



Agenda Sheet for City Council Meeting of:

07/24/2017

Date Rec'd	7/14/2017
Clerk's File #	RES 2017-0061
Renews #	
Cross Ref #	
Project #	
Bid #	
Requisition #	

Submitting Dept	CITY COUNCIL
Contact Name/Phone	BEN STUCKART 6256269
Contact E-Mail	AMCDANIEL@SPOKANECITY.ORG
Agenda Item Type	Resolutions
Agenda Item Name	0320 SPECIAL ELECTION PROHIBITION OF OIL OR COAL SHIPMENTS BY RAIL

Agenda Wording

A RESOLUTION REQUESTING THE SPOKANE COUNTY AUDITOR TO HOLD A SPECIAL ELECTION ON NOVEMBER 7, 2017 IN CONJUNCTION WITH THE SCHEDULED GENERAL ELECTION TO SUBMIT TO THE VOTERS OF THE CITY OF SPOKANE A PROPOSITION

Summary (Background)

This resolution requests the Spokane County Auditor hold a special election on November 7, 2017 in conjunction with the scheduled general election for the purpose of submitting to the voters of the City of Spokane for their approval or rejection the following proposition to amend the Spokane Municipal Code:

Fiscal Impact	Budget Account
Select \$	#

Approvals		Council Notifications	
Dept Head	MCDANIEL, ADAM	Study Session	
Division Director		Other	
Finance	BUSTOS, KIM	Distribution List	
Legal	PICCOLO, MIKE	tdunivant@spokanecity.org	
For the Mayor	DUNIVANT, TIMOTHY	bmclatchey@spokanecity.org	
Additional Approvals		<i>mpiccob@spokanecity.org</i>	
Purchasing			

ADOPTED BY
SPOKANE CITY COUNCIL:

July 24, 2017
[Signature]
CITY CLERK



Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

REGARDING AN AMENDMENT TO THE SPOKANE MUNICIPAL CODE RELATING TO THE PROHIBITION OF OIL AND COAL SHIPMENT BY RAIL.

Summary (Background)

PROPOSITION NO. 1 CITY OF SPOKANE ORDINANCE REGARDING PROHIBITION OF OIL AND COAL SHIPMENT BY RAIL Initiative No. 2016-6, designated as Ordinance No. C-35515, proposes that the Spokane Municipal Code be amended regarding the prohibition of oil and coal shipment by rail. Shall the Spokane Municipal Code be amended to make it a class 1 civil infraction for any person or entity to allow a rail car that it owns to ship uncontained coal and some types of oil by rail through the downtown Spokane core, or within 2,000 feet of a school, hospital, or the Spokane River? ____ YES ____ NO The City Clerk is directed to deliver a certified copy of this resolution to the Spokane County Auditor no later than August 1, 2017.

Fiscal Impact

Budget Account

Select

\$

#

Select

\$

#

Distribution List

RESOLUTION NO. 2017-0061

A RESOLUTION REQUESTING THE SPOKANE COUNTY AUDITOR TO HOLD A SPECIAL ELECTION ON NOVEMBER 7, 2017 IN CONJUNCTION WITH THE SCHEDULED GENERAL ELECTION TO SUBMIT TO THE VOTERS OF THE CITY OF SPOKANE A PROPOSITION REGARDING AN AMENDMENT TO THE SPOKANE MUNICIPAL CODE RELATING TO THE PROHIBITION OF OIL AND COAL SHIPMENT BY RAIL.

WHEREAS, pursuant to section 82 of the City Charter, an initiative regarding proposed legislation or measure in the form of a proposed ordinance may be submitted to popular vote for adoption or rejection; and

WHEREAS, on October 3, 2016, Todd Eklof filed with the City Clerk's Office an initiative designated as Initiative No. 2016-6 regarding the prohibition of oil and coal shipment by rail; and

WHEREAS, the ballot title for Initiative No. 2016-6 is as follows:

Shall the Spokane Municipal Code be amended to make it a class 1 civil infraction for any person or entity to allow a rail car that it owns to ship uncontained coal and some types of oil by rail through the downtown Spokane core, or within 2,000 feet of a school, hospital, or the Spokane River?

YES

NO

WHEREAS, on June 12, 2017, Mr. Eklof caused to be filed with the City Clerk's Office the petition signatures for Initiative No. 2016-6; and

WHEREAS, on June 26, 2017, the City Council held a hearing and first reading pursuant to SMC 2.02.080 for Initiative No. 2016-6, designated by the City Council as Ordinance No. C- 35515, at which time the City Council voted to have the City Clerk validate the signatures; and

WHEREAS, on July 12, 2017, the Spokane County Elections Office certified that Initiative No. 2016-6 satisfied the required number of valid signatures of registered voters as required by Section 82 of the City Charter; and

WHEREAS, the City Council held a hearing on July 24, 2017 on the initiative pursuant to SMC 2.02.100, where Ordinance No. C- 35515 was given a second and final reading; and

WHEREAS, RCW 29A.04.330 requires the City to transmit to the Spokane County Auditor by August 1, 2017 a resolution calling for a special election.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Spokane, pursuant to section 82 of the City Charter, that:

1) the Spokane County Auditor is hereby requested pursuant to RCW 29A.04.330 to hold a special election on November 7, 2017 in conjunction with the scheduled general election for the purpose of submitting to the voters of the City of Spokane for their approval or rejection the following proposition to amend the Spokane Municipal Code:

PROPOSITION NO. 2

CITY OF SPOKANE

ORDINANCE REGARDING PROHIBITION OF OIL AND COAL SHIPMENT BY RAIL

Initiative No. 2016-6, designated as Ordinance No. C-35515, proposes that the Spokane Municipal Code be amended regarding the prohibition of oil and coal shipment by rail.

Shall the Spokane Municipal Code be amended to make it a class 1 civil infraction for any person or entity to allow a rail car that it owns to ship uncontained coal and some types of oil by rail through the downtown Spokane core, or within 2,000 feet of a school, hospital, or the Spokane River?

YES

NO

2) the City Clerk is directed to deliver a certified copy of this resolution to the Spokane County Auditor no later than August 1, 2017.

Adopted July 24, 2017.



City Clerk

Approved as to form:



Assistant City Attorney



DATE: July 27, 2017
I HEREBY CERTIFY THIS IS A TRUE AND ACCURATE COPY OF THE ORIGINAL WHICH IS ON FILE IN THE OFFICE OF THE CITY CLERK.



CITY CLERK
SEAL: CITY OF SPOKANE
COUNTY OF SPOKANE
STATE OF WA

Resolution No. 2017 - 0061