

**Public Infrastructure, Environment, and Sustainability (PIES) Committee
Agenda for 1:15 p.m. Monday, August 22, 2022**

The Spokane City Council's PIES Committee meeting will be held at **1:15 p.m. August 22, 2022**, in City Council Chambers, located on the lower level of City Hall at 808 W. Spokane Falls Blvd. The meeting can also be accessed live at <https://my.spokanecity.org/citycable5/live/> and <https://www.facebook.com/spokanecitycouncil> or by calling 1-408-418-9388 and entering the access code #2491 952 4023; meeting password 0320.

The meeting will be conducted in a standing committee format. Because a quorum of the City Council may be present, the standing committee meeting will be conducted as a committee of the whole council. The Public Infrastructure, Environment & Sustainability Committee meeting is regularly held every 4th Monday of each month at 1:15 p.m. unless otherwise posted.

The meeting will be open to the public both virtually and in person, with the possibility of moving or reconvening into executive session only with members of the City Council and appropriate staff. No legislative action will be taken. No public testimony will be taken, and discussion will be limited to appropriate officials and staff.

AGENDA

I. Call to Order

II. Approval of Minutes

- [July 25, 2022 PIES Meeting](#)

III. Discussion Items

- [Centennial Trail to Ben Burr Connection – Dan Buller \(5 minutes\)](#)
- [Resolution Approving the Felts Field Airport Layout Plan – CP Beggs \(5 minutes\)](#)
- [Vulnerability Assessment for Yellowstone Pipeline – Marcia Davis \(10 minutes\)](#)
- [Tourism Promotion Area Presentation – Mike Piccolo \(5 minutes\)](#)
- [Impact Fee Discussion – Inga Note \(20 minutes\)](#)
- [Funding to Support Fluoridation Engineering Study – Marlene Feist \(5 minutes\)](#)
- [Street Micro Surfacing Projects Update – Clint Harris \(10 minutes\)](#)
- [Allocating Homeless Dollars to Pending Projects – CP Beggs \(15 minutes\)](#)

IV. Consent Items

1. [On-call Consultant Contracts for Engineering Services \(Engineering\)](#)
2. [Wastewater Treatment Plant/RPWRF HVAC Preventative Maintenance \(RPWRF\)](#)
3. [Nevada Well Station Rehabilitation Study \(ICM\)](#)
4. [Master Value Blanket Order with Fastenal for Inventory Management Services \(Purchasing\)](#)
5. [Industrial Access-Contract award for stack repairs at the WTE \(Solid Waste Disposal\)](#)
6. [IIA Services-Contract award for ultrasonic thickness testing at the WTE \(Solid Waste Disposal\)](#)
7. [Eljay Oil-Value Blanket renewal for ultra-low sulfur #2 dyed diesel and supporting equipment at the WTE \(Solid Waste Disposal\)](#)
8. [Eljay Oil-Value Blanket renewal for lubrication products at the WTE \(Solid Waste Disposal\)](#)
9. [Onsite Chlorine Feasibility Study \(ICM\)](#)
10. [Value Blanket for Traffic Signal / Luminaire Standards \(Streets\)](#)
11. [Value Blanket for Traffic Signal Control Cabinets \(Streets\)](#)

13. 2023 Pedestrian Focused Projects (Engineering Services)
14. Cochran Basin Stormwater Projects (Engineering Services)
15. Purchase of F150 Lightnings (Fleet Services)
16. Pre-Approval Purchase of Truck and Trailer (Fleet Services)
17. Value Blanket (VB) for Misc Automotive Parts (Fleet Services)
18. VB for Automotive Filters (Fleet Services)
19. VB for Tire Chains (Fleet Services)
20. VB for Purchase of Automotive Batteries (Fleet Services)
21. Rate Structure Analysis Contract Renewal (Wastewater Management)
22. 5100-SBO for Street Department Flusher Trucks (Fleet Services)
23. Youth Homeless Demonstration Project (YHDP) Funds Acceptance and Disbursement (CHHS)
24. Contract Extension for the Processing of Recyclables at Waste Management's SMaRT Center (Solid Waste Collection)

V. **Executive Session**

Executive Session may be held or reconvened during any PIES Committee meeting.

VI. **Adjournment**

Next PIES Committee meeting

The next meeting will be held at the regular date and time of 1:15 p.m. September 26, 2022.

AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION: The City of Spokane is committed to providing equal access to its facilities, programs and services for persons with disabilities. The Spokane City Council Chamber in the lower level of Spokane City Hall, 808 W. Spokane Falls Blvd., is wheelchair accessible and also is equipped with an infrared assistive listening system for persons with hearing loss. Headsets may be checked out (upon presentation of picture I.D.) at the City Cable 5 Production Booth located on the First Floor of the Municipal Building, directly above the Chase Gallery or through the meeting organizer. Individuals requesting reasonable accommodations or further information may call, write, or email Human Resources at 509.625.6237, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or mpiccolo@spokanecity.org. Persons who are deaf or hard of hearing may contact Human Resources through the Washington Relay Service at 7-1-1. Please contact us forty-eight (48) hours before the meeting date.

STANDING COMMITTEE MINUTES
City of Spokane
Public Infrastructure, Environment, and Sustainability (PIES) Committee
July 25, 2022

Call to Order: 1:16pm

Recording of the meeting may be viewed here: <https://vimeo.com/733390820>

Attendance

Committee Members Present:

CM Kinnear (Chair), CM Bingle (Vice Chair), CP Beggs, CM Stratton, CM Cathcart, CM Wilkerson and CM Zappone.

Staff/Others Present:

Marlene Feist, Hannahlee Allers, Garrett Jones, Kevin Picanco, Marcia Davis, Eric Olsen, Eldon Brown, Rick Giddings, Kyle Twohig, John Hall, Steve MacDonald, Stephanie Bishop, Mike Piccolo, Stefan Rodriguez, Matt Boston, Shae Blackwell, Kelly Thomas, Mark Carlos, Giacobbe Byrd and Nicolette Ocheltree.

Approval of Minutes

➤ Action taken

CM Bingle moved to approve the minutes of the June 27, 2022 meeting; the motion was seconded by CM Wilkerson. The minutes were approved unanimously.

Agenda Items

Discussion items

1. CTAB Appointment Interview – Lindsey Shaw

➤ Action taken

Lindsey Shaw and Stefan Rodriguez were both present and were interviewed for CTAB appointments. Interview and discussion only, no action was taken.

2. Appointment of Rick Hughes as Solid Waste Collections Manager – Chris Averyt

➤ Action taken

CM Stratton and CM Bingle agreed to sponsor this item to move forward for formal Council consideration.

3. Alley Vacation Application between Sanson and Everett, from Julia to Myrtle – Eldon Brown

➤ Action taken

CM Cathcart and CM Bingle agreed to sponsor this item to move forward for formal Council consideration.

4. ADU Report Resolution – CM Zappone
 - CM Zappone and CM Wilkerson agreed to sponsor this item to move forward for formal Council consideration.
5. Transportation Grant Opportunities – Rail Crossing Safety and TIB – Kevin Picanco
 - Presentation and discussion only, no action was taken.
6. Pre-purchase Authority and SBO for SPD Vehicles – CP Beggs
 - Presentation and discussion only, no action was taken.

Consent items

1. WQC-2023-Spokane-00120 Grant Acceptance (Wastewater Management)
2. Matrix Consulting Contract Award for RFP 5650-22 (Fleet Services)
3. Connecting Housing to Infrastructure Program (CHIP) Grant Acceptance (ICM)
4. Administrative Reserve Increase for Havana Well Station Project (Engineering)
5. NEOGOV, Inc. Amendment to Annual Software Maintenance and Support & SBO (ITSD)
6. Pre-approval to Purchase 7 Fire Department Vehicles (SFD)

Executive session

None.

Adjournment

The meeting adjourned at 2:03 p.m.

Prepared by:

Giacobbe Byrd, Legislative Assistant to CM Lori Kinnear

Approved by:

CM Lori Kinnear
PIES Committee Chair

Committee Agenda Sheet

PIES

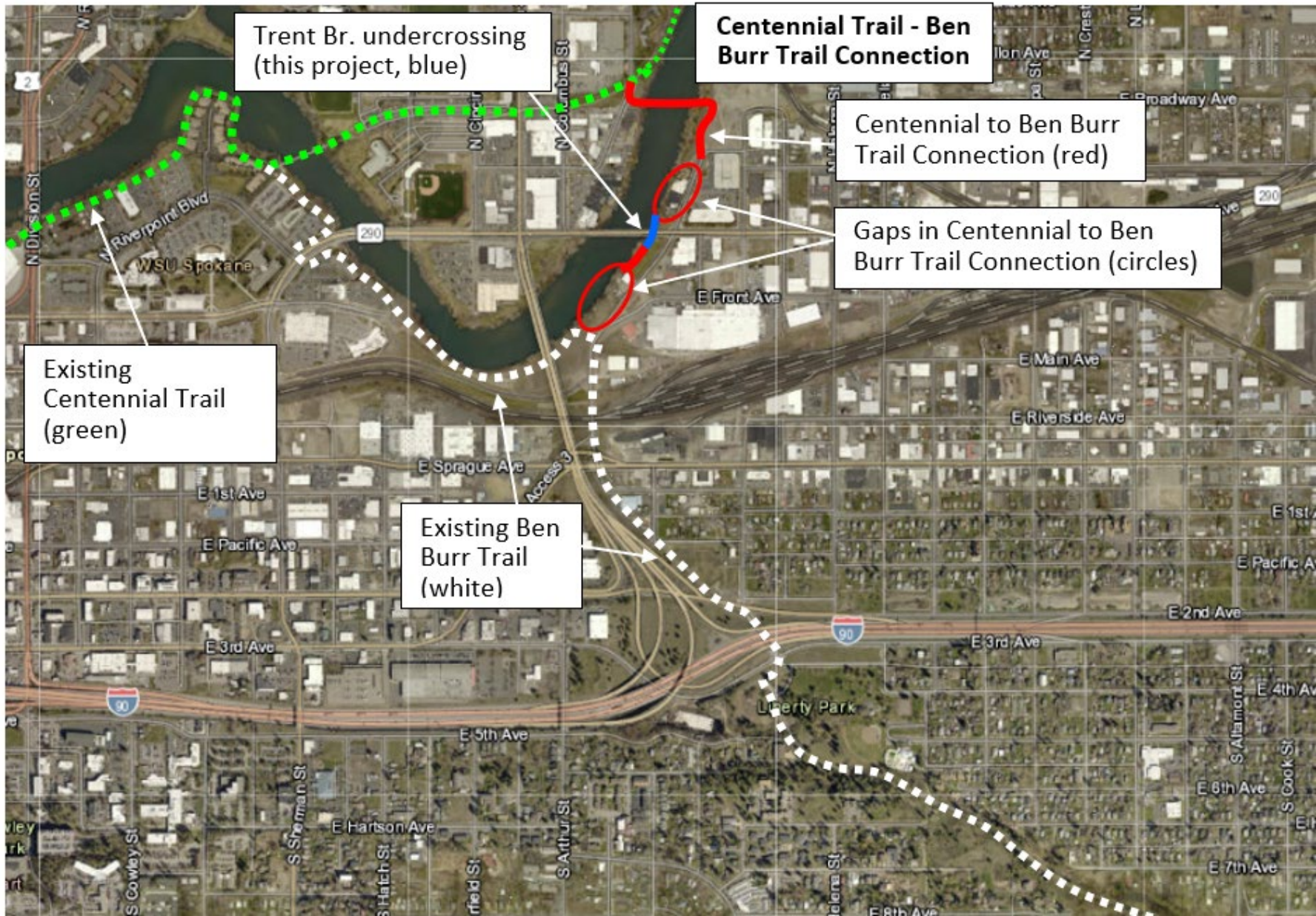
Submitting Department	Public Works, Engineering
Contact Name & Phone	Dan Buller 625-6391
Contact Email	dbuller@spokanecity.org
Council Sponsor(s)	Lori Kinnear
Select Agenda Item Type	X Consent <input type="checkbox"/> Discussion Time Requested: _____
Agenda Item Name	Centennial Trail to Ben Burr Connection
Summary (Background)	<ul style="list-style-type: none"> • Engineering Services has been working with WSDOT for several years to include a segment of trail as part of WSDOT’s on-going Trent Bridge replacement project. • This trail segment is part of a broader Centennial Trail to Ben Burr Trail connection as pictured in the attached exhibit. • The proposed trail segment beneath Trent Ave. would greatly improve the safety of crossing this busy truck route. • Engineering Services has negotiated a change order into WSDOT’s on-going Trent Bridge replacement project. The cost is slightly less than \$200,000. • If approved by council, this trail segment would be constructed by next summer. • The remaining two gaps in this trail as pictured on the attached exhibits will be constructed in upcoming not yet funded projects.
Proposed Council Action & Date:	Approval of agreement with WSDOT
Fiscal Impact:	
Total Cost:	
Approved in current year budget? <input type="checkbox"/> Yes X No <input type="checkbox"/> N/A	
Funding Source X One-time <input type="checkbox"/> Recurring	
Specify funding source: project funds (generally street or utility funds)	
Expense Occurrence X One-time <input type="checkbox"/> Recurring	
Other budget impacts: (revenue generating, match requirements, etc.)	
Operations Impacts	
What impacts would the proposal have on historically excluded communities?	
<p>Public Works services and projects are designed to serve all citizens and businesses. We strive to offer a consistent level of service to all, to distribute public investment throughout the community, and to respond to gaps in services identified in various City plans. We recognize the need to maintain affordability and predictability for utility customers. And we are committed to delivering work that is both financially and environmentally responsible. This item supports the operations of Public Works.</p>	
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?	
N/A – This contract supports multiple public works projects and should not impact racial, gender identity, national origin, income level, disability, sexual orientation or other existing disparity factors.	

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

Public Works follows the City's established procurement and public works bidding regulations and policies to bring items forward, and then uses contract management best practices to ensure desired outcomes and regulatory compliance.

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

The projects which will use this on-call contract are consistent with our adopted six year programs as well as the annual budget and strategic initiative to advance street maintenance activities.



Committee Agenda Sheet

PIES Committee

Submitting Department	
Contact Name & Phone	Larry Krauter, CEO 509-455- 6419
Contact Email	lkrauter@spokaneairports.net
Council Sponsor(s)	Breean Beggs
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested:
Agenda Item Name	Resolution regarding Approval of the Felts Field Airport Layout Plan
Summary (Background)	<p>Pursuant to Paragraph 8(f) of the Spokane International Airport Joint Operation Agreement, Spokane County and the City of Spokane must by joint action adopt the Felts Field Airport Layout Plan, which is thereafter provided to the FAA for approval. Capital improvements of the Airport at Felts Field must be in accordance with the approved Airport Layout Plan. The Airport Layout Plan is a component of the overall Felts Field Master Plan.</p> <p>The Airport Board has or will approve the Airport Layout Plan and requests the City of Spokane and Spokane County approve a Joint Resolution to adopt the Felts Field Airport Layout Plan, attached hereto as "Exhibit A".</p>
Proposed Council Action & Date:	Authorize a Joint Resolution to approve the Felts Field Master Plan update as approved by the Airport Board.
Fiscal Impact:	
Total Cost:	
Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
Funding Source <input type="checkbox"/> One-time <input type="checkbox"/> Recurring	
Specify funding source:	
Expense Occurrence <input type="checkbox"/> One-time <input type="checkbox"/> Recurring	
Other budget impacts: (revenue generating, match requirements, etc.)	
Operations Impacts	
What impacts would the proposal have on historically excluded communities? N/A	
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities? N/A	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution? N/A	

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

N/A

Exhibit A
Joint Resolution

City Resolution No: _____

County Resolution No. _____

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON
AND
THE SPOKANE CITY COUNCIL OF SPOKANE, WASHINGTON**

IN THE MATTER OF ADOPTING A)
REVISED AIRPORT LAYOUT PLAN AS) JOINT RESOLUTION
DESCRIBED IN RESOLUTION NO. 05-22)
OF THE SPOKANE AIRPORT BOARD)
AND DELEGATING AUTHORITY TO THE)
SPOKANE AIRPORT BOARD TO)
APPROVE AND ADOPT FUTURE)
PEN AND INK CHANGES TO THE)
AIRPORT LAYOUT PLANS)

WHEREAS, pursuant to Chapter 14.08 RCW, Spokane County ("County"), by and through its Board of County Commissioners, and the City of Spokane ("City"), by and through its City Council, entered into an agreement dated October 7, 2019 (City of Spokane City Clerk File # RES 2019-0086, Spokane County Resolution No. 19-1338) to provide for the joint operation of Spokane International Airport, Felts Field Airport and Spokane International Airport Business Park ("Agreement") by and through the Spokane Airport Board ("Board"); and

WHEREAS, Section 8(f) of the Agreement requires that "[c]apital improvements of Airport property, for aeronautical, commercial, and industrial purposes, shall be in accordance with an Airport Layout Plan jointly adopted by the Board, City, and County, and approved by the FAA "; and

WHEREAS, on May 19, 2022, the Board adopted Resolution No. 05-22, approving the revised Airport Layout Plan for Felts Field Airport (the "ALP Resolution"), a copy of which is attached hereto as Exhibit "A" and included herein by this reference;

WHEREAS, the Board requests adoption of the revised Airport Layout Plan for Felts Field Airport by the County and the City, as described in the ALP Resolution; and

WHEREAS , the Board further requests the County and City, each respectively, to formally delegate authority to the Board to further approve future revisions to the Airport Layout Plan on behalf of and for each the City and the County.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Spokane County, Washington and by the City Council of the City of Spokane:

1. The Board and ' the Council hereby adopt the revised Airport Layout Plan for Felts Field Airport as described in the ALP Resolution attached hereto as Exhibit "A."
2. The County and the City, each respectively, approve a delegation of authority to the Board to further approve future revisions to the Airport Layout Plan on behalf of and for each the County and the City.

ADOPTED by the Spokane City Council this _____ day of _____, 2022.

Terri L. Pfister, City Clerk

Approved as to form:

City Attorney

ADOPTED by the Board of County Commissioners of Spokane County, Washington this _____
day of _____, 2022.

Mary L. Kuney, Chair

ATTEST:

Al French, Vice-Chair

Ginna Vasquez
Clerk of the Board

Josh Kerns, Commissioner

EXHIBIT A

REVISED AIRPORT LAYOUT PLAN – FELT FIELD
SPOKANE AIRPORT BOARD JOINT RESOLUTION
AND
AIRPORT LAYOUT PLAN

BEFORE THE SPOKANE AIRPORTBOARD)
IN THE MATTER OF APPROVING)
AN AIRPORT LAYOUT PLAN FOR FELTS)
FIELD AIRPORT AND REQUESTING ITS)
ADOPTION BY THE SPOKANE COUNTY)
BOARD OF COMMISSIONERS AND THE)
SPOKANE CITY COUNCIL)

RESOLUTION
NO. 05-22

WHEREAS, Spokane County, Washington (“County”) and the City of Spokane, Washington (“City”), by and through the agency of the SPOKANE AIRPORT BOARD (“Board”), jointly operate Spokane International Airport, Felts Field Airport and Spokane International Airport Business Park, collectively referred to as SPOKANE AIRPORT, under and pursuant to the Constitution and Laws of the State of Washington, including Ch. 14.08 RCW, RCW 14.08.200, and that certain Joint Resolution and Operating Agreement of Spokane County and the City of Spokane dated October 7, 2019 (the “Interlocal Agreement”); and

WHEREAS, the Board has completed a Master Plan Update for Felts Field Airport with funding assistance from the Federal Aviation Administration; and

WHEREAS, an Airport Master Plan is a comprehensive study that describes the short, medium and long-term development to meet future aviation demand; to support the modernization of the Airport and to reflect the strategy for development of the Airport; and

WHEREAS, the primary output of the Master Plan is the Airport Layout Plan, which is a planning tool that depicts both existing facilities and planned development for an Airport that shows: 1) boundaries and proposed additions to all areas owned or controlled for Airport purposes; 2) the location and type of existing and proposed Airport facilities and structures; and 3) the location of existing and proposed non-aviation areas and improvements at the Airport.

WHEREAS, a current Airport Layout Plan is a prerequisite for issuance of federal grants for Airport development; and

WHEREAS, a Stakeholder Advisory Committee and Technical Advisory Committee members participated in the review and development of the Master Plan Update and Airport Layout Plan;

NOW THEREFORE BE IT RESOLVED, that the Board hereby adopts a The Felts Field Airport Layout Plan, a copy of which is attached hereto as Attachment “A” and included herein by this reference.

BE IT FURTHER RESOLVED, that the Board shall request adoption of said Felts Field Airport Layout Plan by the Spokane County Board of Commissioners and the Spokane City Council.


ADOPTED by the Board at a regular meeting thereof held on the 19th day of May, 2022.

ATTEST:

SPOKANE AIRPORT BOARD

DocuSigned by:

045BF2A34E284AF...
Secretary or Vice Chair

DocuSigned by:

F7F0FE7F32D84EA...
Chair

APPROVED AS TO FORM :

DocuSigned by:

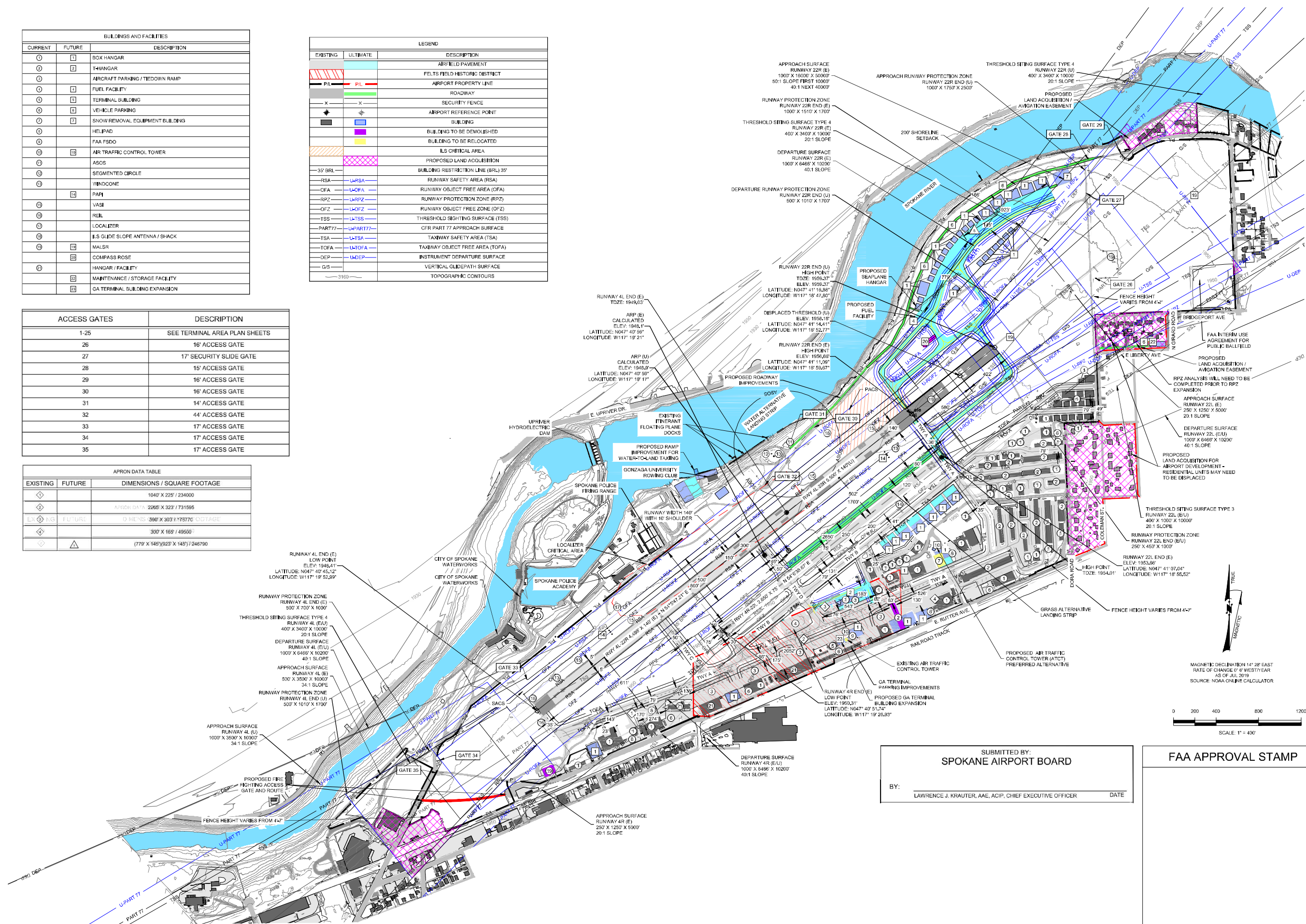
8C6BC996EE83462...
Brian Werst
General Counsel

BUILDINGS AND FACILITIES		
CURRENT	FUTURE	DESCRIPTION
○	□	BOX HANGAR
○	□	T-HANGAR
○	□	AIRCRAFT PARKING / TIEDOWN RAMP
○	□	FUEL FACILITY
○	□	TERMINAL BUILDING
○	□	VEHICLE PARKING
○	□	SNOW REMOVAL EQUIPMENT BUILDING
○	□	HELIPAD
○	□	FAA FSDO
○	□	AIR TRAFFIC CONTROL TOWER
○	□	ASOS
○	□	SEGMENTED CIRCLE
○	□	WINDCONE
○	□	PAPI
○	□	VASI
○	□	REIL
○	□	LOCALIZER
○	□	I.L.S. GLIDE SLOPE ANTENNA / SHACK
○	□	MAJLSR
○	□	COMPASS ROSE
○	□	HANGAR / FACILITY
○	□	MAINTENANCE / STORAGE FACILITY
○	□	GA TERMINAL BUILDING EXPANSION

LEGEND		
EXISTING	ULTIMATE	DESCRIPTION
—	—	AIRFIELD PAVEMENT
—	—	FELTS FIELD HISTORIC DISTRICT
—	—	AIRPORT PROPERTY LINE
—	—	ROADWAY
—	—	SECURITY FENCE
—	—	AIRPORT REFERENCE POINT
—	—	BUILDING
—	—	BUILDING TO BE DEMOLISHED
—	—	BUILDING TO BE RELOCATED
—	—	I.L.S. CRITICAL AREA
—	—	PROPOSED LAND ACQUISITION
—	—	BUILDING RESTRICTION LINE (BRL) 35'
—	—	RUNWAY SAFETY AREA (RSA)
—	—	RUNWAY OBJECT FREE AREA (OFA)
—	—	RUNWAY PROTECTION ZONE (RPZ)
—	—	RUNWAY OBJECT FREE ZONE (OFZ)
—	—	THRESHOLD SIGHTING SURFACE (TSS)
—	—	CFR PART 77 APPROACH SURFACE
—	—	TAXIWAY SAFETY AREA (TSA)
—	—	TAXIWAY OBJECT FREE AREA (TOFA)
—	—	INSTRUMENT DEPARTURE SURFACE
—	—	VERTICAL GLIDEPATH SURFACE
—	—	TOPOGRAPHIC CONTOURS


ACCESS GATES	DESCRIPTION
1-25	SEE TERMINAL AREA PLAN SHEETS
26	16' ACCESS GATE
27	17' SECURITY SLIDE GATE
28	15' ACCESS GATE
29	16' ACCESS GATE
30	16' ACCESS GATE
31	14' ACCESS GATE
32	44' ACCESS GATE
33	17' ACCESS GATE
34	17' ACCESS GATE
35	17' ACCESS GATE

APRON DATA TABLE		
EXISTING	FUTURE	DIMENSIONS / SQUARE FOOTAGE
◇		1040' X 225' / 234000
◇		APRON DATA 2205' X 323' / 731595
◇		D. MEN'S 590' X 303' / 179770 OCTAGE
◇		300' X 165' / 49500
◇		(779' X 145') / (923' X 145') / 246790



SUBMITTED BY:
SPOKANE AIRPORT BOARD
 BY: LAWRENCE J. KRAUTER, AAE, ACIP, CHIEF EXECUTIVE OFFICER
 DATE: _____

FAA APPROVAL STAMP
 DATE: MARCH 2022
 PROJECT: WSP160358P / T0170105
 SHEET: 04 OF 27



**FELTS FIELD
 SPOKANE, WASHINGTON
 AIRPORT LAYOUT PLAN SET
 AIRPORT LAYOUT PLAN**

NO.	REVISIONS DESCRIPTION	DATE

DESIGNED	DRAWN	CHECKED	APPROVED

T.O. ENGINEERS
 CONSULTING ENGINEERS, SURVEYORS & PLANNERS
 1221 W. 7TH AVENUE, SUITE 202 | LAUREL, WA 99004
 509-383-5867 | WWW.TOEENGINEERS.COM
 PHOTO: BOB COOPER, AERIALS: CHRIS DALZIEL, HERRICK CITY PHOTOGRAPHY, HANNA JOYDAKE

WSP USA
 989 THIRD AVENUE, SUITE 3200
 SEATTLE, WA 98104
 PHONE: (206) 382-6200 WWW.WSP.COM

Committee Agenda Sheet

Public Infrastructure, Environment, and Sustainability

Submitting Department	Integrated Capital Management
Contact Name & Phone	Colin Naake, 625-6941
Contact Email	cnaake@spokanecity.org
Council Sponsor(s)	Lori Kinnear
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested: _____
Agenda Item Name	Vulnerability Assessment for Yellowstone Pipeline
Summary (Background)	<p>The City of Spokane has requested proposals from qualified consultants to complete a vulnerability assessment for the Yellowstone Pipeline. The purpose of this study is to provide key points of vulnerability of the petroleum pipeline that would affect drinking water production from source wells operated by the City of Spokane.</p> <p>Items to evaluate include, but are not limited to, risk to current groundwater operations and specific wells arising from a release, methods for altering pumping operations in a manner that reduces potential impacts and risks, and evaluate the relative differences in chemical-specific risks to the aquifer</p> <p>Proposal for the RFQ are due on 9/15 and the contract is anticipated to go to council for approval in mid to late October.</p>
Proposed Council Action & Date:	Nothing at this time – information only.
<p>Fiscal Impact: = TBD (\$200,000 budgeted in 6-Year Program)</p> <p>Total Cost:</p> <p>Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Funding Source <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring</p> <p>Specify funding source: Utility Rates-IC, Yellowstone Pipeline Company</p> <p>Expense Occurrence <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring</p> <p>Other budget impacts: \$75,000 to be reimbursed by the Yellowstone Pipeline Company upon completion of the study(revenue generating, match requirements, etc.)</p>	
Operations Impacts	
<p>What impacts would the proposal have on historically excluded communities?</p> <p>Public Works services and projects are designed to serve all citizens and businesses. We strive to offer a consistent level of service to all, to distribute public investment throughout the community, and to respond to gaps in services identified in various City plans. We recognize the need to maintain affordability and predictability for utility customers. And we are committed to delivering work that is both financially and environmentally responsible. This item supports the operations of Public Works.</p>	
<p>How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?</p> <p>N/A – This is a public works project and should not impact racial, gender identity, national origin, income level, disability, sexual orientation or other existing disparity factors.</p>	

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

Public Works follows the City's established procurement and public works bidding regulations and policies to bring items forward, and then uses contract management best practices to ensure desired outcomes and regulatory compliance.

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

This project is identified in the 6-Year Capital Improvement Program as well as the annual budget.

Committee Agenda Sheet

[COMMITTEE]

Submitting Department	Community & Economic Development
Contact Name & Phone	Mike Piccolo - x6237
Contact Email	mpiccolo@spokanecity.org
Council Sponsor(s)	CM Zack Zappone
Select Agenda Item Type	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion Time Requested: <u>5 min</u>
Agenda Item Name	Interlocal Cooperation Act Agreement for Establishment of Spokane County Tourism Promotion Area (TPA)
Summary (Background)	<p>In 2004, the City of Spokane entered into an interlocal agreement (ILA) with Spokane County and the City of Spokane Valley. The ILA was amended twice over the years with Spokane Valley taking action earlier in the year to terminate its participation in the regional TPA effective January 1, 2023. The current TPA will expire at that time. It is anticipated that operators of lodging businesses located in Spokane County will be filing an Initiation Petition pursuant to Chapter 35.101 to form a new regional TPA that will become effective on January 1, 2023, consisting of the City of Spokane, the City of Cheney and unincorporated Spokane County. State law requires that any city participating in a regional TPA has to agree with and enter into an ILA with the lead agency, which will be Spokane County.</p> <p>The terms and formation of the TPA will be similar to the original TPA. The ILA provides for an eight-person TPA commission consisting of three non-voting ex-official members, one from each of the three governing agencies. The remaining five voting members shall consist of one member appointed by Spokane County, one member appointed by the City of Cheney and three members appointed by the City of Spokane. Members of the Commission shall be selected by the respective governing agency from a list prepared by the Spokane Hotel and Motel Association and must be operators of lodging businesses within the Spokane County Tourism Promotion Area or employed by the operator of such a lodging business.</p> <p>The special assessment consists of a base charge of \$2.00 plus an additional \$2.00 for a total assessment of \$4.00 per day per room for all of the lodging businesses located within the TPA boundaries with the exception of lodging businesses with room revenues during the preceding calendar year of less than \$500,000, in which case the assessment is \$0.50 per room per day.</p>
Proposed Council Action & Date:	Approval at the September 12, 2022 City Council Meeting
Fiscal Impact:	

Total Cost:

Approved in current year budget? Yes No N/A

Funding Source One-time Recurring

Specify funding source:

Expense Occurrence One-time Recurring

Other budget impacts: (revenue generating, match requirements, etc.)

Operations Impacts

What impacts would the proposal have on historically excluded communities?

N/A

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

N/A

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

N/A

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

This proposal supports the City's economic development plans and incentives by increasing funding for tourism promotion, which will generate additional tourism revenue for hotel/tourism related businesses, increase employment opportunities and increase City tax revenues.

**INTERLOCAL COOPERATION ACT AGREEMENT
FOR ESTABLISHMENT OF
SPOKANE COUNTY TOURISM PROMOTION AREA**

THIS INTERLOCAL COOPERATION ACT AGREEMENT (“Interlocal Agreement”) made and entered into among **Spokane County**, a political subdivision of the State of Washington, having offices for the transaction of business at 1116 W. Broadway Avenue, Spokane, Washington 99260, hereinafter referred to as the “County;” the **City of Spokane**, a municipal corporation of the State of Washington having offices for the transaction of business at 808 West Spokane Falls Boulevard Spokane, Washington 99201, hereinafter referred to as the “City;” and the **City of Cheney**, having offices for the transaction of business at 609 2nd Street, Cheney, Washington 99004, hereinafter referred to as “Cheney;” together referred to as the “Parties.”

W I T N E S S E T H:

WHEREAS, pursuant to the provisions of the RCW 36.32.120 (6) the Board of County Commissioners of Spokane County, Washington has the care of county property and the management of county funds and business; and

WHEREAS, the 2003 State Legislature of the State of Washington recognized the importance of tourism promotion in the State of Washington and passed Engrossed Substitute Senate Bill No. 6026 subsequently codified as chapter 35.101 RCW authorizing the establishment of a Tourism Promotion Area by a county to permit the levy of Special Assessments (charges) to fund tourism promotion; and

WHEREAS, on the _____ day of _____, 2022, the Clerk of the Board of County Commissioners of Spokane County, Washington received an Initiation Petition as provided for in RCW 35.101.020 from the Operators of Lodging Businesses located within Spokane County requesting the Board of County Commissioners conduct of a public hearing pursuant to the authority of chapter 35.101 RCW for the purposes of considering the establishment of a Spokane County Tourism Promotion Area specifically including the areas within the jurisdiction of the unincorporated area of Spokane County, City of Spokane, , and City of Cheney to provide funds for tourism promotion in Spokane County; and

WHEREAS, on the _____ day of _____, 2022, the Board of County Commissioners of Spokane County adopted a resolution entitled a “Resolution of Intention to Establish a Spokane County Tourism Promotion Area,” for the promotion of tourism promotion within Spokane County, describing the boundaries of the proposed Spokane County Tourism Promotion Area, the proposed uses and projects to which the proposed revenues from Special Assessments levied within the Spokane County Tourism Promotion Area would be dedicated and setting the proposed rates for the Special Assessments to be levied on Lodging

Businesses to fund the uses and projects of the Spokane County Tourism Promotion Area, estimating the total cost for the proposed activities and programs for the use of funds received by the Spokane County Tourism Promotion Area, fixing the date, time and place of a public hearing to be held by the Board of County Commissioners of Spokane County to consider the establishment of such a Spokane County Tourism Promotion Area, and directing the giving of notice of such public hearing; and

WHEREAS, the Board of Commissioners of Spokane County has adopted a “Resolution of Intention to Establish a Spokane County Tourism Promotion Area,” following a hearing to be held on the _____ day of _____, 2022, pursuant to the request of an Initiation Petition submitted by the Operators of Lodging Businesses within Spokane County; and

WHEREAS, the Board of County Commissioners of Spokane County has the authority pursuant to the terms of chapter 35.101 RCW, to enter into an Interlocal Agreement with City of Spokane, and City of Cheney to establish a Tourism Promotion Area, including the areas within the jurisdiction of the unincorporated area of Spokane County, City of Spokane, and City of Cheney pursuant to the provisions of the Initiation Petition received from the Operators of Lodging Businesses; and

WHEREAS, the City Council of the City of Spokane and City Council of the City of Cheney have by appropriate legislative action, authorized the execution of this Interlocal Agreement with Spokane County to permit the establishment of a Spokane County Tourism Promotion Area to include collection of Special Assessments (charges) from Lodging Businesses within their respective jurisdictions.

NOW, THEREFORE, for and in consideration of the promises set forth hereafter and the above recitals which are adopted herein by reference, Spokane County, the City of Spokane, and the City of Cheney hereby agree as follows:

1. Purpose. The purpose of this Interlocal Agreement is to promote tourism in within certain geographic areas of Spokane County by permitting the establishment of a Tourism Promotion Area (“TPA”) pursuant to chapter 35.101 RCW, which when created, will permit collection of Special Assessments from Lodging Businesses located within certain geographic areas of Spokane County to fund tourism promotion and to memorialize the agreement between the Parties relating to this TPA.

2. Definitions. As used in this Interlocal Agreement, the following terms, unless the context otherwise dictates, shall have the following meanings:

2.1 “Interlocal Agreement” shall mean this interlocal cooperation agreement among Spokane County, City of Spokane, and City of Cheney, for the establishment of a Spokane County Tourism Promotion Area by Spokane County as authorized by RCW 35.101.040 (2).

2.2 “Lodging Business” means a business located within the Spokane County Tourism Promotion Area that furnishes lodging taxable by the state under chapter 82.08 RCW that has forty (40) or more lodging units.

2.3 “Operator” means the Operator of a Lodging Business, whether in the capacity of owner, general manager, lessee, sub lessee, mortgagee in possession, license or any other similar capacity.

2.4 “Room Revenues” means the gross per-night-charge (nights of stay) imposed for the rental of a room or combination of rooms for Lodging.

2.5 “Special Assessment” means the levy (charge) imposed by Spokane County on the Operators of a Lodging Business within the Spokane County Tourism Promotion Area and subsequently passed on to the guests of the Lodging Business, under the authority of chapter 35.101 RCW for the purpose of providing for funding of tourism promotion in the Spokane Metropolitan Area.

2.6 “Spokane Hotel-Motel Association” means the Spokane Hotel-Motel Association, Inc., a Washington non-profit corporation.

2.7 “Spokane Hotel and Motel TPA Commission” means the Spokane Hotel and Motel TPA Commission, established by Spokane County, whose members are appointed by the Board of County Commissioners of Spokane County, the City Council of the City of Spokane, and the City Council of the City of Cheney to provide recommendations to the Board of County Commissioners of Spokane County on proposed uses and projects of the Spokane County Tourism Promotion Area pursuant to the provisions of RCW 35.101.130 (1) as provided in this Interlocal Agreement.

2.8 “Spokane Metropolitan Area” means unincorporated area of Spokane County, City of Spokane, and City of Cheney.

2.9 “Spokane County Tourism Promotion Area” means the Tourism Promotion Area created by the Ordinance of the Board of County Commissioners of Spokane County pursuant to the authority of chapter 35.101 RCW, as authorized or as will be authorized by the resolutions of the City Council of the City of Spokane and City Council of the City of Cheney adopting the terms of this Interlocal Agreement.

2.10 “TPA Manager” shall mean a tourism destination marketing organization or other similar organization employed by the Board of County Commissioners to administer the operation of the Tourism Promotion Area.

2.11 “Tourism Promotion” means activities and expenditures designed to increase tourism and convention business, including but not limited to, advertising, publicizing, or otherwise distributing information for the purpose of attracting and welcoming tourists, and operating tourism destination marketing organizations.

2.12 “Transient Basis” means the rental of a room or rooms for dwelling, lodging, or sleeping purposes by the Operator of a Lodging Business for a period of thirty (30) consecutive calendar days or less, counting a portion of a day as a full calendar day.

2.13 “Zone” or “Zones” means the distinct geographic subarea or subareas within the Spokane County Tourism Promotion Area as established by Ordinance of the Board of County Commissioners of Spokane County.

2.14 “Annual Budget” shall mean the Spokane County Tourism Promotion Area budget for a fiscal year, as adopted or amended by the Board of County Commissioners of Spokane County, after the receipt of a recommendation from the Spokane Hotel and Motel TPA Commission, identifying all estimated revenue from Special Assessments (charges) for the fiscal year, and providing for all proposed uses of Special Assessment revenue for the purpose of providing tourism promotion in the Spokane Metropolitan Area for the ensuing fiscal year.

3. Tourism Promotion Area to be Established by Spokane County.

A. It is hereby understood and agreed to by Spokane County, City of Spokane, and the City of Cheney, pursuant to the authority of RCW 35.101.040(2), shall establish a “Tourism Promotion Area” designated the Spokane County Tourism Promotion Area to include the unincorporated area of Spokane County, the City of Spokane, and the City of Cheney.

B. It is hereby understood and agreed by Spokane County, City of Spokane, and the City of Cheney that the purpose of permitting the Board of County Commissioners and Spokane County to form the Spokane County Tourism Promotion Area under RCW 35.101.040(2) is to provide revenue to fund tourism promotion within the Spokane Metropolitan Area which will benefit the Operators of Lodging Businesses in the unincorporated area of Spokane County, City of Spokane, and City of Cheney.

4. Levy of Special Assessments on Lodging Businesses within the Spokane County Tourism Promotion Area.

A. The Board of County Commissioners of Spokane County will impose Special Assessments on the Operators of Lodging Businesses within the Spokane County Tourism Promotion Area in accordance with the zones and levels of Special Assessments as set forth hereinafter.

B. Spokane County shall contract with the State Department of Revenue for the administration and collection of such Special Assessments pursuant to RCW 35.101.090.

C. It is understood and agreed among the Parties that the Spokane County Tourism Promotion Area shall include the following six (6) zones:

Zone A. Zone A encompasses those Lodging Businesses located within the area of the incorporated city limits of the City of Spokane.

Zone B. Zone B encompasses all Lodging Businesses located within the incorporated city limits of the City of Cheney.

Zone C. Zone C encompasses those Lodging Businesses located outside Zones A and B but within the unincorporated area of Spokane County.

Zone D. Zone D encompasses all Lodging Businesses with room revenue under \$500,000 per year, situated within the Spokane County Tourism Promotion Area, regardless of their specific location.

Zone E. Zone E encompasses Lodging Businesses located within the Tourism Promotion Area, as that term is addressed in WAC 458-20-166 as it presently exists or may be hereinafter amended, other than hotels, motels, and bed and breakfast facilities. Lodging Businesses within this zone, as addressed in WAC 458-20-166, would include only (i) trailer camps and recreational vehicle parks that rent space to transient tenants for house trailers, campers, recreational vehicles, mobile homes, tents, and similar accommodations; (ii) educational institutions that sell overnight lodging to person other than students; and (iii) private lodging houses, dormitories and bunkhouses and similar accommodations operated by or on behalf of a business or school solely for the accommodation of employees of such businesses or student of the school, which are not held out to the public as a place where sleeping accommodations may be obtained.

D. It is understood and agreed by and between Spokane County, City of Spokane, and City of Cheney that the Operators of Lodging Businesses within the Spokane County Tourism Promotion Area operating in the above-described zones will be subject to Special Assessments to be levied as follows:

Total Charge
("Special Assessments")

ZONE	BASE CHARGE	ADDITIONAL CHARGE	TOTAL CHARGE (Special Assessment)
Zone A.	\$2.00 per room/day	\$2.00 per room/day	\$4.00 per room/day
Zone B.	\$2.00 per room/day	\$2.00 per room/day	\$4.00 per room/day
Zone C.	\$2.00 per room/day	\$2.00 per room/day	\$4.00 per room/day

The charge ("Special Assessments") to be imposed on the operators of those Lodging Businesses with room revenues during the preceding calendar year, which did not exceed five hundred thousand dollars (\$500,000) is as follows:

ZONE	BASE CHARGE	ADDITIONAL CHARGE	TOTAL CHARGE (Special Assessment)
Zone D.	\$.50 per room/day	\$.50 per room/day	\$1.00 per room/day
Zone E.	\$0.00 per room/day	\$0.00 per room/day	\$0.00 per room/day

The Additional Charge portion of the Total Charge (“Special Assessments”) identified above shall automatically expire at midnight on June 30, 2027. Upon the expiration of the Additional Charge portion of the Total Charge (“Special Assessments”), the Total Charge (“Special Assessments”) shall be automatically reduced to the Base Charge as of 12:01 a.m. on July 1, 2027. In the event the legislature extends the Additional Charge portion of the Total Charge (“Special Assessments”) beyond midnight on June 30, 2017, the Additional Charge portion of the Total Charge (“Special Assessments”) shall be automatically extended for the time frame authorized by the legislature.

E. Any change in the Special Assessment rates for any zone as set forth hereinabove shall be made only by amendment of the Ordinance by the Board of County Commissioners, with the approval of the City of Spokane, and City of Cheney. No increase in the Special Assessment rates for any zone or change in the boundaries of any zone shall be made by the Board of County Commissioners of Spokane County except upon the affirmative recommendation of the Spokane Hotel and Motel TPA Commission.

F. It is understood and agreed by the Parties, that the charges (Special Assessments) imposed under this section are not a tax on the “sale of lodging” for the purposes of RCW 82.14.410 and do not apply to temporary medical housing exempt under RCW 82.08.997.

5. Administration and Collection of Special Assessments.

A. It is understood and agreed that in accordance with RCW 35.101.090, the Washington State Department of Revenue shall administer the Special Assessments authorized under this Interlocal Agreement and shall deposit the Special Assessments collected into the local tourism promotion account created in the custody of the state treasurer under RCW 35.101.100.

B. It is understood and agreed that in accordance with RCW 35.101.100, the state treasurer has the authority to distribute the money from the tourism promotion account to Spokane County on a monthly basis.

6. Use of Special Assessment Revenues for the Promotion of Tourism and Convention Business in Spokane County.

A. It is understood and agreed that all of the revenues from Special Assessments collected by Spokane County from Lodging Businesses within the jurisdiction of unincorporated Spokane County, City of Spokane, and City of Cheney shall be allocated by the Board of County Commissioners of Spokane County in accordance with the Annual Budget(s) for the Spokane County Tourism Promotion Area. The Spokane Hotel and Motel TPA Commission shall make a recommendation to the Board of County Commissioners on all Annual Budget(s). The Board of County Commissioners shall have the ultimate authority to set and approve all Annual Budget(s).

B. The revenues from the Special Assessments levied by Spokane County on the Operators of Lodging Businesses situated within the Spokane County Tourism Promotion Area shall be used for the following purposes only:

- (1) The general promotion of tourism within the Spokane Metropolitan Area as specified in the Tourism Promotion Area business plans to be presented by the Spokane Hotel and Motel TPA Commission and adopted annually,
- (2) The marketing of the Spokane Metropolitan Area to the leisure and business travel industry to benefit local tourism and the Lodging Businesses in Spokane County,
- (3) The marketing of convention and trade shows that benefit local tourism and the Lodging Businesses in the Spokane Metropolitan Area, and
- (4) The marketing of the Spokane Metropolitan Area to recruit sporting events to benefit local tourism and the Lodging Business in Spokane County.

7. Establishment of the Spokane Hotel and Motel TPA Commission.

A. It is understood and agreed that the Board of County Commissioners of Spokane County shall, pursuant to the authority of RCW 35.101.130(1) create an eight (8) member Spokane Hotel and Motel TPA Commission to advise the Board of County Commissioners of Spokane County on the expenditure of Special Assessment revenues collected within the Spokane County Tourism Promotion Area to fund tourism promotion in the Spokane Metropolitan Area. Five (5) members of the Spokane Hotel and Motel TPA Commission as identified in Section B shall be voting members.

B. Members of the Spokane Hotel and Motel TPA Commission shall be selected by the Board of County Commissioners of Spokane County, the City Council of Spokane, and the City Council of the City of Cheney from a list of nominees prepared by the Spokane Hotel and Motel Association. All nominees for membership on the Spokane Hotel and Motel TPA Commission must be Operators of Lodging Businesses within the Spokane County Tourism Promotion Area or employed by the Operator of such a Lodging Business. One *ex officio* member of the Commission may be appointed from the members of the Board of Commissioners of Spokane County; one *ex officio* member may be appointed from the members of the City Council of the City of Spokane; and one *ex officio* member may be appointed from the members of the City Council of Cheney. *Ex officio* members of the Spokane Hotel and Motel TPA Commission may participate in all discussions regarding proposed activities and programs by the Spokane County Tourism Promotion Area for the promotion and marketing of tourism in Spokane County but shall not have voting rights.

C. The Board of County Commissioners of Spokane County shall appoint one member and one *ex officio* member of the Spokane Hotel and Motel TPA Commission to represent the County of Spokane; the City Council of the City of Spokane shall appoint three members and one *ex officio* member of the Spokane Hotel and Motel TPA Commission to represent the City of Spokane; the City of Cheney shall appoint one member and one *ex officio* member of the Spokane Hotel and Motel TPA Commission to represent the City of Cheney. Any vacancy, on

the Spokane Hotel and Motel TPA Commission arising from a resignation or other cause shall be filled by the appointing entity from the list of nominees prepared by the Spokane Hotel and Motel Association within 30 days from the date the vacancy occurs.

D. It is understood and agreed that the initial voting members of the Spokane Hotel and Motel TPA Commission shall serve staggered terms, with one voting member serving a one-year term, two voting members serving for two-year terms, and two members serving for three-year terms. The length of the term for each individual member of the initial Spokane Hotel and Motel TPA Commission shall be chosen by lot at the first meeting of the Commission. Thereafter, all members subsequently appointed to the Spokane Hotel and Motel TPA Commission shall serve for three-year terms.

8. Contract For Management of Spokane County Tourism Promotion Area.

A. The Board of County Commissioners shall contract with a TPA Manager. The contract shall be awarded consistent with all applicable Spokane County laws, ordinances and regulations. The contract shall require the TPA Manager to comply with all applicable provisions of law, including chapter 35.101 RCW and with all Spokane County resolutions and ordinances as well as all regulations lawfully imposed by the state auditor or other state agencies.

B. The TPA Manager will be responsible for administering the activities and programs of the Spokane County Tourism Promotion Area and to prepare an Annual Budget for the Spokane County Tourism Promotion Area to be reviewed and approved by the Spokane Hotel and Motel TPA Commission and submitted to the Board of County Commissioners of Spokane County on or before November 1st of each year. The TPA Manager shall also act as staff to the Spokane Hotel and Motel TPA Commission in conjunction with assisting it in determining what activities and programs to recommend for funding from the Special Assessments. The TPA Manager, with information provided from the Spokane County Budget and Finance Office, shall provide to the Parties, on a quarterly basis, the aggregate amount of TPA Special Assessments collected from lodging businesses located within their respective boundaries.

C. The Annual Budget for the Spokane County Tourism Promotion Area shall consist of:

(1) A list of the Lodging Businesses subject to Special Assessments and an estimate of the revenue to be received from all such Lodging Businesses; and

(2) A statement of the proposed budget for all Spokane County Tourism Promotion Area activities and programs recommended by the Spokane Hotel and Motel TPA Commission to be funded from Special Assessments during the ensuing fiscal year.

D. All Special Assessments received by Spokane County from the Washington State Department of Revenue and any interest therein shall be deposited by Spokane County in a

special account. Payments to the TPA Manager will be made as provided for in the agreement between the Spokane County and the TPA Manager. Provided, however, no Special Assessment shall be dispersed in any fiscal year until after the adoption of that year's fiscal Annual Budget. Provided further, Spokane County shall not expend in any fiscal year Special Assessments in excess of the approved fiscal Annual Budget.

9. Modification of the Special Assessment (charge) or Disestablishment of the Spokane County Tourism Promotion Area.

A. If a majority of those lodging businesses assessed the base charge or additional charge imposed under Section 4 petition in writing to the Board of County Commissioners that the base charge and/or additional be charge be removed, the Board of County Commissioners must remove the charge. The Board of County Commissioners may determine the timing of when to remove the charge so that the effective date of the expiration of the charge will not adversely impact existing contractual obligations not to exceed twelve months. The Board of County Commissioner may not be held liable for any financial obligations, contractual obligations, or damages from removing the charge.

B. The Board of County Commissioners of Spokane County may, by Ordinance, disestablish the Spokane County Tourism Promotion Area after conducting a hearing to receive public comment regarding the disestablishment of the Spokane County Tourism Promotion Area. Upon receipt of a petition indicating a desire to disestablish the Spokane County Tourism Promotion Area, with the signatures of persons who operate lodging businesses in the Spokane County Tourism Promotion Area who pay over forty percent (40%) of the Special Assessments levied within the Spokane County Tourism Promotion Area, the Board of County Commissioners of Spokane County shall adopt a resolution of intention to disestablish the Spokane County Tourism Promotion Area, and shall state the time and place of a public hearing to be held by the Board of County Commissioners to consider the proposed action, provided the public hearing will be at least fifteen (15) days prior to consideration of the proposed action. If at said hearing a petition objecting to the disestablishment is presented, with signatures of the person who operate lodging business in the Spokane County Tourism Promotion Area who pay fifty-one percent (51%) or more of the total Special Assessments, the Spokane County Tourism Promotion Area shall not be disestablished. If such petition objecting to the disestablishment is not presented at said hearing, the Board of County Commissioners shall disestablish the Spokane County Tourism Promotion Area.

10. Miscellaneous Provisions:

A. Duration and Termination of this Agreement by a Party. This Interlocal Agreement shall continue in full force and effect until such time as the Spokane County Tourism Promotion Area is disestablished by action of the Board of County Commissioners of Spokane County as provided in Section 9 above.

Following termination of this Interlocal Agreement, Spokane County shall be responsible for utilizing any remaining unallocated revenue from Special Assessments for use for tourism promotion in Spokane Metropolitan Area.

B. Waiver. No officer, employee, or agent of the Parties has the power, right, or authority to waive any of the conditions or provisions of this Interlocal Agreement. No waiver of any breach of this Interlocal Agreement by Parties shall be held to be a waiver of any other or subsequent breach. Failure of Parties to enforce any of the provisions of this Interlocal Agreement or to require performance of any of the provisions herein, shall in no way be construed to be a waiver of such conditions, nor in any way effect the validity of this Interlocal Agreement or any part hereof, or the right of Parties to hereafter enforce each and every such provision.

C. Records. All records prepared, owned, used or retained by the TPA Manager in conjunction with operating or administering the activities and programs of the Spokane County Tourism Promotion Area as provided for under the terms of this Interlocal Agreement shall be deemed records of all Parties and shall be made available by the TPA Manager upon request to Parties, State Auditor, or their authorized representatives. Records shall be retained according to Spokane County records retention schedules.

D. Property and Equipment. Spokane County shall be the owner of all property and equipment purchased by the TPA Manager from Special Assessment Revenues. Provided, however, in the event of the termination of the Interlocal Agreement with the TPA Manager, Spokane County agrees to make the property and/or equipment available to the successor TPA Manager for its use in conjunction with providing similar services. Provided further, in the event of disestablishment of the Spokane County Tourism Promotion Area, all property and equipment purchased by the TPA Manager from Special Assessment Revenues shall be retained by Spokane County and used for any lawful purpose.

E. Integration. This Interlocal Agreement contains all of the terms and conditions agreed upon by the Parties concerning the establishment of the Spokane County Tourism Promotion Area by the Board of County Commissioners of Spokane County and the collection of Special Assessments from Operators of Lodging Businesses within the Tourism Promotion Area. No other understandings, oral or otherwise, regarding the subject matter of this Interlocal Agreement shall be deemed to exist or to bind any of the Parties hereto. The Parties have read and understand all of this Interlocal Agreement, and now state that no representation, promise, or agreement not expressed in this Interlocal Agreement has been made to induce the officials of the Parties to execute this Interlocal Agreement.

F. Severability. In the event any provision of this Interlocal Agreement shall be declared by a court of competent jurisdiction to be invalid, illegal, or unenforceable, the validity, legality and enforceability of the remaining provisions shall not, in any way, be affected or impaired thereby.

G. Execution of Agreement. This Interlocal Agreement shall become effective immediately after it is duly adopted by the Board of County Commissioners of Spokane County, the City Council of the City of Spokane, and the City Council of the City of Cheney and shall be filed with each entity as provided for in RCW 39.34.040.

H. Litigation. In the event litigation is brought against the TPA or any Parties to this Interlocal Agreement Spokane County shall cause legal counsel to be employed for the purpose of defending or prosecuting the matter. The cost of the legal counsel shall be paid by out of Special Assessments. The Parties reserve the right to monitor and participate in any litigation as solely determined by the party as its sole cost and expense.

I. Amendment. Provisions within this Interlocal Agreement may be amended with the mutual consent of the Parties hereto. No additions to or alteration of the terms of this Interlocal Agreement shall be valid unless made in writing, formally approved and executed by duly authorized agents of all Parties.

11. Chapter 39.34 RCW Required Clauses:

- A. Purpose: See Section 1 above.
- B. Duration: See Section 9 and 10 above.
- C. Organization of Separate Entity and its Powers: No new or separate legal or administrative entity is created to administer the provisions of this Interlocal Agreement.
- D. Responsibilities of the Parties: See provisions above.
- E. Agreement to be Filed: See Section 10 G above.
- F. Financing: Each party shall be responsible for the financing of its contractual obligations under this Interlocal Agreement, if any, under its normal budgetary process.
- G. Termination: See Section 9 and 10 above.
- H. Property upon Termination: See Section 10 G above.

IN WITNESS WHEREOF, Spokane County, the City of Spokane, and the City of Cheney have executed this Interlocal Agreement by their duly authorized officials pursuant to all requirements of law on the date opposite their respective signature block.

(This space intentionally left blank.)

DATED: _____

BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON

MARY L. KUNEY, Chair

ATTEST:

AL FRENCH, Vice-Chair

Ginna Vasquez, Clerk of the Board

JOSH KERNS, Commissioner

DATED: _____

CITY OF SPOKANE

By: _____

Its: _____

ATTEST:

Approved as to form:

City Clerk

Assistant City Attorney

CITY OF CHENEY

DATED: _____

By: _____

Title: _____

ATTEST:

Approved as to form:

City Clerk

City Attorney

NO. _____

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON

IN THE MATTER OF AN ORDINANCE
ESTABLISHING A TOURISM PROMOTION
AREA HAVING CERTAIN BOUNDARIES
AND OTHER MATTERS RELATED
THERE TO

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN by the Board of County Commissioners of Spokane County, Washington ("Board") pursuant to RCW 35.101.080, that a public hearing will be held on:

TUESDAY, _____ AT 2:00 P.M.
(OR AS SOON AS POSSIBLE THEREAFTER)
COMMISSIONERS' HEARING ROOM
LOWER LEVEL
PUBLIC WORKS BUILDING
1026 W. BROADWAY AVENUE
SPOKANE, WASHINGTON 99260-0170

The public may also participate remotely via conference call by calling 1-877-853-5257 (MEETING ID: 856 7484 5677) and/or view the public meeting via: Webinar Link: <https://us02web.zoom.us/j/85674845677> (MEETING ID: 856 7484 5677).

The purpose of the public hearing will be for the Board of County Commissioners to consider public testimony and take action on a proposed Ordinance which would establish a Tourism Promotion Area within the unincorporated area of Spokane County, City of Spokane and City of Cheney, impose a charge on the furnishing of lodging by a Lodging Business located in the Tourism Promotion Area, provide for the collection of the charge, provide for the administration of the Ordinance and other matters related thereto.

The full text of the proposed Spokane County Ordinance is as follows:

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF SPOKANE COUNTY, WASHINGTON, ESTABLISHING A TOURISM PROMOTION AREA WITHIN THE UNINCORPORATED AREA OF SPOKANE COUNTY, CITY OF SPOKANE AND CITY OF CHENEY, IMPOSING A CHARGE ON THE FURNISHING OF LODGING BY A LODGING BUSINESS LOCATED IN THE TOURISM PROMOTION AREA, PROVIDING FOR THE COLLECTION OF THE CHARGE, PROVIDING FOR THE ADMINISTRATION OF THE CHARGE, AND OTHER MATTERS RELATED THERETO.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SPOKANE COUNTY, WASHINGTON, as follows:

SECTION NO. 1: DEFINITIONS

As used in this Ordinance, the following terms, unless the context otherwise dictates, shall have the following meanings:

1.1 "Agreement" shall mean the Interlocal Cooperation Agreement among Spokane County, City of Spokane, and City of Cheney for the establishment of a Spokane County Tourism Promotion Area by Spokane County as authorized by RCW 35.101.040(2).

1.2 "Lodging Business" means a business located within the Spokane County Tourism Promotion Area that furnishes lodging taxable by the state under chapter 82.08 RCW that has forty (40) or more lodging units.

1.3 "Operator" means the Operator of a Lodging Business, whether in the capacity of owner, general manager, lessee, sub lessee, mortgagee in possession, license or any other similar capacity.

1.4 "Room Revenues" means the gross per-night-charge (nights of stay) imposed for the rental of a room or combination of rooms for Lodging.

1.5 "Special Assessment" means the levy (charge) imposed by Spokane County on the Operators of a Lodging Business within the Spokane County Tourism Promotion Area and subsequently passed on to the guests of the Lodging Business, under the authority of RCW 35.101.050, for the purpose of providing for funding of tourism promotion in Spokane Metropolitan Area.

1.6 "Spokane Hotel-Motel Association" means the Spokane Hotel-Motel Association, Inc., a Washington non-profit corporation.

1.7 "Spokane Hotel and Motel TPA Commission" means the Spokane Hotel and Motel TPA Commission, established by Spokane County, whose members are appointed by the Board of County Commissioners of Spokane County, the City Council of the City of Spokane, and the City Council of the City of Cheney to provide recommendations to the Board of County Commissioners of Spokane County on proposed uses and projects of the Spokane County Tourism Promotion Area pursuant to the provisions of RCW 35.101.130(1).

1.8 "Spokane Metropolitan Area" means unincorporated Spokane County, the City of Spokane, and the City of Cheney.

1.9 "Spokane County Tourism Promotion Area" means the Tourism Promotion Area created by the Ordinance of the Board of County Commissioners of Spokane County pursuant to the authority of chapter 35.101 RCW as authorized or as will be authorized by the resolutions of the City Council of the City of Spokane, and City Council of the City of Cheney.

1.10 "Tourism Promotion" means activities and expenditures designed to increase tourism and convention business, including but not limited to, advertising, publicizing, or otherwise distributing information for the purpose of attracting and welcoming tourists and operating tourism destination marketing organizations.

1.11 "Transient Basis" means the rental of a room or rooms for dwelling, lodging, or sleeping purposes by the Operator of a Lodging Business for a period of thirty (30) consecutive calendar days or less, counting a portion of a day as a full calendar day.

1.12. "Zone" or "Zones" means the distinct geographic subarea or subareas within the Spokane County Tourism Promotion Area as established by Ordinance of the Board of County Commissioners of Spokane County.

1.13 "Annual Budget" shall mean the Spokane County Tourism Promotion Area budget for a fiscal year, as adopted or amended by the Board of County Commissioners of Spokane County, after the receipt of a recommendation from the Spokane Hotel and Motel Commission, identifying all estimated revenue from Special Assessments for the fiscal year, and providing for all proposed uses of Special Assessment revenue for the purpose of providing tourism promotion in Spokane County for the ensuing fiscal year.

SECTION NO. 2: ESTABLISHMENT OF TOURISM PROMOTION AREA

There is hereby established a Tourism Promotion Area having boundaries which include the City of Spokane, City of Cheney, and the unincorporated area of Spokane County. Provided, however, no area within the City of Spokane, City of Cheney, or unincorporated areas of Spokane County shall be included within the boundaries of the Spokane County Tourism Promotion Area unless the respective Cities and County have entered into an Agreement as provided for in RCW 35.101.040(2).

SECTION NO. 3: RATE

There is imposed and Lodging Business shall collect and Lodging guests shall pay a Special Assessment on the furnishing of lodging by a Lodging Business located in the Tourism Promotion Area as follows:

The Special Assessments to be imposed on the operators of those Lodging Businesses with room revenues during the preceding calendar year, which exceeded five hundred thousand dollars (\$500,000.00), are as follows:

Total Charge
("Special Assessments")

ZONE	BASE CHARGE	ADDITIONAL CHARGE	TOTAL CHARGE (Special Assessment)
Zone A.	\$2.00 per room/day	\$2.00 per room/day	\$4.00 per room/day
Zone B.	\$2.00 per room/day	\$2.00 per room/day	\$4.00 per room/day
Zone C.	\$2.00 per room/day	\$2.00 per room/day	\$4.00 per room/day

The Special Assessment to be imposed on the Operators of those Lodging Businesses with room revenues during the preceding calendar year, which did not exceed five hundred thousand dollars (\$500,000.00), is as follows:

ZONE	BASE CHARGE	ADDITIONAL CHARGE	TOTAL CHARGE (Special Assessment)
Zone D.	\$.50 per room/day	\$.50 per room/day	\$1.00 per room/day
Zone E.	\$0.00 per room/day	\$0.00 per room/day	\$0.00 per room/day

The Additional Charge portion of the Total Charge (“Special Assessments”) identified above shall automatically expire at midnight on June 30, 2027. Upon the expiration of the Additional Charge portion of the Total Charge (“Special Assessments”), the Total Charge (“Special Assessments”) shall be automatically reduced to the Base Charge as of 12:01 a.m. on July 1, 2027. In the event the legislature extends the Additional Charge portion of the Total Charge (“Special Assessments”) beyond midnight on June 30, 2017, the Additional Charge portion of the Total Charge (“Special Assessments”) shall be automatically extended for the time frame authorized by the legislature.

Zone A. Zone A encompasses those Lodging Businesses located within the area of the incorporated city limits of the City of Spokane.

Zone B. Zone B encompasses all Lodging Businesses located within the incorporated city limits of the City of Cheney.

Zone C. Zone C encompasses those Lodging Businesses located outside Zones A and B but within the unincorporated area of Spokane County.

Zone D. Zone D encompasses all Lodging Businesses with room revenue under \$500,000 per year, situated within the Spokane County Tourism Promotion Area, regardless of their specific location.

Zone E. Zone E encompasses Lodging Businesses located within the Tourism Promotion Area, as that term is addressed in WAC 458-20-166 as it presently exists or may be hereinafter amended, other than hotels, motels, and bed and breakfast facilities. Lodging Businesses within this zone, as addressed in WAC 458-20-166, would include only (i) trailer camps and recreational vehicle parks that rent space to transient tenants for house trailers, campers, recreational vehicles, mobile homes, tents, and similar accommodations; (ii) educational institutions that sell overnight lodging to person other than students; and (iii) private lodging houses, dormitories and bunkhouses and similar accommodations operated by or on behalf of a business or school solely for the accommodation of employees of such businesses or student of the school, which are not held out to the public as a place where sleeping accommodations may be obtained.

The Special Assessment imposed under this section are not a tax on the “sale of lodging” for the purposes of RCW 82.14.410. and do not apply to temporary medial housing exempt under RCW 82.08.997.

SECTION No. 4: USE OF SPECIAL ASSESSMENT REVENUES FOR THE PROMOTION OF TOURISM AND CONVENTION BUSINESS IN SPOKANE COUNTY

The revenues from the Special Assessments levied by Spokane County on the Operators of Lodging Businesses situated within the Spokane County Tourism Promotion Area shall be used for the following purposes only:

- (1) The general promotion of tourism within the Spokane Metropolitan Area as specified in the Tourism Promotion Area business plans to be presented by the Spokane Hotel and Motel TPA Commission and adopted annually,
- (2) The marketing of the Spokane Metropolitan Area to the leisure and business travel industry to benefit local tourism and the Lodging Businesses in Spokane County,

(3) The marketing of convention and trade shows that benefit local tourism and the Lodging Businesses in the Spokane Metropolitan Area, and

(4) The marketing of the Spokane Metropolitan Area to recruit sporting events to benefit local tourism and the Lodging Business in Spokane County.

For the purpose for of the Petition, the terminology “Spokane Metropolitan Area” shall mean the unincorporated area of Spokane County and incorporated areas of the City of Spokane, and the City of Cheney.

SECTION 5: ESTABLISHMENT OF THE SPOKANE HOTEL AND MOTEL TPA COMMISSION

- A. The Board of County Commissioners of Spokane County, pursuant to the authority of RCW 35.101.130(1), hereby establishes a eight (8) member Spokane Hotel and Motel TPA Commission to advise the Board of County Commissioners of Spokane County on the expenditure of Special Assessment revenues collected within the Spokane County Tourism Promotion Area to fund tourism promotion in the Spokane Metropolitan Area. Five (5) members of the Spokane Hotel and Motel TPA Commission as identified in Section B shall be voting members.
- B. Members of the Spokane Hotel and Motel TPA Commission shall be selected by the Board of County Commissioners of Spokane County, the City Council of Spokane, and the City Council of the City of Cheney from a list of nominees prepared by the Spokane Hotel and Motel Association. All nominees for membership on the Spokane Hotel and Motel TPA Commission must be Operators of Lodging Businesses within the Spokane County Tourism Promotion Area or employed by the Operator of such a Lodging Business. One *ex officio* member of the Commission may be appointed from the members of the Board of Commissioners of Spokane County; one *ex officio* member may be appointed from the members of the City Council of the City of Spokane; and one *ex officio* member may be appointed from the members of the City Council of Cheney. *Ex officio* members of the Spokane Hotel and Motel TPA Commission may participate in all discussions regarding proposed activities and programs by the Spokane County Tourism Promotion Area for the promotion and marketing of tourism in Spokane County but shall not have voting rights.
- C. The Board of County Commissioners of Spokane County shall appoint one member and one *ex officio* member of the Spokane Hotel and Motel TPA Commission to represent the County of Spokane; the City Council of the City of Spokane shall appoint three members and one *ex officio* member of the Spokane Hotel and Motel TPA Commission to represent the City of Spokane; and the City of Cheney shall appoint one member and one *ex officio* member of the Spokane Hotel and Motel TPA Commission to represent the City of Cheney. Any vacancy, on the Spokane Hotel and Motel TPA Commission arising from a resignation or other cause shall be filled by the appointing entity from the list of nominees prepared by the Spokane Hotel and Motel Association within 30 days from the date the vacancy occurs.
- C. The initial voting members of the Spokane Hotel and Motel TPA Commission shall serve staggered terms, with one voting members serving a one-year term, two voting members serving for two-year terms, and two members serving for three-year terms. The length of the term for each individual member of the initial Spokane Hotel and Motel TPA Commission shall be chosen

by lot at the first meeting of the Commission. Thereafter, all members subsequently appointed to the Spokane Hotel and Motel TPA Commission shall serve for three-year terms.

- E. All of the revenues from Special Assessments collected within the Spokane County Tourism Promotion Area from Lodging Businesses shall be allocated by the Board of County Commissioners of Spokane County in accordance with the Annual Budget for the Spokane County Tourism Promotion Area. The Spokane Hotel and Motel TPA Commission shall make a recommendation to the Board of County Commissioners on all Annual Budgets. The Board of County Commissioners shall have the ultimate authority to set and approve all Annual Budgets.

SECTION NO. 6: MODIFICATION OR DISESTABLISHMENT OF THE SPOKANE COUNTY TOURISM PROMOTION AREA

A. If a majority of those lodging businesses assessed the base charge or additional charge imposed under Section No. 4 petition in writing to the Board of County Commissioners that the base charge and/or additional be charge be removed, the Board of County Commissioners must remove the charge. The Board of County Commissioners may determine the timing of when to remove the charge so that the effective date of the expiration of the charge will not adversely impact existing contractual obligations not to exceed twelve months. The Board of County Commissioner may not be held liable for any financial obligations, contractual obligations, or damages from removing the charge.

B. The Board of County Commissioners of Spokane County may, by Ordinance, disestablish the Spokane County Tourism Promotion Area after conducting a hearing to receive public comment regarding the disestablishment of the Spokane County Tourism Promotion Area. Upon receipt of a petition indicating a desire to disestablish the Spokane County Tourism Promotion Area, with the signatures of persons who operate lodging businesses in the Spokane County Tourism Promotion Area who pay over forty percent (40%) of the Special Assessments levied within the Spokane County Tourism Promotion Area, the Board of County Commissioners of Spokane County shall adopt a resolution of intention to disestablish the Spokane County Tourism Promotion Area, and shall state the time and place of a public hearing to be held by the Board of County Commissioners to consider the proposed action, provided the public hearing will be at least fifteen (15) days prior to consideration of the proposed action. If at said hearing a petition objecting to the disestablishment is presented, with signatures of the person who operate lodging business in the Spokane County Tourism Promotion Area who pay fifty-one percent (51%) or more of the total Special Assessments, the Spokane County Tourism Promotion Area shall not be disestablished. If such petition objecting to the disestablishment is not presented at said hearing, the Board of County Commissioners shall disestablish the Spokane County Tourism Promotion Area.

SECTION NO. 7: ADMINISTRATION/COLLECTION

The special assessment imposed under Section No. 2 shall be administered by the Washington State Department of Revenue and shall be collected by Lodging Businesses from those guests who are taxable by the state under chapter 82.08 RCW. The provisions of chapter 82.32 RCW apply to the special assessments imposed under Section No. 2.

The special assessments collected by the Washington State Department of Revenue shall be deposited by the Washington State Department in the local tourism promotion account created and maintained by the State Treasurer. All receipts from the special assessments imposed hereunder must be deposited into this account. Expenditures from the account may only be used for tourism promotion. The State Treasurer shall distribute the money in the account on a monthly basis to Spokane County.

SECTION NO. 8: INSPECTION

All Lodging Businesses subject to the special assessment as set forth in Section No. 2 herein and Spokane County consent to the inspection of such records as are deemed necessary by the Washington State Department of Revenue pursuant to applicable statutes, rules or regulations.

SECTION NO. 9: CONTRACT WITH STATE FOR ADMINISTRATION

The Chair of the Board of County Commissioners of Spokane County, or a majority of the Board, is authorized to enter into contract(s), at other than an open meeting, with the Washington State Department of Revenue for the administration of the special assessment imposed pursuant to this Ordinance.

SECTION NO. 10: VIOLATION/PENALTIES

Any person, firm or corporation who fails or refuses to collect the special assessment as required under the terms of this Ordinance with the intent to violate the provisions of this Ordinance or to gain some advantage or benefit, either directly or indirectly, and any guest who refuses to pay any special assessment due under this Ordinance, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by imprisonment in the County jail for a maximum term fixed by the court of not more than ninety (90) days, or by a fine in the amount fixed by the court of not more than \$1,000.00 or by both such imprisonment and fine. Provided, however, the penalty provided for under the terms of this Section shall be in addition to any other provisions provided for by law.

SECTION NO. 11: MISCELLANEOUS

The Board of County Commissioners of Spokane County anticipate adopting under Resolution No. 22-_____, to be passed and adopted on_____, a Decision captioned: “IN THE MATTER OF ADOPTING A RESOLUTION OF INTENTION TO ESTABLISH A TOURISM PROMOTION AREA HAVING CERTAIN BOUNDARIES” wherein the Board will approved the Resolution of Intention to Establish a Tourism Promotion Area having certain boundaries to include those of the City of Spokane, the City of Cheney, and the unincorporated areas of Spokane County. In anticipation of this action, the Board of County Commissioners has set _____ at 2:00 p.m., or as soon as possible thereafter, in the Public Building, Commissioners Assembly Room as the date and time for a public hearing on an Ordinance to formally establish a Tourism Promotion Area (“TPA”).

SECTION NO. 12: EFFECTIVE DATE

This Ordinance shall take effect as of 12:01 a.m. on January 1, 2023.

SECTION NO. 13. TERMINATION

This Ordinance shall continue in full force and effect until modified or disestablished in whole or part as provided for in Section No. 6 above.

SECTION NO. 14: SEVERABILITY

If any part or provision of this Ordinance, or its application to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners of Spokane County that the remainder of this Ordinance, or its application of the provisions to other persons or circumstances is not affected.

* * * * *

Any person may appear at the time, place and date set forth hereinabove and present testimony in favor of or in opposition to the proposed Ordinance. To ensure that everyone attending has an opportunity to speak, testimony may be limited to three (3) minutes per speaker. The Board reserves the right to adjust the time frame allotted to speakers, as well as hearing procedures, during the hearing.

Additional information with respect to this Notice of Public Hearing may be obtained by contacting James P. Emacio, Special Deputy Prosecuting Attorney at (509) 477-2124.

AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION: Spokane County is committed to providing equal access to its facilities, programs and services for persons with disabilities. The Commissioner’s Hearing Room at 1026 West Broadway is wheelchair accessible and is equipped with an infrared assistive listening system for persons with hearing loss. Individuals requesting reasonable accommodations or further information may call, write, or email Ashley Cameron at (509) 477-5750 (TDD), 824 North Adams Street, Spokane, WA, 99260; or acameron@spokanecounty.org please contact us forty-eight (48) hours before the meeting/hearing date.

PASSED AND ADOPTED this _____ day of _____, 2022.

BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON

MARY L. KUNEY, Chair

ATTEST:

AL FRENCH, Vice-Chair

Ginna Vasquez, Clerk of the Board

JOSH KERNS, Commissioner

Publish: The Spokesman-Review-10 days before the public hearing.

Committee Agenda Sheet

Public Infrastructure, Environment & Sustainability Committee

Submitting Department	Public Works Division – Integrated Capital Management Department
Contact Name & Phone	Inga Note, 625-6331
Contact Email	inote@spokanecity.org ;
Council Sponsor(s)	CM Beggs
Select Agenda Item Type	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion Time Requested: <u>20 minutes</u>
Agenda Item Name	Impact Fee Update
Summary (Background)	<p>The US 195 Transportation study was completed in late 2021. https://us195transportationstudy.com/. The study recommends a list of capacity improvement projects to accommodate development and reduce the reliance of local traffic on US 195. Council endorsed the results of this study in resolution 2022-0055.</p> <p>City staff presented on the need for the impact fee update in late March 2022. Council concurred with limiting this rate update to the South, West Plains and new Latah districts. Staff has worked to update cost estimates, project lists and growth projections and is now ready to discuss a range of fees with Council. This rate change will require a Planning Commission Hearing before coming back to Council for approval.</p>
Proposed Council Action & Date:	Adoption resolution by end of 2022. n/a
Fiscal Impact:	
Total Cost: n/a	
Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
Funding Source <input type="checkbox"/> One-time <input type="checkbox"/> Recurring	
Specify funding source:	
Expense Occurrence <input type="checkbox"/> One-time <input type="checkbox"/> Recurring	
Other budget impacts: (revenue generating, match requirements, etc.)	
Operations Impacts	
What impacts would the proposal have on historically excluded communities?	
<i>Public Works services and projects are designed to serve all citizens and businesses. We strive to offer a consistent level of service to all, to distribute public investment throughout the community, and to respond to gaps in services identified in various City plans. We recognize the need to maintain affordability and predictability for utility customers. And we are committed to delivering work that is both financially and environmentally responsible. This item supports the operations of Public Works.</i>	
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?	
<i>Potential projects for transportation grant opportunities are dispersed throughout the City and should not impact racial, gender identity, national origin, income level, disability, sexual orientation or other existing disparity factors. Equity considerations are included in SRTC's evaluation and scoring process.</i>	

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

Projects within the 6-year Streets program are evaluated for consistency with the City's Comprehensive Plan when they are initially added to the program.

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

Potential projects submitted for application comply with goals and policies of Chapter 4 – Transportation of the City's Comprehensive Plan. It aligns with council resolution 2022-0055 endorsing the results of the US 195 / I-90 transportation study.

Committee Agenda Sheet

Public Infrastructure, Environment & Sustainability (PIES)

Submitting Department	Public Works Division
Contact Name & Phone	Marlene Feist (509) 625-6505
Contact Email	mfeist@spokanecity.org
Council Sponsor(s)	Council Member Kinnear
Select Agenda Item Type	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion Time Requested: <u><5 mins</u>
Agenda Item Name	Funding to Support Fluoridation Engineering Study
Summary (Background)	<p>Public Works has submitted a Letter of Interest to the Washington state Department of Health, for possible funding for the current, ongoing fluoridation engineering study. The Legislature provided for this funding as part of Engrossed Substitute Senate Bill 5693. The request for funding doesn't change any of the study elements or commit the City to any additional work around fluoridation.</p> <p>The City has embarked on a comprehensive engineering analysis to understand the full cost of constructing and operating a fluoridation system for our water system. The study will provide an analysis of options and a 30% design of a preferred system with life-cycle cost estimates. At that point, the City's elected leaders will make a determine whether to move forward with a fluoridation system.</p> <p>The City hired MurraySmith to complete this study at a cost of \$599,300. The term of the agreement runs from Feb. 21, 2022, through Aug. 31, 2023. The work is already well under way.</p> <p>The City also received a grant of up to \$4 million to add a fluoridation system from the Arcora Foundation. The City and Arcora agreed that \$600,000 of that grant amount can be used for this study without expectation of repayment, considering that the City's elected officials have not made a final determination of whether to proceed with fluoridation.</p> <p>While the work on the study is still proceeding, the City anticipates that the costs for such a system would exceed the full grant amount of \$4 million. With that in mind, Public Works decided to respond to this funding call. To date, the City has spent about \$145,000 on the work already completed. By the time of availability of this funding on October 1, 2022, the City would anticipate having spent approximately 40% of the total budget for the study. This letter of interest seeks funding for the uncompleted portion of the work.</p>
Proposed Council Action & Date:	Discussion only.
Fiscal Impact: Total Cost: Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A Funding Source <input type="checkbox"/> One-time <input type="checkbox"/> Recurring Specify funding source: Expense Occurrence <input type="checkbox"/> One-time <input type="checkbox"/> Recurring	

Other budget impacts: (revenue generating, match requirements, etc.)

Operations Impacts

What impacts would the proposal have on historically excluded communities?

Public Works services and projects are designed to serve all citizens and businesses. We strive to offer a consistent level of service to all, to distribute public investment throughout the community, and to respond to gaps in services identified in various City plans. We recognize the need to maintain affordability and predictability for utility customers. And we are committed to delivering work that is both financially and environmentally responsible. This item supports the operations of Public Works.

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

N/A – This work is designed to manage costs and continue service delivery in support of all citizens and taxpayers. It will not impact racial, gender identity, national origin, income level, disability, sexual orientation or other existing disparity factors.

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

Public Works follows the City’s established procurement and public works bidding regulations and policies to bring items forward, and then uses contract management best practices to ensure desired outcomes and regulatory compliance.

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

This work is consistent with efforts to provide COVID emergency support for Spokane Citizens and Utility Customers.

Committee Agenda Sheet

PIES

Submitting Department	Public Works, Engineering
Contact Name & Phone	Dan Buller 625-6391
Contact Email	dbuller@spokanecity.org
Council Sponsor(s)	Lori Kinnear
Select Agenda Item Type	X Consent <input type="checkbox"/> Discussion Time Requested: _____
Agenda Item Name	On-call consultant contracts for engineering services
Summary (Background)	<ul style="list-style-type: none"> • Engineering Services has “on-call” contracts with various consultants for specialized engineering or related services (geotech., surveying, historic resources, electrical, real estate acquisition, landscape architect, surveying and construction management) associated with the City’s public works projects. These contracts are with firms with specialized knowledge that city staff lacks. • These firms are selected on the basis of qualifications as required by RCW 39. These agreements typically last from 2-3 years. • Over the next 4 – 5 months, we will advertise a “request for qualifications” (RFQ) for all of these consultants. Because of differing rules for consultants hired for fed aid projects, we will advertise twice for each category (i.e., one RFQ for fed aid geotech, another RFQ for non-fed aid geotech, etc.) • A review committee will evaluate the firms by qualifications. One or two firms will be selected for each discipline. • Engineering Services expects to bring the agreements for each discipline to council for approval between late August and early December – approximately 16 in all. • Costs incurred under the proposed contracts are paid as part of each public works project for which the consultant is used.
Proposed Council Action & Date:	Background information for committee review
Fiscal Impact: Total Cost: Approved in current year budget? X Yes <input type="checkbox"/> No N/A Funding Source X One-time <input type="checkbox"/> Recurring Specify funding source: Varies by project. Costs incurred under the proposed contracts will be paid as part of each public works project for which the consultant is used. Expense Occurrence X One-time <input type="checkbox"/> Recurring Other budget impacts: (revenue generating, match requirements, etc.)	
Operations Impacts	
What impacts would the proposal have on historically excluded communities? Public Works services and projects are designed to serve all citizens and businesses. We strive to offer a consistent level of service to all, to distribute public investment throughout the community, and to respond to gaps in services identified in various City plans. We recognize the need to maintain	

affordability and predictability for utility customers. And we are committed to delivering work that is both financially and environmentally responsible. This item supports the operations of Public Works.

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

N/A – This contract supports multiple public works projects and should not impact racial, gender identity, national origin, income level, disability, sexual orientation or other existing disparity factors.

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

Public Works follows the City's established procurement and public works bidding regulations and policies to bring items forward, and then uses contract management best practices to ensure desired outcomes and regulatory compliance.

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

The projects is consistent with our adopted six year programs as well as the annual budget and strategic initiative to advance street improvement activities.

Committee Agenda Sheet

Public Infrastructure, Environment & Sustainability

Submitting Department	
Contact Name & Phone	
Contact Email	
Council Sponsor(s)	
Select Agenda Item Type	Consent Discussion Time Requested: _____
Agenda Item Name	
Summary (Background)	
Proposed Council Action & Date:	
Fiscal Impact: Total Cost: Approved in current year budget? Yes No N/A Funding Source One-time Recurring Specify funding source: Expense Occurrence One-time Recurring Other budget impacts: (revenue generating, match requirements, etc.)	

Operations Impacts

What impacts would the proposal have on historically excluded communities?

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

Committee Agenda Sheet

Public Infrastructure, Environment, and Sustainability

Submitting Department	Integrated Capital Management
Contact Name & Phone	Mark Papich, 625-6310
Contact Email	mpapich@spokanecity.org
Council Sponsor(s)	Lori Kinnear
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested: _____
Agenda Item Name	Nevada Well Station Rehabilitation Study
Summary (Background)	<p>The City of Spokane has requested RFQs from qualified consultants to complete a well study for the Nevada Well Station. The goal of the study is to determine the most cost effective way to maximize the efficiency, redundancy and resilience of the well site. Items to evaluate include, but are not limited to, feasibility of rehabilitating the existing well casings, replacement of equipment, changing operational strategy, or constructing a new well.</p> <p>Proposal for the RFQ are due on 8/22 and the contract is anticipated to go to council for approval in early October.</p>
Proposed Council Action & Date:	Nothing at this time – information only.
<p>Fiscal Impact: = TBD (\$400,000 budgeted in 6-Year Program)</p> <p>Total Cost:</p> <p>Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Funding Source <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring</p> <p>Specify funding source: Utility Rates-IC</p> <p>Expense Occurrence <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring</p> <p>Other budget impacts: (revenue generating, match requirements, etc.)</p>	
Operations Impacts	
<p>What impacts would the proposal have on historically excluded communities?</p> <p>Public Works services and projects are designed to serve all citizens and businesses. We strive to offer a consistent level of service to all, to distribute public investment throughout the community, and to respond to gaps in services identified in various City plans. We recognize the need to maintain affordability and predictability for utility customers. And we are committed to delivering work that is both financially and environmentally responsible. This item supports the operations of Public Works.</p>	
<p>How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?</p> <p>N/A – This is a public works project and should not impact racial, gender identity, national origin, income level, disability, sexual orientation or other existing disparity factors.</p>	
<p>How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?</p> <p>Public Works follows the City's established procurement and public works bidding regulations and</p>	

policies to bring items forward, and then uses contract management best practices to ensure desired outcomes and regulatory compliance.

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

This project is identified in the 6-Year Capital Improvement Program as well as the annual budget.

Committee Agenda Sheet

PUBLIC INFRASTRUCTURE ENVIRONMENT AND SUSTAINABILITY

Submitting Department	Purchasing & Contracts
Contact Name & Phone	Thea Prince 625-6403
Contact Email	tprince@spokanecity.org
Council Sponsor(s)	CM Kinnear
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested: _____
Agenda Item Name	Master Value Blanket Order with Fastenal for Inventory Management Services
Summary (Background)	In 2016 The City of Spokane issued an RFP for Inventory Management Services which included vending machines and products put into those machines which Fastenal was awarded. Several other departments have since piggybacked onto that and have also contracted with Fastenal for Inventory Management Services. The term of some of these VBs are nearing expiration and some are not. We would like to continue our relationship with Fastenal by accessing the already competed National IPA Contract #2018-000208 through Omnia Partners which Fastenal has been awarded. We would like to create one (1) master Value Blanket Order instead of having multiple VBs expiring at different times/years. The estimated annual expenditure for the five (5) departments that would be using this Master VB is estimated at \$650,000.00. The National IPA Omnia Partners contract runs through 6/30/23 with a renewal to 6/30/25. We would like to structure our Master VB to run through 6/30/25.
Proposed Council Action & Date:	Approve Master VB Brief 8/29/22- Approve 9/5/22
Fiscal Impact:	
Total Cost:	
Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
Funding Source <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring	
Specify funding source: Multiple Department Budgets	
Expense Occurrence <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring	
Other budget impacts: (revenue generating, match requirements, etc.)	
Operations Impacts	
What impacts would the proposal have on historically excluded communities?	
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?	

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

Committee Agenda Sheet

Public Infrastructure, Environment and Sustainability

Submitting Department	Solid Waste Disposal
Contact Name & Phone	David Paine, 625-6878
Contact Email	dpaine@spokanecity.org
Council Sponsor(s)	CM Lori Kinnear
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested: _____
Agenda Item Name	Contract award for needed stack repairs at the WTE
Summary (Background)	<p>The contractor will be repairing multiple facets of the 169' concrete chimney. These repairs are listed below.</p> <p>Scope of Work</p> <p>1.1 Repair the broken welds at ladder siderails and support brackets 1.2 Paint the uppermost 25' of the exterior ladder 1.3 Install patch plates along the sill of the Unit #2 duct at the liner 1.4 Repair the broken hinges on the hatch atop the Unit #4 opening 1.5 Remove the davit and aviation lights from the roof 1.6 Paint the anchors along the parapet wall & Unit #4 opening screen</p> <p>On July 15, 2022, bidding closed on IPWQ 5665-22 for these needed stack repairs. Responses were received from Industrial Access, Inc. (Cumming, GA) and Knight Const. & Supply, Inc. (Deer Park, WA). Industrial Access, Inc. was the low-cost bidder. The contract will be for a fixed price of \$90,579.00 per the bid and span from September 1, 2022, through December 31, 2022. If during the repair process, additional work that requires immediate attention is discovered, a contingency reserve of \$36,000.00 plus taxes will be set aside for this project. The repairs are scheduled to take place over a five-day period sometime between October 16, 2022 and November 11, 2022.</p>
Proposed Council Action & Date:	Consent to proceed with contract award on 8/22/22.
<p>Fiscal Impact: Total Cost: <u>\$90,579.00</u> Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Funding Source <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring Specify funding source: 2022 SWD Budget</p> <p>Expense Occurrence <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring</p> <p>Other budget impacts: (revenue generating, match requirements, etc.)</p>	
Operations Impacts	
<p>What impacts would the proposal have on historically excluded communities?</p> <p>N/A</p>	

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

N/A

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

N/A

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

Historically every 5-7 years the stack at the WTE Facility is inspected to determine if there are any areas that require maintenance to sustain its operational functionality. The stack is a concrete construction design. Over time flaws will appear that are a result of many factors including age, material deterioration, settling and ground movement. Over the course of the past three inspections from 2003, 2010, & 2017, the inspection findings, not significant in nature, have been pushed until the next inspection opportunity. The findings from those three inspections are to be addressed during the upcoming 2022 TG Overhaul Outage in October/November 2022 to ensure a prolonged life of this critical component of the WTE.

Committee Agenda Sheet

Public Infrastructure, Environment and Sustainability

Submitting Department	Solid Waste Disposal
Contact Name & Phone	David Paine, 625-6878
Contact Email	dpaine@spokanecity.org
Council Sponsor(s)	CM Lori Kinnear
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested: _____
Agenda Item Name	Contract award for ultrasonic thickness testing at the WTE
Summary (Background)	<p>The WTE Facility requires ultrasonic thickness testing be performed on boiler tubes during each maintenance outage. Accurate thickness readings allow for the repair and replacement of worn components, while retaining those that are not worn or damaged.</p> <p>On July 8, 2022, bidding closed on IRFP 5632-22 for the Waste to Energy Facility's annual ultrasonic thickness testing. Two responses were received; IIA Facility Services (Brush Prairie, WA) and United Dynamics AT Corp. (Brooks, KY). IIA Facility Services was the low-cost bidder. The initial contract award will be for two (2) years with the possibility of three (3) one-year renewals. The contract will span from Oct. 1, 2022, through Sep. 30, 2024, with an estimated annual cost not to exceed \$143,000.00 including taxes. (\$286,000.00 for the two-year term).</p>
Proposed Council Action & Date:	Consent to proceed with contract award on 8/22/22.
Fiscal Impact: \$143,000.00 Total Cost: <u>\$286,000.00</u> Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Funding Source <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring Specify funding source: 2022/2023 SWD Budget Expense Occurrence <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring Other budget impacts: (revenue generating, match requirements, etc.)	
Operations Impacts	
What impacts would the proposal have on historically excluded communities? N/A	
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?	

N/A

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

The WTE is an integral part of the regional waste disposal system in support of the CP and SAP. The boiler tubes will wear over time. Periodic inspection using a method called ultrasonic thickness testing is how we determine and predict wear on the tubes. The data obtained from these inspections supports our efforts to properly plan for tube replacement.

Committee Agenda Sheet

Public Infrastructure, Environment and Sustainability

Submitting Department	Solid Waste Disposal
Contact Name & Phone	David Paine, 625-6878
Contact Email	dpaine@spokanecity.org
Council Sponsor(s)	CM Lori Kinnear
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested: _____
Agenda Item Name	Value blanket renewal for ultra-low sulfur #2 dyed diesel and supporting equipment.
Summary (Background)	<p>Ultra-Low Sulfur #2 Dyed Diesel is required for the operation of the WTE Facility. During each scheduled maintenance outage, a vendor provides a 500-gallon double-lined tank and an electric pump and refuels the 500-gallon double-line tank and a 250-gallon air compressor. The vendor must be able to meet outage refueling/top off schedules that could be every 8 hours around the clock, twice a day, or even once a day. On July 31, 2019, bids for ITB 5076-19 were received for the purchase of this diesel and supporting equipment and Eljay Oil Co. Inc., was determined to be the lowest cost bidder.</p> <p>The current value blanket term is for three (3) years from October 1, 2019, thru September 30, 2022, with the option of two additional one-year renewals. The estimated annual spend was \$50,000.00 (\$150,000.00 for the three (3) year term). Due to the escalating price of diesel over the last two years, an additional \$60,000.00 was added to the value blanket at the end of 2021 and an additional \$100,000.00 was added in 2022.</p> <p>This will be the first of the two one-year renewals and will span from Oct. 1, 2022, through Sep. 30, 2023, with an estimated cost not to exceed \$150,000.00.</p>
Proposed Council Action & Date:	Consent to proceed with renewal on 8/22/22.
Fiscal Impact:	<p>Total Cost: <u>\$150,000</u></p> <p>Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Funding Source <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring</p> <p>Specify funding source: 2022 SWD Budget</p> <p>Expense Occurrence <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring</p> <p>Other budget impacts: (revenue generating, match requirements, etc.)</p>
Operations Impacts	<p>What impacts would the proposal have on historically excluded communities?</p> <p>N/A</p>

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

N/A

How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution?

Each year the WTE evaluates the use of auxiliary equipment to support its operation. This contract at the present time represents the best solution available to support its efforts. Fuel is required 24/7 during the scheduled maintenance outages as defined above as well as 7 days per week during the remainder of the year.

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

This proposal maximizes the use of our fuel providers at the lowest possible cost.

Committee Agenda Sheet

Public Infrastructure, Environment and Sustainability

Submitting Department	Solid Waste Disposal
Contact Name & Phone	David Paine, 625-6878
Contact Email	dpaine@spokanecity.org
Council Sponsor(s)	CM Lori Kinnear
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested: _____
Agenda Item Name	Value blanket renewal for lubrication products at the WTE
Summary (Background)	<p>The WTE Facility uses specific and unique lube products on its various equipment. On July 15, 2019, bids for ITB 5078-19 were received for these Lube Products and Miscellaneous Associated items and Eljay Oil was determined to be the lowest cost bidder.</p> <p>The initial value blanket for this was for three (3) years with the option of two (2) additional one-year renewals and spanned from October 1, 2019, through September 30, 2022, with an annual cost of \$55,000.00. (\$165,000.00 for the three (3) year term.)</p> <p>This will be the first of the two one-year renewals and will span from October 1, 2022, through September 30, 2023, with an estimated cost not to exceed \$55,000.00.</p>
Proposed Council Action & Date:	Consent to proceed with renewal on 8/22/22.
Fiscal Impact:	<p>Total Cost: <u>\$55,000</u></p> <p>Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Funding Source <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring</p> <p>Specify funding source: 2022/2023 SWD Budget</p> <p>Expense Occurrence <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring</p> <p>Other budget impacts: (revenue generating, match requirements, etc.)</p>
Operations Impacts	<p>What impacts would the proposal have on historically excluded communities?</p> <p>N/A</p> <p>How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?</p> <p>N/A</p> <p>How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution?</p>

N/A

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

The WTE is an integral part of the regional waste disposal system in support of the CP and SAP. The products used to maintain the equipment at the Facility can be very specific with limited applicants. This contract is to address some of those unique and specific lubricants.

Committee Agenda Sheet

Public Infrastructure, Environment, and Sustainability

Submitting Department	Integrated Capital Management
Contact Name & Phone	Marcia Davis, 625-6310
Contact Email	mdavis@spokanecity.org
Council Sponsor(s)	Lori Kinnear
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested: _____
Agenda Item Name	Onsite Chlorine Feasibility Study
Summary (Background)	<p>The City of Spokane will be requesting proposals from qualified consultants to complete a study to determine the feasibility to retrofit well stations with onsite chlorine generation systems. Chlorine is a hazardous substance and safely managing it takes time, training, as well as extra and expensive PPE. In addition, the number of firms involved in chlorine production and supply is limited, making it not always readily available and subject to market volatility. The feasibility study will recommend the onsite generation process or processes, evaluate retrofitting at the existing station, evaluate life-cycle costs, and provide recommendations for setting up a pilot study, preferably at the City's Well Electric location.</p> <p>Proposal for the RFQ will be due in the middle of September and the contract is anticipated to go to council for approval in late October.</p>
Proposed Council Action & Date:	Nothing at this time – information only.
<p>Fiscal Impact: = TBD (part of the budget of Well Electric New Well Station in 6-Year Program)</p> <p>Total Cost:</p> <p>Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Funding Source <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring</p> <p>Specify funding source: Utility Rates-IC</p> <p>Expense Occurrence <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring</p> <p>Other budget impacts: (revenue generating, match requirements, etc.)</p>	
Operations Impacts	
<p>What impacts would the proposal have on historically excluded communities?</p> <p>Public Works services and projects are designed to serve all citizens and businesses. We strive to offer a consistent level of service to all, to distribute public investment throughout the community, and to respond to gaps in services identified in various City plans. We recognize the need to maintain affordability and predictability for utility customers. And we are committed to delivering work that is both financially and environmentally responsible. This item supports the operations of Public Works.</p>	
<p>How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?</p> <p>N/A – This is a public works project and should not impact racial, gender identity, national origin, income level, disability, sexual orientation, or other existing disparity factors.</p>	

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

Public Works follows the City's established procurement and public works bidding regulations and policies to bring items forward, and then uses contract management best practices to ensure desired outcomes and regulatory compliance.

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

This project is identified as part of the projects in the 6-Year Capital Improvement Program.

Committee Agenda Sheet [PIES]

Submitting Department	Streets
Contact Name & Phone	Clint Harris – 509-625-7744
Contact Email	ceharris@spokanecity.org
Council Sponsor(s)	Lori Kinnear
Select Agenda Item Type	X Consent <input type="checkbox"/> Discussion Time Requested: _____
Agenda Item Name	Value Blanket for Traffic Signal / Luminaire Standards
Summary (Background)	<p>This value blanket provides a streamlined means of ordering signal standards for street projects and/or maintenance replacements where vehicles damage or displace signal standards.</p> <ul style="list-style-type: none"> • <i>This Value Blanket, replacing the one presented in February of this year, will cover both Federally funded and non-federally funded projects.</i> • <i>Valmont Industries has been a reliable supplier of this material meeting delivery timelines laid out in the bid.</i> • <i>Allows the ordering of signal standard up to a cumulative amount of \$255,000.00 including tax for 2/22-2/23.</i> • <i>Signal Standards are paid for by project dollars or street Maintenance dollars already budgeted.</i>
Proposed Council Action & Date:	Consent approval for renewal, PIES 8/22/22
<p>Fiscal Impact: \$255,000.00 Total Cost: <u>\$255,000.00</u> Approved in current year budget? X Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Funding Source <input type="checkbox"/> One-time X Recurring Specify funding source:</p> <p>Expense Occurrence <input type="checkbox"/> One-time X Recurring</p> <p>Other budget impacts: (revenue generating, match requirements, etc.)</p>	
Operations Impacts	
What impacts would the proposal have on historically excluded communities? N/A	
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities? N/A	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?	

N/A

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

N/A

Committee Agenda Sheet [PIES]

Submitting Department	Streets
Contact Name & Phone	Clint Harris – 509-625-7744
Contact Email	ceharris@spokanecity.org
Council Sponsor(s)	Lori Kinnear
Select Agenda Item Type	X Consent <input type="checkbox"/> Discussion Time Requested: _____
Agenda Item Name	Value Blanket for Traffic Signal Control Cabinets
Summary (Background)	<p><i>This Value Blanket provides a streamlined means of ordering traffic signal cabinets for street projects and/or maintenance replacements.</i></p> <ul style="list-style-type: none"> • <i>This is new Value Blanket will cover both Federally funded and not-federally funded projects</i> • <i>Western Systems Inc. has been a reliable supplier of signal cabinets and components to the City.</i> • <i>Allows the ordering of signal cabinets not to exceed \$542,000 tax included.</i> • <i>Traffic signal cabinets are paid for by project dollars or street maintenance dollars already budgeted.</i>
Proposed Council Action & Date:	Consent approval for renewal, PIES 8/22/22
Fiscal Impact: \$542,000.00 Total Cost: <u>\$542,000.00</u> Approved in current year budget? X Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Funding Source <input type="checkbox"/> One-time X Recurring Specify funding source: Expense Occurrence <input type="checkbox"/> One-time X Recurring Other budget impacts: (revenue generating, match requirements, etc.)	
Operations Impacts	
What impacts would the proposal have on historically excluded communities? N/A	
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities? N/A	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution? N/A	

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

N/A

Committee Agenda Sheet

PIES

Submitting Department	Public Works, Engineering
Contact Name & Phone	Dan Buller 625-6391
Contact Email	dbuller@spokanecity.org
Council Sponsor(s)	Lori Kinnear
Select Agenda Item Type	X Consent <input type="checkbox"/> Discussion Time Requested: _____
Agenda Item Name	2023 Pedestrian Focused Projects
Summary (Background)	<ul style="list-style-type: none"> • Through its Integrated Capital Management Dept, the City has secured state and federal grant funds for six pedestrian-focused projects. These grant funds are sufficient to pay the large majority of the costs for each project. The projects are generally described as follows. • Division St. Crossings – install pedestrian signals at three locations on Division St. – see the attached exhibit. • Liberty-Bemiss – install a pedestrian signal at Crestline/Courtland & sidewalk on Liberty between Crestline & Altamont, all near Bemiss Elementary and Andrew Rypien field – see the attached exhibit. • Nevada-Joseph – install a pedestrian signal at Nevada/Joseph near Nevada Park and Garry Middle School – see the attached exhibit. • Greene-Carlisle – install a pedestrian signal at Greene/Carlisle at what is expected to become a key crossing location following construction of the north-south freeway – see the attached exhibit. • Driscoll-Alberta-Cochran – install sidewalk in the vicinity of Finch Elementary and pedestrian signal near Audubon Park – see the attached exhibit. • Garland Pathway – install 10’ shared use path connecting Shaw Middle School, Hillyard Library, NE Community Center, NewTech Skill Center, and the future Children of the Sun trail – see the attached exhibit. • The above projects will be advertised for bids between Sep and Jan, with construction on all of them being in 2023.
Proposed Council Action & Date:	Background information for committee review
Fiscal Impact: Total Cost: Approved in current year budget? X Yes <input type="checkbox"/> No N/A Funding Source X One-time <input type="checkbox"/> Recurring Specify funding source: Varies by the project. Costs incurred under the proposed contracts will be paid as part of each public works project for which the consultant is used. Expense Occurrence X One-time <input type="checkbox"/> Recurring Other budget impacts: (revenue generating, match requirements, etc.)	
Operations Impacts	
What impacts would the proposal have on historically excluded communities?	

Public Works services and projects are designed to serve all citizens and businesses. We strive to offer a consistent level of service to all, to distribute public investment throughout the community, and to respond to gaps in services identified in various City plans. We recognize the need to maintain affordability and predictability for utility customers. And we are committed to delivering work that is both financially and environmentally responsible. This item supports the operations of Public Works.

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

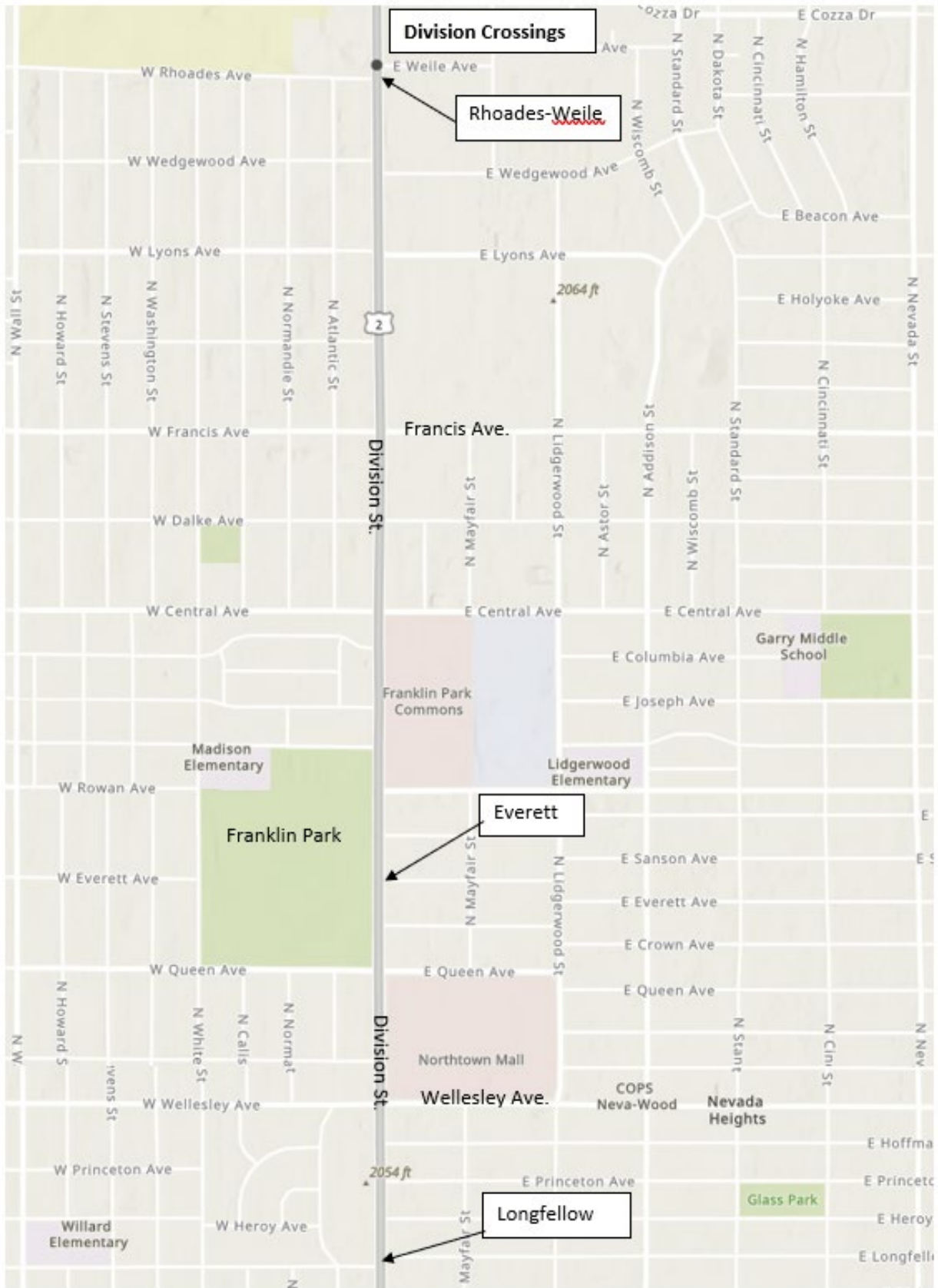
N/A – This contract supports multiple public works projects and should not impact racial, gender identity, national origin, income level, disability, sexual orientation or other existing disparity factors.

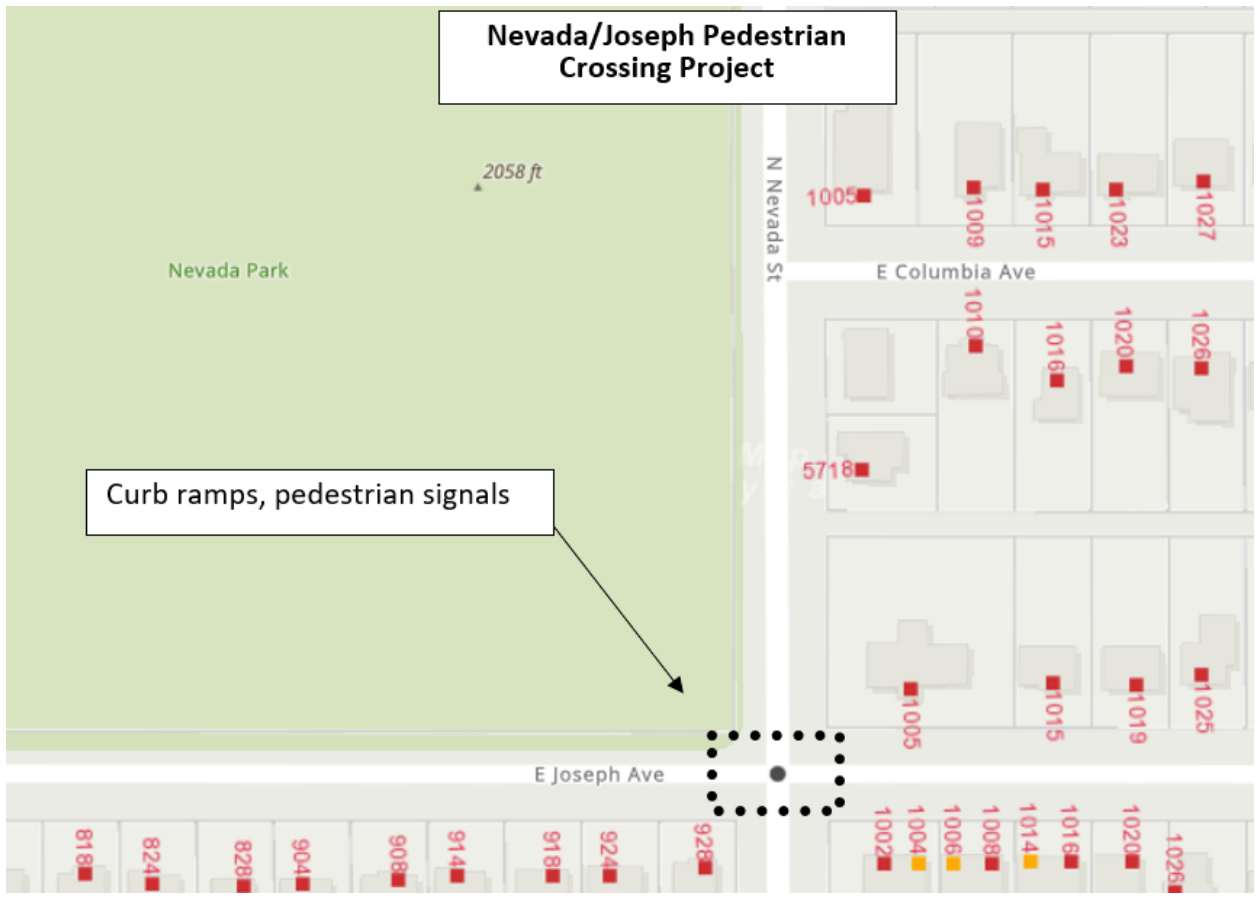
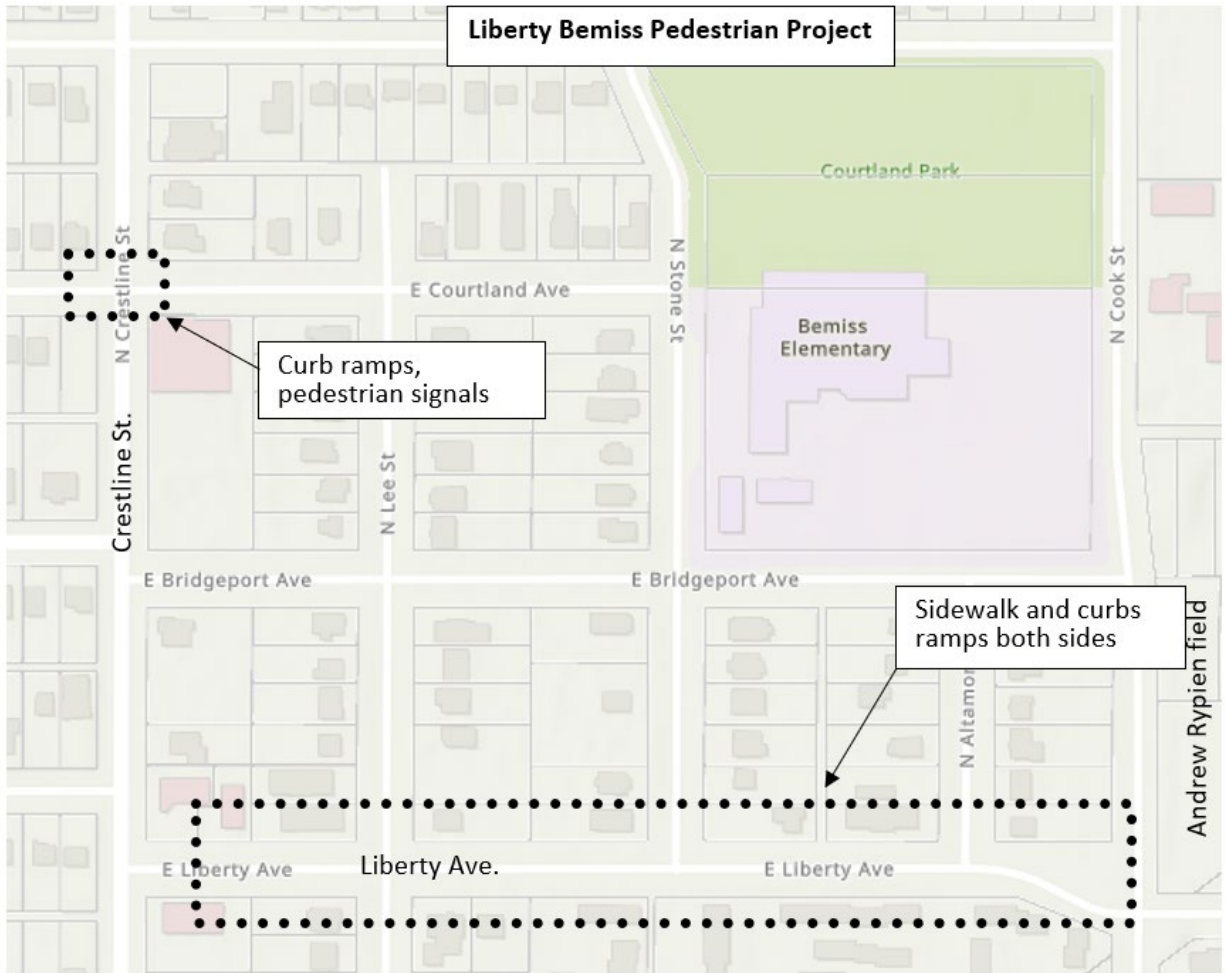
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

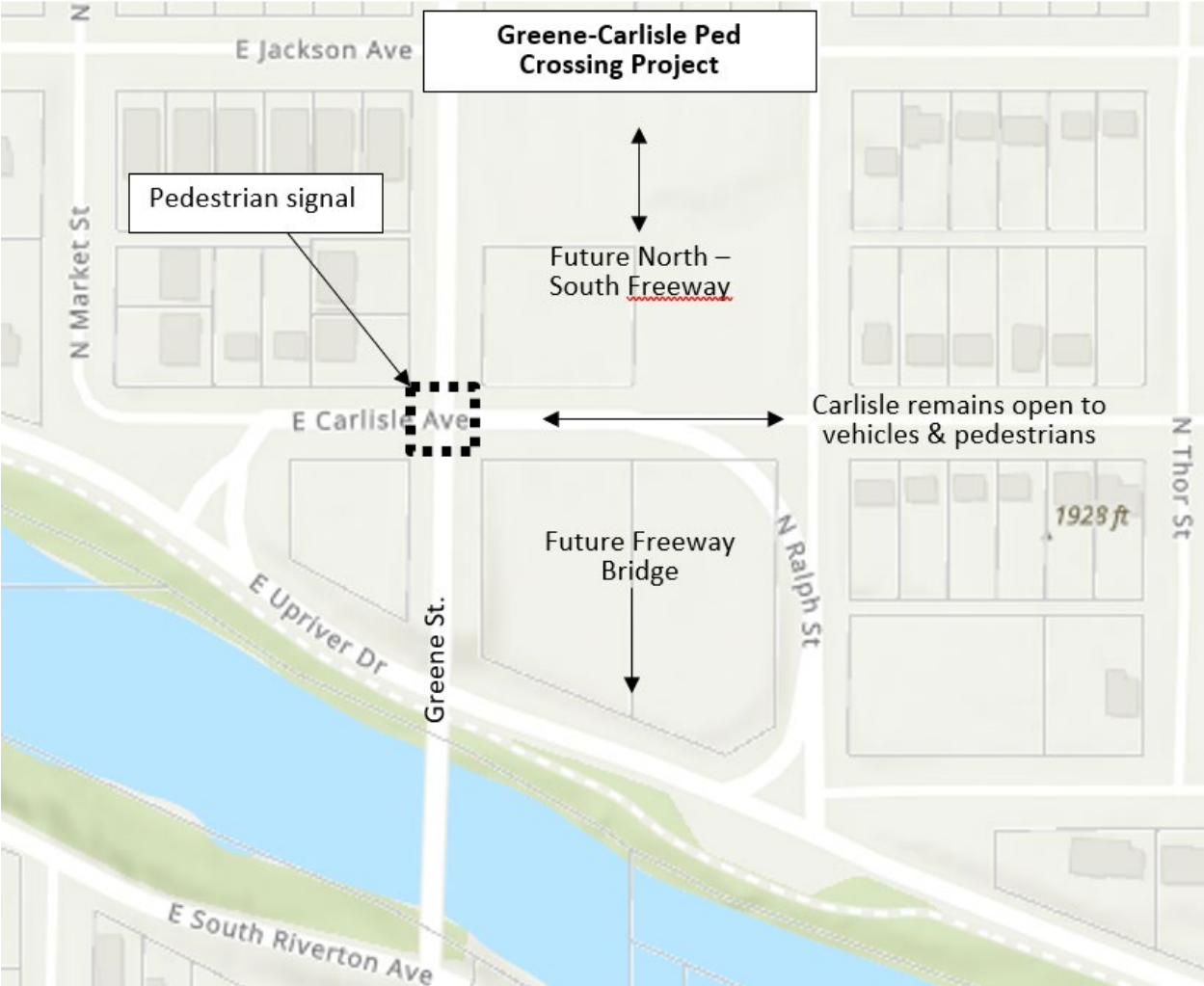
Public Works follows the City's established procurement and public works bidding regulations and policies to bring items forward, and then uses contract management best practices to ensure desired outcomes and regulatory compliance.

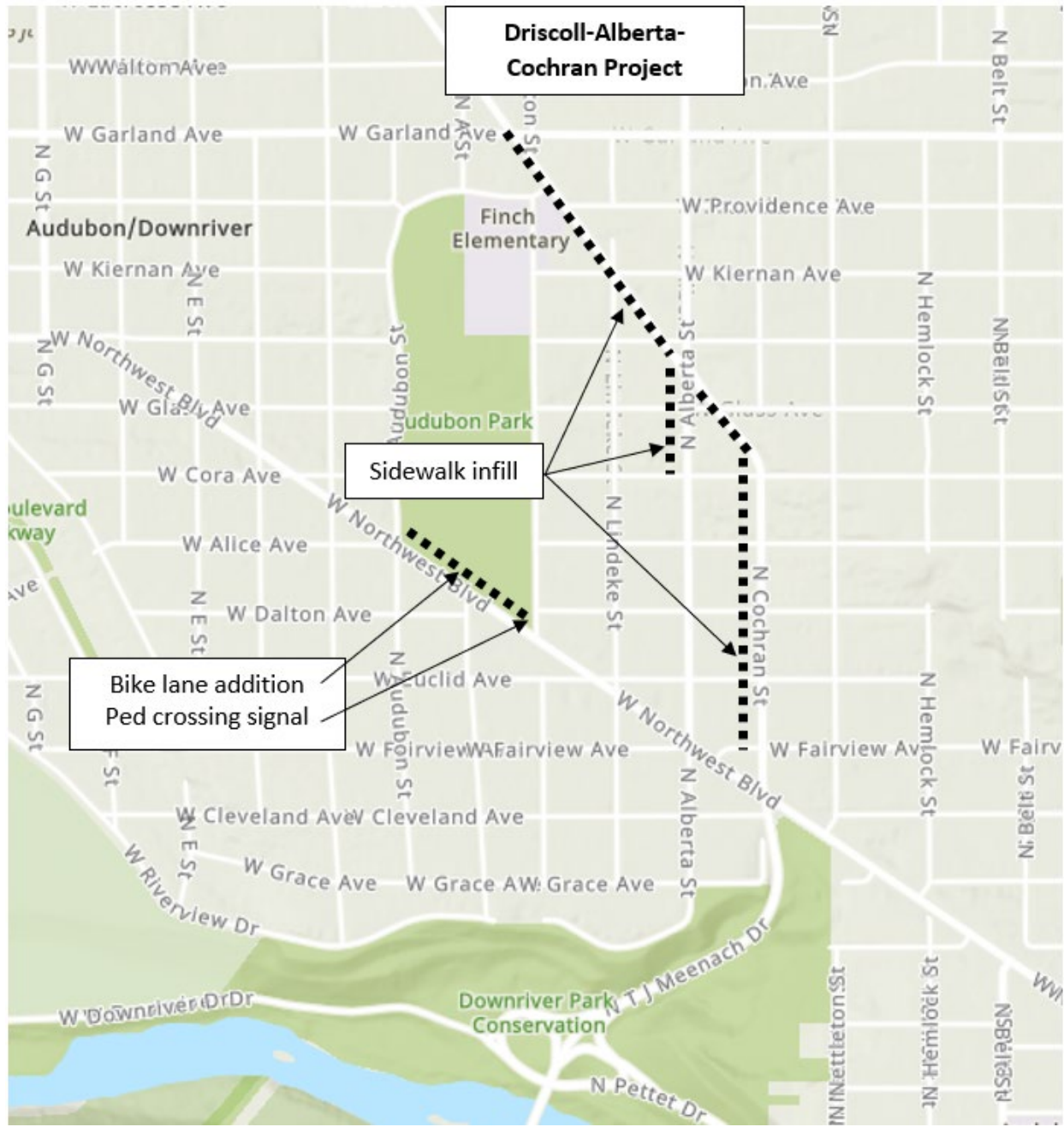
Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

The projects is consistent with our adopted six year programs as well as the annual budget and strategic initiative to advance street improvement activities.





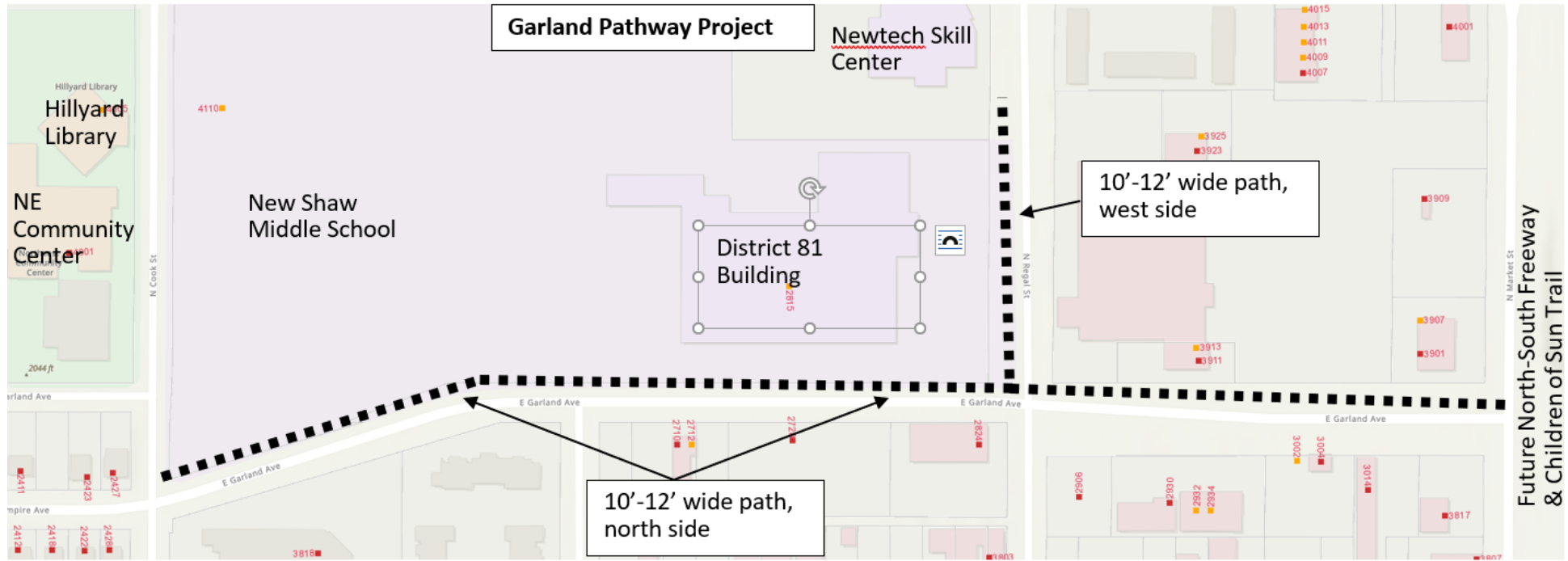




Driscoll-Alberta-Cochran Project

Sidewalk infill

**Bike lane addition
Ped crossing signal**



Committee Agenda Sheet

PIES

Submitting Department	Public Works, Engineering
Contact Name & Phone	Dan Buller 625-6391
Contact Email	dbuller@spokanecity.org
Council Sponsor(s)	Lori Kinnear
Select Agenda Item Type	X Consent <input type="checkbox"/> Discussion Time Requested: _____
Agenda Item Name	Cochran Basin Stormwater Projects
Summary (Background)	<ul style="list-style-type: none"> • The project shown on the attached pages is the annual residential grind and overlay project funded by the transportation benefit district. • Curb ramps will also be upgraded. • Public involvement consisted of sending a letter to the property owners fronting the streets indicated on the attached exhibits during the design phase. Also, a flyer will be placed on adjacent resident front doors just prior to construction. • Residents will have access to their homes during construction which will occur in the 2022 construction season.
Proposed Council Action & Date:	None at this time. Following bid opening, we will bring a construction contract to Council for approval.
Fiscal Impact:	
Total Cost:	
Approved in current year budget? X Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
Funding Source X One-time <input type="checkbox"/> Recurring	
Specify funding source: project funds (generally street or utility funds)	
Expense Occurrence X One-time <input type="checkbox"/> Recurring	
Other budget impacts: (revenue generating, match requirements, etc.)	
Operations Impacts	
What impacts would the proposal have on historically excluded communities?	
Public Works services and projects are designed to serve all citizens and businesses. We strive to offer a consistent level of service to all, to distribute public investment throughout the community, and to respond to gaps in services identified in various City plans. We recognize the need to maintain affordability and predictability for utility customers. And we are committed to delivering work that is both financially and environmentally responsible. This item supports the operations of Public Works.	
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?	
N/A – This contract supports multiple public works projects and should not impact racial, gender identity, national origin, income level, disability, sexual orientation or other existing disparity factors.	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?	

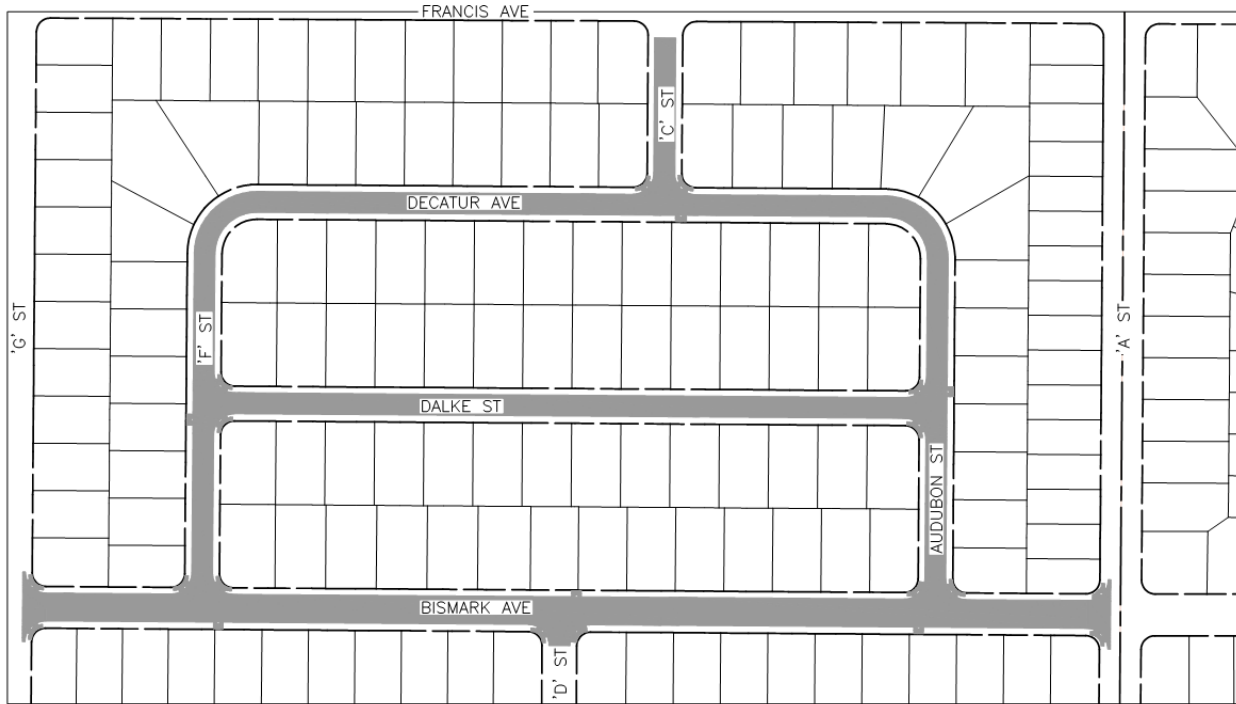
Public Works follows the City's established procurement and public works bidding regulations and policies to bring items forward, and then uses contract management best practices to ensure desired outcomes and regulatory compliance.

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

The projects which will use this on-call contract are consistent with our adopted six year programs as well as the annual budget and strategic initiative to advance street maintenance activities.

Project Location

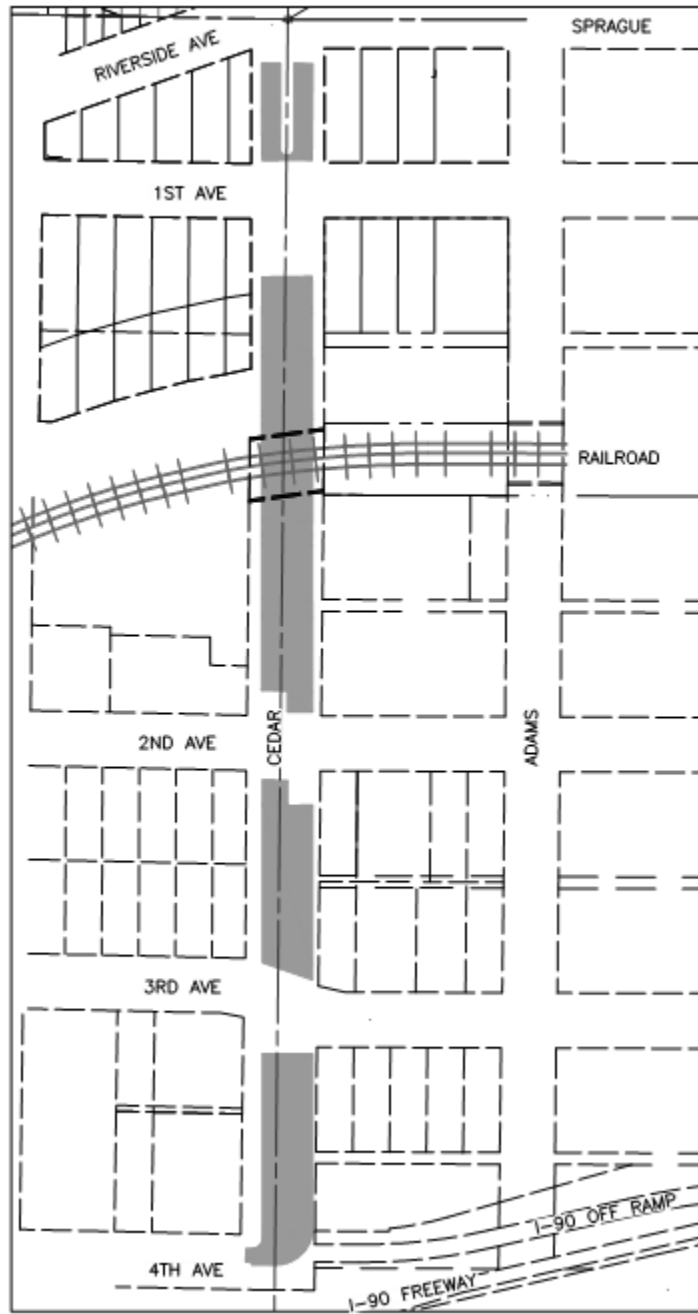
Area 1



Area 2



Area 3



Committee Agenda Sheet
Public Infrastructure Environmental and Sustainability Committee
August 22, 2022

Submitting Department	Fleet Services
Contact Name & Phone	Richard Giddings 509-625-7706
Contact Email	rgiddings@spokanecity.org
Council Sponsor(s)	Lori Kinnear
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested:
Agenda Item Name	Purchase of 4 Ford F150 Lightnings
Summary (Background)	Fleet Services would like to purchase four Ford F150 Lightnings for the Engineering Department. These will be purchased using WA State Contract #05916, from Bud Clary Ford in Longview, WA. Total estimated expenditure is \$240,000, including taxes.
Proposed Council Action & Date:	September 12, 2022, Approved
Fiscal Impact:	
Total Cost: <u>Estimated at \$240,000</u>	
Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
Funding Source <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring	
Specify funding source: Engineering Department Budget	
Expense Occurrence <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring	
Other budget impacts: (revenue generating, match requirements, etc.)	
Operations Impacts	
What impacts would the proposal have on historically excluded communities? N/A	
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities? N/A	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution? We are experiencing a very volatile vehicle market at the moment and are continuously evaluating vehicles from all over to ensure we are getting fair prices for leases and purchases.	
Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others? N/A	

Committee Agenda Sheet
Public Infrastructure Environmental and Sustainability Committee
August 22, 2022

Submitting Department	Fleet Services
Contact Name & Phone	Richard Giddings 509-625-7706
Contact Email	rgiddings@spokanecity.org
Council Sponsor(s)	Lori Kinnear
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested:
Agenda Item Name	Pre Approval Purchase of Truck and Trailer
Summary (Background)	<p>Fleet Services would like to purchase an F650 Crew Cab, or similar, and a 38foot enclosed trailer, or similar for the Police Department. Total estimated expenditure is \$192,000.</p> <p>We have seen across the board monthly price increases ranging from 5%-10% on units. We have also seen ordering banks closing 24hours after being opened. Receiving pre approval on these purchases will allow us to purchase the units as the units become available and avoid some of these price increases from the time a quote is received.</p>
Proposed Council Action & Date:	September 12, 2022, Approved
Fiscal Impact: Total Cost: <u>Estimated at \$192,000</u> Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Funding Source <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring Specify funding source: Engineering Department Budget Expense Occurrence <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring Other budget impacts: (revenue generating, match requirements, etc.)	
Operations Impacts	
What impacts would the proposal have on historically excluded communities? N/A	
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities? N/A	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution? We are experiencing a very volatile vehicle market at the moment and are continuously evaluating vehicles from all over to ensure we are getting fair prices for leases and purchases.	
Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others? N/A	

Committee Agenda Sheet
Public Infrastructure Environmental and Sustainability Committee
August 22, 2022

Submitting Department	FLEET SERVICES
Contact Name & Phone	ADAM RUSSELL, 509-232-8843
Contact Email	ATRUSSELL@SPOKANECITY.ORG
Council Sponsor(s)	Lori Kinnear
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested:
Agenda Item Name	VB FOR THE PURCHASE OF MISC AUTOMOTIVE PARTS
Summary (Background)	Fleet Services would like to set up a Value Blanket with Napa using WA State Contract #12621, for the purchase of as needed miscellaneous automotive parts. Contract term to be 7/1/2022 through 10/19/2024. Total estimated expenditure for this VB will be \$300,000 per year. This VB will allow Fleet to continue maintaining and repairing City Vehicles, as needed.
Proposed Council Action & Date:	Council Action, Approved. September 12, 2022
Fiscal Impact:	
Total Cost: <u>\$300,000</u>	
Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
Funding Source <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring	
Specify funding source: General Fund	
Expense Occurrence <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring	
Other budget impacts: (revenue generating, match requirements, etc.)	
Operations Impacts	
What impacts would the proposal have on historically excluded communities? N/A	
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities? N/A	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution? We will continue to analyze the cost of parts compared to industry standard.	
Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others? N/A	

Committee Agenda Sheet
Public Infrastructure Environmental and Sustainability Committee
August 22, 2022

Submitting Department	FLEET SERVICES
Contact Name & Phone	ADAM RUSSELL, 509-232-8843
Contact Email	ATRUSSELL@SPOKANECITY.ORG
Council Sponsor(s)	Lori Kinnear
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested:
Agenda Item Name	VB FOR THE PURCHASE OF AUTOMOTIVE FILTERS
Summary (Background)	Fleet Services would like to set up a Value Blanket with Napa using WA State Contract #12621, for the purchase of as needed automotive filters. Contract term to be 7/1/2022 through 10/19/2024. Total estimated expenditure for this VB will be \$150,000 per year. This VB will allow Fleet to continue maintaining and repairing City Vehicles, as needed.
Proposed Council Action & Date:	Council Action, Approved. September 12, 2022
Fiscal Impact:	
Total Cost: <u>\$150,000</u>	
Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
Funding Source <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring	
Specify funding source: General Fund	
Expense Occurrence <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring	
Other budget impacts: (revenue generating, match requirements, etc.)	
Operations Impacts	
What impacts would the proposal have on historically excluded communities? N/A	
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities? N/A	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution? We will continue to analyze the cost of parts compared to industry standard.	
Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others? N/A	

Committee Agenda Sheet
Public Infrastructure Environmental and Sustainability Committee
August 22, 2022

Submitting Department	FLEET SERVICES
Contact Name & Phone	ADAM RUSSELL, 509-232-8843
Contact Email	ATRUSSELL@SPOKANECITY.ORG
Council Sponsor(s)	Lori Kinnear
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested:
Agenda Item Name	VB FOR THE PURCHASE OF TIRE CHAINS
Summary (Background)	Fleet Services would like to renew the VB for the purchase of Tire Chains, VB301181, with PEWAG. VB term to be 9/23/2022 through 9/22/2025. Total yearly estimated expenditure for this VB will be \$80,000 per year.
Proposed Council Action & Date:	Council Action, Approved. September 12, 2022
Fiscal Impact:	
Total Cost: <u>\$80,000</u>	
Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
Funding Source <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring	
Specify funding source: General Fund	
Expense Occurrence <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring	
Other budget impacts: (revenue generating, match requirements, etc.)	
Operations Impacts	
What impacts would the proposal have on historically excluded communities? N/A	
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities? N/A	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution? We will continue to analyze the cost of parts compared to industry standard.	
Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others? N/A	

Committee Agenda Sheet
Public Infrastructure Environmental and Sustainability Committee
August 22, 2022

Submitting Department	FLEET SERVICES
Contact Name & Phone	ADAM RUSSELL, 509-232-8843
Contact Email	ATRUSSELL@SPOKANECITY.ORG
Council Sponsor(s)	Lori Kinnear
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested:
Agenda Item Name	VB FOR THE PURCHASE OF AUTOMOTIVE BATTERIES
Summary (Background)	Fleet Services would like to renew the VB for the purchase of Automotive Batteries, VB301085, with Battery Systems. VB term to be 9/20/2022 through 9/19/2024. Total yearly estimated expenditure for this VB will be \$100,000 per year.
Proposed Council Action & Date:	Council Action, Approved. September 12, 2022
Fiscal Impact: Total Cost: <u>\$100,000</u> Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Funding Source <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring Specify funding source: General Fund Expense Occurrence <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring Other budget impacts: (revenue generating, match requirements, etc.)	
Operations Impacts	
What impacts would the proposal have on historically excluded communities? N/A	
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities? N/A	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution? We will continue to analyze the cost of parts compared to industry standard.	
Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others? N/A	

Committee Agenda Sheet

Public Infrastructure, Environment & Sustainability (PIES) Committee

Submitting Department	Wastewater Management
Contact Name & Phone	Marlene Feist
Contact Email	MFeist@spokanecity.org
Council Sponsor(s)	CM Kinnear
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested: _____
Agenda Item Name	Rate Structure Analysis Contract Renewal
Summary (Background)	<p>This renewal #1 of 2 regarding OPR 2019-0812</p> <p>The original contract allowed two additional one-year contract renewals, this being the first one-year renewal of the two.</p> <p>Contract for rate structure analysis of Water, Sewer, and Stormwater utilities by FCS Group not to exceed \$260,000.00 annually including tax. This service will result in a clear nexus between utility charges and the City's cost to provide those services.</p> <p>FCS Group is to provide an ongoing rate structure analysis for the Water, Sewer, and Stormwater utilities. This is the first renewal of two renewal options.</p>
Proposed Council Action & Date:	Approve 8/22/2022
Fiscal Impact:	
Total Cost:	
Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
Funding Source <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring	
Specify funding source:	
Expense Occurrence <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring	
Other budget impacts: (revenue generating, match requirements, etc.)	
Operations Impacts	
What impacts would the proposal have on historically excluded communities?	
<p>Public Works services and projects are designed to serve all citizens and businesses. We strive to offer a consistent level of service to all, to distribute public investment throughout the community, and to respond to gaps in services identified in various City plans. We recognize the need to maintain affordability and predictability for utility customers. And we are committed to delivering work that is both financially and environmentally responsible. This item supports the operations of Public Works.</p>	

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

N/A – This work is designed to manage costs and continue service delivery in support of all citizens and ratepayers. It will not impact, racial, gender identity, national origin, income level, disability, sexual orientation or other existing disparity factors.

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

Public Works follows the City's established procurement and public works bidding regulations and policies to bring items forward, and then uses contract management best practices to ensure desired outcomes and regulatory compliance.

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

This Contract renewal is consistent with the City's requirement for helping align City policies regarding rates and ensure covering the costs of utility services provided.



City of Spokane
CONTRACT RENEWAL #1 of 2
Title: Rate Structure Analysis

This Contract Renewal is made and entered into by and between the **City of Spokane** as (“City”), a Washington municipal corporation, and **Financial Consulting Solutions, d/b/a FCS Group**, whose address is 7525 166th Avenue NE, Suite D-215, Redmond, Washington 99052 as (“Consultant”), individually hereafter referenced as a “party”, and together as the “parties”.

WHEREAS, the parties entered into a Contract wherein the Consultant agreed to perform Rate Structure Analysis of the City’s Water, Sewer, and Stormwater Utility Rates; and

WHEREAS, the original Contract allows for additional renewals, this being renewal #1 of 2, therefore this Contract needs to be formally renewed by this written Contract Renewal document; and

-- NOW, THEREFORE, in consideration of these terms, the parties mutually agree as follows:

1. CONTRACT DOCUMENTS.

The original Contract, dated October 16, 2019, any previous amendments, renewals and / or extensions / thereto, are incorporated by reference into this document as though written in full and shall remain in full force and effect except as provided herein.

2. EFFECTIVE DATE.

This Contract Renewal shall become effective on October 1, 2022 and shall end September 30, 2023.

3. COMPENSATION.

The City shall pay an estimated maximum annual cost not to exceed **TWO HUNDRED SIXTY THOUSAND AND 00/100 (\$260,000.00)** for everything furnished and done under this Contract Renewal. This is the maximum amount to be paid under this Renewal and shall not be exceeded without the prior written authorization of the City, memorialized with the same formality as the original Contract and this Renewal document.

4. DEBARMENT AND SUSPENSION.

The Consultant has provided its certification that it is in compliance with and shall not contract with individuals or organizations which are debarred, suspended, or otherwise excluded from or ineligible from participation in Federal Assistance Programs under Executive Order 12549 and “Debarment and Suspension”, codified at 29 CFR part 98.

ATTACHMENT A

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION,
INELIGIBILITY AND VOLUNTARY EXCLUSION**

1. The undersigned (i.e., signatory for the Subrecipient / Contractor / Consultant) certifies, to the best of its knowledge and belief, that it and its principals:
 - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;
 - b. Have not within a three-year period preceding this contract been convicted or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, making false claims, or obstruction of justice;
 - c. Are not presently indicted or otherwise criminally or civilly charged by a government entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and,
 - d. Have not within a three-year period preceding this contract had one or more public transactions (federal, state, or local) terminated for cause or default.

2. The undersigned agrees by signing this contract that it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction.

3. The undersigned further agrees by signing this contract that it will include the following clause, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions:

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions

1. The lower tier contractor certified, by signing this contract that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

 2. Where the lower tier contractor is unable to certify to any of the statements in this contract, such contractor shall attach an explanation to this contract.
4. I understand that a false statement of this certification may be grounds for termination of the contract.

_____ Name of Subrecipient / Contractor / Consultant (Type or Print)	_____ Program Title (Type or Print)
_____ Name of Certifying Official (Type or Print)	_____ Signature
_____ Title of Certifying Official (Type or Print)	_____ Date (Type or Print)

Committee Agenda Sheet

[Public Infrastructure Environment and Sustainability]

Submitting Department	Fleet Services
Contact Name & Phone	Rick Giddings
Contact Email	rgiddings@spokanecity.org
Council Sponsor(s)	CM Kinnear
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested: _____
Agenda Item Name	5100-SBO for Street Department Flusher Trucks
Summary (Background)	<p>2 dual steering Flusher Trucks were ordered for the Streets Department in 2020 using Fleet Replacement as the funding source. In November 2021, the first truck arrived, and payment was issued before finding that the truck was not built to our specifications. This truck was returned and a refund in the amount of \$360,808 was issued. The order for the second truck was cancelled.</p> <p>Fleet is requesting an SBO for \$360,808 to provide budget for the purchase of 2 Flusher trucks from a different supplier.</p>
Proposed Council Action & Date:	SBO Approval on 08/29/222
<p>Fiscal Impact: Total Cost: \$360,808 Approved in current year budget? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Funding Source <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring Specify funding source:</p> <p>Expense Occurrence <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring</p> <p>Other budget impacts: (revenue generating, match requirements, etc.)</p>	
Operations Impacts	
What impacts would the proposal have on historically excluded communities? None Identified	
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities? N/A	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution? N/A	
Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others? Vehicles purchased using this budget are included in the City's Capital Improvement Program and were previously approved for purchase.	

Committee Agenda Sheet [COMMITTEE]

Submitting Department	CHHS
Contact Name & Phone	Jenn Cerecedes
Contact Email	jcerecedes@spokanecity.org
Council Sponsor(s)	
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion Time Requested: 10
Agenda Item Name	YHDP acceptance and disbursement
Summary (Background)	<p>We are requesting authorization to accept and disburse the Youth Homeless Demonstration Project (YHDP) funds.</p> <p>Total amount to accept is \$2,616,752 in the projects listed below</p> <ul style="list-style-type: none"> • \$134,880.00 Planning Grant 2 • \$257,564.00 CE • \$378,899.00 SSO • \$154,427.00 Host Home • \$1,690,982.00 TH/RRH <p>The total amount to disburse is</p> <ul style="list-style-type: none"> • \$134,880.00 Planning Grant 2 awarded to Better Health Together • \$257,564.00 CE awarded to VOA • \$378,899.00 SSO awarded to VOA • \$1,690,982.00 TH/RRH awarded to VOA and Family Promise
Proposed Council Action & Date:	Committee date of 8/22, council date of 8/29
Fiscal Impact:	<p>Total Cost:</p> <p>Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Funding Source <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring</p> <p>Specify funding source:</p> <p>Expense Occurrence <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring</p> <p>Other budget impacts: (revenue generating, match requirements, etc.)</p>
Operations Impacts	<p>What impacts would the proposal have on historically excluded communities?</p> <p>Specific focus on LGBTQ+ and BIPOC youth populations who are disproportionately affected by homelessness.</p>
	<p>How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?</p>

CMIS will be used to collect data

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

We will report to HUD and the CoC to review and monitor the effectiveness of this program and check and adjust as needed.

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

This aligns with our 5 year strategy to end homelessness

Committee Agenda Sheet

Public Infrastructure, Environment, and Sustainability Committee

Submitting Department	Solid Waste Collection & Disposal
Contact Name & Phone	Chris Averyt / 509.625.6540
Contact Email	caveryt@spokanecity.org
Council Sponsor(s)	CM Kinnear
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested: _____
Agenda Item Name	Contract Extension for the Processing of Recyclables at Waste Management's SMaRT Center
Summary (Background)	<ul style="list-style-type: none"> • Spokane's curbside recycling program was implemented in 1990, in compliance with Washington State Law and the Comprehensive Solid Waste Management Plan. • In 1992, the City's recycling program broadened to include commercial businesses and multi-family dwellings. • Bid #3610-09 was issued in 2009 to locate a company able to provide a Material Recovery Facility (MRF) in the Spokane area which would allow the City and surrounding areas to change their recycling operation to an improved process known as Single Stream Recycling. • Waste Management was the successful responsive bidder and awarded the contract. • Waste Management constructed a Materials Recovery Facility (MRF) next to the Waste to Energy Plant which was completed in 2012. It became known as the Spokane Materials and Recycling Technology (SMaRT) Center. • This new and improved recycling program allowed customers to recycle a larger amount of materials and many additional products. • Upgrading from 18-gallon bins sorted by hand at the curb to 64-gallon carts picked up by automated trucks, reduced on-the-job injuries and increased operational efficiencies. The City went from 15 recycling routes down to 11 at the time of implementation. • The SMaRT Center also processes recycling that is self-hauled by citizens to the Waste to Energy Plant. • The contract provisions allow the City to extend the agreement for two (2) additional five (5) year terms. The original ten (10) year term expires September 30, 2022. • The recycling market has seen drastic changes over the past ten (10) years. China's National Sword policy enacted in 2018 had the biggest impact. This policy banned the import and processing of most types of plastics and other materials into their country. Prior to this policy, the United States shipped a majority of its plastics overseas, particularly to China. As a result, costs to process went up, revenue went down. • The processing fees charged to the City have increased by 17% over the past ten (10) years; this was based on annual CPI adjustments.

	<ul style="list-style-type: none"> Waste Management’s SMaRT Center costs for labor/wages, disposal and repairs/maintenance have increased by 60% – 79% over the past ten (10) years; data and examples were provided. Approximately \$13.5 million will be invested into capital improvement projects at the SMaRT center in 2023-2024. This will upgrade their sorting equipment with state-of-the-art automation and technology to improve capture rates with the better separation of materials and less residue, the ability to potentially add other commodities to be recycled and less dependence on hand-sorting. This makes the recyclables more desirable and maximizes revenues. Waste Management is requesting an adjustment to their processing fees for Solid Waste Collection so they can continue to provide the City a viable operating system at the SMaRT Center and evolve as the market changes. They are proposing the following increases: <ul style="list-style-type: none"> <i>Phase 1 – On October 01, 2022, a \$25/ton increase is implemented resulting in a processing fee of \$110.30/ton; there would be no CPI increase in 2023.</i> <i>Phase 2 – On January 01, 2024, a \$20/ton increase is implemented resulting in a processing fee of \$130.30/ton; there would be no CPI increase in 2024.</i> <i>CPI Factor – The currently defined annual CPI process would be re-instated with the next CPI change effective January 01, 2025.</i> Solid Waste Disposal’s processing fee will remain at \$52/ton with annual CPI increases throughout the contract extension. The Waste to Energy Plant presorts their materials which significantly reduces the manpower required to process their recyclables, resulting in a much lower rate. The revenue share agreement for both departments will remain the same as the previous term; the City will continue to receive 75% of the market revenue per ton.
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Proposed Council Action & Date:	Council Consent on 09/12/22
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Fiscal Impact:

Total Cost: Annual estimated expenditure (1st year) -- Solid Waste Disposal: \$32,000; Solid Waste Collection: \$2,200,000. Following years’ costs will increase based off of the previous year’s CPI-U and Phase 2 of the rate proposal for Solid Waste Collection. Annual estimated expenditure expected to possibly reach approximately (final year) – Solid Waste Disposal: \$38,000; Solid Waste Collection: \$2,800,000.

Approved in current year budget? Yes No N/A

Funding Source One-time Recurring

Specify funding source: Solid Waste Collection & Disposal Department’s Operating Budget

Expense Occurrence One-time Recurring

Other budget impacts: (revenue generating, match requirements, etc.):

Estimated Revenue: Annual estimated revenue (1st year) -- Solid Waste Disposal: \$15,000; Solid Waste Collection: \$1,300,000. With the capital improvements to the SMaRT center and the recycling commodity market starting to improve, it is anticipated that the annual revenue will increase over term of this contract extension.

There is a monthly revenue generating component to this contract. Recyclables delivered by or on behalf of the City are marketed and sold producing a net revenue credit which is applied against processing fees and/or bypass charges. The net revenue credit that the City receives is 75% of the revenue per ton from those sales. The costs to process the materials and any material that was bypassed for not being an allowed commodity (over the 10% allowance) is applied against the revenue. The recycling market has a large impact on the month to month invoice or credit received.

Operations Impacts

What impacts would the proposal have on historically excluded communities?

N/A

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

N/A

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

Monthly reports are received from the SMaRT Center to assist with monitoring the volume and materials that are being processed monthly. Reports in FMS are run to compare revenue vs. expense on this contract. Periodically, hands-on recycling audits are done at the processing facility, which help identify areas of improvement. The City's efforts in education and outreach help curb contamination and encourage recycling for residential and commercial customers. This outreach is worked on internally and as part of a waste reduction taskforce that includes members from other municipalities, various agencies, schools and businesses.

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

Comprehensive Plan - NE 5.4 PROFIT FROM WASTE: Recruit industries that can Make use of and profit from Spokane's solid waste in a manner that minimizes or mitigates environment.

Comprehensive Plan - CFU 5.5 WASTE REDUCTION AND RECYCLING: Provide integrated, efficient, and economical solid waste management services in a manner that encourages and promotes waste reduction and recycling and minimizes environmental and public health impacts.



City of Spokane
**CONTRACT AMENDMENT / EX-
TENSION #1 of 2**
Title: **Recycling Service Agreement**

This Contract Amendment / Extension is made and entered into by and between the **City of Spokane** as ("City"), a Washington municipal corporation, and **WM Recycle America, LLC.**, whose address is 11321 East Indiana Avenue, Spokane Valley, Washington 99206 as ("**Contractor**"), individually hereafter referenced as a "party", and together as the "parties".

*WHEREAS, the parties entered into a Contract wherein the **Contractor** agreed to provide Recycling and Marketing Services for the City; and*

WHEREAS, a change or revision of the Work has been requested, and the Contract time for performance needs to be extended, thus the original Contract needs to be formally Amended and Extended by this written document; and

NOW, THEREFORE, in consideration of these terms, the parties mutually agree as follows:

1. CONTRACT DOCUMENTS.

The Contract, dated June 14, 2011, any previous amendments, addendums and / or extensions / renewals thereto, are incorporated by reference into this document as though written in full and shall remain in full force and effect except as provided herein.

2. EFFECTIVE DATE.

This Contract Amendment / Extension shall become effective on October 1, 2022 and shall end September 30, 2027.

3. AMENDMENT.

The original Contract is expanded to include the following:

Renegotiated Processing Fees and Fee Schedule as follows:

Solid Waste Collection:

- **Phase 1 – On October 01, 2022, a \$25/ton increase is implemented resulting in a processing fee of \$110.30/ton; there will be no CPI increase in 2023.**
- **Phase 2 – On January 01, 2024, a \$20/ton increase will be implemented resulting in a processing fee of \$130.30/ton; there will be no CPI increase in 2024.**

- The currently defined annual CPI process will be re-instated with the next CPI change effective January 01, 2025.
- The commodity Revenue Share will remain unchanged (75% Spokane/25% WM).

Solid Waste Disposal (Waste to Energy Facility)

- The processing fee will remain at \$52/ton for presorted recycling materials.
- The currently defined annual CPI process will continue.
- The commodity Revenue Share will remain unchanged (75% Spokane/25% WM).

4. COMPENSATION.

The City shall pay an annual estimated expenditure not to exceed **TWO MILLION TWO HUNDRED THIRTY-TWO THOUSAND AND NO/100 DOLLARS (2,232,000.00)** for everything furnished and done under this Contract Amendment / Extension.

Breakdown applied as follows:

SOLID WASTE DISPOSAL: THIRTY-TWO THOUSAND AND NO/100 DOLLARS (\$32,000.00)

SOLID WASTE COLLECTION: TWO MILLION TWO HUNDRED THOUSAND AND NO/100 DOLLARS (\$2,200,000.00).

Following years' costs will increase based off the previous years' CPI-U and Phase 2 of the rate proposal for Solid Waste Collection.

Annual expenditure expected to possible reach approximately: Solid Waste Disposal: Thirty-Eight Thousand and No/100 Dollars (\$38,000.00); Solid Waste Collection: Two Million Eight Hundred Thousand and No/100 Dollars (\$2,800,000.00).

This is the maximum amount to be paid under this Amendment / Extension and shall not be exceeded without the prior written authorization of the City, memorialized with the same formality as the original Contract and this document.

IN WITNESS WHEREOF, in consideration of the terms, conditions and covenants contained, or attached and incorporated and made a part, the parties have executed this Contract Amendment / Extension by having legally-binding representatives affix their signatures below.

WM RECYCLE AMERICA, LLC.

CITY OF SPOKANE

By _____
Signature Date

By _____
Signature Date

Type or Print Name

Type or Print Name

Title

Title

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Attachments that are part of this Agreement:

Renegotiated processing fees and new processing fee schedule

U2022-060



June 10, 2022

Mr. Chris Averyt
Director of Solid Waste Management
City of Spokane
2900 South Geiger Blvd
Spokane, WA 99224

Sent via email only

RE: City of Spokane Contract Extension for Recycling Processing Services

Dear Mr. Averyt,

WM values its partnership with the City of Spokane and is committed to continuing to provide industry leading recycling services. This letter outlines updates needed to our contract. We look forward to continuing recycling processing for the Spokane community.

The Spokane Materials and Recycling Technology (SMaRT) Center is the centerpiece of a regional strategy to reduce waste and boost recycling. The SMaRT Center opened in 2012, paving the way for convenient, efficient collection of mixed recyclables for Spokane residents and businesses. Over the last 10-years, SMaRT and the City of Spokane have developed and implemented a robust recycling program promoting sustainability and preventing several hundred thousand tons of recyclables from being landfilled.

It's important to continue this valuable program and WM's Smart Center is uniquely positioned to remain your recycling processing partner. The market conditions have changed dramatically since the inception of our contract. Ensuring a sustainable program requires adjustments to the contract pricing. In recognition of our long-term partnership, and to align with your rate setting cycle, we're offering a phased approach to bring the processing contract to an appropriate market rate. Specifically, we propose:

- Phase 1 – On October 1, 2022, a \$29.90/ton increase is implemented resulting in a processing fee of \$115.20/ton; there would be no CPI increase in 2023.
- Phase 2 – On January 1, 2024, an increase of \$35.90/ton is implemented resulting in a processing fee of \$151.10/ton.
- The currently defined annual CPI process would be re-instated with the next CPI change effective 10/1/2024.
- The commodity Revenue Share would remain unchanged (75% Spokane/25% WM).

The adjustments listed above are critical to align the contract with the current market and ensure an economically viable program. Much has changed since 2013, and frankly, the contract's pricing mechanism has not kept up with these changes. For example, direct labor costs – the single largest program expense – have risen over 73% since inception, impacted by rising minimum wage requirements and changing global policies, such as China Sword, have forced SMaRT to add

additional labor resources to meet enhanced material acceptance criteria and maintain viable, sustainable end-markets for our commodities.

By contrast, our contract processing rate per ton has increased less than 17% over the same period. Other costs, too, have significantly increased including maintenance & repairs (up 73%) and disposal costs for the residuals (up 79%).

Provided below is a summary table highlighting some of the most notable cost per ton changes between FY 2013 and FY 2021:

Description	% Change
Disposal	79.20%
Direct Labor	73.33%
M&R	73.15%
Ops Support	60.01%

Blended Commodity Value	-12.01%
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Contracted Processing Rate	16.63%
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- Disposal Costs for MRF residuals have increased 79.20%.
- Direct Labor Costs have increased 73.33%. Direct Labor covers the hourly employees who physically manage the material (sorters, heavy equipment operators, forklift drivers).
 - WA State minimum wage in 2013 was \$9.19/hour and effective 1/1/2022 is \$14.49/hour (57.67% increase). For Seattle, effective 1/1/2022, minimum wage is \$17.27/hour, which further drives up wages and labor competition across the State.
 - Even though the state minimum wage is at \$14.49, WM is paying a starting wage of \$15.50 to attract and retain sorters.
- Maintenance and Repairs (M&R) costs have increased 73.15%. M&R costs include technician wages, equipment, tools, parts, and equipment repairs. Here are a few examples:
 - Conveyor belt in 2013 cost: \$800 per belt. Conveyor belt in 2022 cost: \$2,400 per belt (200% increase).
 - Volvo loader in 2015 cost: \$296,000. Volvo loader in 2022 cost: \$358,000 (21% increase).
 - Loader tires in 2015 cost: \$19,000. Loader tires in 2022 cost: \$23,000 (22% increase).
- Ops Support costs have increased 60.01%. Ops support costs include Scale House & Management wages, taxes, grounds & building maintenance, and utilities.
- 2013 City contracted processing rate was \$69.09/ton, and 2021 processing rate was \$80.58/ton (16.63% increase). The CPI has not kept pace with labor and equipment costs.

As mentioned above, China Sword, which was enacted in 2018, also had an unanticipated negative impact on our labor costs. The following chart reflects the 23% increase in regular and overtime labor hours year over year from 2017 to 2018, as we increased sorting and the removal of residue to achieve the higher material quality requirements of China Sword.

Year	Reg Hrs	OT Hrs	Total
2017	93,277.00	3,638.00	96,915.00
2018	114,536.00	4,411.00	118,947.00
YOY Increase	21,259.00	773.00	22,032.00

We need your continued help to combat the adverse impact of recycling contamination. The best way to ensure recyclables have a second life is starting with high-quality inbound tons. Contamination is an on-going challenge which negatively impacts operating efficiency, material quality, and drives up processing costs. Here are a few videos with more details:

- [Plastic bags cause damage, disruption at Spokane recycling center | krem.com](#)
- [SMART Center bogged down by Christmas lights | krem.com](#)

Compounding the imbalance between costs and processing rates, the commodity values have declined. Since setting the initial rates for the contract in 2013, the blended commodity value has decreased over 12%.

Despite the economic deterioration of this contract, WM has remained your committed partner. We've stood by our commitment to provide superior processing in the past. And you can expect the same in the future. Thank you for the opportunity to serve the City of Spokane, its residents, and businesses.

Also, important to note, as part of our on-going commitment and forward-looking strategy, WM is actively evaluating several large-scale automation projects at the SMaRT Center over the next couple years. The primary focus of these projects is to add more automated equipment to the sorting process, which will help stabilize labor costs, recover more recyclables while improving the quality and value of the recovered commodities. Increasing the amount of recyclables recovered and providing higher quality commodities for the marketplace is important to both the City and WM under the commodity revenue share (City 75%, WM 25%) clause in the contract.

If you have questions, please don't hesitate to contact me at (509) 435-6961 or kgimpel1@wm.com.

Best Regards,

A handwritten signature in black ink, appearing to read "Ken Gimpel", with a long horizontal stroke extending to the right.

Ken Gimpel
Senior Manager Business Development

From: [Jones, Robert](#)
To: [Averyt, Chris](#)
Subject: City of Spokane - Recycling Contract
Date: Friday, July 15, 2022 10:34:41 AM
Attachments: [image001.png](#)

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Hi Chris,

We appreciate your feedback and partnership. Our mutual interest is to extend this critical contract and continue providing a valuable, environmentally conscious service to the residents and businesses of Spokane. We have taken into consideration all of your input and tried to sharpen our pencil as best possible knowing this is a long-term partnership and that the extension needs to work for both parties.

Here are the details of our revised offer:

- Phase 1 – On October 01, 2022, a \$25/ton increase is implemented resulting in a processing fee of \$110.30/ton; there would be no CPI increase in 2023.
- Phase 2 – On January 01, 2024, a \$20/ton increase is implemented resulting in a processing fee of \$130.30/ton; there would be no CPI increase in 2024.
- The currently defined annual CPI process would be re-instated with the next CPI change effective January 01, 2025.
- The commodity Revenue Share would remain unchanged (75% Spokane/25% WM).

Commodity values will continue to fluctuate with the market, but as discussed, we are looking to invest in new technology at SMaRT to improve capture rates and produce a higher quality product. Blended value through the second half of 2021 (July-Dec) was \$102.15/ton. Markets remain strong into 2022, with a YTD avg blended value of \$82.19, but are being negatively impacted by fuel costs. My crystal ball is as good as yours, but once fuel normalizes, we are forecasting blended values to rise between \$90-100/ton again.

Give me a call to discuss when you get some time.

Thank you,

Robert M. Jones

Area Director – Recycling & Transportation Operations

Pacific Northwest / British Columbia

rjones40@wm.com

720 4th Avenue, Suite 400

Kirkland, WA 98033

Cell: (425) 247-6518



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From: [Jones, Robert](#)
To: [Averyt, Chris](#)
Subject: Capital Project at SMaRT
Date: Tuesday, August 2, 2022 12:13:32 PM
Attachments: [image003.png](#)

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Hi Chris,

We are working through the final project details now and hope to have approval sometime in late Q3 or early Q4 to proceed. Here are some of the high-level details.

WM is targeting a \$13.5M investment in 2023-2024 at SMaRT Center in Spokane, WA to upgrade our sorting technology. This investment will position SMaRT as a premier recycling center in the Pacific Northwest with state-of-the-art automation and technology. The expected benefits are multifold:

- Improved capture rates:
 - Less recyclables in residue and more recyclables being sold to market for re-use.
 - Better segregation of material (i.e., less OCC in mixed paper, separating #5 plastics from 3-7s).
- Improved commodity quality enhances market stability and demand for SMaRT Center materials, thus allowing pricing flexibility to maximize outbound revenues.
- Better flexibility to adjust to evolving markets. As example, the ability to capture and market film is something WM is actively evaluating and if successful would be implemented at SMaRT.
- Reduces variable cost exposure through automation. MRFs across the Country are struggling to attract & retain at the sorter position and SMaRT is no different. High turn-over coupled with rising inflation is a significant problem that MRFs are having to face right now. By investing in automation at SMaRT, we'll be able to reduce our manual sorting reliance and create new, better paying positions at the technician/maintenance level.

This is a very exciting project and opportunity for SMaRT Center and the City of Spokane. It helps create longevity and stability for recycling services in the greater Spokane area and is a testament to our commitment to environmental stewardship with our partnering communities.

Should you have any questions, please let me know and I'll be happy to further discuss.

Thank you,
Rob

Robert M. Jones

Area Director – Recycling & Transportation Operations
Pacific Northwest / British Columbia

rjones40@wm.com

720 4th Avenue, Suite 400
Kirkland, WA 98033
Cell: (425) 247-6518



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From: Averyt, Chris <caveryt@spokanecity.org>
Sent: Monday, August 1, 2022 2:54 PM
To: Jones, Robert <rjones40@wm.com>
Subject: [EXTERNAL] Capital Overview

Hi Rob,

Have you had a chance to put together the capital overview that we discussed for improving sorting? If you can get that to me as soon as you can, I would appreciate it. Thanks.

Chris



Chris Averyt | City of Spokane | Director – Solid Waste Management
O: 509.625.6540 | caveryt@spokanecity.org | spokanecity.org