

RESOLUTION No. 30893

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 Subsection 1.F of Article IV, and Section 1 and Section 2 of Article XX of the Charter of the City of Seattle to change the effective date for successful ballot measures to five days after election results are certified; 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
McIntyre Godden

Introduced: JUL 17 2006 STEINBRUECK	By: STEINBRUECK
Referred: JUL 17 2006 STEINBRUECK	To: <i>Special Committee on Charter Amendments</i>
Referred:	To:
Reported: 7-31-06	
Passed: 7-31-06	Signed: 7-31-06
Filed: 7/31/06	Published: <i>Full 4 pg.</i>

7-24-06 Held 1 week
7-31-06 Adopted 2-0
(Absent: Rasmussen)
(Not Voting: Clark)

Law Department

US5171

RESOLUTION 30893

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2 A RESOLUTION submitting a proposition to the qualified electors of the City, at an election to be held
3 on November 7, 2006, to amend Subsection 1.F of Article IV, and Section 1 and Section 2 of
4 Article XX of the Charter of the City of Seattle to change the effective date for successful ballot
5 measures to five days after election results are certified; 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, Subsection 1.F of Article IV of the City Charter currently provides that, upon voter
10 approval of citizen initiative measures, the Mayor shall publish a proclamation proclaiming
11 the ordinance subject to such initiative to be in full force and effect, and to do so within five
12 days of the election; and

13 WHEREAS, Section 1 and Section 2 of Article XX of the City Charter currently provide that, upon
14 voter approval of proposed amendments to the City Charter, the Mayor shall publish a
15 proclamation proclaiming the amendment(s) to become a part of the City Charter, and to do
16 so within five days of the election; and

17 WHEREAS, election results are not official until the results are certified; and

18 WHEREAS, amending the City Charter to specify that the Mayor proclaim the effectiveness of the
19 approved measures within five days after "certification of the results" of the election would
20 bring the Charter into conformity with state law; NOW THEREFORE,

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

23 Section 1. Subject to the approval of a proposition by a majority of the qualified electors
24 casting votes thereon, Subsection 1.F of Article IV and Section 1 and Section 2 of Article XX of the
25 Charter of the City of Seattle are each amended as follows:

26 **ARTICLE IV. Legislative Department**

27 **Section 1.**

28 * * *

F. MEASURES ADOPTED TO BECOME ORDINANCES, WHEN: Any measure thus
submitted to the vote of the people, which shall receive in its favor a majority of all the votes cast for



1 and against the same, shall become an ordinance, and be in full force and effect from and after
2 proclamation by the Mayor, which shall be made, and published in the City official newspaper,
3 within five (5) days after certification of the results of the election. Provided that if such adopted
4 ordinance contemplates any expenditure which is not included in the current budget, or which is not
5 to be paid from an existing bond issue or which eliminates or reduces an existing revenue; such
6 expenditure or elimination shall not be lawful until after the next succeeding budget shall take effect;
7 Provided, further, that the above restriction shall not be operative when less than Twenty Thousand
8 (\$20,000.00) Dollars is involved.

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12 **ARTICLE XX. Charter Amendments**

13 **Section 1. PROPOSED BY COUNCIL:** Any amendment or amendments to this Charter
14 may be proposed in the City Council, and if the same be agreed to by a majority of all the members
15 elected, such proposed amendment or amendments shall be entered upon the journal with the yeas
16 and nays of the members voting thereon. Upon the passage of any such amendment or amendments,
17 the same shall be submitted to electors of the City for their ratification at the next general state or
18 municipal election, which shall be at least sixty days after the adoption of such proposed amendment
19 in the council; and if at such election any such amendment shall be ratified by a majority of the
20 qualified electors voting thereon, the same shall thereby become a part of this Charter, and within
21 five days after certification of the results of such election shall be by the Mayor by proclamation
22 published in the City official newspaper and proclaimed a part thereof: Provided, that if more than
23 one amendment be submitted at the same general state or municipal election the same shall be
24 submitted at such election in such manner that each proposed amendment may be voted on separately
25 without prejudice to others; and provided further, that after the passage of such proposed
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1 amendments through the Council the same shall be published in accordance with state law by the
2 City Clerk prior to the day of submitting the same to the electors for their approval.

3 **Sec. 2. PROPOSED BY VOTERS:** Whenever fifteen percent in number of the registered
4 voters of the City voting at the last preceding election for the office of Mayor shall file with the City
5 Council a petition for a specified Charter amendment, which shall be set forth in full in such petition,
6 it shall be the duty of the City Council to submit said amendment to the voters of the City for their
7 ratification or rejection at the next general municipal election occurring at least sixty days after the
8 filing of such petition; such amendment shall be submitted in the manner provided by law for the
9 submission of propositions to the voters of the City, provided: That when such petition is filed with
10 the City Council it shall be the duty of the City Clerk to convey the signed petitions to the officer
11 responsible for verification of the sufficiency of signatures under state law, and to convey to the City
12 Council any report received as to the number of valid signatures contained in such petition. The
13 Council shall provide by ordinance a penalty for affixing to any such petition any false signature. If
14 at the general municipal election at which such amendment is submitted, a majority of the lawful
15 voters voting thereon shall by their vote ratify any amendment so submitted, the same shall thereby
16 become a part of the Charter and within five days after certification of the results of such election it
17 shall, by proclamation of the Mayor, which shall be published in the city official newspaper, be so
18 proclaimed, provided: That if more than one amendment be petitioned for and submitted at the same
19 election such amendments shall be submitted in such manner that the electors may vote for or against
20 each amendment separately, and provided further; That, after submission by the City Council, every
21 such amendment shall be published by the City Clerk in accordance with state law prior to such
22 election and such other notice shall be given as may be required by state law for the submission of
23 propositions to the voters of the City for their ratification or rejection.
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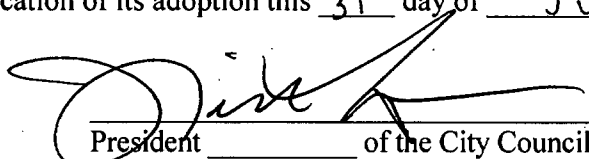


1 Section 2. If the amendment to Section 1 of Article XX submitted by Resolution 30895
2 is also approved by voters, both changes to Section 1 of Article XX shall be incorporated into the
3 Charter.

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5 Section 3. The King County Director of Records and Elections, as ex officio supervisor
6 of elections, is hereby requested to call a special election and is directed to submit the charter
7 amendment proposed herein to the qualified electors of the City at the election on November 7, 2006.
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10 Section 4. The City Clerk shall certify to the Director of the Department of Records and
11 Elections of King County as Supervisor of Elections the charter amendment proposed herein in the
12 form of a ballot title prepared by the City Attorney pursuant to RCW 29A.36.071, and shall certify a
13 copy of the proposed Charter amendment, and the same shall be published by the City Clerk in
14 accordance with state law.
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17 Adopted by the City Council the 31st day of July, 2006, and signed by me in
18 open session in authentication of its adoption this 31st day of July, 2006.

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President _____ of the City Council

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22 Filed by me this 1 day of August, 2006.

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City Clerk

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26 (Seal)

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 Subsection 1.F of Article IV, and Section 1 and Section 2 of Article XX of the Charter of the City of Seattle to change the effective date for successful ballot measures to five days after election results are certified; 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 the City Charter to change the effective date for successful ballot measures to five days after election results are certified.

• **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 provides that, upon voter approval of citizen initiative measures, the Mayor shall publish a proclamation proclaiming the ordinance subject to such initiative to be in full force and effect, and to do so within five days of the election; and currently provides that, upon voter approval of proposed amendments to the City Charter, the Mayor shall publish a proclamation proclaiming the amendment(s) to become a part of the City Charter, and to do so within five days of the election. However, election results are not official until the results are certified. Amending the City Charter, as proposed in this resolution, to specify that the Mayor proclaim the effectiveness of the approved measures within five days after “certification of the results” of the election would bring the Charter into conformity with state law.

• *Please check one of the following:*

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.

201142
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.

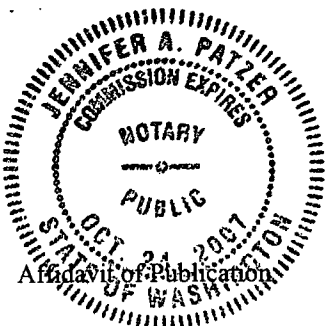
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:30893 RESOLUTION

was published on

08/03/06

The amount of the fee charged for the foregoing publication is the sum of \$ 241.50, 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 30893

A RESOLUTION submitting a proposition to the qualified electors of the City, at an election to be held on November 7, 2006, to amend Subsection 1.F of Article IV, and Section 1 and Section 2 of Article XX of the Charter of the City of Seattle to change the effective date for successful ballot measures to five days after election results are certified; 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, Subsection 1.F of Article IV of the City Charter currently provides that, upon voter approval of citizen initiative measures, the Mayor shall publish a proclamation proclaiming the ordinance subject to such initiative to be in full force and effect, and to do so within five days of the election; and

WHEREAS, Section 1 and Section 2 of Article XX of the City Charter currently provide that, upon voter approval of proposed amendments to the City Charter, the Mayor shall publish a proclamation proclaiming the amendment(s) to become a part of the City Charter, and to do so within five days of the election; and

WHEREAS, election results are not official until the results are certified; and

WHEREAS, amending the City Charter to specify that the Mayor proclaim the effectiveness of the approved measures within five days after "certification of the results" of the election would bring the Charter into conformity with state law; 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, Subsection 1.F of Article IV and Section 1 and Section 2 of Article XX of the Charter of the City of Seattle are each amended as follows:

ARTICLE IV. Legislative Department

Section 1.

F. MEASURES ADOPTED TO BECOME ORDINANCES, WHEN: Any measure thus submitted to the vote of the people, which shall receive in its favor a majority of all the votes cast for and against the same, shall become an ordinance, and be in full force and effect from and after proclamation by the Mayor, which shall be made, and published in the City official newspaper, within five (5) days after certification of the results of the election. Provided that if such adopted ordinance contemplates any expenditure which is not included in the current budget, or which is not to be paid from an existing bond issue or which eliminates or reduces an existing revenue; such expenditure or elimination shall not be lawful until after the next succeeding budget shall take effect; Provided, further, that the above restriction shall not be operative when less than Twenty Thousand (\$20,000.00) Dollars is involved.

ARTICLE XX. Charter Amendments

Section 1. PROPOSED BY COUNCIL:

Any amendment or amendments to this Charter may be proposed in the City Council, and if the same be agreed to by a majority of all the members elected, such proposed amendment or amendments shall be entered upon the journal with the yeas and nays of the members voting thereon. Upon the passage of any such amendment or amendments, the same shall be submitted to electors of the City for their ratification at the next general state or municipal election, which shall be at least sixty days after the adoption of such proposed amendment in the council; and if at such election any such amendment shall be ratified by a majority of the qualified electors voting thereon, the same shall thereby become a part of this Charter, and within five days after certification of the results of such election shall be by the Mayor by proclamation published in the City official newspaper and proclaimed a part thereof: Provided, that if more than one amendment be submitted at the same general state or municipal election the same shall be submitted at such election in such manner that each proposed amendment may be voted on separately without prejudice to others; and provided further, that after the passage of such proposed amendments through the Council the same shall be published in accordance with state law by the City Clerk prior to the day of submitting the same to the electors for their approval.

Sec. 2. PROPOSED BY VOTERS:

Whenever fifteen percent in number of the registered voters of the City voting at the last preceding election for the office of Mayor shall file with the City Council a petition for a specified Charter amendment, which shall be set forth in full in such petition, it shall be the duty of the City Council to submit said amendment to the voters of the City for their ratification or rejection at the next general municipal election occurring at least sixty days after the filing of such petition; such amendment shall be submitted in the manner provided by law for the submission of propositions to the voters of the City, provided: That when such petition is filed with the City Council it shall be the duty of the City Clerk to convey the signed petitions to the officer responsible for verification of the sufficiency of signatures under state law and to convey to the City Council any report received as to the number of valid signature contained in such petition. The Council shall provide by ordinance a penalty for affixing to any such petition any false signature. If at the general municipal election at which such amendment is submitted, a majority of the lawful voters voting thereon shall by the vote ratify any amendment so submitted, the same shall thereby become a part of the Charter and within five days after certification of the results of such election it shall be by proclamation of the Mayor, which shall be published in the city official newspaper, be proclaimed, provided: That if more than one amendment be petitioned for and submitted at the same election such amendments shall be submitted in such manner that the electors may vote for or against each amendment separately, and provided further; That, after submission by the City Council, every such amendment shall be published by the City Clerk in accordance with state law prior to such election and such other notice shall be given as may be required by state law for the submission of propositions to the voters of the City for their ratification or rejection.

Section 2. If the amendment to Section 1 of Article XX submitted by Resolution 306 is also approved by voters, both changes to Section 1 of Article XX shall be incorporated into the Charter.

Section 3. 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 a charter amendment proposed herein to the qualified electors of the City at the election on November 7, 2006.

Section 4. 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 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
Journal of Commerce, August 3, 2006.

8/3/2006