

RESOLUTION No. 30890

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Peter Steinbrueck

A RESOLUTION submitting a proposition to the qualified electors of the City, at an election to be held on November 7, 2006, to amend Section 3 of Article XVIII of the Charter of the City of Seattle to bring this section of the Charter into conformity with the other sections of the Charter dealing with publication of ballot measures; calling on the City Clerk to certify the proposed amendment to the Director of the Department of Records and Elections of King County and requesting and directing such Director to call a special election and submit the proposition to City voters; and providing for the publication of such proposed amendment.

*Pass 4-0
Steinbrueck
Licata
McIver
Godden*

Introduced: <i>JUL 17 2006</i>	By: STEINBRUECK
Referred: <i>JUL 17 2006</i>	To: <i>Special Committee on Charter Amendments</i>
Referred:	To:
Reported: <i>7-31-06</i>	
Passed: <i>7-31-06</i>	Signed: <i>7-31-06</i>
Filed: <i>7/31/06</i>	Published: <i>full 3 pgs</i>

*7-24-06 Held 1 week
7-31-06 Adopted 7-0
(Absent: Godden; Not Voting: Clerk)*

US5171

Law Department

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RESOLUTION 30890

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2 A RESOLUTION submitting a proposition to the qualified electors of the City, at an election to be
3 held on November 7, 2006, to amend Section 3 of Article XVIII of the Charter of the City of
4 Seattle to bring this section of the Charter into conformity with the other sections of the
5 Charter dealing with publication of ballot measures; calling on the City Clerk to certify the
6 proposed amendment to the Director of the Department of Records and Elections of King
7 County and requesting and directing such Director to call a special election and submit the
8 proposition to City voters; and providing for the publication of such proposed amendment.

9 WHEREAS, Section 3 of Article XVIII of the City Charter currently directs that certain ballot
10 measures be "posted" and published for thirty days prior to the election at which the
11 measures will appear on the ballot; and

12 WHEREAS, Section 3 of Article XVIII of the City Charter is worded exactly the same today as it
13 was in 1946 when the current version of the City Charter was adopted, and there is
14 evidence that the same wording existed prior to the 1946 Charter; and

15 WHEREAS, since 1946 other methods of notifying the public about ballot measures have
16 become the norm - methods such as voters' pamphlets and wide-spread and widely
17 accessible media coverage; and

18 WHEREAS, in November 2002 the City of Seattle placed Charter Amendment No. 2 on the
19 ballot, asking voters to approve amendments to Section 1 and Section 2 of Article XX of
20 the City Charter; and

21 WHEREAS, City of Seattle voters approved November 2002 Charter Amendment No. 2; and

22 WHEREAS, Charter Amendment No. 2 allowed the City to modify the pre-1946 publication
23 provision and publish certain future ballot measures in accordance with state law; and

24 WHEREAS, Section 3 of Article XVIII contains the same publication requirement that was
25 changed in Section 1 and Section 2 of Article XX in November 2002, and should have
26 been included on the ballot at that time; and

27 WHEREAS, amending Section 3 of Article XVIII would allow the City to publish other future
28 ballot measures in accordance with publishing requirements set forth in state law, reduce
publication costs, and bring Section 3 of Article XVIII into conformity with the Article
and Sections likewise amended in 2002; NOW THEREFORE,

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



1 Section 1. Subject to the approval of a proposition by a majority of the qualified
2 electors casting votes thereon, Section 3 of Article XVIII of the Charter of the City of Seattle is
3 amended as follows:

4 **ARTICLE XVIII. Elections**

5 * * *

6
7 **Sec. 3. SUBMITTING QUESTIONS TO VOTERS:** Whenever any question is to be
8 submitted to the electors of the City and the method of such submission is not specially provided
9 by this Charter or by general law, the same may be submitted at either a general or special
10 election, and the method of submission shall be substantially as follows: The City Clerk shall
11 prepare a notice containing the proposition in full, and shall cause the same to be ~~((posted, and to~~
12 ~~be))~~ published in full in the City official newspaper in accordance with state law ~~((for thirty days~~
13 ~~next proceeding the day of election))~~, and the ballots at such election shall contain such
14 statement of the proposition as shall be prescribed by ordinance.
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16 * * *

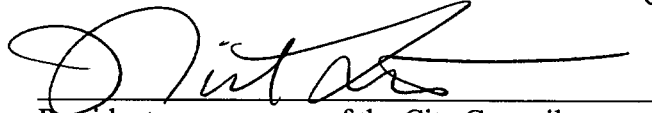
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19 Section 2. The King County Director of Records and Elections, as ex officio
20 supervisor of elections, is hereby requested to call a special election and is directed to submit the
21 charter amendment proposed herein to the qualified electors of the City at the election on
22 November 7, 2006.
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25 Section 3. The City Clerk shall certify to the Director of the Department of Records
26 and Elections of King County as Supervisor of Elections the charter amendment proposed herein
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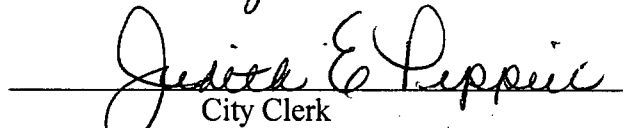


1 in the form of a ballot title prepared by the City Attorney pursuant to RCW 29A.36.071, and
2 shall certify a copy of the proposed Charter amendment, and the same shall be published by the
3 City Clerk in accordance with state law.

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5 Adopted by the City Council the 31st day of July, 2006, and signed by me
6 in open session in authentication of its adoption this 31st day of July, 2006.
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9 _____
President _____ of the City Council

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11 Filed by me this 1 day of August, 2006.
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14 _____
City Clerk

15 (Seal)
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FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Legislative	Martha Lester / 4-8149	NA

Legislation Title:

A RESOLUTION submitting a proposition to the qualified electors of the City, at an election to be held on November 7, 2006, to amend Section 3 of Article XVIII of the Charter of the City of Seattle to bring this section of the Charter into conformity with the other sections of the Charter dealing with publication of ballot measures; calling on the City Clerk to certify the proposed amendment to the Director of the Department of Records and Elections of King County and requesting and directing such Director to call a special election and submit the proposition to City voters; and providing for the publication of such proposed amendment.

• **Summary of the Legislation:**

This resolution would submit a proposition to Seattle voters to amend Section 3 of Article XVIII of the City Charter to bring this section of the Charter into conformity with the other sections of the Charter dealing with publication of ballot measures.

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

The City Charter currently directs that certain ballot measures be "posted" and published for thirty days prior to the election at which the measures will appear on the ballot. Since 1946, when the current version of the City Charter was adopted, other methods of notifying the public about ballot measures have become the norm – methods such as voters' pamphlets and wide-spread and widely accessible media coverage. In November 2002, City of Seattle voters approved a Charter amendment that allowed the City to modify the pre-1946 publication provision and publish certain future ballot measures in accordance with state law.

Section 3 of Article XVIII of the Charter contains the same publication requirement that was changed in November 2002, and should have been included on the ballot at that time. Amending Section 3 of Article XVIII, as is proposed in this resolution, would allow the City to publish other future ballot measures in accordance with publishing requirements set forth in state law, reduce publication costs, and bring Section 3 of Article XVIII into conformity with the Charter provisions likewise amended in 2002.

- *Please check one of the following:*

X **This legislation does not have any financial implications.** *(Stop here and delete the remainder of this document prior to saving and printing.)*



STATE OF WASHINGTON – KING COUNTY

--SS.

201147
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.

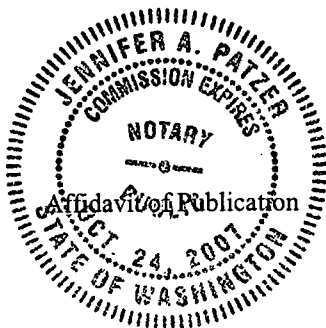
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:30890 RESOLUTION

was published on

08/03/06

The amount of the fee charged for the foregoing publication is the sum of \$ 151.80, which amount has been paid in full.



[Signature]

Subscribed and sworn to before me on
08/03/06
[Signature]

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

RESOLUTION 30990

A RESOLUTION submitting a proposition to the qualified electors of the City, at an election to be held on November 7, 2006, to amend Section 3 of Article XVIII of the Charter of the City of Seattle to bring this section of the Charter into conformity with the other sections of the Charter dealing with publication of ballot measures, calling on the City Clerk to certify the proposed amendment to the Director of the Department of Records and Elections of King County and requesting and directing such Director to call a special election and submit the proposition to City voters, and providing for the publication of such proposed amendment.

WHEREAS, Section 3 of Article XVIII of the City Charter currently directs that certain ballot measures be posted and published for thirty days prior to the election at which the measures will appear on the ballot; and

WHEREAS, Section 3 of Article XVIII of the City Charter is worded exactly the same today as it was in 1946 when the current version of the City Charter was adopted, and there is evidence that the same wording existed prior to the 1946 Charter; and

WHEREAS, since 1946 other methods of notifying the public about ballot measures have become the normal methods such as voters' pamphlets and wide-spread and widely accessible media coverage; and

WHEREAS, in November 2002 the City of Seattle placed Charter Amendment No. 2 on the ballot, asking voters to approve amendments to Section 1 and Section 2 of Article XX of the City Charter; and

WHEREAS, the City of Seattle voters approved in November 2002 Charter Amendment No. 2; and

WHEREAS, Charter Amendment No. 2 allowed the City to modify the pre-1946 publication provision and publish certain future ballot measures in accordance with state law; and

WHEREAS, Section 3 of Article XVIII contains the same publication requirement that was changed in Section 1 and Section 2 of Article XX in November 2002, and should have been included on the ballot at that time; and

WHEREAS, amending Section 3 of Article XVIII would allow the City to publish other future ballot measures in accordance with publishing requirements set forth in state law, reduce publication costs, and bring Section 3 of Article XVIII into conformity with the Article and Sections likewise amended in 2002; 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, Section 3 of Article XVIII of the Charter of the City of Seattle is amended as follows:

ARTICLE XVIII: Elections

Sec. 3. SUBMITTING QUESTIONS TO VOTERS: Whenever any question is to be submitted to the electors of the City and the method of such submission is not specifically provided by this Charter or by general law, the same may be submitted at either a general or special election, and the method of submission shall be substantially as follows: The City Clerk shall prepare a notice containing the proposition in full, and shall cause the same to be (posted, and to be) published in full in the City official newspaper in accordance with state law, (for thirty days preceding the day of election); and the ballots at such election shall contain such statement of the proposition as shall be prescribed by ordinance.

Section 2. The King County Director of Records and Elections, as ex officio supervisor of elections, is hereby requested to call a special election and is directed to submit the charter amendment proposed herein to the qualified electors of the City at the election on November 7, 2006.

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 prepared by the City Attorney pursuant to RCW 29A.36.071, and shall certify a copy of the proposed Charter amendment, and the same shall be published by the City Clerk in accordance with state law.

Adopted by the City Council the 31st day of July, 2006, and signed by me in open session in authentication of its adoption this 31st day of July, 2006.

Nick Licata
President of the City Council
Filed by me this 31st day of July, 2006.
(Seal) Judith Pippin
City Clerk
Publication ordered by JUDITH PIPPIN,
City Clerk

Date of publication in the Seattle Daily Journal of Commerce: August 3, 2006.