

**SUMMARY and FISCAL NOTE\***

<b>Department:</b>	<b>Dept. Contact/Phone:</b>	<b>CBO Contact/Phone:</b>
LAW	Jessica Nadelman/386-0075	

*\* Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

**1. BILL SUMMARY**

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

**Summary and background of the Legislation:**

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. All charges were dismissed, except one, which was allowed to proceed. The Mayor appealed that trial court decision to the Washington Supreme Court. 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.

Pursuant to RCW 4.96.041, the necessary legal expenses of defending Mayor Durkan in all judicial hearings to determine the sufficiency of recall charges shall be paid by The City of Seattle.

**2. CAPITAL IMPROVEMENT PROGRAM**

Does this legislation create, fund, or amend a CIP Project? \_\_\_ Yes  No

**3. SUMMARY OF FINANCIAL IMPLICATIONS**

Does this legislation amend the Adopted Budget? \_\_\_ Yes  No

**Does the legislation have other financial impacts to the City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?**

Estimated legal costs to date are \$240,000 for all judicial hearings, including appeals to the Washington Supreme Court. No further costs are anticipated; however, final invoices have not yet been received.

**Is there financial cost or other impacts of *not* implementing the legislation?**

No.

#### 4. OTHER IMPLICATIONS

- a. **Does this legislation affect any departments besides the originating department?**  
The Executive Department.
- b. **Is a public hearing required for this legislation?**  
No.
- c. **Does this legislation require landlords or sellers of real property to provide information regarding the property to a buyer or tenant?**  
No.
- d. **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**  
No.
- e. **Does this legislation affect a piece of property?**  
No.
- f. **Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?** N/A.
- g. **If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s).**  
No.

**List attachments/exhibits below:** None.