

Ordinance No. 123630

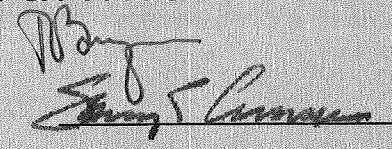
Council Bill No. 117195

AN ORDINANCE relating to the legal representation of Councilmember Richard Conlin in judicial proceedings concerning a recall charge.

Related Legislation File: _____

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|---|--|
| Date Introduced and Referred: <u>6-6-11</u> | To: (committee): <u>Full Council</u> |
| Date Re-referred: | To: (committee): |
| Date Re-referred: | To: (committee): |
| Date of Final Action: <u>6-13-11</u> | Date Presented to Mayor: <u>6-13-11</u> |
| Date Signed by Mayor: <u>6/17/11</u> | Date Returned to City Clerk: <u>6/20/11</u> |
| Published by Title Only <input checked="" type="checkbox"/> | Date Vetoed by Mayor: |
| Published in Full Text _____ | |
| Date Veto Published: | Date Passed Over Veto: |
| Date Veto Sustained: | Date Returned Without Signature: |

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: 

Committee Action:

| Date | Recommendation | Vote |
|------|----------------|------|
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This file is complete and ready for presentation to Full Council. _____

Full Council Action:

| Date | Decision | Vote |
|----------------|---|---|
| <u>6-13-11</u> | <u>Passed</u> <u>as amended</u> <u>© LU</u> | <u>7-0-1</u> <u>Unvoted: MO</u> <u>Disqualified: RC</u> |
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ORDINANCE 123030

AN ORDINANCE relating to the legal representation of Councilmember Richard Conlin in judicial proceedings concerning a recall charge.

WHEREAS, on May 31, 2011, a recall charge was filed with King County Elections against Councilmember Richard Conlin; and

WHEREAS, the recall charge was subsequently rejected by the King County Prosecutor because of a likely typographical error on June 6, 2011; and

WHEREAS, it is expected a similar recall charge will be filed again; and

WHEREAS, Councilmember Conlin has requested that the City of Seattle pay the necessary expenses of defending him in legal proceedings to determine the sufficiency of such charges; and

WHEREAS, the City Council deems it appropriate that the necessary expenses of defending Councilmember Conlin in judicial proceedings to determine the sufficiency of a recall charge shall be paid by the City of Seattle including costs associated with an appeal of the decision rendered by the superior court concerning the sufficiency of the recall charge;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

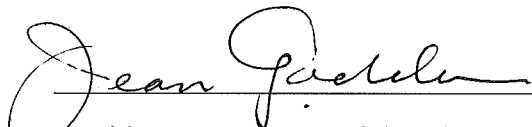
Section 1. Pursuant to RCW 4.96.041, the necessary expenses of defending Councilmember Richard Conlin in any and all judicial hearings to determine the sufficiency of a recall charge, similar to a recall charge filed with and subsequently rejected by the King County Prosecutor on June 6, 2011, shall be paid by the City of Seattle including all costs associated with an appeal of the decision rendered by the Superior Court concerning the sufficiency of the recall charge.

Section 2. The representation of Councilmember Conlin shall be supervised by the Seattle City Attorney.


Section 3. Ratify and confirm. Any act taken by the City pursuant to the authority of this ordinance but prior to the effective date of the ordinance is ratified and confirmed.

1 Section 4. This ordinance shall take effect and be in force 30 days after its approval by
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

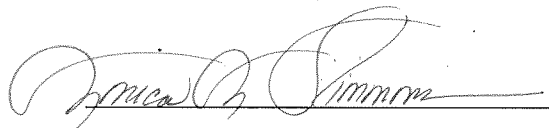
4 Passed by the City Council the 13th day of June, 2011, and
5 signed by me in open session in authentication of its passage this
6 13th day of June, 2011.

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8 
9 President pro tem of the City Council

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11 Approved by me this 17th day of June, 2011.
12 ~~June 13~~

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14 Michael McGinn, Mayor

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16 Filed by me this 20th day of June, 2011.

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19 Monica Martinez Simmons, City Clerk

20 (Seal)

FISCAL NOTE FOR NON-CAPITAL PROJECTS

| Department: | Contact Person/Phone: | CBO Analyst/Phone: |
|--------------------|------------------------------|---------------------------|
| LEGISLATIVE | Ben Noble / 684-8160 | N/A |

Legislation Title:

AN ORDINANCE relating to the legal representation of Councilmember Richard Conlin in judicial proceedings concerning a recall charge.

Summary of the Legislation:

On May 31, 2011, a recall charge was filed with King County Elections against Councilmember Richard Conlin. Councilmember Conlin has requested that the City of Seattle pay the necessary expenses of defending him in legal proceedings to determine the sufficiency of such charges.

X This legislation does not have any financial implications.

Existing resources within the 2011 adopted budget are sufficient to address these costs.



ORDINANCE _____

AN ORDINANCE relating to the legal representation of Councilmember Richard Conlin in judicial proceedings concerning a recall charge.

WHEREAS, on May 31, 2011, a recall charge was filed with King County Elections against Councilmember Richard Conlin; and

WHEREAS, Councilmember Conlin has requested that the City of Seattle pay the necessary expenses of defending him in legal proceedings to determine the sufficiency of such charges; and

WHEREAS, the City Council deems it appropriate that the necessary expenses of defending Councilmember Conlin in judicial proceedings to determine the sufficiency of a recall charge shall be paid by the City of Seattle including costs associated with an appeal of the decision rendered by the superior court concerning the sufficiency of the recall charge;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Pursuant to RCW 4.96.041, the necessary expenses of defending Councilmember Richard Conlin in any and all judicial hearings to determine the sufficiency of the recall charge, filed with the King County Prosecutor on May 31, 2011, shall be paid by the City of Seattle including all costs associated with an appeal of the decision rendered by the superior court concerning the sufficiency of the recall charge.

Section 2. The representation of Councilmember Conlin shall be supervised by the Seattle City Attorney.

Section 3. Ratify and confirm. Any act taken by the City pursuant to the authority of this ordinance but prior to the effective date of the ordinance is ratified and confirmed.

Section 4. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

THIS VERSION IS NOT ADOPTED



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Passed by the City Council the ____ day of _____, 2011, and
signed by me in open session in authentication of its passage this
____ day of _____, 2011.

President _____ of the City Council

Approved by me this ____ day of _____, 2011.

Michael McGinn, Mayor

Filed by me this ____ day of _____, 2011.

Monica Martinez Simmons, City Clerk

(Seal)

THIS VERSION IS NOT ADOPTED



STATE OF WASHINGTON – KING COUNTY

--SS.

273079
CITY OF SEATTLE, CLERKS OFFICE

No.

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:123621-123631 TITLE

was published on

06/28/11

The amount of the fee charged for the foregoing publication is the sum of \$ 143.33, which amount has been paid in full.



Affidavit of Publication

A handwritten signature in blue ink, appearing to be "M. J. ...".

Subscribed and sworn to before me on

06/28/11

A handwritten signature in blue ink, appearing to be "Jennifer Patzer".

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

The full text of the following legislation, passed by the City Council on June 13, 2011, and published below by title only, will be mailed upon request, or can be accessed at <http://clerk.seattle.gov>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>. Contact: Office of the City Clerk at (206) 684-8344.

ORDINANCE NO. 123621

AN ORDINANCE affecting the date on which permit applications are required to comply with the 2009 Seattle Mechanical, Fuel Gas, Existing Building, Residential and Building codes; amending Ordinance 123379, Ordinance 123380, Ordinance 123381, Ordinance 123383, and Ordinance

123384; and ratifying and confirming certain prior acts.

ORDINANCE NO. 123622

AN ORDINANCE establishing an Audit Committee to give guidance to, and be a resource for, the City Auditor; stating the committee's purpose and duties, and establishing its membership; enacting new Sections 3.40.100, 3.40.110, and 3.40.120 of the Seattle Municipal Code; and providing that the Audit Committee shall terminate automatically unless provided otherwise by ordinance.

ORDINANCE NO. 123623

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

ORDINANCE NO. 123624

AN ORDINANCE relating to historic preservation, imposing controls upon the Dakota Place Park (formerly California Avenue Substation), a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

ORDINANCE NO. 123625

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

ORDINANCE NO. 123626

AN ORDINANCE relating to City employment, adopting a 2011 Citywide Position List.

ORDINANCE NO. 123627

AN ORDINANCE relating to the solid waste system of Seattle Public Utilities; expressly exempting residential customers from the prohibition on hauling city waste; establishing a civil infraction for the unauthorized hauling of city waste; and amending Seattle Municipal Code Sections 21.36.030 and 21.36.922 accordingly.

ORDINANCE NO. 123628

AN ORDINANCE relating to Seattle Public Utilities; declaring as surplus certain property rights in Seattle Public Utilities property in the 10300 block of 47th Avenue Southwest in Seattle, Washington; and authorizing the Director of Seattle Public Utilities to execute and convey an easement for such surplus property rights to Gary G. St. Arnaud and Ginger L. Marshall.

ORDINANCE NO. 123629

AN ORDINANCE relating to community tree planting and education programs; removing budget provisos that restrict the expenditure of appropriations in the 2011 Budget for activities that engage the community in the planting and care of trees in Seattle to improve the city's urban forest and creating a new full time employee position in the Seattle Public Utilities Department.

ORDINANCE NO. 123630

AN ORDINANCE relating to the legal representation of Councilmember Richard Conlin in judicial proceedings concerning a recall charge.

ORDINANCE NO. 123631

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

Publication ordered by the City Clerk
Date of publication in the Seattle Daily
Journal of Commerce, June 28, 2011.

6/28(273079)