

CITY OF SEATTLE
ORDINANCE 126253
COUNCIL BILL 119966

AN ORDINANCE relating to the legal representation of Mayor Jenny Durkan in judicial proceedings concerning a recall charge; paying expenses necessary to defend Mayor Jenny Durkan in those proceedings; and ratifying and confirming certain prior acts.

WHEREAS, on June 15, 2020, a statement of charges was filed with King County Elections Department seeking the recall of Mayor Jenny Durkan for acts arising from the scope of her official duties and while performing in good faith her official duties; and

WHEREAS, on June 25, 2020, the King County Prosecuting Attorney petitioned the Superior Court of King County to conduct a hearing to determine the sufficiency of the recall charges and the adequacy of the ballot synopsis pursuant to RCW 29A.56.130(2); and

WHEREAS, on July 10, 2020, King County Superior Court Judge Mary Roberts dismissed as factually and legally insufficient all charges, except one charge which was allowed to proceed; and

WHEREAS, on August 12, 2020, Mayor Jenny Durkan filed a notice of appeal seeking the Washington Supreme Court review of the trial court's decision; and

WHEREAS, on October 8, 2020, the Washington Supreme Court considered en banc and unanimously decided and ordered the recall charges against Mayor Jenny Durkan be dismissed as factually and legally insufficient; and

WHEREAS, pursuant to RCW 4.96.041(3), Mayor Durkan has requested that The City of Seattle pay the necessary expenses of defending her in legal proceedings to determine the sufficiency of the charges; and

1 WHEREAS, the City Council deems it appropriate to pay those legal expenses; NOW,

2 THEREFORE,

3 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

4 Section 1. Pursuant to RCW 4.96.041(3), the necessary expenses of defending Mayor
5 Jenny Durkan in any and all judicial hearings to determine the sufficiency of a recall charge shall
6 be paid by The City of Seattle, including all costs associated with an appeal of the decision
7 rendered by the Superior Court concerning the sufficiency of the recall charge.

8 Section 2. Any act consistent with the authority of this ordinance taken prior to its
9 effective date is ratified and confirmed.

1 Section 3. This ordinance shall take effect and be in force 30 days after its approval by
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the 14th day of December, 2020,
5 and signed by me in open session in authentication of its passage this 14th day of
6 December, 2020.



7 _____
8 President _____ of the City Council

9 Returned unsigned _____ by me this 15th day of December, 2020.

10 **Returned Unsigned by Mayor**

11 Jenny A. Durkan, Mayor

12 Filed by me this 15th day of December, 2020.



13 _____
14 Monica Martinez Simmons, City Clerk

15 (Seal)