

April 10, 2018

City Council, Staff and Mayor  
C/O Sam Satterfield, City Attorney

Re: *Demand of the People for Enacting or Submission of Protect Our Parks Ordinance*

Dear Mayor Reuter, City Council Members and Staff and Mr. Satterfield:

Chapter 1.02 of the Kalama Municipal Code provides that the City of Kalama has adopted all the powers of noncharter code cities set forth in RCW Title 35A. Specifically, the code Section 1.02.010 provides:

"Notwithstanding anything contained in this code of ordinances to the contrary, the city of Kalama, Washington adopts the classification of a noncharter code city operating under the mayor-council plan of government as set forth in RCW Chapter 35A.12, endowed with all the applicable rights, powers, privileges, duties and obligations of noncharter code cities as set forth in RCW Title 35A as the same now exists, including, but not by way of limitation, those set forth in Chapter 35A.11 of said title, and further including any and all supplements, amendments or other modifications of said title hereafter at any time enacted."

Chapter 35A.11 gives the citizens of noncharter code cities the power to conduct a petition initiative to add an ordinance to the city code. Specifically, RCW 35A.11.100 provides:

"Except as provided in RCW 35A.11.090, and except that the number of registered voters needed to sign a petition for initiative or referendum shall be fifteen percent of the total number of names of persons listed as registered voters within the city on the day of the last preceding city general election, the powers of initiative and referendum in noncharter code cities shall be exercised in the manner set forth for the commission form of government in RCW 35.17.240 through 35.17.360, as now or hereafter amended."

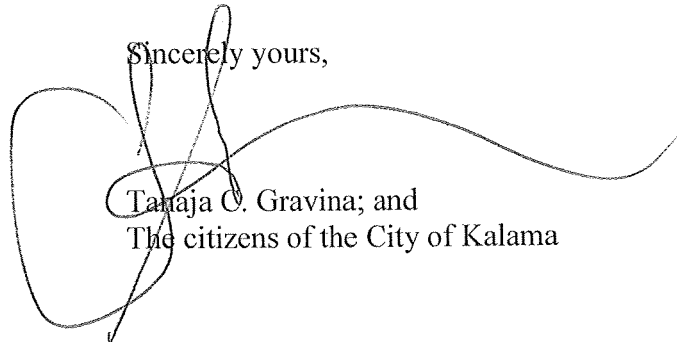
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Furthermore, City of Kalama has already, in precedent granted this right to the citizens of the city. Section 3.06.040 of the code gives Kalama's citizens the right to conduct an initiative petition to change or repeal the sales and use tax. Additionally, in 1979-1982, there was a petition for a zoning change. After quite a bit of back and forth, the Council eventually voted this issue down. A citizen responded by creating an ordinance and petitioned the council, gathering approximately 400 signatures. As a result, the Council did not inform the citizen or the people they do not have the authority to submit an ordinance, and instead drafted one with language that is more concrete. This ordinance was forwarded to the planning commission for drafting, and eventually did pass by vote of the council (Ordinance #668).

By precedence, the City of Kalama has waived the right to prevent the people of Kalama from exercising this power. In fact, its aid and participation in the drafting of the ordinance language and its subsequent passing of the ordinance, reaffirms the rights of the people of Kalama. The City of Kalama, its legislative body and its municipality conceded to the people having this power in precedent and practice.

As a collective whole, the Citizens of Kalama do hereby demand the previously submitted ordinance be enacted by City Council or, if not so enacted, be submitted to a vote of registered voters, in accordance with the law, practice and precedent of Kalama's City Council. In addition, we request this letter be addressed by the Council at the next council meeting immediately following the date of this letter.

Sincerely yours,

A large, stylized handwritten signature in black ink, consisting of several loops and a long horizontal flourish extending to the right. The signature is positioned over the typed name and title of the signatory.

Tanaja C. Gravina; and  
The citizens of the City of Kalama