



Legislation Details (With Text)

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|----------------------|---|-----------------|------------|--------------------|------------|
| File #: | CB 119966 | Version: | 1 | Name: | CB 119966 |
| Type: | Ordinance (Ord) | Status: | Passed | In control: | City Clerk |
| On agenda: | 12/14/2020 | | | | |
| Final Action: | 12/16/2020 | Ord. No. | Ord 126253 | | |
| Title: | 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. | | | | |
| Sponsors: | No Sponsor Required | | | | |
| Indexes: | | | | | |
| Attachments: | 1. Summary and Fiscal Note, 2. Signed Ordinance 126253, 3. Affidavit of Publication | | | | |

| Date | Ver. | Action By | Action | Result |
|------------|------|----------------------------|---------------------------------|--------|
| 12/16/2020 | 1 | City Clerk | attested by City Clerk | |
| 12/16/2020 | 1 | Mayor | returned | |
| 12/15/2020 | 1 | Mayor | returned unsigned | |
| 12/15/2020 | 1 | City Clerk | submitted for Mayor's signature | |
| 12/14/2020 | 1 | City Council | passed | Pass |
| 12/7/2020 | 1 | City Council | referred | |
| 12/2/2020 | 1 | Council President's Office | sent for review | |
| 12/2/2020 | 1 | City Clerk | sent for review | |

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

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

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

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

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

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

Section 3. 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 _____, 2020, and signed by

me in open session in authentication of its passage this _____ day of _____, 2020.

President _____ of the City Council

_____ by me this _____ day of _____, 2020.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2020.

Monica Martinez Simmons, City Clerk

(Seal)