr. Hauger noted that adjacent does not mean abutting but means nearby.

Commissioner Knapton stated that when she heard the statistic that 30% of passengers come on the ferries by using their own vehicles, she was impressed. She added that the only way she sees that being reduced is to do passenger only routes. Commissioner Knapton wondered how much influence the

City has on those kinds of decision. Mr. Hauger replied that the City issue the permit for this project so there is some influence there. He added that some 3 million car trips per year come in by ferry to the city or use the ferries and they are looking at more than doubling that in the next 20 years which is significant. Commissioner Eanes asked if they are planning on doubling the amount of ferries. Mr. Hauger stated that they did not talk about how many boats but it looks like they are increasing the number of slips on Colman Dock.

Commissioner Fiori asked what protected views are listed in the Comp Plan and how that does affects the possible viaduct replacement. Mr. Hauger answered that in the downtown neighborhood plan, which is part of the Comp Plan, there are several east – west streets that are designated view corridors. He added that at least a couple of those look down at the Colman Dock and in regards to the Viaduct it currently blocks some of those corridors.

▪ **Planning Director Report – John Rahaim, Department of Planning and Development, City Planning**

Acting Chair Kaplan welcomed John Rahaim and invited him to give the Commission his report. Mr. Rahaim stated that he would talk about three things; the scope of the Industrial Lands Strategy, the status of the NBDS commercial code legislation and South Downtown.

Mr. Rahaim stated that, in regards to the Industrial Lands Strategy, they are trying to get some internal buy off on the scope. He added that there are three major components; the research phase, an analysis phase and a recommendation phase. Mr. Rahaim stated that the idea is to look at employment trends, look at the issues of use of industrial land and then spend some time talking to property owners and industrial business owners. He asked Mr. Hauger to join him since Mr. Hauger is the key staff person managing this effort in the planning division.

Mr. Hauger stated that the two purposes that they have identified for the strategy are; to make sure that we are going to have enough land in the foreseeable future to accommodate the industrial uses that are expected to be here, and to identify some criteria for excess industrial land. He added that part of the outreach to industrial users would include some survey work to get more information about size of the firm, size of the operation, why they are there, who their suppliers are, who their clients are, and how much that influences their decision to be where they are located. Mr. Hauger stated it would be helpful to have some focus groups as well. He noted that they are trying to get all this done by late next summer.

**Note for the Record: DISCLOSURE. Commissioner Blomberg disclosed for the record that he is employed by the Seattle Port who is a public agency and an owner and operator of industrial zoned land in Seattle.**

Commissioner Blomberg asked how they will gather information about potential uses. Mr. Hauger stated that the information they will be getting will be forecasts of employment by sector so that will give them some indication as to which sectors are expected to grow or decline.

Mr. Rahaim stated that he would like to look at models for urban sustainable industrial development. He added that other cities they use their industrial land more intensely than we do and it would be healthy to look at as we are going to have use the land more efficiently. Commissioner Blomberg stated

that is a noble goal. He added that, when he has seen evaluations similar to this, ownership patterns become very interesting. Commissioner Blomberg noted that one thing that he has always been interested in is land ownership. He added that he wondered about the issue of transportation. Mr. Hauger replied that is one of the things they hope will come out of the focus groups.

Commissioner Kinast stated that she felt it would be interesting to know how they value the proximity to the City.

Commissioner Blanco stated that one issue that would be interesting is the interdependencies of industrial industries to their suppliers. Mr. Hauger stated that they would be asking about their suppliers.

Ms. Wilson asked about the timing of the phases. Mr. Hauger replied that they would be happening all at once.

Commissioner Kaplan asked if they are using the focus group from about 6-8 months ago for the foundation. Mr. Hauger replied that one and there is some other research that has been done.

Mr. Rahaim stated that before it goes to the next level they would like to have a more in depth discussion with the Commission.

Mr. Rahaim noted that, in regards to the NBDS Commercial code, Council Committee voted to go ahead with the last and final recommendation. He added that, in virtually every scenario, Council has basically agreed with all of their recommendations. Mr. Rahaim mentioned that last time around they approved the parking regulations which would reduce the parking requirement.

Mr. Rahaim stated that the one change was the onsite open space and landscape requirements. He added that turned into the "Seattle Green Factor" and they are pretty pleased with that. He noted that they went ahead with the recommendation about how to deal with the temporary time frame between when the code is adopted and before they do the mapping. He added that the legislation of the whole package is going to be introduced on the 25<sup>th</sup>, the committee will take a formal vote on the 27<sup>th</sup>, then a 6 week period for public comment and then a public hearing scheduled for the 28<sup>th</sup> of November. Mr. Rahaim stated that their schedule calls for a vote on either the 4<sup>th</sup> or 11<sup>th</sup> of December.

Ms. Wilson noted that the Planning Commission should plan get comments regarding the changes to the UDP Committee by November 17<sup>th</sup>.

Commissioner Eanes asked about the outcome on the two alternatives of FAR. Mr. Rahaim stated that they voted on the full FAR. Commissioner Eanes stated he felt that was the better way to go.

Commissioner Eanes shared his concerns about the "Seattle Green Factor" and asked if that was approved in the same way that it was briefed to the Commission a couple of months ago. Mr. Rahaim replied that it had been refined a couple of times and the numbers have been tweaked.

Commissioner Eanes stated that his concern was that they way it was defined that it pushed developers towards either a green roof or street trees. He added that you can't always do those large canopy street trees and you don't always want to do a green roof. Mr. Rahaim stated that they have been working on that and the best thing would be to have Steve Moddemeyer to come and brief us on this and go over it in detail.



Mr. Rahaim reported that, in regards to South Downtown, they presented some preliminary recommendations about where to consider additional densities and heights and where they should look at other changes to the code. He added that the basics are to take the core areas of Pioneer Square and the ID and don't do a lot of changes there but take the donuts around those areas and to encourage more development in those areas. Mr. Rahaim stated that they have scoped out an EIS and would like to get going on that EIS but this is where the funding from private property owners are coming into play. He added that what this funding would be for would be to test the proposals.

Mr. Rahaim stated that they are in phase one of an urban design study and phase one of an economics analysis. He added that they would like to take both of those studies to the next level and the goal is to get all of this done by the 2<sup>nd</sup> quarter of next year.

Mr. Rahaim noted that Gary Johnson is working on two major pieces; the north lot development and the development of the little Saigon area. He added that the Little Saigon community has come out pretty strongly against this.

### **Alaskan Way Viaduct - SPC Update and Discussion (continued from earlier)**

Commissioner Eanes noted that he has had second thoughts about the tunnel because it is likely that the decision may get delayed and tied up for such a long time and at the same time the current structure could have a catastrophic failure. He noted that for this reason there are more people from the architecture and design community who suggest the retrofit.

Commissioner Sheehy questioned whether or not the Commission wants to send a letter that says anything about its position on the preferred alternative. He stated that, first of all, we should determine if we want to send the letter and if we do then we should go from there.

Commissioner Blomberg asked what point this letter is making. Commissioner Kinast answered that, given that fact that it looks like it is going to go up for a vote, to try and give some direction. She added that the ballot question needs to be as open as possible so that, when they get the answer, they have a possibility to still make a decision and to be able to negotiate the best deal for Seattle as details continue to change.

Commissioner Fiori noted that chances are the vote will lie somewhere between 45-55 and 50-50. He noted his concern that a public vote would be ceding power from elected officials over to the people and that is way it is cast. He added that if they can figure out a way to get input from people but still retain decision making power then the City will allow itself to retain the ultimate power to make a recommendation. He noted that he already anticipates the split vote. He stated the intent of the Commission letter was to say that if Council wants to allow input via a public advisory question and relieve the political pressure they need to tread carefully if they expect to retain flexibility for the elected officials to be able to respond to new proposals from the state, such as a bypass tunnel that might cost less but still meet the goal of [providing capacity.

Commissioner Kaplan stated that he feels that Council should make the decision as they have gotten all the information and the public has not. He added that he is not confident that the advisory vote would be overturned by the Council.

Commissioner Kinast noted that she does not feel we should recommend that they retain authority but instead we should state that they have it and it is ultimately their decision on what to recommend to the state. .

Commissioner Blomberg stated that a letter like this adds value. He added that the notion that this opportunity for elected officials to shape and mold this as it evolves shouldn't be lost. Commissioner Blomberg stated that it might be beneficial for us to provide the notion that this vote has a significant amount of foreclosure in it.

Commissioner Eanes noted that he wanted to come back to Commissioner Sheehy's question about whether we want to send the letter at all. He asked do we think this is going to effect Council's decision or are we just going on record to be on record. Commissioner Kinast answered that it is both.

Commissioner Kaplan wonders if there is something wrong with reminding the Council of our position to support the tunnel option as the best option from a design and planning perspective.

Commissioner Blanco stated that we have to be very careful about endorsing a letter that states the public should not be involved.

Ms. Wilson noted that what she interpreted the working committee as saying is that an advisory ballot is another form of public involvement and not necessarily the final word and the Council should clearly set up expectation for the voters in that regard. Ms. Wilson stated that, from a good process perspective the Planning Commission has always weighed in on public involvement process, it always has to be made clear from those you are seeking advice from what that advice means. She added that the Commissioner who worked on the draft letter seem to be trying to convey that the end point goal is for the City officials to retain flexibility on the decision as details change so that the City of Seattle can get the best deal possible..

Commissioner Kaplan stated that the value that he sees in the letter is that we are suggesting some ways to think about what that measure should say when it goes on the ballot.

Commissioner Fiori stated that there are too many moving parts for there to be a fair up and down vote between two distinct alternatives. He noted that we are not sure funding might be and what the costs will be as they move around so how we can ask people to decide things that are constantly moving.

Commissioner Kaplan shared his concern that there were three public forums about these alternatives and there were maybe three hundred folks that showed up. He noted that absence that kind of interest and conversation going on what are people going to be voting on.

Commissioner Sheehy stated that the reason this is going to a vote is due to the City's inability to have an apparent strategy last year and the State being frustrated with the City of Seattle. He added that it is kind of naïve that an advisory ballot decision is not going to dictate what the option becomes. Commissioner Sheehy restated his statement that the "question" that is asked of the voters is the vital issue.

Commissioner Blomberg asked what the Commission could add to the greater debate at this point. Commissioner Kaplan stated that he sees this letter as encouraging them to make the decision but if

they are going to send it to a vote then framing the question and the last point stating that there is no way the Seattle Planning Commission could ever support an elevated option.

Commissioner Sheehy noted that the Council has an option and they are going to decide next week which option to move forward on. He added that we think they should make the decision but if they choose the other option we think that it is important to frame the question carefully as to not box in the City and to get the best deal for the City of Seattle.

Commissioner Kaplan asked if there is any objection to sending this letter. Commissioner Eanes stated his objection to sending it. He added that lecturing the Council could backfire on the Commission.

Commissioner Kaplan wonders what the problem would be if the Commission came out and stated that they unanimously support the Council making the decision.

Commissioner Sheehy stated then that if that is the statement then that should be all it says.

Ms. Wilson asked if the group that worked on this is going to have the time to revise this letter.

Commissioner Sheehy stated that there should be a motion whether or not to send this letter.

Commissioner Kaplan called for a motion.

**MOTION: Commissioner Kinast moved to send the letter. Commissioner Knapton seconded and asked if the letter could be amended to emphasize the importance to retaining Council flexibility to negotiate in the future. Commissioner Kinast accepted Commissioner Knapton's friendly amendment to the motion**

Acting Chair Kaplan suggested voting on a motion to send the letter as amended by Commissioner Knapton which would involve reworking the letter to better emphasize the importance of Council retaining its flexibility to negotiate in the future. He asked if there was any further discussion on the motion.

Commissioner Amato asked if the letter could be rewritten and voted on via email tomorrow.

Commissioner Sheehy stated that one could argue that by sending this to the voters and getting a result maximizes the City's position with negotiating with the Legislature.

Commissioner Kaplan shared his fear that it would be the other way and the tunnel going down in flames.

Ms. Wilson stated that the Commission would be better off not trying to make a decision about this matter based on guessing how a vote might turn out. The decision should focus on what is in the best interest of the Commissions goal to ensure good public process and to ensure what is in the best interest of ensuring that the City of Seattle gets the best results.

Commissioner Sheehy stated that he has been trying to be supportive but he does not feel that we should the letter.

Commissioner Fiori asked to make an amendment that we draft a new version, tone it down and then vote on it via email.

Commissioner Sheehy suggested that there be a simple motion to send a letter and if that passes then another motion to authorize a small committee to draft a letter to be reviewed and approved via email.

**Commissioner Kinast withdraws her motion as stated above and seconded by Commission Knapton.**

**MOTION: Commissioner Sheehy moved to send a letter to Council with regard to the Alaskan Way Viaduct project. Commissioner Knapton seconded the motion. Motion does not pass by a margin of 6 to 4**

**ACTION: Commissioner Fiori moved to authorize the small committee to draft a new letter to be sent out for review and approval via email. Commissioner Amato seconded the motion. The motion passed by a margin of 6 - 4**

### **PUBLIC COMMENT**

There was no public comment.

### **ADJOURNMENT**

Commissioner Martin Kaplan adjourned the meeting at 5:45 pm.