

RESOLUTION No. 30514

A RESOLUTION submitting a proposition to the qualified electors of the City, at the general election to be held on November 5, 2002, to amend Article IV, Subsection 13A, of the Charter of the City of Seattle to modify the requirements concerning publication of certain adopted ordinances to be consistent with state law; calling on the City Clerk to certify the proposed amendment to the Director of the Department of Records and Elections of King County and directing such Director to submit the proposition to City voters; and providing for the publication of such proposed amendment.

Introduced: SEP - 3 2002	By: STEINBRUECK
Referred: SEP - 3 2002	To: INTRODUCTION & ADOPTION
Referred:	To:
Reported: 9/3/02	
Passed: 9/3/02	Signed: 9/3/02
Filed: 9/3/02	Published: Full App.

Full Council Vote 6-0

086171

JHT/md
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8/28/02
V #9

RESOLUTION 30514

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A RESOLUTION submitting a proposition to the qualified electors of the City, at the general election to be held on November 5, 2002, to amend Article IV, Subsection 13A, of the Charter of the City of Seattle to modify the requirements concerning publication of certain adopted ordinances to be consistent with state law; calling on the City Clerk to certify the proposed amendment to the Director of the Department of Records and Elections of King County and directing such Director to submit the proposition to City voters; and providing for the publication of such proposed amendment.

WHEREAS, the City Charter provides that each ordinance of a general, public, or permanent nature, and those imposing a fine, penalty or forfeiture shall be published in its entirety at least once in the City's official newspaper within three days after it becomes law; and

WHEREAS, current Washington state law (RCW 35.22.288) requires municipalities to publish once in the City's official newspaper the full text or a summary of each ordinance enacted by the City, and requires that if a summary is published, the publication shall include a statement that the full text of the ordinance will be mailed upon request; and

WHEREAS, publishing the full text of ordinances is very costly, and of limited value given that ordinances generally are available electronically from home computers and for free at terminals in public libraries; and

WHEREAS, the language pertaining to the publication of ordinances in the Seattle City Charter and Washington state law is inconsistent; and

WHEREAS, modifying the City Charter to comport with state law would create uniformity between these two bodies of law, would foster greater legal clarity, and would result in a reduction in publishing costs to the City of Seattle; and

WHEREAS, while Washington state law regarding the publication of ordinances may change from time to time, the City will comply with the state law in effect at any given time;

NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE AS FOLLOWS:

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JHT/md
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8/28/02
V #9

1 The Seattle City Council has adopted Resolution ---- concerning proposed
2 amendments to Seattle City Charter Article IV, Subsection 13A. This measure would
3 change the requirements for publishing notice of certain City ordinances. Notice of new
4 ordinances would have to be published according to state law. State law presently calls for
5 publication of the full text, or publication of a summary and mailing of the text upon
6 request. The Charter currently requires full publication in the official newspaper of certain
7 types of ordinances. The requirement of publication within three days after the ordinance
8 becomes law would not change.

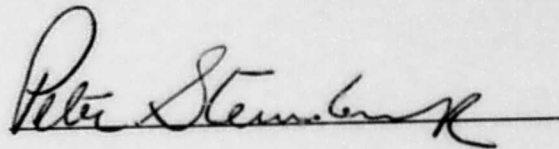
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10 Should the proposed Charter amendment be:

11 Approved _

12 Rejected _

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14 Section 3. The City Clerk shall certify to the Director of the Department of Records and
15 Elections of King County as Supervisor of Elections the charter amendment proposed herein
16 in the form of a ballot title conforming to the foregoing statement of the same, with any
17 alterations the City Attorney shall deem appropriate in carrying out his duties pursuant to
18 RCW 29.27.066, and shall certify a copy of the proposed Charter amendment, and the same
19 shall be published by the City Clerk in two daily newspapers in the city for at least (30) days
20 prior to such election as required by the City Charter, and as required by RCW 35.22.170.

21
22 Adopted by the City Council the 3rd day of September, 2002, and signed
23 by me in open session in authentication of its passage this 3rd day of September,
24 2002.



President of the City Council

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JHT/md
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8/28/02
V #9

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Filed by me this 3rd day of September, 2002

Joan E. Pappin
City Clerk

(SEAL)

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**Legislative Department
Office of City Clerk
Memorandum**

Date: August 29, 2002
To: Council President Peter Steinbrueck
From: Judith Pippin, City Clerk *J. Pippin*
Mary Denzel, Director, Central Staff
John Taylor, Central Staff
Subject: Resolutions Proposing Charter Amendments

Attached to this memo you will find four (4) Resolutions that propose amendments to the City Charter, and the related fiscal notes. These Resolutions will be presented to the Full Council at its Regular Meeting on Tuesday, September 3, 2002, for Introduction and Adoption.

The concepts addressed in, and the reasons for, these charter amendments were presented to you and to each Councilmember earlier this year. It is desired that these charter amendments be placed on the November 5, 2002 ballot. The table below shows summaries of the proposed changes:

PROPOSED CHARTER CHANGES		
Article/Section	Proposed Change	Purpose
Art IV Subsection 13A	Allow publishing of summaries of ordinances passed as allowed by state law (instead of whole text, which is expensive to publish)	Cost saving
Art XX, Sections 1 & 2	Allow publishing of Charter amendments once a week for four weeks (as allowed in state law) instead of for 30 days in two newspapers as required by the Charter.	Cost saving
Art IV Subsection 1B	Modify the Charter's timeline for the Clerk to report to Council on the sufficiency of petition signatures for initiatives. The Charter gives 20 days from date of filing of the petition. The state gives the responsibility for verifying signatures to the County. The City cannot control the time the County takes. The change is to require the Clerk to report within 20 days of receiving the report from the County on the sufficiency of the signatures.	Replacing a responsibility that the City cannot fulfill with one the City can fulfill.
Art IV Subsection 1B and Art XX Section 2	Replace language that holds the Clerk responsible for verifying the sufficiency of petition signatures with language that acknowledges this duty is assigned by state law, (and is currently assigned to the County Auditor).	Correcting outdated assignment of responsibility.

Room 104, Municipal Building, Seattle, Washington 98104-1892
(206) 684-8344 Fax: (206) 386-9025 TTY: (206) 233-0025
email: clerk@ci.seattle.wa.us

Accommodations for people with disabilities provided upon request. An equal opportunity-affirmative action employer

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In order to meet a City Charter requirement that proposed charter amendments be adopted by Council at least 60 days before the date of the election for which they would appear on the ballot, the Council must have adopted the Resolutions by Friday, September 6, 2002. Therefore, we are submitting the Resolutions to you for Introduction and Adoption at the Regular Full Council Meeting of Tuesday, September 3, 2002.

If you have any questions about the proposed charter amendments or the Resolutions regarding same, please do not hesitate to contact me at 4-8361 or Mary Denzel at 4-8158.

Attachments (8)

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(206) 684-8344 Fax: (206) 386-9025 TTY: (206) 233-0025
email: clerk@ci.seattle.wa.us

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Mary Denzel
 August 28, 2002
 Publishing Ordinances
 Version #2.

Fiscal Note

Each piece of legislation that appropriates funds, creates position authority, or will create a financial impact through a policy direction, or otherwise, requires a fiscal note. The fiscal note should be drafted by department staff and should include all relevant financial information. After preparation by departmental staff, the Department of Finance will review and make necessary revisions before transmittal to Council.

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Legislative	Mary Denzel, 684-8158	Sara Levin, 684-8651

Legislation Title:

A RESOLUTION submitting a proposition to the qualified electors of the City, at the general election to be held on November 5, 2002, to amend Article IV, Subsection 13A, of the Charter of the City of Seattle to modify the requirements concerning publication of certain adopted ordinances to be consistent with state law; calling on the City Clerk to certify the proposed amendment to the Director of the Department of Records and Elections of King County and directing such Director to submit the proposition to City voters; and providing for the publication of such proposed amendment.

Summary of the Legislation:

The current Charter requires full publication in the official newspaper of certain types of ordinances. This Charter amendment would allow notice of new ordinances to be published according to state law. State law presently calls for publication of the full text, or publication of a summary and mailing of the text upon request. The requirement of publication within three days after the ordinance becomes law would not change.

Appropriations (in \$1,000's):

Fund Name and Number	Department	Budget Control Level*	2002 Appropriation	2003 Anticipated Appropriation
TOTAL				

* This is line of business for operating budgets, and program or project for capital improvements

Notes:

Expenditures (in \$1,000's):

Fund Name and Number	Department	Budget Control Level*	2002 Expenditures	2003 Anticipated Expenditures
TOTAL				



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Mary Denzel
August 28, 2002
Publishing Ordinances
Version #2.

** This is line of business for operating budgets, and program or project for capital improvements*

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 August 28, 2002
 Publishing Ordinances
 Version #2.

Anticipated Revenue/Reimbursement (in \$1,000's):

Fund Name and Number	Department	Revenue Source	2002 Revenue	2003 Revenue
TOTAL				

Notes:

Total Permanent Positions Created Or Abrogated Through Legislation, Including FTE Impact; Estimated FTE Impact for Temporary Positions:

Fund Name and Number	Department	Position Title*	2002 FTE	2003 FTE
TOTAL				

* List each position separately

Do positions sunset in the future? (If yes, identify sunset date):

Background (Include brief description which states the purpose and context of legislation and include record of previous legislation and funding history, if applicable):

Seattle now spends more than \$400,000 per year to publish the full text of ordinances that our Charter requires to be published. State law allows the publishing of summaries of ordinances rather than full text. This change to the Charter would save an estimated \$200,000 per year. The City Clerk's office would mail the full text of the ordinance upon request, as required by state law. The full text of all ordinances is also available electronically via the internet.

The financial cost of not implementing the legislation (Estimate the costs to the City of not implementing the legislation, including estimated costs to maintain or expand an existing facility or the cost avoidance due to replacement of an existing facility, potential conflicts with regulatory requirements, or other potential costs if the legislation is not implemented):

The City Clerk's office will continue to publish the full text of the ordinances specified in the Charter ("all ordinances of a general, public or permanent nature, and those imposing a fine, penalty or forfeiture"). The approximate cost for 2002 is expected to be \$400,000.

Possible alternatives to the legislation which could achieve the same or similar objectives (Include any potential alternatives to the proposed legislation, including using an existing facility to fulfill the uses envisioned by the proposed project, adding components to or subtracting components from the total proposed project, contracting with an outside organization to provide the services the proposed project would fill, or other alternatives):

Continue to publish full text, forego the cost savings.

Is the legislation subject to public hearing requirements (If yes, what public hearings have



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 August 28, 2002
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been held to date):

No

Other Issues (including long-term implications of the legislation):

The cost savings afforded by this legislation will be on the order of \$200,000 per year.

FOR CAPITAL PROJECTS ONLY

Background (Include brief description that states the purpose and context of legislation, the expected useful life, anticipated customers/users, assumed level of LEED or other sustainable design elements. Also include record of previous legislation and funding history, if applicable):

Project Name:	Project Location:	Start Date:	End Date:

Spending Plan and Future Appropriations for Capital Projects (Estimate cost of legislation over time; list timing of anticipated appropriation authority requests and expected spending plan. Please identify your cost estimate methodology including inflation assumptions and key assumptions related to the timing of appropriation requests and expected expenditures. In addition, include the projected costs of meeting the LEED Silver standard in all facilities and buildings with over 5,000 gross square feet of occupied space. Also, be sure to include percent for art and percent for design as appropriate):

Spending Plan and Budget	2002	2003	2004	2005	2006	2007	Total
Spending Plan							
Current Year Appropriation							
Future Appropriations							

Key Assumptions:

Funding source (Identify funding sources including revenue generated from the project and the expected level of funding from each source):

Funding Source	2002	2003	2004	2005	2006	2007	Total
TOTAL							

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Bond Financing Required (If the project or program requires financing, please list type of financing, amount, interest rate, term and annual debt service or payment amount. Please include issuance costs of 3% in listed amount):

Type	Amount	Assumed Interest Rate	Term	Timing	Expected Annual Debt Service/Payment
TOTAL					

Uses and Sources for Operation and Maintenance Costs for the Project (Estimate cost of one-time startup, operating and maintaining the project over a six year period and identify each fund source available. Estimate the annual savings of implementing the LEED Silver standard. Identify key assumptions such as staffing required, assumed utility usage and rates and other potential drivers of the facility's cost):

O&M	2002	2003	2004	2005	2006	2007	Total
Uses							
Start Up							
On-going							
Sources (itemize)							

Key Assumptions:

Periodic Major Maintenance costs for the project (Estimate capital cost of performing periodic maintenance over life of facility. Please identify major work items, frequency):

Major Maintenance Item	Frequency	Cost	Likely Funding Source
TOTAL			

Funding sources for replacement of project (Identify possible and/or recommended method of financing the project replacement costs):

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STATE OF WASHINGTON - KING COUNTY

--SS.

150035
City of Seattle, Clerk's Office

No. RESOLUTION IN FULL

Affidavit of Publication

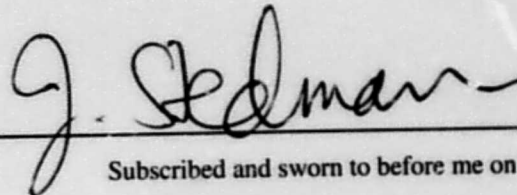
The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published 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

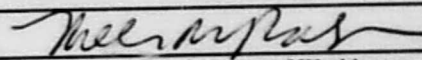
CT:RESOLUTION 30514

was published on

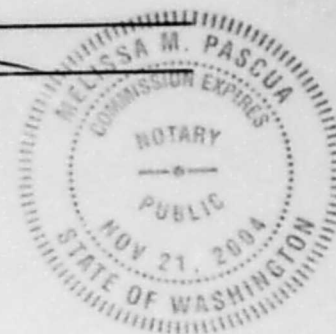
9/26/2002


Subscribed and sworn to before me on

9/26/2002


Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication



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State of Washington, King County

City of Seattle

RESOLUTION 38614

A RESOLUTION submitting a proposition to the qualified electors of the City, at the general election to be held on November 5, 2002, to amend Article IV, Subsection 12A, of the Charter of the City of Seattle to modify the requirements concerning publication of certain adopted ordinances to be consistent with state law; calling on the City Clerk to certify the proposed amendment to the Director of the Department of Records and Elections of King County and directing such Director to submit the proposition to City voters; and providing for the publication of such proposed amendment.

WHEREAS, the City Charter provides that each ordinance of a general, public, or permanent nature, and those imposing a fine, penalty or forfeiture shall be published in its entirety at least once in the City's official newspaper within three days after it becomes law; and

WHEREAS, current Washington state law (RCW 35.22.060) requires municipalities to publish once in the City's official newspaper the full text or a summary of each ordinance enacted by the City, and requires that if a summary is published, the publication shall include a statement that the full text of the ordinance will be mailed upon request; and

WHEREAS, publishing the full text of ordinances is very costly, and of limited value given that ordinances generally are available electronically from home computers and for free at terminals at public libraries; and

WHEREAS, the language pertaining to the publication of ordinances in the Seattle City Charter and Washington state law is inconsistent; and

WHEREAS, modifying the City Charter to conform with state law would create uniformity between those two bodies of law, would foster greater legal clarity, and would result in a reduction in publishing costs to the City of Seattle; and

WHEREAS, while Washington state law regarding the publication of ordinances may change from time to time, the City will comply with the state law in effect at any given time;

NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Subject to the approval of a proposition by a majority of the qualified electors casting votes thereon, Article IV, Subsection 12A of the Charter of the City of Seattle is amended as follows:

ARTICLE IV. Legislative Department.

Section 12. A. RECORD AND PUBLICATION OF ORDINANCES AND RESOLUTIONS.

All ordinances and resolutions shall be deposited with the City Clerk, who shall record the same. Notice of all ordinances of a general, public or permanent nature, and those imposing a fine, penalty or forfeiture, shall be published (at least once in the City's official newspaper) in accordance with the state law within three days after the same shall have become a law; provided, that the publication of notice of all ordinances granting any franchise or private privilege or approving or vesting any plot shall be at the expense of applicant therefor.

Section 2. The King County Director of Records and Elections, as an office supervisor of elections, is hereby directed to submit to the qualified electors of the City the proposition set forth below at the City general election on November 5, 2002.

The City Clerk is hereby authorized and directed to certify the proposition to the King County Director of Records and Elections in the following form:

CITY OF SEATTLE CHARTER AMENDMENT NO. _____

Publishing Ordinances

The Seattle City Council has adopted Resolution _____ concerning proposed amendments to Seattle City Charter Article IV, Subsection 12A. This measure would change the requirements for publishing notice of certain City ordinances. Notice of new ordinances would have to be published according to state law. State law presently calls for publication of the full text, or publication of a summary and mailing of the text upon request. The Charter currently requires full publication in the official newspaper of certain types of ordinances. The requirement of publication within three days after the ordinance becomes law would not change.

Should the proposed amendment be:

Approved _____

Rejected _____

Section 3. The City Clerk shall certify to the Director of the Department of Records and Elections of King County as Supervisor of Elections the charter amendment proposed herein in the form of a ballot title conforming to the foregoing statement of the same, with any alterations the City Attorney shall deem appropriate in carrying out his duties pursuant to RCW 35.27.060, and shall certify a copy of the proposed Charter amendment, and the same shall be published by the City Clerk in two daily newspapers in the city for at least (30) days prior to such election as required by the City Charter, and as required by RCW 35.22.170.

Adopted by the City Council the 3rd day of September, 2002, and signed by me in open session in authentication of its passage this 3rd day of September, 2002.

PETER STEINARUECK,

President of the City Council.

Filed by me this 3rd day of September, 2002.

(Seal) JUDITH E. PIPPIN,

City Clerk.

Publication ordered by JUDITH PIPPIN, City Clerk.

Date of publication in the Seattle Daily

Journal of Commerce, September 26, 2002.

8/26/150035

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STATE OF WASHINGTON - KING COUNTY

--SS.

149471
City of Seattle, Clerk's Office

No. RESOLUTION IN FULL

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:RESOLUTION 30514

was published on

9/11/2002

J. Hedman

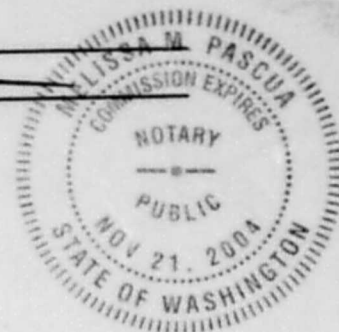
Subscribed and sworn to before me on

9/11/2002

Melissa M. Pasqua

Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication



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State of Washington, King County

City of Seattle

RESOLUTION 20014

A RESOLUTION submitting a proposition to the qualified electors of the City, at the general election to be held on November 5, 2002, to amend Article IV, Section 13A, of the Charter of the City of Seattle to modify the requirements concerning publication of certain adopted ordinances to be consistent with state law; calling on the City Clerk to certify the proposed amendment to the Director of the Department of Records and Elections of King County and directing such Director to submit the proposition to City voters; and providing for the publication of such proposed amendment.

WHEREAS, the City Charter provides that each ordinance of a general, public, or permanent nature, and those imposing a fine, penalty or forfeiture shall be published in its entirety at least once in the City's official newspaper within three days after it becomes law; and

WHEREAS, current Washington state law (RCW 36.32.300) requires municipalities to publish once in the City's official news paper the full text or a summary of each ordinance enacted by the City, and requires that if a summary is published, the publication shall include a statement that the full text of the ordinance will be mailed upon request; and

WHEREAS, publishing the full text of ordinance is very costly, and of limited value given that ordinances generally are available electronically from home computers and free at terminals in public libraries; and

WHEREAS, the language pertaining to the publication of ordinances in the Seattle City Charter and Washington state law is inconsistent; and

WHEREAS, modifying the City Charter to comport with state law would create uniformity between these two bodies of law, would foster greater legal clarity, and would result in a reduction in publishing costs to the City of Seattle; and

WHEREAS, while Washington state law regarding the publication of ordinances may change from time to time, the City will comply with the state law in effect at any given time;

NOW THEREFORE,

BE IT OBTAINED BY THE CITY COUNCIL OF THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Subject to the approval of a proposition by a majority of the qualified electors casting votes thereon, Article IV, Subsection 13A of the Charter of the City of Seattle is amended as follows:

ARTICLE IV. Legislative Department.

Section 13. A. RECORD AND PUBLICATION OF ORDINANCES AND RESOLUTIONS

All ordinances and resolutions shall be deposited with the City Clerk, who shall record the same. Ordinances of a general, public or permanent nature, and those imposing a fine, penalty or forfeiture, shall be published in the City's official newspaper in accordance with state law within three days after the same shall have become a law. Provided, that the publication of notice of all ordinances granting any franchise or private privilege or approving or vacating any plat shall be at the expense of the applicant therefor.

Section 2. The King County Director of Records and Elections, as ex officio supervisor of elections, is hereby directed to submit to the qualified electors of the City the proposition set forth below at the City general election on November 5, 2002.

The City Clerk is hereby authorized and directed to certify the proposition to the King County Director of Records and Elections in the following form:

CITY OF SEATTLE CHARTER AMENDMENT NO.

Publishing Ordinances

The Seattle City Council has adopted Resolution _____ concerning proposed amendments to Seattle City Charter Article IV, Subsection 13A. This measure would change the requirements for publishing notice of certain City ordinances. Notice of new ordinances would have to be published according to state law. State law presently calls for publication of the full text, or publication of a summary and mailing of the text upon request. The Charter currently requires full publication in the official newspaper of certain types of ordinances. The requirement of publication within three days after the ordinance becomes law would not change.

Should the proposed Charter amendment be:

Approved.....

Rejected.....

Section 3. The City Clerk shall certify to the Director of the Department of Records and Elections of King County as Supervisor of Elections the charter amendment proposed herein in the form of a bullet title conforming to the foregoing statement of the same, with any alterations to City Attorney shall deem appropriate, in carrying out his duties pursuant to RCW 29.27.060, and shall certify a copy of the proposed Charter amendment, and the same shall be published by the City Clerk in two daily newspapers in the city for at least (30) days prior to such election as required by the City Charter, and as required by RCW 36.32.170.

Adopted by the City Council the 3rd day of September, 2002, and signed by me in open session in authentication of its passage this 3rd day of September, 2002.

PETER STEINBRUECK,

President of the City Council.

Filed by me this 3rd day of September, 2002.

(Seal) JUDITH E. PIPPIN,

City Clerk.

Publication ordered by JUDITH PIPPIN, City Clerk.

Date of publication in the Seattle Daily Journal of Commerce, September 11, 2002.

8/11/1484711

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