

**APPEAL TO THE URBAN FORESTRY TREE COMMITTEE
CITY OF SPOKANE, SPOKANE, WASHINGTON**

Citizens for Sensible Transportation Planning,
Manito/Cannon Hill Neighborhood Council,
Cliff-Cannon Neighborhood Council,
Neighborhood Alliance of Spokane,
E.J. Foerster, Bettylee Shackleton-Boyd,
Linda Lewis, Valerie Collette, John Gould,
and Kari Nevin,

Appellants,

v.

City of Spokane,

Respondent.

SUMMARY OF APPEAL AND DECISION

Summary of Appeal: The appellants, Citizens for Sensible Transportation Planning, Manito/Cannon Hill Neighborhood Council, Cliff-Cannon Neighborhood Council, Neighborhood Alliance of Spokane, E.J. Foerster, Bettylee Shackleton-Boyd, Linda Lewis, Valerie Collette, John Gould, and Kari Nevin, appealed the decision issued by the Director of Parks and Recreation which authorizes the removal of 23 trees along Bernard Street between 14th Avenue and 29th Avenue, issued on March 16, 2006. The hearing was held before the Urban Forestry Tree Committee of the Spokane Park Board.

Issue: Whether or not the Director of Parks and Recreation abused his discretion in granting authorization to remove 23 trees along Bernard Street between 14th Avenue and 29th Avenue.

Decision: The decision of the Director is upheld.

FINDINGS OF FACT
BACKGROUND INFORMATION

Appellants: Citizens for Sensible Transportation Planning,
Manito/Cannon Hill Neighborhood Council,
Cliff-Cannon Neighborhood Council,

Neighborhood Alliance of Spokane,
E.J. Foerster,
Bettylee Shackleton-Boyd,
Linda Lewis,
Valerie Collette,
John Gould, and
Kari Nevin
Represented by Counsel, Karen Lindholdt
Attorney at Law
423 W. First Avenue, Ste. 240
Spokane, WA 99201

Respondent: City of Spokane, Parks and Recreation Department
Represented by Counsel Milt Rowland
Assistant City Attorney
City of Spokane
W. 808 Spokane Falls Blvd.
Spokane, WA 99201

PROCEDURAL INFORMATION

Date of Decision being appealed: March 16, 2006

Date of Appeal: April 11, 2006, April 20, 2006 & April 26, 2006

Hearing Date: May 25, 2006 by the full Urban Forestry Tree Committee

Jurisdiction: The Urban Forestry Tree Committee of the Spokane City Parks Board has jurisdiction to hear this appeal pursuant to Spokane Municipal Code (hereinafter SMC) Ch. 12.02. While it appears that the third appeal was received after the court imposed deadline, No objection was received. Therefore, all three appeals will be determined.

Testimony: The following people testified at the hearing:

Jeff Perry
Arborist
City of Spokane

Betty Boyd
Appellant/Property Owner

Tony Madunich
Assistant Supervisor Parks and Recreation Department