

RESOLUTION NO. 16-1139

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, DETERMINDING THAT THE CITY OF BLACK DIAMOND SHALL PROVIDE A DEFENSE FOR CERTAIN INDIVIDUALLY NAMED COUNCILMEMBERS IN KING COUNTY SUPERIOR COURT CAUSE NUMBER 16-2-29091-4 PURSUANT TO CHAPTER 2.66 OF THE BLACK DIAMOND MUNICIPAL CODE.

WHEREAS, CCD Black Diamond Partners LLC, recently filed a Complaint for Violations of the Open Public Meetings Act under King County Superior Court cause number 16-2-29091-4 (“the Lawsuit”); and

WHEREAS, the Lawsuit names as defendants the City of Black Diamond, the Black Diamond City Council, along with Councilmembers Erika Morgan, Pat Pepper, and Brian Weber, who are individually named (collectively “the Defendants”); and

WHEREAS, the City Council would like to exercise its authority under BDMC 2.66.040 to provide a defense for Councilmembers Erika Morgan, Pat Pepper, and Brian Weber (collectively “Individual Defendants;” and

WHEREAS, this resolution was introduced and approved by a majority of the whole membership of the city council during a properly noticed special meeting of the Black Diamond City Council on December 22, 2016; now therefore,

THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. DEFENSE PROVIDED PURSUANT TO CHAPTER 2.66 BDMC. The Black Diamond City Council hereby agrees to provide a defense for the Individual Defendants in the Lawsuit pursuant to BDMC 2.66.040.

RESOLVED this 22nd day of December, 2016.

CITY OF BLACK DIAMOND

DENIED *CB*

By: _____

Its: _____

Each majority council was disqualified to participate in the meeting on 12/15/16.

ATTEST:

CITY CLERK, BRENDA L. MARTINEZ

FILED WITH THE CITY CLERK: December ____, 2016
PASSED BY THE CITY COUNCIL: December 22, 2016
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