

CITY COUNCIL REGULAR SESSION

Resolution authorizing payment of the legal expenses necessary to represent Councilmember Jennifer Robertson in judicial proceedings concerning the recall charges filed with King County Elections on February 1, 2021.

Kathryn L. Gerla, City Attorney, 452-7220
City Attorney's Office

EXECUTIVE SUMMARY

The proposed Resolution will authorize the payment of expenses necessary to defend Councilmember Robertson in the recall charges filed with King County Elections on February 1, 2021, including costs of any appeal.

RECOMMENDATION

N/A

BACKGROUND/ANALYSIS

On February 1, 2021, recall charges were filed with King County Elections against Councilmember Jennifer Robertson.

RCW 4.96.041(3) states:

The necessary expenses of defending an elective officer of the local governmental entity in a judicial hearing to determine the sufficiency of a recall charge . . . shall be paid by the local governmental entity if the officer requests such defense and approval is granted by both the legislative authority of the local governmental entity and the attorney representing the local governmental entity. The expenses paid by the local governmental entity may include costs associated with an appeal of the decision rendered by the superior court concerning the sufficiency of the recall charge.

Councilmember Robertson has requested a defense. Proposed Resolution No. 9892 would provide the approval of the legislative authority necessary to fund Councilmember Robertson's legal defense to the recall petition. That approval would include the costs of any appeal of the decision rendered by the Superior Court concerning the sufficiency of the recall charges.

Proposed Resolution No. 9892 authorizes the City Attorney to execute all documents necessary to implement this legal representation.

POLICY & FISCAL IMPACTS**Policy Impact**

RCW 4.96.041(3) allows the City to pay for the defense of an elected official in a recall proceeding.

Fiscal Impact

There are sufficient funds in the City budget to pay for this defense.

OPTIONS

1. Adopt the Resolution authorizing payment of the legal expenses necessary to represent Councilmember Jennifer Robertson in judicial proceedings concerning the recall charges filed with King County Elections on February 1, 2021.
2. Do not adopt the Resolution and provide alternative direction to staff.

ATTACHMENTS & AVAILABLE DOCUMENTS

Proposed Resolution No. 9892

AVAILABLE IN COUNCIL LIBRARY

N/A