

**CITY OF SPOKANE PARK BOARD**  
**Special Meeting – Charter Changes**

Monday, May 2, 2011, 9:24 a.m.  
City Council Briefing Center, City Hall  
808 W. Spokane Falls Boulevard

**Minutes**

1. Present: Ross Kelley, Randy Cameron, Susan Traver, Ken Van Voorhis, Jim Quigley, Gary Lawton, Chris Wright, Bob Apple

Absent excused: Martha Lou Wheatley-Billeter, Jim Santorsola

Staff Present: Leroy Eadie, Taylor Bressler, Nancy Goodspeed, Debby Dodson, Craig Butz, Pamela McKinzie, Jacki Faught

2. **Proposed Charter Change ~ Ordinance No. C34640:**

- A. Copies of the proposed change to Section 49 "Condemnation for Park Purposes" of the City Charter and the Legal Opinion Memo drafted by James Richman, Assistant City Attorney, on April 13, 2010 regarding this proposed change were distributed and discussed. The proposed change replacing the word "shall" with the word "may" would reduce the Park Board's power to condemn land for Park purposes.

**"Section 49. Condemnation for Park Purposes**

- a. If the board shall be unable to purchase at a satisfactory price any lands or other property for park purposes or be unable to make a satisfactory arrangement as to compensation, the council, upon notice given by the board, **((shall)) may** condemn the same at the expense of the Park fund.
- b. Any property desired for park purposes in which any member of the park board or council may be interested shall be acquired by condemnation proceedings. The petition for condemnation shall set forth the interest of such member."

Leroy Eadie stated that he had also consulted Pat Dalton, Assistant City Attorney, who agrees with Mr. Richman's comments in the memo. Parks was caught off guard with this proposed change as it was proposed after the Mayor's Charter Review Committee had finished their work and before the changes were presented to Council.

After discussion Park Board members cited several reasons they did not support the proposed change: Park Board has been good stewards of this power up until this point; condemnation has rarely ever been considered; the Board has not abused this power; the Board has seen that the Council can delay a project; there is nothing the recently adopted *Roadmap to the Future Master Plan* that would lead us down this path as it focuses on taking care of what we have; the current language in Section 49 is legal and there is no legal necessity for the change; and the change would be beyond the scope of the Charter Review Committee which was for clarification purposes only.

Leroy Eadie advised that does not believe the Charter Review Committee would have put this change through as it does not just "clean up" language and is a substantive change. This is not the only time that things come to City Council and they just approve them to form. There are some items that come from the Hearing Examiner that Council has to approve.

**Motion No. 1:** Chris Wright motioned the Board authorize Leroy Eadie to draft a letter opposing Ordinance No. C – 34640 and presenting the Board’s oppositions with the bullet points discussed to City Council tonight and at any future date.  
Ken Van Voorhis seconded.  
Motion carried.

3. **Adjournment:** 9:53 a.m.