

RESOLUTION No. 30913

A RESOLUTION rejecting Initiative No. 91 and requesting that the King County Division of Records and Elections call a special municipal election to coincide with the general election to be held on November 6, 2006 and place Initiative No. 91 before the qualified electors of the City of Seattle on the November 2006 ballot.

Nick L...

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| Introduced: SEP 18 2006 | By: |
| Referred: SEP 18 2006 | To: INTRODUCTION & ADOPTION Full Council |
| Referred: | To: |
| Reported: 9-18-06 | |
| Passed: 9-18-06 | Signed: 9-19-06 |
| Filed: | Published: 7061 |

(E)

9-18-06 Adopted As Amended

Law Department

(Signature)

RESOLUTION 30913

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2 A RESOLUTION rejecting Initiative No. 91 and requesting that the King County
3 Division of Records and Elections call a special municipal election to coincide with the general
4 election to be held on November 7, 2006 and place Initiative No. 91 before the qualified electors
5 of the City of Seattle on the November 2006 ballot.

6 WHEREAS, proponents submitted to the Office of the City Clerk an initiative petition that
7 would if adopted prohibit the City of Seattle from providing leasing facilities and other
8 goods, services, or real property to for-profit professional sports organizations at below
9 fair value (which the City Clerk designated as Initiative No. 91 in Clerk File No.
10 308056); and,

11 WHEREAS, proponents submitted to the Office of the City Clerk petitions bearing a facially
12 sufficient number of signatures to qualify Initiative No. 91 for consideration as a City of
13 Seattle initiative as provided in City Charter Article IV; and,

14 WHEREAS, the Office of the City Clerk forwarded the petitions to the King County Division of
15 Records and Elections to certify whether the petitions bear a sufficient number of valid
16 signatures to qualify the proposed initiative for introduction to the City Council as
17 provided in City Charter Article IV, Section 1; and,

18 WHEREAS, King County Division of Records and Elections certified that Initiative No. 91
19 petitions bore sufficient valid signatures to qualify the proposed initiative for introduction
20 to the City Council as provided in Seattle City Charter, Article IV; and,

21 WHEREAS, pursuant to the City Charter, Article IV, Section 1.B, the City Clerk presented the
22 City Clerk's Report and Certificate of Sufficiency to the City Council at its regular
23 meeting on September 11, 2006 in Clerk File 308225; and,

24 WHEREAS, the City Council accepted the introduction of the Clerk File and referred it to the
25 full Council for deliberation; and,

26 WHEREAS, the City Council will not enact Initiative No. 91 and submits, as provided in the
27 Seattle City Charter, Initiative No. 91 to the voters to determine whether it should
28 become law; and NOW, THEREFORE,

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

Section 1. Pursuant to Article IV, Sections C and D of the Seattle City Charter, the City
Council hereby rejects proposed Initiative Measure 91 and orders that it be submitted to the
qualified electors of the City at the special municipal election to be held on November 7, 2006.



1 Section 2. The City requests, in the form of this resolution, that King County call a
2 special municipal election to coincide with the November 2006 general election and place
3 Initiative No. 91 before the qualified electors of the City of Seattle on the November 2006 ballot.

4 Section 3. The City Clerk is authorized and directed to take those actions necessary to
5 place Initiative No.91 before the voters at the November 2006 election.

6 Section 4. The City Attorney has prepared the following ballot title for Initiative No. 91.
7 The City Clerk is authorized to transmit this ballot title to the King County Division of Records
8 and Elections.

9
10 Seattle Initiative Measure No. 91 concerns property, goods, and services Seattle provides
11 to for-profit professional sports.

12 If enacted the measure would require that for-profit professional sports
13 organizations pay the City at least "fair value" for goods, services, real property,
14 or facilities the City provides or leases to them, either directly or through another
15 public entity or a non-profit organization. The measure defines "fair value," based
16 in part on the rate of return for 30-year U.S. Treasury Bonds. Any Seattle resident
17 would have standing to file a lawsuit challenging City acts that allegedly violated
18 the measure.

19 Should this measure be enacted into law?

20 Yes.....

21 No.....

22 Section 5. The Executive Director of the Seattle Ethics and Elections Commission is
23 authorized and directed to take those actions necessary to place information regarding Initiative
24 No. 91 in the November 2006 voters' pamphlet. The City Attorney is requested to prepare the
25 Initiative 91 explanatory statement to be included in the voters' pamphlet.

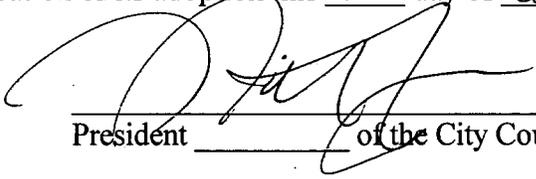
26 Section 6. Actions taken prior to the adoption of this resolution that are consistent with it
27 are hereby ratified and confirmed.

28 Adopted by the City Council the 18 day of September, 2006, and signed by me in



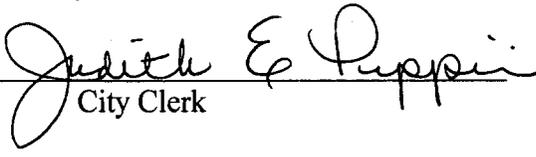
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open session in authentication of its adoption this 18th day of September, 2006.



President _____ of the City Council

Filed by me this 18 day of September, 2006.



City Clerk

(Seal)



FISCAL NOTE FOR NON-CAPITAL PROJECTS

| Department: | Contact Person/Phone: | DOF Analyst/Phone: |
|--------------------|------------------------------|---------------------------|
| Legislative | Christa Valles 45336 | |

Legislation Title:

A RESOLUTION rejecting Initiative No. 91 and requesting that the King County Division of Records and Elections call a special municipal election to coincide with the general election to be held on November 7, 2006 and place Initiative No. 91 before the qualified electors of the City of Seattle on the November 2006 ballot.

- **Summary of the Legislation:** Resolution 30913 instructs King County to place Initiative 91 on the November 2006 ballot. I-91 would, if adopted, prohibit the City of Seattle from providing leasing facilities and other goods, services, or real property to for-profit professional sports organizations at below fair value. The measure defines "fair value," based in part on the rate of return for 30-year U.S. Treasury Bonds. Any Seattle resident would have standing to file a lawsuit challenging City acts that allegedly violated the measure.
- **Background:** I-91 is a citizen initiative pertaining to future negotiated contracts between the City of Seattle and professional sports organizations. It has received sufficient valid signatures to qualify as an initiative for the City Council to consider either enacting or placing on a ballot.

X This legislation does not have any financial implications.

This resolution itself does not have financial implications as it simply places a citizen initiative on the ballot per City Charter rules. However, should the initiative pass, it could have financial implications for the City in that it proscribes certain guidelines related to potential future contractual negotiations between the City and professional sports organizations.

RESOLUTION _____

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3 Division of Records and Elections call a special municipal election to coincide with the general
4 election to be held on November 6, 2006 and place Initiative No. 91 before the qualified electors
5 of the City of Seattle on the November 2006 ballot.

6 WHEREAS, proponents submitted to the Office of the City Clerk an initiative petition that
7 would if adopted prohibit the City of Seattle from providing leasing facilities and other
8 goods, services, or real property to for-profit professional sports organizations at below
9 fair value (which the City Clerk designated as Initiative No. 91 in Clerk File No.
10 308056); and,

11 WHEREAS, proponents submitted to the Office of the City Clerk petitions bearing a facially
12 sufficient number of signatures to qualify Initiative No. 91 for consideration as a City of
13 Seattle initiative as provided in City Charter Article IV; and,

14 WHEREAS, the Office of the City Clerk forwarded the petitions to the King County Division of
15 Records and Elections to certify whether the petitions bear a sufficient number of valid
16 signatures to qualify the proposed initiative for introduction to the City Council as
17 provided in City Charter Article IV, Section 1; and,

18 WHEREAS, King County Division of Records and Elections certified that Initiative No. 91
19 petitions bore sufficient valid signatures to qualify the proposed initiative for introduction
20 to the City Council as provided in Seattle City Charter, Article IV; and,

21 WHEREAS, pursuant to the City Charter, Article IV, Section 1.B, the City Clerk presented the
22 City Clerk's Report and Certificate of Sufficiency to the City Council at its regular
23 meeting on September 11, 2006 in Clerk File 308225; and,

24 WHEREAS, the City Council accepted the introduction of the Clerk File and referred it to the
25 full Council for deliberation; and,

26 WHEREAS, the City Council will not enact Initiative No. 91 and submits, as provided in the
27 Seattle City Charter, Initiative No. 91 to the voters to determine whether it should
28 become law; and NOW, THEREFORE,

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

Section 1. Pursuant to Article IV; Sections C and D of the Seattle City Charter, the City
Council hereby rejects proposed Initiative Measure 91 and orders that it be submitted to the
qualified electors of the City at the special municipal election to be held on November 6, 2006.



1 Section 2. The City requests, in the form of this resolution, that King County call a
2 special municipal election to coincide with the November 2006 general election and place
3 Initiative No. 91 before the qualified electors of the City of Seattle on the November 2006 ballot.

4 Section 3. The City Clerk is authorized and directed to take those actions necessary to
5 place Initiative No.91 before the voters at the November 2006 election.

6 Section 4. The City Attorney has prepared the following ballot title for Initiative No. 91.
7 The City Clerk is authorized to transmit this ballot title to the King County Division of Records
8 and Elections.
9

10 Seattle Initiative Measure No. 91 concerns property, goods, and services Seattle provides
11 to for-profit professional sports.

12 If enacted the measure would require that for-profit professional sports
13 organizations pay the City at least "fair value" for goods, services, real property,
14 or facilities the City provides or leases to them, either directly or through another
15 public entity or a non-profit organization. The measure defines "fair value," based
16 in part on the rate of return for 30-year U.S. Treasury Bonds. Any Seattle resident
17 would have standing to file a lawsuit challenging City acts that allegedly violated
18 the measure.

19 Should this measure be enacted into law?

20 Yes.....

21 No.....

22 Section 5. The Executive Director of the Seattle Ethics and Elections Commission is
23 authorized and directed to take those actions necessary to place information regarding Initiative
24 No. 91 in the November 2006 voters' pamphlet. The City Attorney is requested to prepare the
25 Initiative 91 explanatory statement to be included in the voters' pamphlet.

26 Section 6. Actions taken prior to the adoption of this resolution that are consistent with it
27 are hereby ratified and confirmed.

28 Adopted by the City Council the ___ day of _____, 2006, and signed by me in



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open session in authentication of its adoption this ____ day of _____, 2006.

President _____ of the City Council

Filed by me this ____ day of _____, 2006.

City Clerk

(Seal)



STATE OF WASHINGTON – KING COUNTY

--SS.

202681
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.

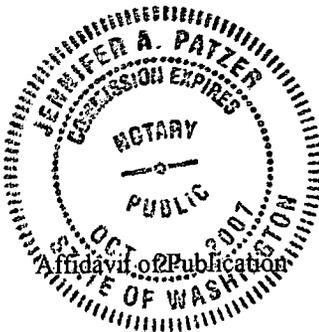
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:30913 RESOLUTION

was published on

09/21/06

The amount of the fee charged for the foregoing publication is the sum of \$ 165.60, which amount has been paid in full.



[Handwritten signature]

Subscribed and sworn to before me on

09/21/06

[Handwritten signature]
Notary public for the State of Washington,
residing in Seattle

[Handwritten mark]

State of Washington, King County

City of Seattle

RESOLUTION 30913

A RESOLUTION, rejecting Initiative No. 91 and requesting that the King County Division of Records and Elections call a special municipal election to coincide with the general election to be held on November 6, 2006 and place Initiative No. 91 before the qualified electors of the City of Seattle on the November 2006 ballot.

WHEREAS, proponents submitted to the Office of the City Clerk an initiative petition that would, if adopted prohibit the City of Seattle from providing leasing facilities and other goods, services, or real property to for-profit professional sports organizations at below fair value (which the City Clerk designated as Initiative No. 91 in Clerk File No. 308056) and;

WHEREAS, proponents submitted to the Office of the City Clerk petitions bearing a facially sufficient number of signatures to qualify Initiative No. 91 for consideration as a City of Seattle initiative as provided in City Charter Article IV; and;

WHEREAS, the Office of the City Clerk forwarded the petitions to the King County Division of Records and Elections to certify whether the petitions bear a sufficient number of valid signatures to qualify the proposed initiative for introduction to the City Council as provided in City Charter Article IV Section 1; and;

WHEREAS, King County Division of Records and Elections certified that Initiative No. 91 petitions bore sufficient valid signatures to qualify the proposed initiative for introduction to the City Council as provided in Seattle City Charter, Article IV; and;

WHEREAS, pursuant to the City Charter, Article IV, Section 1.B, the City Clerk presented the City Clerk's Report and Certificate of Sufficiency to the City Council at its regular meeting on September 11, 2006 in Clerk File 308225; and;

WHEREAS, the City Council accepted the introduction of the Clerk File and referred it to the full Council for deliberation; and;

WHEREAS, the City Council will not enact Initiative No. 91 and submit, as provided in the Seattle City Charter, Initiative No. 91 to the voters to determine whether it should become law; and NOW

THEREFORE,

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

- Section 1. Pursuant to Article IV, Sections C and D of the Seattle City Charter, the City Council hereby rejects proposed Initiative Measure 91 and orders that it be submitted to the qualified electors of the City at the special municipal election to be held on November 6, 2006.
- Section 2. The City requests, in the form of this resolution, that King County call a special municipal election to coincide with the November 2006 general election and place Initiative No. 91 before the qualified electors for the City of Seattle on the November 2006 ballot.
- Section 3. The City Clerk is authorized and directed to take those actions necessary to place Initiative No. 91 before the voters at the November 2006 election.
- Section 4. The City Attorney has prepared the following ballot title for Initiative No. 91. The City Clerk is authorized to transmit this ballot title to the King County Division of Records and Elections:
Seattle Initiative Measure No. 91 concerns property, goods, and services Seattle provides to for-profit professional sports organizations. The measure would require that