

**RESOLUTION NO. 17-1201**

**A RESOLUTION OF THE CITY OF BLACK DIAMOND AUTHORIZING THE PROVISION OF THE DEFENSE OF COUNCIL MEMBERS BRIAN WEBER, ERIKA MORGAN, AND PATRICIA PEPPER IN RELATION TO JUDICIAL PROCEEDINGS FILED AS A THIRD PARTY COMPLAINT IN KING COUNTY SUPERIOR COURT CAUSE #17-2-26654-0-KNT**

WHEREAS, the City has received notification of current judicial proceedings pending in relation to a cause of action filed as a third party complaint in King County Superior Court Cause #17-2-26654-0-KNT by CCD Black Diamond Partners, LLC naming the City, the City Council and, as individuals, Council Member Weber, Morgan and Pepper as defendants, and

WHEREAS those three individual Council Members have filed a request for assumption by the City of their defense in this matter; and

WHEREAS, BDMC 2.66.040 provides for consideration of such requests by the Council so as to provide for the payment of such expenses which have been and will be incurred by her in such proceeding; and

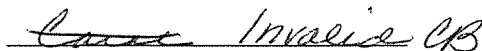
WHEREAS, the courts have found that an elected official may vote upon such a request that she or he makes;

**NOW THEREFORE**, the City Council of the City of Black Diamond does hereby resolve as follows:

**SECTION 1.** Pursuant to the applicable provisions of the Municipal Code, statutory provisions and case law, the individual requests of the three council members for provision of the funding for representation of them in the referenced judicial proceedings,, whether for services already provided or hereafter provided, is hereby approved and authorized.

**Passed by the City Council of the City of Black Diamond, Washington at a regular meeting thereof this 7<sup>th</sup> day of December , 2017.**

City of Black Diamond

 *Invalid CB*

Attest:

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Brenda Martinez, City Clerk