

Resolution No. 31298

A RESOLUTION submitting a referendum regarding City of Seattle Ordinance introduced as Council Bill 117101 to the qualified electors of the City, at an election to be held on August 16, 2011; calling on the City Clerk to certify the proposed referendum to the King County Director of Elections; requesting that the Director of Elections call a special election in conjunction with the August 16, 2011 primary election and submit the proposition to City voters; requesting that the City Attorney prepare a ballot title and explanatory statement; and requesting that the Director of Ethics and Elections ensure that the measure is in the voter's pamphlet.

## The City of Seattle – Legislative Department

Resolution sponsored by: Conlin

### Committee Action:

Date	Recommendation	Vote

This file is complete and ready for presentation to Full Council. \_\_\_\_\_

### Full Council Action:

Date	Decision	Vote
May 23, 2011	ADOPTED	9-0

Related Legislation File: \_\_\_\_\_

Date Introduced and Referred: <u>May 23, 2011</u>	To: (committee): <u>Full Council for Introduction and Adoption</u>
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: <u>May 23, 2011</u>	Date Presented to Mayor: _____
Date Signed by Mayor: _____	Date Returned to City Clerk: <u>May 23, 2011</u>
Published by Title Only <input checked="" type="checkbox"/>	Date Returned Without Concurrence:
Published in Full Text _____	

**RESOLUTION** 31298

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WHEREAS, the City Council passed Council Bill 117101 on February 7, 2011; and

WHEREAS, the Mayor vetoed Council Bill 117101 on February 17, 2011; and

WHEREAS, the City Council reconsidered and passed Council Bill 117101 on February 28, 2011, as authorized by Seattle Charter Article IV, Subsections 1.H and 1.K; and

WHEREAS, King County provided the City Clerk on April 7, 2011 with a Certificate of Sufficiency that the petition for Referendum 1 originally submitted on March 30, 2011 to the King County Elections Department was examined and the signatures thereon carefully compared with the registration records of the King County Elections Department, and as a result of such examination, found the signatures to be sufficient under the provisions of the Revised Code of Washington Section 35A.01.040 and the Seattle Municipal Code Section 1.10.110; and

WHEREAS, the City filed a lawsuit in King County Superior Court seeking a declaratory judgment regarding whether Referendum 1 should not be placed on the ballot; and

WHEREAS, King County Superior Court Judge Middaugh issued an order on May 20, 2011 denying the City's request for summary judgment and indicating that Referendum 1 should be placed on the ballot; NOW, THEREFORE,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE THAT:**

Section 1. The Director of King County Elections, as ex officio supervisor of elections, is requested to call a special election to be held in conjunction with the state-wide primary election on August 16, 2011, and to submit to the qualified electors of the City the referendum measure set forth in Section 2.

1 Section 2. The City Clerk is authorized and directed, not later than 84 days prior to  
2 August 16, 2011, to certify the referendum measure for the ratification or rejection of Council  
3 Bill 117101 entitled:

4 AN ORDINANCE relating to the State Route 99 Alaskan Way Viaduct and  
5 Seawall Replacement Program; entering into certain agreements with the State of  
6 Washington as provided in RCW 39.34.080, RCW Chapter 47.12, and other  
7 applicable law; and ratifying and confirming certain prior acts.  
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10 Section 3. The Seattle City Attorney is requested to prepare a ballot title and an  
11 explanatory statement for this referendum measure.  
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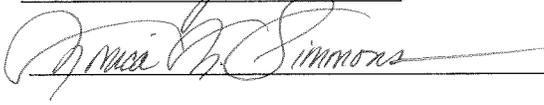
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14 Section 4. The Executive Director of the Seattle Ethics and Elections Commission is  
15 requested to take those actions necessary to place information concerning this referendum  
16 measure in the August 2011 voters' pamphlet.  
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Adopted by the City Council the 23<sup>rd</sup> day of May, 2011, and  
signed by me in open session in authentication of its adoption this 23<sup>rd</sup> day  
of May, 2011.

  
\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

Filed by me this 23<sup>rd</sup> day of May, 2011.

  
\_\_\_\_\_  
Monica Martinez Simmons, City Clerk

(Seal)

**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>CBO Analyst/Phone:</b>
Legislative	Dan Eder x4-8147	n/a

**Legislation Title:**

A RESOLUTION submitting a referendum regarding City of Seattle Ordinance introduced as Council Bill 117101 to the qualified electors of the City, at an election to be held on August 16, 2011; calling on the City Clerk to certify the proposed referendum to the King County Director of Elections; requesting that the Director of Elections call a special election in conjunction with the August 16, 2011 primary election and submit the proposition to City voters; requesting that the City Attorney prepare a ballot title and explanatory statement; and requesting that the Director of Ethics and Elections ensure that the measure is in the voter's pamphlet.

**Summary of the Legislation:**

This legislation would place a referendum before voters on August 16, 2011 concerning Section 6 of Council Bill 117101. The legislation is consistent with King County Superior Court Judge Middaugh's May 20, 2011 order. The legislation would ask voters to determine whether the City Council - after considering the final Environmental Impact Statement - should have the authority to provide notice to the State that the City wishes to proceed with final design and construction elements of three agreements concerning the replacement of the central waterfront portion of the existing Alaskan Way Viaduct.

**Background:**

The City Charter provides the opportunity for the Council to directly refer legislation to the voters for their review.

Please check one of the following:

**This legislation does not have any financial implications.**  
(Stop here and delete the remainder of this document prior to saving and printing.)

**This legislation has financial implications.** (Please complete all relevant sections that follow.)

An additional item on the primary ballot will increase the costs of producing the voter's pamphlet and increase the costs allocated by King County elections to the City for the running the election. The total increase is likely to cost approximately \$50,000. However, the City has generally budgeted for the cost of the primary election, and this additional cost can likely be managed within these allocated resources and probably no additional appropriation will be needed.

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STATE OF WASHINGTON – KING COUNTY

--SS.

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271813  
CITY OF SEATTLE, CLERKS OFFICE

No. TITLE ONLY

**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 12<sup>th</sup> 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:31296 & 31298 TITLE

was published on

05/31/11

The amount of the fee charged for the foregoing publication is the sum of \$ 47.78, which amount has been paid in full.



Affidavit of Publication

Subscribed and sworn to before me on

05/31/11

Notary public for the State of Washington,  
residing in Seattle

## State of Washington, King County

### City of Seattle

The full text of the following legislation, passed by the City Council on May 23, 2011, and published below by title only, will be mailed upon request, or can be accessed at <http://clerk.seattle.gov>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>.

Contact: Office of the City Clerk at (206) 684-8344.

#### RESOLUTION NO. 31296

A RESOLUTION supporting the Seattle Farm Bill Principles as policy guidance to the Federal Government in the renewal of the 2012 Farm Bill.

#### RESOLUTION NO. 31298

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the proposition to City voters; requesting that the City Attorney prepare a ballot title and explanatory statement; and requesting that the Director of Ethics and Elections ensure that the measure is in the voter's pamphlet.

Publication ordered by the City Clerk  
Date of publication in the Seattle Daily Journal of Commerce, May 31, 2011.  
5/31(271813)