

SPOKANE PARK BOARD

Regular Monthly Study Session – 4:05 P.M. – June 14, 2012 – City Hall Conference Room 5A

Notes

1. Roll Call: *Jacki Faight*

Park Board Members Present: Randy Cameron, President; Jim Quigley, Vice President; Leroy Eadie, Park Board Secretary/Parks Director; Andy Dunau; Ross Kelley (3:19 p.m.); Jim Santorsola; Sam Selinger; Susan Traver; Ken VanVoorhis; Martha Lou Wheatley-Billeter; Chris Wright

Park Board Members Absent Excused: Mike Allen, Council Liaison

Staff Present: Craig Butz, Garrett Jones, Mike Aho, Tony Madunich, Jacki Faight, Taylor Bressler, Pat Dalton(City Legal)

2. Discussion Items:

- A. Legalities of Leasing and Selling Park Properties – Pat Dalton, City Legal.
 - 1. Although Parks property is held in the name of the City it is owned by the Board. There is some land where it is not clear if the land is Parks land. The approval of the voters is required for
 - 2. The Charter gives the Park Board power for Condemnation for Park Purposes. This power has not been used although discussion on changes to this part of the charter was had several years ago.
 - 3. Each one of the pieces of property the Park Board owns might have its unique conditions on it. For example, bought with Federal Funds and there are federal and state requirements on what can be done with the property; property with “reverter” clauses that say it may be used for park use only and if it stops being used for parks then it reverts back to the donor. If there is a particular piece of property the Board is thinking of doing something with then it must be researched individually. The research can be done through a title company and there are costs involved. Parks has looked at the inventory of City owned property and research can be focused on ones that are being considered for surplus.
 - 4. The definition of a “park” based on the City’s Comprehensive Plan, Webster’s Dictionary, court cases, and state statutes, was discussed. Basically whatever the Board says is a park, is a park. If you treat land as a park, if the intent is to use land as a park, then it is a park. Definitions of a park tend to be circular. Other communities have resolved the definition issue by zoning their park land as parks.
 - 5. Discussion was had on the north bank property and if it would be considered a park and fall under the section of the charter restricting the Board to “sell or exchange without prior approval of the electorate.” The property is not considered a part of Riverfront Park but “adjacent to” Riverfront Park. The purchase was funded by the 1999 bond for the purpose of doing what you cannot do in Riverfront Park proper.
 - 6. By City Charter definition some land owned by parks are not considered “parks.”
 - 7. The reason that the definition of a park has become a large topic of discussion is that the State has enacted a law in which if someone is caught selling drugs then the penalty for the crime is enhanced.
 - 8. It is Pat’s legal opinion a building is realty.
 - 9. The Charter reference on intoxicating liquor does not apply to anything because

- there is a superseding State law that says all liquor regulations in the State of Washington shall be in that chapter and no cities may have any different ones.
10. Discussion was had on the Riverfront Park Master Plan, restrictions on different parcels in the park, which properties in the area are considered in the footprint of Riverfront Park, and naming rights for sponsorships.
 11. Brief discussion was had regarding Thornton Murphy Park property and the original property exchange with the Stanek's.
 12. The change of use process with the State for the Bosch Lot property was discussed.
 13. Discussion was had regarding the Corbin Art Center, including options for leasing portions of the building.
 14. The portion of Cowley Park being leased to Sacred Heart was discussed.
 15. If land owned by parks does not fall within one of the restrictions by definition then the limitations on sell or exchange do not apply to it. Mr. Dalton believes that the north bank property could be one of those properties as it was never dedicated to park purposes. Research would need to be done on this and any other property in order to determine.
 16. Exchanges of property should be interpreted the same as a sale of property by the Charter.
 17. Restrictions on a property would apply to buildings and/or other improvements on the property.
 18. The Board can only do a three year lease however the City Council can lease property for as long as they want to. A long term lease never becomes equal to a sale or exchange of park property and would not require approval of the electorate.
 19. Mr. Dalton is unaware of restrictions on the Board for purchasing property for parks purposes. The power of condemnation granted by Charter Section 49
 20. Property owned by parks outside the city limits has the same charter restrictions as park property within the city limits. State laws allow park districts and parks boards to own land outside their city limits.
 21. All parks property should be in the name of the city regardless of how it was acquired.
- B. Naming Rights – Randy Cameron asked the board to consider reviewing and modifying the naming rights policy in the near with the intent of allowing negotiation for those rights. This would allow the Board to take advantage of opportunities as they arise.
 - C. Talking Points for Riverfront Park Master Plan – Randy Cameron asked for staff to work with Susan and Andy on talking points for the plan.
 - D. Meeting with Mayor – Randy Cameron updated the board that he will be following up with Mayor on Monday on the requests the Board has made from City Accounting and plans on asking Mayor for support of Riverfront Park Master Plan. A stakeholder's group will be a part of Phase 2.

3. **Adjournment:** 5:10 p.m.

- A. Next Park Board Study Session will be: July 12, 2012, 3:00 p.m. or as soon as possible thereafter directly following the Regular Park Board meeting, City Council Briefing Center.