

**WARNING**

No. 002

Under Washington State law every person who signs an initiative or referendum petition with any other than his or her true name, knowingly signs more than once, or signs when he or she is not a legal voter; or signs a petition when he or she is otherwise not qualified to sign, or who makes any false statement on such petition, may be guilty of a misdemeanor.

**INITIATIVE PETITION TO THE PEOPLE OF THE CITY OF SPOKANE  
INITIATIVE NO. 2009-2**

**RECEIVED**  
JUL 01 2009  
CITY CLERK'S OFFICE  
SPOKANE, WA

We, the undersigned citizens and legal voters of the City of Spokane, Washington, respectfully direct that this proposed City Charter amendment known as Initiative No. 2009-2, a full, true and correct copy of which is printed on the reverse side hereof, be submitted to the electors of the City of Spokane for their approval or rejection at the next available special or general municipal election. The proposed City Charter amendment shall appear as the following proposition:

**BALLOT TITLE**

Shall the City Charter be amended to add a Community Bill of Rights which seeks to build a healthy, sustainable, and democratic Spokane by securing rights to a locally-based economy, affordable and renewable energy, affordable preventive healthcare, affordable housing, a healthy environment, and constitutional rights in the workplace, as well as to apprenticeship training and a prevailing wage on certain construction projects; and by securing the right to determine the future of neighborhoods?

Each of us for himself or herself says: I have personally signed this petition; I am a legal voter of the City of Spokane; my residence address is correctly stated; and I have knowingly signed this petition only once.

(The full text of the proposed City Charter amendment is printed commencing on the reverse side of this page.)

PETITIONER'S SIGNATURE as on voter registration	PRINTED NAME	RESIDENCE ADDRESS (street number)	DAYTIME PHONE (optional)	CHECK IF REGISTERED ADDRESS IS DIFFERENT
<i>Pamela DeLeo</i>	Pamela DeLeo	920 E. 19th Ave.		
<i>Mary Verson</i>	MARY VERSON	1727 S. Martin		
<i>Kimberly A. Donahue</i>	Kimberly A. Donahue	401 N. Fischer Ch. roads		
<i>Judy Ferguson</i>	Judy Ferguson	5605 W. Pacific Rd.	467-2402	
<i>Vicki Frankfort</i>	Vicki Frankfort	10733 N. Fleming		
<i>Michelle Thaxton</i>	Michelle Thaxton	5724 N. Sutherland <sup>99205</sup>		
<i>Arthur Carlson</i>	Arthur Carlson	6107 N Forest Blvd	216-4804	
<i>Douglas F. Ben</i>	Douglas F. Ben	108 E. Brown Ave	298-0003	
<i>Tony Naciarato</i>	Tony Naciarato	W14904 Autumn	468-7157	
<i>Stephanie McDeid</i>	Stephanie McDeid	52145 S. Conestoga Ln		
<i>Rodney S. Pollent</i>	Rodney S. Pollent	4218 W. Weile		
<i>Katherine Turchin</i>	Katherine Turchin	3122 N. Hoffmann	328-9449	
<i>William L. Vism</i>	William L. Vism	4502 W. Crescent St		
<i>Pamela Slockton</i>	Pamela Slockton	3424 W. Staff Rd		
<i>William O. Seifert</i>	William O. Seifert	6726 N. Fleming	382-8619	
<i>Virginia M. Seifert</i>	Virginia M. Seifert	6726 N. Fleming		
<i>Stanley W. Duda</i>	Stanley W. Duda	7303 N. Tucuman St	326-0663	
<i>Kaye H. Herzer</i>	Kaye H. Herzer	8230 N. Prada	467-9030	
<i>Kim Lafont</i>	Kim Lafont	2916 W. Francis	394-2400	
<i>Sandra Alvarado</i>	Sandra Alvarado	P.O. Box 48553 99228	325-2530	

ENVISION SPOKANE POLITICAL COMMITTEE, 1028 E. 13TH AVENUE, SPOKANE, WA 99202.

**SUMMARY OF MEASURE**

**The Law as it Currently Exists:**

No Community Bill of Rights currently exists within the City Charter.

**The Effect of the Measure if Approved:**

This measure would amend the City Charter with a Community Bill of Rights, which seeks to build a healthy, sustainable, and democratic Spokane through the recognition of the rights of residents, workers, neighborhoods, and the natural environment. Those legally enforceable rights would include the right to a locally-based economy, the right to affordable and renewable

energy, the right to affordable preventive healthcare, the right to affordable housing, the right to a healthy environment, the right of residents to determine the future of their neighborhoods, the right to constitutional protections in the workplace, and the right, on certain construction projects, to be paid the prevailing wage and work as apprentices. The Community Bill of Rights would require the City of Spokane to guarantee affordable, fee-for-service preventive healthcare to residents of Spokane, fund the creation and enforcement of neighborhood plans, and ensure that sufficient low-income housing stock exists within the City.

## A CITY CHARTER AMENDMENT ESTABLISHING A COMMUNITY BILL OF RIGHTS

Whereas, the people of the City of Spokane wish to build a healthy, sustainable, and democratic community;

Whereas, the people of the City of Spokane wish to build that community by securing the rights, freedoms, and well-being of residents, workers, neighborhoods, and the natural environment;

Whereas, the people of the City of Spokane recognize their responsibility to be well-informed and involved citizens of the City of Spokane, to be stewards of the natural environment, and to assume the responsibility for enforcing their rights and the rights of others;

Whereas, the people of the City of Spokane have adopted a Comprehensive Plan for the City of Spokane, which envisions the building of a healthy, sustainable, and democratic community, but the people recognize the Comprehensive Plan is not legally enforceable in many important respects; and

Whereas, the people of the City of Spokane wish to create a Community Bill of Rights which would, among other goals, establish legally enforceable rights and duties to implement the vision laid out in the Comprehensive Plan.

### **NOW, THEREFORE, THE PEOPLE OF THE CITY OF SPOKANE HEREBY ORDAIN:**

**Section 1.** A new section be added to the beginning of the Charter of the City of Spokane, which shall be known as the "Community Bill of Rights," and which provides as follows:

#### **FIRST. RESIDENTS HAVE THE RIGHT TO A LOCALLY-BASED ECONOMY.**

*Residents have the right to a locally-based economy to ensure local job creation and enhance local business opportunities. The right shall include the right to have local monies reinvested locally by lending institutions, and the right to equal access to capital, credit, contracts, incentives, and services for businesses owned by Spokane residents.*

#### **SECOND. RESIDENTS HAVE THE RIGHT TO AFFORDABLE PREVENTIVE HEALTHCARE.**

*Residents have the right to affordable preventive healthcare. For residents otherwise unable to access such care, the City shall guarantee such access by coordinating with area healthcare providers to create affordable fee-for-service programs within eighteen (18) months following adoption of this Charter provision.*

#### **THIRD. RESIDENTS HAVE THE RIGHT TO AFFORDABLE AND SAFE HOUSING.**

*Residents have the right to affordable housing, the right to a safely-maintained dwelling, and the right to be free from housing discrimination. The City shall ensure the availability of low-income housing stock sufficient to meet the needs of the low-income housing community. People and families may only be denied renting or buying of a dwelling for non-discriminatory reasons and may only be evicted from their residence for non-discriminatory causes.*

#### **FOURTH. RESIDENTS HAVE THE RIGHT TO AFFORDABLE AND RENEWABLE ENERGY.**

*Residents have the right to access affordable and renewable energy sources.*

#### **FIFTH. THE NATURAL ENVIRONMENT HAS THE RIGHT TO EXIST AND FLOURISH.**

*Ecosystems, including but not limited to, all groundwater systems, surfacewater systems, and aquifers have the right to exist and flourish. River systems have the right to flow and have water quality necessary to provide habitat for native plants and animals, and to provide clean drinking water. Aquifers have the right to sustainable recharge, flow, and water quality.*

#### **SIXTH. RESIDENTS HAVE THE RIGHT TO DETERMINE THE FUTURE OF THEIR NEIGHBORHOODS.**

*Residents have the right, through their neighborhood councils, to determine the future of their neighborhoods, which shall include the right to adopt enforceable neighborhood plans, and the right to have growth-related public infrastructure costs funded by new development as provided by an impact fees Ordinance. The City of Spokane shall provide sufficient funding to neighborhood councils for the creation, adoption, and enforcement of neighborhood plans. Such plans shall respect and promote the rights delineated by this Charter. Residents may also determine the future of their neighborhoods by rejecting proposed land development projects, in accordance with the provisions of this Charter.*

#### **SEVENTH. WORKERS HAVE THE RIGHT TO BE PAID THE PREVAILING WAGE, AND THE RIGHT TO WORK AS APPRENTICES, ON CERTAIN CONSTRUCTION PROJECTS.**

*Workers have the right to be paid the prevailing wage on all private construction projects exceeding two million dollars in construction costs (as annually adjusted for inflation), and all public and publicly subsidized construction projects, within the City of Spokane. Workers have the right to work as apprentices on all private construction projects exceeding two million dollars in construction costs (as annually adjusted for inflation), and all public and publicly subsidized construction projects, through programs approved under the Washington State Apprenticeship Training Program, and each contractor and subcontractor building those projects shall be required to use apprentices for a minimum of fifteen percent (15%) of the total hours worked on each project.*

#### **EIGHTH. WORKERS HAVE THE RIGHT TO EMPLOYER NEUTRALITY WHEN UNIONIZING, AND THE RIGHT TO CONSTITUTIONAL PROTECTIONS WITHIN THE WORKPLACE.**

*Workers have the right to employer neutrality when unionizing, and the right to be free from captive audience meetings, or other mandatory, non-work related meetings, in the workplace.*

#### **NINTH. RESIDENTS, WORKERS, NEIGHBORHOODS, NEIGHBORHOOD COUNCILS, AND THE CITY OF SPOKANE SHALL HAVE THE RIGHT TO ENFORCE THE COMMUNITY BILL OF RIGHTS.**

*All rights recognized by the Community Bill of Rights are fundamental, inalienable, and self-executing. The City of Spokane, or any person, neighborhood, or neighborhood council aggrieved by a violation of their rights, or any person seeking to enforce the rights of ecosystems, may enforce these rights. Enforcement actions shall be filed as civil actions in a court of competent jurisdiction, against any person, government, or entity violating these rights, and sufficient legal and equitable relief shall be awarded to remedy the violation, including restoration of a damaged ecosystem. In any action to enforce any Charter right, the court may allow the prevailing plaintiff a reasonable attorney's fee and expert fees. Corporations and other business entities shall not be deemed to possess any legal rights, privileges, powers, or protections which would enable those entities to avoid the enforcement of these rights, or which would enable them to nullify these rights. If any part or provision of these Charter provisions, or the application of these Charter provisions to any person or circumstance, is held invalid, the remainder of these Charter provisions, including the application of such part or provisions to other persons or circumstances, shall not be affected by such a holding and shall continue in full force and effect.*

**Section 2.** A new section be added as Section 74.5 of the City Charter, which shall provide as follows:

##### **Section 74.5. Rights of Neighborhoods and Neighborhood Councils**

**A.** The City of Spokane shall notify neighborhood councils of any proposals for commercial, industrial, or multi-unit residential land developments to be located within neighborhoods represented by those councils. That notice shall be given not more than five business days from the submission of a project permit application to the City by the developers of those proposals, and shall include notice to neighborhood councils representing neighborhoods adjacent to the neighborhood in which the land development is proposed to occur.

**B.** A neighborhood council may veto a land development project if requested to veto that project by a number of neighborhood registered voters equal to or greater than fifteen percent (15%) of the total number of votes cast at the last preceding general municipal election within that neighborhood. After being petitioned, if the neighborhood council determines that the land development project may adversely affect the neighborhood, and that the project is incompatible with either the neighborhood's planning, the City's Comprehensive Plan, or the City Charter, the council may veto the project. Such action by the neighborhood council shall stop all site development associated with the project, such action shall be binding upon the City of Spokane, and the City of Spokane shall defend such action against any legal challenges.

**C.** A neighborhood council shall veto a land development project if requested to veto that project by a number of neighborhood registered voters greater than fifty percent (50%) of the total number of votes cast at the last preceding general municipal election within that neighborhood. Petitioners must find that the land development project may adversely affect the neighborhood, and that the project is incompatible with either the neighborhood's planning, the City's Comprehensive Plan, or the City Charter. Such action by the neighborhood council shall stop all site development associated with the project, such action shall be binding upon the City of Spokane, and the City of Spokane shall defend such action against any legal challenges.

##### **Section 3. Effective Date of Amendment to City Charter.**

If approved by the electors, this City Charter amendment shall take effect and be in full force upon issuance of the certificate of election by the Spokane County Auditor's Office.

**Section 4.** All ordinances, resolutions, motions or orders in conflict with this City Charter amendment are hereby repealed to the extent of such conflict.