

**CITY OF AIRWAY HEIGHTS, WASHINGTON
RESOLUTION NO. 2020-028**

**A RESOLUTION OF THE CITY COUNCIL OF AIRWAY HEIGHTS, WASHINGTON,
PROVIDING FOR THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE
CITY AT THE FEBRUARY 9, 2021 SPECIAL ELECTION, A PROPOSITION ASKING
WHETHER THE CITY SHOULD MODIFY ITS EXISTING COUNCIL-MANAGER
FORM OF GOVERNMENT TO ALLOW THE COUNCIL TO SELECT A
COUNCILMEMBER AS THE CHAIR WHO SHALL PRESIDE AT MEETINGS OF
THE COUNCIL AND PERFORM DUTIES AS THE MAYOR**

WHEREAS, the City of Airway Heights operates under the Council-Manager form of government (RCW Chapter 35A.13) with the person elected to Council Position 1 acting as the chair of the Council with the title and powers conferred upon the Mayor;

WHEREAS, the above state law, as an alternative, allows the City Council Members, biannually, to choose a chair from the elected Council with such person presiding at meetings of the Council and performing duties as the Mayor;

WHEREAS, the City Council upon due consideration believes it would be in the best interests and general welfare of the City to request that the qualified voters of the City determine whether the City should amend the Council-Manager form of government by providing, in accordance with RCW 35A.13.033, that the newly elected City Council Members shall biannually choose a chair (Mayor) from their Council, who shall preside at meetings of the Council and have other powers conferred as set forth in RCW 35A.13.033;

WHEREAS, to change the manner of electing a Mayor, a proposition shall be submitted to the qualified electors within the City;

WHEREAS, the City, following approval of this Resolution, shall notify the Spokane County Auditor in compliance with RCW 29A.04.330(2), as amended, of its request to hold a special election on February 9, 2021, so that the voters of the City may ratify or reject the proposition set forth herein.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Airway Heights as follows:

Section 1. Findings. The above recitals are adopted as legislative findings by the City Council.

Section 2. Mayor and City Council. Pursuant to RCW Chapter 35A.13 the City is organized under the Council-Manager form of government with all powers available through the Constitution and laws of this state. As authorized by law, the City Council desires to change the manner through which the person elected to position 1, as a Councilmember, becomes the Mayor and instead have the City Council, biannually elect a Chair (who also serves as Mayor), from amongst the City Councilmembers as set forth in RCW 35A.13.030. It is further understood that if the voters approve the proposition set forth below, then following the next election for City Council Members, the Council shall meet and choose a chair from the Council Members as provided under RCW 35A.13.030.

Section 3. Special Election. The City of Airway Heights, acting through its City Council, has at an open public meeting taken action on this Resolution and is presenting the below Proposition at least sixty (60) days prior to the special election date, identified in RCW 29A.04.330(2). Accordingly, the Council hereby requests the Spokane County Auditor call a special election to be conducted and held within the City of Airway Heights on Tuesday, February 9, 2021, for the purpose of submitting Proposition 1 to the voters of the City of Airway Heights.

Section 4. Ballot Proposition. The City Clerk is hereby authorized and directed no later than December 11, 2020, to submit the following proposition to the Spokane County Auditor in substantially the following form:

CITY OF AIRWAY HEIGHTS

PROPOSITION NO. 1

CITY COUNCIL CHAIR TO BE MAYOR

The Airway Heights City Council adopted Resolution No. 2020-028 to request the voters modify the manner of electing the Chair (and ceremonial Mayor) of the City Council. If approved, this proposition would provide that the City Council Members shall, biennially, at the first meeting of the year choose the Chair (and ceremonial Mayor) of the new City Council as set forth in RCW 35A.13.030.

Should this proposition be: APPROVED?

REJECTED?

Section 5. Modifications. The City Manager and City Attorney are authorized to make minor adjustments to the wording of the proposition as may be accepted by the Spokane County Auditor, provided the intent of the proposition remains clear and consistent with this Resolution.

Section 6. Severability. If any section, sentence, clause or phrase of this Resolution should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Resolution.

Section 7. Effective Date. This Resolution is effective upon passage.

INTRODUCED by the City Council this 7th day of December, 2020.

ADOPTED by the City Council this 7th day of December, 2020.



Mayor, Kevin Richey

Approved as to form:


Stanley M. Schwartz, City Attorney

[CERTIFICATION FOLLOWS]

I, Stanley Schubert, Clerk/Treasurer of the City of Airway Heights, Washington, hereby certify that the foregoing Resolution Number 2020-___ is a full, true and correct copy of a resolution duly passed and adopted at a regular meeting of the City Council of the City of Airway Heights, held at the regular meeting place thereof on December ____, 2020, of which meeting all members of said Council had due notice, and at which a majority thereof was present. At said meeting the above resolution was adopted by the following vote:

AYES, and in favor thereof: 6

NAYS: 0

ABSENT: 1

ABSTAIN: 0

I further certify that I have carefully compared the same with the original resolution on file of record in my office; that said resolution is a full, true and correct copy of the original resolution adopted at said meeting; and that said resolution has not been amended, modified, or rescinded since the date of its adoption and is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City on the 7th day of December, 2020.



CITY OF AIRWAY HEIGHTS
Spokane County, Washington

Stanley Schubert, Clerk/Treasurer