

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5437

AN ORDINANCE providing for the submission to the qualified electors of the City of Bellevue at an election to be held on May 20, 2003, of a proposition to change the classification of the City under Revised Code of Washington Title 35A to a charter code city governed in accordance with a charter, and creating a charter commission consisting of fifteen (15) freeholders elected by the voters to study and draft a charter for consideration by the voters at a subsequent election; requesting the King County Department of Records and Elections to conduct the election using mailed ballots; requesting the King County Department of Records and Elections to provide a voters pamphlet; and providing that the expenses of conducting the election by mailed ballot and of the voters pamphlet be paid by the City.

WHEREAS, on November 4, 2002, the City Clerk of the City of Bellevue, Washington (the "City") received a petition (the "Petition") signed by voters and requesting that an election be held on the question of whether the classification of the City under RCW Title 35A should be changed to a charter code city governed by a charter, and creating a charter commission consisting of fifteen (15) freeholders elected by the voters to study and draft a charter for consideration by the voters at a subsequent election; and

WHEREAS, the Petition was forwarded to the King County Department of Records and Elections to determine whether the required number of registered voters had signed the Petition, and on December 5, 2002, the King County Department of Records and Elections certified to the City that the Petition was signed by at least the required number of registered voters in the City; and

WHEREAS, pursuant to law, the City Council has determined that a special election (the "Election") should be held on May 20, 2003, on the question presented by the Petition; and

WHEREAS, an emergency exists in the City requiring the submission of the proposition to the voters at a special election on that date; and

WHEREAS, the City Council also has determined that the Election should be conducted by mailed ballot, and that a voters pamphlet should be provided to the voters to more fully educate them on the issues presented for their decision at the Election; and

WHEREAS, it is the City Council's purpose by adoption of this ordinance to provide the necessary notice to the King County Department of Records and Elections of the City Council's decision on the date of holding the Election, and of its requests for a mailed ballot and a voters pamphlet; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN
AS FOLLOWS:

Section 1. Election. It is hereby found and declared that an emergency exists in the City requiring the submission to the qualified electors of the City of a proposition to change the classification of the City under RCW Title 35A to a charter code city governed by a charter and to create a charter commission to study and draft a charter for consideration by the voters at a subsequent election, such submission to be at a special election to be held for that purpose on May 20, 2003. The King County Department of Records and Elections, as *ex officio* supervisor of elections, is hereby requested to find the existence of such emergency and to assume jurisdiction of and to call and conduct said special election to be held within the City and to submit to the qualified electors of the City the proposition hereinafter set forth.

The City Clerk is hereby authorized and directed, not less than 45 days prior to such election date, to certify the proposition to the King County Department of Records and Elections in substantially the following form:

THE CITY COUNCIL
OF THE
CITY OF BELLEVUE, WASHINGTON

PROPOSITION NO. ____

CHANGES BELLEVUE TO CHARTER CITY;
COMMISSION TO STUDY, DRAFT CHARTER.

This proposition would change the City of Bellevue's classification under Revised Code of Washington Title 35A to a charter code city and would create a charter commission consisting of fifteen freeholders elected by the voters to study and draft a charter for submission to the voters for their consideration at a subsequent election.

Shall the City of Bellevue become a Charter code city and be governed in accordance with a charter to be drafted by freeholders and submitted to the voters for their consideration under the provisions of Title 35A of the Revised Code of Washington?

Yes Charter Code City

No Charter Code City

Certification of such proposition by the Clerk of the City to the King County Department of Records and Elections, in accordance with law, prior to the date of such election, and any other acts consistent with the authority, and prior to the effective date, of this ordinance, are hereby ratified.

Section 2. Mailed Ballot. The King County Department of Records and Elections is requested to conduct the Election using mailed ballots, with the costs thereof to be billed to and paid by the City.

Section 3. Voters Pamphlet. The King County Department of Records and Elections is requested to prepare and provide to the electors of the City a voters pamphlet, including information on the candidates for the fifteen (15) freeholder positions, with the costs thereof to be charged to and paid by the City.

Section 4. Effective Date. This ordinance shall become effective five days after its passage and legal publication.

Passed by the City Council this 3rd day of March, 2003, and signed in authentication of its passage this 3rd day of March, 2003.

(SEAL)

Connie B. Marshall, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

Richard Gidley, Deputy City Attorney

Attest:

Myrna L. Basich, City Clerk

Published March 7, 2003