yellow

Darby DuComb
CAO Conlin Representation ORD
June ~~2~~13, 2011
Version #~~1~~2

Form

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, 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 ~~the~~ a recall charge, similar to a recall charge filed with and subsequently rejected by the King County Prosecutor on ~~May 31~~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~~ Superior ~~court~~ 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.

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)

Ben Noble
CAO, Conlin Representation ORD
May 2, 2011
Version #1

Form revised: December 14, 2010

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.

COUNCIL CLERK