

JOINT SPECIAL MEETING MINUTES
of the
SPOKANE COUNTY COMMISSIONERS,
SPOKANE CITY COUNCIL, and
AIRWAY HEIGHTS CITY COUNCIL

Thursday, December 3, 2009

A Joint Special Meeting of the Board of Spokane County Commissioners, Spokane City Council, and Airway Heights City Council was held on the above date in the Spokane City Council Chambers, 808 W. Spokane Falls Boulevard. The purpose of the meeting was to consider the Interlocal Agreement regarding annexations of portions of the West Plains Urban Growth Area between the City of Spokane, the City of Airway Heights, and Spokane County. Commissioner Todd Mielke chaired and facilitated the Joint Special Meeting.

Board of Spokane County Commissioners—Call to Order and Roll Call

Call to Order

Commissioner Todd Mielke, Chair, called the Special Meeting of the Board of Spokane County Commissioners to order at 5:40 p.m.

Roll Call

Present: Commissioner Todd Mielke (Chair), Commissioner Mark Richard (Vice Chair), and Commissioner Bonnie Mager

Airway Heights City Council—Call to Order and Roll Call

Call to Order

Mayor Matthew Pederson called the Special Meeting of the Airway Heights City Council to order at 5:41 p.m.

Roll Call

Present: Mayor Matthew Pederson, Deputy Mayor Larry Haskell, and Council Members Patrick Rushing, and Kevin Richey

Absent: Council Members Charlotte Lawrence, Don Mitchell, and John Holloway

Spokane City Council—Call to Order and Roll Call

Call to Order

Council President Alexander J. Shogan, Jr., called the Special Meeting of the Spokane City Council to order at 5:41 p.m.

Roll Call

Present: Council President Alexander J. Shogan, Jr., and Council Members Bob Apple, Steve Corker, Al French, Nancy McLaughlin (present via telephone), Richard Rush, and Jon Snyder were present.

Pledge of Allegiance

The Pledge of Allegiance was lead by Commissioner Mielke.

Interlocal Agreement Regarding Annexations of Portions of the West Plains Urban Growth Area

Mayor Mary Verner provided a brief overview of the proposed West Plains Annexation. In addition, Mayor Pederson and Commissioner Mager presented remarks on the West Plains Annexation. Commissioner Mielke opened the floor up for any questions relating to the presentations by Mayor Verner, Mayor Pederson, and Commissioner Mager. There were no questions asked specific to the presentations. Subsequently, discussion was held on whether public testimony would be received on the matter. As the matter was considered a consent agenda item for both the Board of Spokane County Commissioners and the Spokane City Council, these two jurisdictions did not call for public testimony on the Interlocal Agreement. Commissioner Mielke deferred to Mayor Pederson to call for public testimony on behalf of the City of Airway Heights. Mayor Pederson called for public comment, with one individual (Pete Thompson) coming forward to speak on the matter. Mayor Pederson then closed the opportunity for public comment on behalf of the City of Airway Heights. Mayor Pederson then turned the meeting back to the Chair, Commissioner Mielke.

Spokane City Attorney Howard Delaney noted for clarification purposes that staff has submitted by consent of all jurisdictions a proposed amendment to Section 7 of the Interlocal Agreement (which addresses comments presented by Mr. Thompson during the public comment period for Airway Heights). Per the recommendation of Mr. Delaney, the Spokane City Clerk read Section 7, as amended, into the record. (See Attachment 1 to Minutes.) Commissioner Mielke noted the amended Section 7, by consent (of the three jurisdictions), has been rolled into the draft Interlocal Agreement. Subsequently, Commissioner Mielke called for a motion to formally put the Interlocal Agreement before the jurisdictions for consideration and to open discussion on the matter. A joint motion was presented by Council Member Rushing, seconded by Council President Shogan, to approve the draft Interlocal Agreement amongst the City of Spokane, Airway Heights, and Spokane County with regard to the West Plains Annexation as presented this evening. Commissioner Mielke then opened up discussion on the matter. Discussion ensued, with comments and responses by staff members.

During discussion, the topic of Geiger Spur was mentioned. In relation to the topic, Commission Richard noted for the future and the record today that it is his opinion and desire that the jurisdictions would enter into an agreement that would be long standing beyond the actual recoupment of our financial investment into that project. He noted that when you invest in infrastructure, you aren't simply looking to recoup the cost of that infrastructure; you're looking to do a number of

things, one of which includes helping to generate revenue for the municipalities that provide those important services so that you don't have to continue to go out to taxpayers to raise taxes on them.

Subsequent to discussion being closed, the following joint action was taken, with votes taken separately for each jurisdiction:

Motion by Council Member Rushing, seconded by Council President Shogan, to approve the draft Interlocal Agreement amongst the City of Spokane, Airway Heights, and Spokane County with regard to the West Plains Annexation as presented this evening (including the revisions to Section 7, as discussed).

Motion carried unanimously upon Roll Call Vote of the Board of Spokane County Commissioners.

Motion carried unanimously upon Roll Call Vote of the Airway Heights City Council (with Council Members Lawrence, Mitchell, and Holloway absent).

Motion carried unanimously upon Roll Call Vote of the Spokane City Council (with Council Member McLaughlin voting telephonically).

Closing Remarks

Commissioner Mielke provided closing comments and thanked and commended all of the electeds and staff that put a lot of time, resources, and effort into the interlocal agreement. Mayor Pederson also provided closing remarks and thanked all parties involved.

Adjournment

Airway Heights City Council

Motion by Council Member Rushing, seconded by Council Member Richey, to adjourn; **carried unanimously (Council Members Lawrence, Mitchell, and Holloway absent).**

Spokane City Council

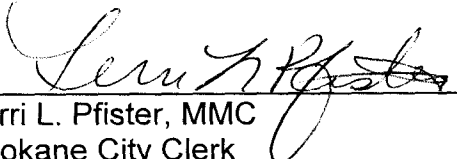
Motion by Council Member French, seconded by Council Member Corker, to adjourn the Special Administrative Session; **carried unanimously.**

Board of County Commissioners

Motion by Commissioner Mager, seconded by Commissioner Richard, to adjourn; **carried unanimously.**

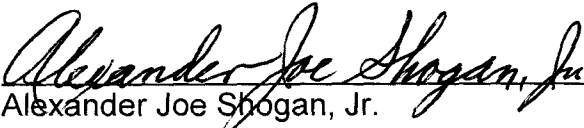
The Joint Special Meeting of the Board of County Commissioners, Airway Heights City Council, and Spokane City Council adjourned at 6:59 p.m.

Minutes prepared and submitted for publication in the January 13, 2010, issue of the *Official Gazette*:



Terri L. Pfister, MMC
Spokane City Clerk

Reviewed by:



Alexander Joe Shogan, Jr.
City Council President

Attachment 1 to
Special Meeting Minutes of
December 3, 2009

SECTION NO. 7: PROTECTION OF ESSENTIAL PUBLIC FACILITIES

Spokane, Airway Heights and the County acknowledge and agree that the Spokane International Airport and Fairchild Air Force Base are two of the region's most essential public facilities and that ~~neither of the parties should allow discourage~~ development in the vicinity of adjacent to either facility that is incompatible with the facilities' operational needs and/or its ability to carry out its current and/or future missions ("incompatible development"). The term "incompatible development" means permitted land uses that are inconsistent with the Fairchild Air Force Base Joint Land Use Study ("JLUS"), WSDOT Aviation Division Regulations, FAA Regulations, state statutes or regulations. If ~~any either of the parties~~ party discovers that an existing comprehensive plan or development regulation ~~does not discourage allows for~~ incompatible development ~~or is otherwise incompatible with the needs of either facility to carry out its current and/or reasonably anticipated future mission requirements~~, said party shall take action to amend its comprehensive plan and/or development regulation consistent with the requirements of RCW 36.70.547 Chapter 36.70A RCW. Prior to amending its development regulations in a manner that may affect property in the vicinity of either facility, that might not discourage allow incompatible development, notice shall be provided to (i) the Mayor of the other party; (ii) the Fairchild Air Force Base commander; and (iii) the Director of the Spokane International Airport. Said notice shall request written recommendations and supporting facts opposing the proposed development regulation or amendment relating to the use of land being considered in the amendment to the development regulation. The notice shall provide sixty days for a response. If there is no response within said 60 days, the party may presume that implementation of the proposed development regulations or amendment will not have any adverse effect on the operation of the facility.

Following execution of the Agreement, the parties shall take action to adopt regulations that prevent incompatible development.

SUBMITTED TO CITY COUNCIL

BY: Howard Delaney, Spokane City Attorney

DATE 12/3/09

[Signature]
CITY CLERK