

Urban Experience Committee
Agenda for 1:15 p.m. Monday, October 9, 2023

The Spokane City Council's Urban Experience Committee meeting will be held at **1:15 p.m. on October 9, 2023**, 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 my.spokanecity.org/citycable5/live/ and www.facebook.com/spokanecitycouncil or by calling 1-408-418-9388 and entering the access code #2483 019 8589; 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 Urban Experience Committee meeting is regularly held every 2nd 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 ATTACHED

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 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 Risk Management at 509.625.6221, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or mlovmaster@spokanecity.org. Persons who are deaf or hard of hearing may contact Risk Management through the Washington Relay Service at 7-1-1. Please contact us forty-eight (48) hours before the meeting date.

Agenda - 9 October 2023

1 Call to Order

2 Approval of Minutes

Approval of September 11, 2023, meeting minutes

3 Discussion Items

3.1 SBO-Funding awarded from the Washington Traffic Safety Commission to support DUI Court

5 min

Thompson, Sarah

Sponsors: CP Kinnear and CM Wilkerson

The Spokane Municipal DUI Court program received \$200,000 in funding from the Office of Traffic Safety for October 1, 2023 through September 30, 2024. The Impaired Driving Strategic Plan supports the use of drug testing, electronic monitoring, and sober support meetings to assist in reducing recidivism. This funding will support drug and alcohol testing, transportation, community engagement, interlock/electronic monitoring, and evaluation services.

3.2 Parkade Parking Garage Nomination to the Spokane Register of Historic Places

5 min

Duvall, Megan, Camporeale, Logan

Sponsors: CMs Bingle & Cathcart

3.3 Climate Planning Grant, WA Commerce

10 min

Black, Tirrell

Sponsors: CP Kinnear, CM Oelrich

Proposal for the City of Spokane to seek \$450,000 of \$700,000 in grant funding allotted by the legislature pursuant to HB 1181's GMA climate goals.

4.1 8-Year MFTE for 1222 E Marietta Ave*Beck, Amanda*

Sponsors: CMs Cathcart & Bingle

One 8 year MFTE Conditional Agreement for 1222 E Marietta Ave

Staff has determined that these projects meet the Project Eligibility defined in SMC 08.15.040 and are located in a previously adopted Residential Target Area identified in SMC 08.15.030

4.2 Connecting Housing to Infrastructure Program (CHIP) Grant*Sulya, Nathan*

Grant to fund utility infrastructure improvements for affordable housing projects.

4.3 Upriver*McIntosh, Seth*

Upriver is soliciting proposals for trunnion friction testing on 8 radial spillway gates at the Upriver Dam to examine gate performance parameters, i.e., trunnion bearing resistance, gate lift force and gate friction, operational stress and force results, lift symmetry, and total gate friction.

5 Executive Session

Executive Session may be held or reconvened during any committee meeting.

6 Adjournment

7 Next Meeting

The next meeting of the Urban Experience Committee will be held at 1:15 p.m. on November 13, 2023.

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1 - Call to Order

2 - Approval of Minutes

Approval of September 11, 2023, meeting minutes

| For Decision

Attachments

[Urban Experience Committee Minutes 09-11-23.docx](#)

STANDING COMMITTEE MINUTES
City of Spokane
Urban Experience Committee September 11, 2023

Call to Order: 1:1 7pm.

Recording of the meeting may be viewed here: <https://my.spokanecity.org/citycable5/live/>

Attendance

Committee Members Present: CM Stratton (Chair), CM Zappone (Vice Chair), CP Kinnear, CM Cathcart, CM Wilkerson, CM Bingle (virtual), CM Oelrich (arrived 1:22)

Staff/Others Present: Chris Wright, Giacobbe Byrd, Nicolette Ocheltree, Kelly Thomas, Ginny Ramos, Mark Carlos, Shae Blackwell, Alex Gibilisco, Spencer Gardner, Teri Stripes, Steve MacDonald, Stephanie Bishop, Garrett Jones, Lauren Beattie, Lynden Smithson, Collin Tracy, Colin Quinn-Hurst, Mike Piccolo, Shantell Jackson, Shelby Allison, Karri Danowski.

Approval of Minutes

- Action taken
CM Zappone moved to approve the minutes of the July 10th meeting. The motion was seconded by CM Wilkerson.
The minutes were approved by a vote of 6-0 (CM Oelrich not present during this vote).

Agenda Items

Discussion items

1. Ordinance to Clarify Rules for Animal Control in Spokane – Lauren Beattie (10 minutes)
 - Action taken:
Presentation and discussion. Sponsored by CMs Stratton & Cathcart
2. Spokane Arts Update – Shantell Jackson, Shelby Allison & Kerri Danowski (15 Minutes)
 - Action taken:
Presentation and discussion. Sponsored by CM Stratton.
3. A Resolution Censuring Mayor Woodward – CMs Zappone & Wilkerson (10 Minutes)
 - Action taken:
Presentation and discussion. Sponsored by CMs Zappone & Wilkerson.
4. Monthly DSC Permit Report – Steve MacDonald (5 Minutes)
 - Action taken:

- Presentation and discussion. Sponsored by CM Stratton.
5. Budget Agreement Between City Council and Public Works – Colin Quinn-Hurst (5 Minutes)
 - Action taken:
Presentation and discussion. Sponsored by CMs Zappone & Cathcart CP Kinnear.
 6. Resolution Adding 29th Avenue as a Pedestrian Street for Plan Commission 2022-23 Workplan – Chris Wright (10 minutes)
 - Action taken:
Presentation and discussion. Sponsored by CM Wilkerson and CP Kinnear.

Consent items

1. Three MFTE Conditional Agreements (Planning & Economic Development)
2. Wastewater Office Remodel & Electrical Infrastructure Upgrade (Facilities)
3. Wastewater Office Remodel & Electrical Infrastructure Rebuild (Facilities)
4. Citywide HVAC Master Controls Contracts (Facilities)
5. ~~Northeast Community Center – Lease Term Extension / Deed of Trust (Facilities)~~ -- deferred
6. Municipal Court Intent to Apply for Funding through the Washington Traffic Safety Commission (Municipal Court)
7. SWD – Ash Transportation and Disposal Services (Solid Waste)
8. WA Commerce Grant, Middle Housing Grant Application (Planning & Economic Development)
9. 2024 Connecting Housing to Infrastructure Program (CHIP) Grant (Integrated Capital Management)
10. Purchase of Used Undercover Unit for SPD (Fleet Services)

Executive Session

None.

Adjournment

The meeting adjourned at 2:20 p.m.

Prepared by:
Kelly Thomas

Approved by:

Councilmember Karen Stratton
Urban Experience Committee Chair

3 - Discussion Items

3.1 - SBO-Funding awarded from the Washington Traffic Safety Commission to support DUI Court

Thompson, Sarah

Sponsors: CP Kinnear and CM Wilkerson

The Spokane Municipal DUI Court program received \$200,000 in funding from the Office of Traffic Safety for October 1, 2023 through September 30, 2024. The Impaired Driving Strategic Plan supports the use of drug testing, electronic monitoring, and sober support meetings to assist in reducing recidivism. This funding will support drug and alcohol testing, transportation, community engagement, interlock/electronic monitoring, and evaluation services.

| For Decision

Attachments

[SBO - DUI Office of Traffic Safety Grant.docx](#)

[Updated Briefing Paper - SBO for DUI OTS Grant Award.docx](#)

ORDINANCE NO _____

An ordinance amending Ordinance No. C36345, passed by the City Council December 12, 2022, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2023, making appropriations in the various funds of the City of Spokane government for the year ending December 31, 2023, and providing it shall take effect immediately upon passage," and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2023 budget Ordinance No. C36345, as above entitled, and which passed the City Council December 12, 2022, it is necessary to make changes in the appropriations of the Miscellaneous Grants Fund, which changes could not have been anticipated or known at the time of making such budget ordinance; and

WHEREAS, this ordinance has been on file in the City Clerk's Office for five days; - Now, Therefore,

The City of Spokane does ordain:

Section 1. That in the budget of the Miscellaneous Grants Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase revenue by \$200,000.
 - A) Of the increased revenue, \$200,000 is provided by the Washington Traffic Safety Commission as part of the Impaired Driving Strategic Plan.
- 2) Increase appropriation by \$200,000.
 - A) Of the increased appropriation, \$118,000 is provided solely for procurement of drug and alcohol tests.
 - B) Of the increased appropriation, \$30,000 is provided solely for services to provide assistance for ignition interlock systems.
 - C) Of the increased appropriation, \$35,000 is provided solely for evaluation services.
 - D) Of the increased appropriation, \$17,000 is provided for other miscellaneous program expenses.

Section 2. It is, therefore, by the City Council declared that an urgency and emergency exists for making the changes set forth herein, such urgency and emergency arising from the need to accept the Washington Traffic Safety Commission's grant funding for the Impaired Driving Strategic Plan, and because of such need, an urgency and emergency exists for the passage of this ordinance, and also, because the same makes an appropriation, it shall take effect and be in force immediately upon its passage.

Passed the City Council _____

Council President

Attest: _____
City Clerk

Approved as to form: _____
Assistant City Attorney

Mayor

Date

Effective Date

Committee Agenda Sheet

Urban Experience Committee

Submitting Department	Municipal Court
Contact Name & Phone	Sarah Thompson 509-625-4146
Contact Email	sthompson@spokanecity.org
Council Sponsor(s)	CP Kinnear and CM Wilkerson
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested:
Agenda Item Name	SBO - Funding awarded from the Washington Traffic Safety Commission
Summary (Background)	<p>The Spokane Municipal DUI Court is a problem solving, accountability court for repeat DUI offenders that are suffering from substance use or co-occurring disorders.</p> <p>DUI Court applied for funding from the Office of Traffic Safety for October 1, 2023, through September 30, 2024. The Impaired Driving Strategic Plan supports the use of drug testing, electronic monitoring, and sober support meetings to assist in recidivism reduction.</p> <p>DUI Court was awarded \$200,000 in funding to support:</p> <ul style="list-style-type: none"> Drug and Alcohol testing in the amount of \$118,000 Transportation, ie. Bus Passes in the amount of \$14,500 Community Engagement in the amount of \$2,500 Interlock assistance in the amount of \$30,000 Evaluation services in the amount of \$35,000
Proposed Council Action & Date:	Approval of the SBO on October 23, 2023.
Fiscal Impact: Total Cost: <u>\$200,000 (Revenue and expense, net-zero impact)</u> Approved in current year budget? <input type="checkbox"/> Yes <input checked="" 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: no match required	
Operations Impacts	
What impacts would the proposal have on historically excluded communities? <p>Therapeutic Courts build stronger and safer communities by providing accountability to justice-involved individuals by utilizing a problem-solving approach to crime to help individuals become productive members of the community.</p> <p>The purpose of this project is to ensure that participants of DUI Court maintain sobriety, by providing funding to pay for drug and alcohol screening/testing for participants who do not have the financial means to pay for these services.</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?

Therapeutic Courts utilize various data metrics to analyze the effectiveness of the program and to ensure justice involved individuals are not excluded based on racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities. The data is shared with the multidisciplinary team for analysis.

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

Therapeutic Courts will utilize data metrics that will provide regular analysis of the effectiveness and inclusion of community members to ensure racial inequities do not present. If data analysis presents some limitation to access Therapeutic Courts on any bias against race, age, gender, or socio-economic status, the court may address the data and alternative methodology of services with the multi-disciplinary court team.

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 participants of Therapeutic Courts often face adversary and barriers at every step as they attempt to exit homelessness, address substance use and mental health disorders, and become productive members of the community. The funds received will enhance the DUI Court program as we work to improve the participant's lives and the community. Improving community safety is a critical element in the City's criminal justice reform efforts.

3.2 - Parkade Parking Garage Nomination to the Spokane Register of Historic Places

*Duvall, Megan,
Camporeale, Logan*

Sponsors: CMs Bingle & Cathcart

| For Discussion

Attachments

[Parkade UE Briefing Paper.docx](#)

Committee Agenda Sheet

URBAN EXPERIENCE

Submitting Department	Historic Preservation
Contact Name & Phone	Logan Camporeale, Historic Preservation Officer 625-6634
Contact Email	lcamporeale@spokanecity.org
Council Sponsor(s)	CMs Bingle & Cathcart
Select Agenda Item Type	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion Time Requested: 2.5 minutes
Agenda Item Name	0470 – PARKADE PARKING GARAGE NOMINATION TO THE REGISTER OF HISTORIC PLACES
Summary (Background)	<p>The Spokane Historic Landmarks Commission reviews properties for listing on the Spokane Register of Historic Places to ensure that they meet the criteria set out in SMC 17D.100.</p> <p>The Parkade Parking Garage at 511 W Main Avenue was constructed in 1967 and designed by Warren Cummings Heylman and J. Edwin Klapp. It meets the criteria for listing on the Spokane Register under Category A & C for its association with events that have made a significant impact on Spokane history and its embodiment of distinctive architectural characteristics.</p>
Proposed Council Action & Date:	Consent agenda item, for briefing on 10/30/2023 with a vote on 11/6/2023.
Fiscal Impact: Total Cost: \$0 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	
<i>What impacts would the proposal have on historically excluded communities?</i> This contract would have no meaningful impact on historically excluded communities.	
<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> That specific data is not something that is collected by the Historic Preservation Department.	
<i>How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?</i> The Historic Preservation Office's primary responsibility is to protect historic properties and neighborhoods in Spokane. The more properties that are listed on the Spokane Register, the more ability we have to offer incentives that help keep those properties viable and in use. As we list additional properties, we increase our ability to protect Spokane's historic resources.	
<i>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?</i>	

SMC 04.35.010 Spokane Historic Landmarks Commission Findings and Purpose:

The City and Spokane County find that the establishment of a landmarks commission with specific duties to recognize, protect, enhance and preserve those buildings, districts, objects, sites and structures which serve as visible reminders of the historical, archaeological, architectural, educational and cultural heritage of the City and County is a public necessity.

Comprehensive Plan Goals**DP 1.1: Landmark Structures, Buildings, and Sites**

Recognize and preserve unique or outstanding landmark structures, buildings, and sites.

DP 3.3: Identification and Protection of Resources

Identify historic resources to guide decision making in planning.

DP 3.11: Rehabilitation of Historic Properties

Assist and cooperate with owners of historic properties to identify, recognize, and plan for the use of their property to ensure compatibility with preservation objectives.

N 2.4: Neighborhood Improvement

Encourage revitalization and improvement programs to conserve and upgrade existing properties and buildings.

3.3 - Climate Planning Grant, WA Commerce

Black, Tirrell

Sponsors: CP Kinnear, CM Oelrich

Proposal for the City of Spokane to seek \$450,000 of \$700,000 in grant funding allotted by the legislature pursuant to HB 1181's GMA climate goals.

| For Discussion

Attachments

[Climate Planning Grant \(WA COM\) Oct2023UE.docx](#)

Committee Agenda Sheet

Urban Experience Committee

Submitting Department	Planning
Contact Name	Tirrell Black
Contact Email & Phone	tblack@spokanecity.org , 509-625-6185
Council Sponsor(s)	CP Kinnear, CM Oelrich
Select Agenda Item Type	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion Time Requested: 10 minutes
Agenda Item Name	Climate Planning Grant, WA Commerce
Summary (Background) *use the Fiscal Impact box below for relevant financial information	<p>During the 2023 WA Legislative session (HB 1181) added a climate goal the Growth Management Act (GMA). The City of Spokane, during its next Periodic Update to the Comprehensive Plan must, among other required periodic update changes, adopt a Climate element that addresses greenhouse gas emissions and climate resilience. The City of Spokane's periodic update deadline is June 30, 2026.</p> <p>The legislature has established funding for both Climate Planning and for the Periodic Update. Climate funding is available now to cities and counties with 2025 and 2026 periodic update deadlines. The Periodic Update funding will not be available to the city until 2024.</p> <p>The City of Spokane has a limit of \$700,000 in funding from WA Commerce for climate planning. The first wave of funding applications is due October 31, 2023. The first funding ask can cover planning work from July 1, 2023, to June 30, 2025. Staff have been consulting with ICM (including Environmental Programs), Parks, Fire, Emergency Management, City Council staff and other interested departments.</p> <p>Staff are proposing a first ask of \$450,000 for public participation planning, auditing plans, and assessment of vulnerabilities and risks specific to the city. This work is anticipated to be complete by mid-2025, allowing it to integrate into the City's Periodic Update work. The remainder of funds will still be available in other rounds of WA Commerce funding. It is expected the city would seek the remaining funds in 2025 for work through 2027.</p>
Proposed Council Action	Informational item currently. Council will approve the acceptance contract when grant awarded.
Fiscal Impact Total Cost: Click or tap here to enter text. Approved in current year budget? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A Funding Source <input type="checkbox"/> One-time <input type="checkbox"/> Recurring Specify funding source: Click or tap here to enter text. Expense Occurrence <input type="checkbox"/> One-time <input type="checkbox"/> Recurring Other budget impacts: (revenue generating, match requirements, etc.)	

Operations Impacts (If N/A, please give a brief description as to why)
<p data-bbox="203 186 1130 216">What impacts would the proposal have on historically excluded communities?</p> <p data-bbox="203 258 1414 573">Climate change does not impact everyone equally. Core to climate planning is building climate resilience and developing goals and policies in the comprehensive plan that support communitywide climate resilience, environmental justice, and equity. This climate planning grant emphasizes the importance of developing a public engagement strategy and ensuring that historically underrepresented and overburdened communities are included in the early and continuous planning efforts. WA Commerce recommends that establishing a climate policy advisory team that includes leaders within overburdened communities that are most impacted by the changing climate conditions and whose insight will lead to the most equitable outcomes. There is also additional emphasis on all levels of Tribal communication, partnership, and coordination.</p>
<p data-bbox="203 615 1370 716">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 data-bbox="203 758 1414 1035">The planning work will focus on both quantitative and qualitative data through the lens of climate and equity. Quantitative data will be collected, analyzed and reported related to vehicle emissions, vulnerability risks, and climate hazards, and an equitable approach will be taken to look at the intersections of race, income, gender, ability, and other disparities to understand our community's vulnerabilities and those at highest risk for climate impacts. Data will also be collected through qualitative means through the development of a climate vision statement, and outreach will focus on engaging with community members to understand unique perspectives, asset, and climate-related challenges.</p>
<p data-bbox="203 1081 1398 1144">How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?</p> <p data-bbox="203 1186 1398 1287">Following the 2026 Periodic update to the City's Comprehensive Plan, RCW 36.70A.130 now requires that the city reassess the plan every 5 years. An Implementation Progress Report will be required in 2031.</p>
<p data-bbox="203 1333 1328 1434">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?</p> <p data-bbox="203 1476 1382 1539">Sustainability Action Plan 2021, Land Use, Goal 4, Strategy 8. "update the Comp Plan with ...climate goals".</p>

4 - Consent Items

4.1

4.1 - 8-Year MFTE for 1222 E Marietta Ave

Beck, Amanda

Sponsors: CMs Cathcart & Bingle

One 8 year MFTE Conditional Agreement for 1222 E Marietta Ave

Staff has determined that these projects meet the Project Eligibility defined in SMC 08.15.040 and are located in a previously adopted Residential Target Area identified in SMC 08.15.030

| For Information

Attachments

[MFTE Conditional Agreement - 1222 E Marietta.docx](#)

[UE Briefing Paper - 1222 E Marietta.docx](#)



PLANNING & ECONOMIC DEVELOPMENT MULTIPLE FAMILY HOUSING PROPERTY TAX EXEMPTION AGREEMENT

THIS CONDITIONAL AGREEMENT is between the City of Spokane, a Washington State municipal corporation, as “City”, and FOX, OLGA A / FOX, RAISA P, as “Owner/Taxpayer” whose business address is 6917 E 6TH AVE SPOKANE VALLEY, WA 99212.

WITNESSETH:

WHEREAS, the City has, pursuant to the authority granted to it by Chapter 84.14 RCW, designated various residential targeted areas for the provision of a limited property tax exemption for new and rehabilitated multiple family residential housing; and

WHEREAS, the City has, through Chapter 8.15 SMC, enacted a program whereby property owner/taxpayers may qualify for a Final Certificate of Tax Exemption which certifies to the Spokane County Assessor that the Owner/Taxpayer is eligible to receive the multiple family housing property tax exemption; and

WHEREAS, the Owner/Taxpayer is interested in receiving the multiple family property tax exemption for new multiple family residential housing units in a residential targeted area; and

WHEREAS, the Owner/Taxpayer has submitted to the City a complete conditional application form for no fewer than a total of four new multiple family permanent residential housing units to be constructed on property legally described as:

08-25-43: THE WEST 57FT OF LOTS 7 AND 8, BLOCK 23, WOLVERTON AND CONLAN'S ADDITION TO SPOKANE FALLS.

Assessor's Parcel Number(s) **35081.4515,**

commonly known as

1222 E MARIETTA AVE SPOKANE, WA.

WHEREAS, this property is located in the **Spokane Targeted Investment Area**, and is eligible to seek a Final Certificate of Tax Exemption post construction under the **8-year Market Rate Exemption**, as defined in SMC 08.15.090.

WHEREAS, the City has determined that the improvements will, if completed as proposed, satisfy the requirements for a Final Certificate of Tax Exemption; -- NOW, THEREFORE,

The City and the Owner/Taxpayer do mutually agree as follows:

1. The City agrees to issue the Owner/Taxpayer a Conditional Agreement subsequent to the City Council's approval of this agreement.

2. The project must comply with all applicable zoning requirements, land use requirements, design review recommendations and all building, fire, and housing code requirements contained in the Spokane Municipal Code at the time a complete application for a building permit is received. However, if the proposal includes rehabilitation or demolition in preparation for new construction, the residential portion of the building shall fail to comply with one or more standards of applicable building or housing codes, and the rehabilitation improvements shall achieve compliance with the applicable building and construction codes.

3. If the property proposed to be rehabilitated is not vacant, the Owner/Taxpayer shall provide each existing tenant with housing of comparable size, quality and price and a reasonable opportunity to relocate. At the time of an application for a Conditional Agreement, the applicant provided a letter attesting and documenting how the existing tenant(s) were/will be provided comparable housing and opportunities to relocate.

(a). The existing residential tenant(s) are to be provided housing of a comparable size and quality at a rent level meeting the Washington State definition of affordable to their income level. Specifically, RCW 84.14.010 defines "affordable housing" as residential housing that is rented by a person or household whose monthly housing costs, including utilities other than telephone, do not exceed thirty (30) percent of the household's monthly income. The duration of this requirement will be the length of the tenant's current lease plus one year.

4. The Owner/Taxpayer intends to construct on the site, approximately 4 new multiple family residential housing units substantially as described in their application filed with and approved by the City. In no event shall such construction provide fewer than a total of four multiple family permanent residential housing units.

5. The Owner/Taxpayer agrees to complete construction of the agreed-upon improvements within three years from the date the City issues this Conditional Agreement or within any extension granted by the City.

6. The Owner/Taxpayer agrees, upon completion of the improvements and upon issuance by the City of a temporary or permanent certificate of occupancy, to file an application for a Final Certificate of Tax Exemption with the City's Planning and Economic Development Department, which will require the following:

(a) a statement of the actual development cost of each multiple family housing unit, and the total expenditures made in the rehabilitation or construction of the entire property;

(b) a description of the completed work and a statement that the rehabilitation improvements or new construction of the Owner/Taxpayer's property qualifies the property for the exemption;

(c) a statement that the project meets the affordable housing requirements, if applicable; and

(d) a statement that the work was completed within the required three-year period or any authorized extension of the issuance of the conditional certificate of tax exemption.

7. The City agrees, conditioned on the Owner/Taxpayer's successful completion of the improvements in accordance with the terms of this Conditional Agreement and on the Owner/Taxpayer's filing of application for the Final Certificate of Exemption with the materials described in Paragraph 6 above, to file a Final Certificate of Tax Exemption with the Spokane County Assessor indicating that the Owner/Taxpayer is qualified for the limited tax exemption under Chapter 84.14 RCW.

8. The Owner/Taxpayer agrees, that once a Final Certificate of Tax Exemption is issued, to comply with all Annual Reporting requirements set forth in SMC 8.15.100 and contained in the annual report form provided by the City. Thirteen (13) months following the first year of the exemption beginning and every year thereafter, the Owner/Taxpayer will complete and file the appropriate Annual Report required by the terms of their Final Certificate of Tax Exemption with the City's Planning and Economic Development Department. The Annual Report is a declaration verifying upon oath and indicating the following:

(a) a statement of occupancy, use of the property/unit, income and rents for qualifying 12-year and 20-year and vacancy of the multi-family units during the previous year;

(b) a certification that the property has not changed to a commercial use or been used as a transient (short-term rental) basis and, if applicable, that the property has been in compliance with the affordable housing income and rent requirements as described in SMC 8.15.090 since the date of the filing of the Final Certificate of Tax Exemption, and continues to be in compliance with this Agreement and the requirements of SMC Chapter 8.15;

(c) for affordable multi-family housing units, information providing the household income, rent and utility cost, of each qualifying as low and moderate-income, which shall be reported on a form provided by the City and signed by the tenants; and

(d) a description of any improvements or changes to the property made after the filing of the final certificate or last declaration.

9. The parties acknowledge that the units, including any owner-occupied units are to be used and occupied for multifamily permanent residential occupancy and use. The parties further acknowledge that the certificate of occupancy issued by the City is for multifamily residential units. The Owner/Taxpayer acknowledges and agrees that the units shall be used primarily for multi-family housing for permanent residential occupancy as defined in SMC 8.15.020 and RCW 84.14.010 and any business activities shall only be incidental and ancillary to the residential occupancy. Any units that are converted from multi-family housing for permanent residential occupancy shall be reported to the City of Spokane's Planning and Economic Development Department and the Spokane County Assessor's Office and removed from eligibility for the tax exemption within 60 days. If the removal of the ineligible unit or units causes the number of units to drop below the number of units required for tax exemption eligibility, the remaining units shall be removed from eligibility pursuant to state law.

10. To qualify for the twelve-year tax exemption, the Owner/Taxpayer will be required to rent or sell at least **25%** of the multiple family housing units as affordable housing units to low and moderate-income households and will ensure that the units within the 12-yr program are dispersed throughout the building and distributed proportionally among the buildings; not be clustered in certain sections of the building or stacked; comparable to market-rate units in

terms of unit size and leasing terms; and are comparable to market-rate units in terms of functionality and building amenities and access in addition to the other requirements set forth in the Agreement. The Owner/Taxpayer is further required to comply with the rental relocation assistance requirements set forth in RCW 84.14.020 (7) and (8) and in SMC 8.15.090 (D).

11. The Owner/Taxpayer will have the right to assign its rights under this Agreement. The Owner/Taxpayer agrees to notify the City promptly of any transfer of Owner/Taxpayer's ownership interest in the Site or in the improvements made to the Site under this Agreement.

12. The City reserves the right to cancel the Final Certificate of Tax Exemption should the Owner/Taxpayer, its successors and assigns, fail to comply with any of the terms and conditions of this Agreement or of SMC Chapter 8.15.

13. No modifications of this Conditional Agreement shall be made unless mutually agreed upon by the parties in writing.

14. The Owner/Taxpayer acknowledges its awareness of the potential tax liability involved if and when the property ceases to be eligible for the incentive provided pursuant to this agreement. Such liability may include additional real property tax, penalties and interest imposed pursuant to RCW 84.14.110. The Owner/Taxpayer further acknowledges its awareness and understanding of the process implemented by the Spokane County Assessor's Office for the appraisal and assessment of property taxes. The Owner/Taxpayer agrees that the City is not responsible for the property value assessment imposed by Spokane County at any time during the exemption period.

15. In the event that any term or clause of this Conditional Agreement conflicts with applicable law, such conflict shall not affect other terms of this Agreement, which can be given effect without the conflicting term or clause, and to this end, the terms of this Conditional Agreement are declared to be severable.

16. The parties agree that this Conditional Agreement, requires the applicant to file an application for the Final Certificate of Tax Exemption post the construction of the multiple family residential housing units referenced above and that the Final Certificate of Tax Exemption shall be subject to the applicable provisions of Chapter 84.14 RCW and Chapter 8.15 SMC that exist at the time this agreement is signed by the parties. The parties may agree to amend this Conditional Agreement requirements as set forth when the applicant applies for the Final Certificate of Tax Exemption based upon applicable amendments and additions to Chapter 84.14 RCW or Chapter 8.15 SMC if the requirements change between the issuance of the Conditional Agreement and the Application for Final Tax Exemption has been submitted.

17. Nothing in this Agreement shall permit or be interpreted to permit either party to violate any provision of Chapter 84.14 RCW or Chapter 8.15 SMC

18 This Agreement is subject to approval by the City Council.

DATED this _____ day of _____ 20 _____

CITY OF SPOKANE

By:

Mayor, Nadine Woodward

Attest:

City Clerk

FOX, OLGA A / FOX, RAISA P

By:

Its:

Approved as to form:

Assistant City Attorney



PLANNING & ECONOMIC DEVELOPMENT

MFTE Committee Briefing Paper

Urban Experience

Submitting Department	Planning and Economic Development
Contact Name & Phone	Teri Stripes, 509-625-6597
Contact Email	tstripes@spokanecity.org
Council Sponsor(s)	<u>Jonathan Bingle, Michael Cathcart</u>
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested: _____
Agenda Item Name	Multi-Family Tax Exemption (MFTE) Conditional Agreement
Summary (Background)	<p>Chapter 84.14 RCW authorizes the City to create a multiple family housing property tax exemption program and to certify qualified property owners for that property tax exemption. SMC <u>08.15</u> Multiple-family Housing Property Tax Exemption outlines the City of Spokane MFTE Program and project eligibility.</p> <p>Staff has determined that the <u>Marietta Townhomes</u> Conditional application meets the Project Eligibility defined in SMC <u>08.15.040</u> and is located in a previously adopted Residential Target Areas identified in SMC <u>08.15.030</u>.</p> <p>Once the project is constructed, the applicant intends to finalize as a <u>8-year Market Rate Exemption</u>.</p> <p>This Conditional Agreement authorizes the appropriate city official to enter into the Multiple Family Housing Property Tax Exemption Conditional Agreement, which will ultimately result in the issuance of a final certificate of tax exemption to be filed with the Spokane County Assessor's Office post construction.</p>
Proposed Council Action & Date:	<p>Approve the MFTE Conditional Agreement for the <u>Marietta Townhomes</u> at the October 23, 2023 City Council Meeting.</p> <p>Project Details: The applicant applied for a Conditional MFTE Agreement for <u>4 units</u>, at <u>1222 E MARIETTA AVE SPOKANE, WA</u></p> <ul style="list-style-type: none">Property is zoned <u>RSF</u> and the proposed use is allowed.Estimated Construction Costs: <u>900000</u>Located in the <u>Logan</u> neighborhood.
Fiscal Impact:	
Total Cost: <u>\$0</u>	
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.)	

Operation Impacts

What impacts would the proposal have on historically excluded communities?

SMC 08.15 Multi- Family Housing Property Tax Exemption

A. The purposes of this chapter are to:

1. encourage more multi-family housing opportunities, including affordable housing opportunities, within the City;
2. stimulate the construction of new multifamily housing and the rehabilitation of existing vacant and underutilized buildings for multi-family housing;
3. increase the supply of mixed-income multifamily housing opportunities within the City;
4. accomplish the planning goals required under the Growth Management Act, chapter 36.70A RCW, as implemented from time to time by the City's current and future comprehensive plans;
5. promote community development, neighborhood revitalization, and availability of affordable housing;
6. preserve and protect buildings, objects, sites and neighborhoods with historic, cultural, architectural, engineering or geographic significance located within the City; and
7. encourage additional housing in areas that are consistent with planning for public transit systems.

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?

RCW 84.14.100

Report—Filing—Department of commerce audit or review—Guidance to cities and counties. (Expires January 1, 2058.)

(1) Thirty days after the anniversary of the date of the certificate of tax exemption and each year for the tax exemption period, the owner of the rehabilitated or newly constructed property, or the qualified nonprofit or local government that will assure permanent affordable homeownership for at least 25 percent of the units for properties receiving an exemption under RCW 84.14.021, must file with a designated authorized representative of the city or county an annual report indicating the following:

- (a) A statement of occupancy and vacancy of the rehabilitated or newly constructed property during the twelve months ending with the anniversary date;
- (b) A certification by the owner that the property has not changed use and, if applicable, that the property has been in compliance with the affordable housing requirements as described in RCW 84.14.020 since the date of the certificate approved by the city or county;
- (c) A description of changes or improvements constructed after issuance of the certificate of tax exemption; and
- (d) Any additional information requested by the city or county in regards to the units receiving a tax exemption.

(2) **All cities or counties, which issue certificates of tax exemption for multiunit housing that conform to the requirements of this chapter, must report annually by April 1st of each year, beginning in 2007, to the department of commerce. A city or county must be in compliance with the reporting requirements of this section to offer certificates of tax exemption for multiunit housing authorized in this chapter. The report must include the following information:**

- (a) The number of tax exemption certificates granted;
- (b) The total number and type of units produced or to be produced;

- (c) The number, size, and type of units produced or to be produced meeting affordable housing requirements;
- (d) The actual development cost of each unit produced;
- (e) The total monthly rent or total sale amount of each unit produced;
- (f) The annual household income and household size for each of the affordable units receiving a tax exemption and a summary of these figures for the city or county; and
- (g) The value of the tax exemption for each project receiving a tax exemption and the total value of tax exemptions granted.

(3)(a) The department of commerce must adopt and implement a program to effectively audit or review that the owner or operator of each property for which a certificate of tax exemption has been issued, except for those properties receiving an exemption that are owned or operated by a nonprofit or for those properties receiving an exemption from a city or county that operates an independent audit or review program, is offering the number of units at rents as committed to in the approved application for an exemption and that the tenants are being properly screened to be qualified for an income-restricted unit. The audit or review program must be adopted in consultation with local governments and other stakeholders and may be based on auditing a percentage of income-restricted units or properties annually. A private owner or operator of a property for which a certificate of tax exemption has been issued under this chapter, must be audited at least once every five years.

(b) If the review or audit required under (a) of this subsection for a given property finds that the owner or operator is not offering the number of units at rents as committed to in the approved application or is not properly screening tenants for income-restricted units, the department of commerce must notify the city or county and the city or county must impose and collect a sliding scale penalty not to exceed an amount calculated by subtracting the amount of rents that would have been collected had the owner or operator complied with their commitment from the amount of rents collected by the owner or operator for the income-restricted units, with consideration of the severity of the noncompliance. If a subsequent review or audit required under (a) of this subsection for a given property finds continued substantial noncompliance with the program requirements, the exemption certificate must be canceled pursuant to **RCW 84.14.110**.

(c) The department of commerce may impose and collect a fee, not to exceed the costs of the audit or review, from the owner or operator of any property subject to an audit or review required under (a) of this subsection.

(4) The department of commerce must provide guidance to cities and counties, which issue certificates of tax exemption for multiunit housing that conform to the requirements of this chapter, on best practices in managing and reporting for the exemption programs authorized under this chapter, including guidance for cities and counties to collect and report demographic information for tenants of units receiving a tax exemption under this chapter.

(5) This section expires January 1, 2058.

[2021 c 187 § 5; 2012 c 194 § 9; 2007 c 430 § 10; 1995 c 375 § 13.]

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

Title 08 Taxation and Revenue

Chapter 08.15 Multiple-family Housing Property Tax Exemption

Section 08.15.100 Annual Certification and Affordability Certification

Within thirty days of the anniversary of the date the final certificate of tax exemption was recorded at the County and each year thereafter, for the tax exemption period, the property owner shall file a certification with the director, verified upon oath or affirmation, which shall contain such information as the director may deem necessary or useful, and shall include the following information:

1. A statement of occupancy and vacancy of the multi-family units during the previous year.
2. A certification that the property has not changed use and, if applicable, that the property has been in compliance with the affordable housing requirements as described in **SMC 8.15.090** since the date of filing of the final certificate of tax exemption, and continues to be in compliance with the contract with the City and the requirements of this chapter; and
3. If the property owner rents the affordable multi-family housing units, the property owner shall file with the City a report indicating the household income of each initial tenant qualifying as low and moderate-income in order to comply with the twenty percent requirement of **SMC 8.15.090(A)(2)(b)** and RCW 84.14.020(1)(ii)(B).

a. The reports shall be on a form provided by the City and shall be signed by the tenants.

b. Information on the incomes of occupants of affordable units shall be included with the application for the final certificate of tax exemption, and shall continue to be included with the annual report for each property during the exemption period.

4. A description of any improvements or changes to the property made after the filing of the final certificate or last declaration, as applicable.

B. Failure to submit the annual declaration may result in cancellation of the tax exemption.

Date Passed: Monday, August 21, 2017
Effective Date: Saturday, October 7, 2017
ORD C35524 Section 8

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 Land Use Policies:

- LU 1.4 Higher Density Residential Uses
- LU 3.5 Mix of Uses in Centers
- LU 4.2 Land Uses That Support Travel Options and Active Transportation
- LU 4.6 Transit-Supported Development

Comprehensive Plan Housing Policies:

- H 1.9 Mixed-Income Housing
- H 1.4 Use of Existing Infrastructure
- H 1.10 Lower-Income Housing Development Incentives
- H 1.11 Access to Transportation
- H 1.18 Distribution of Housing Options

Comprehensive Plan Economic Development Policies:

- ED 2.4 Mixed-Use
- ED 7.4 Tax Incentives for Land Improvement

4.2

4.2 - Connecting Housing to Infrastructure Program (CHIP) Grant

Sulya, Nathan

Grant to fund utility infrastructure improvements for affordable housing projects.

| For Information

Attachments

[CHIP Briefing Paper October UE.docx](#)

Committee Agenda Sheet

Urban Experience Committee

Submitting Department	ICM																			
Contact Name	Nate Sulya																			
Contact Email & Phone	nsulya@spokanecity.org 509-625-6988																			
Council Sponsor(s)	CM Stratton																			
Committee Date	10/9/2023																			
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested:																			
Agenda Item Name	Connecting Housing to Infrastructure Program (CHIP) Grant																			
Summary (Background) *use the Fiscal Impact box below for relevant financial information	<p>Multiple applicants have approached the City about partnering to apply for a Dept. of Commerce CHIP grant. This is a grant to fund utility infrastructure improvements for affordable housing projects. Grant funds will be awarded in early 2024. Awarded funds can be used for onsite water, sewer, and stormwater improvements; offsite water, sewer, and stormwater improvements in the right-of-way; and waived system development charges. This is a competitive grant program, with recipients ultimately being selected by Commerce. The City is not limited to the number of applications submitted. The City has no financial contribution to this opportunity; any awarded project funds will be assigned to the specific project.</p> <p>The table below shows the potential project, location, and number of units that meet the income requirements outlined by Commerce for grant eligibility.</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 35%;">Project Name</th> <th style="width: 35%;">Address</th> <th style="width: 30%;">Planned No. of Affordable Units</th> </tr> </thead> <tbody> <tr> <td>Hifumi En</td> <td>926 E 8th Ave, Spokane, WA 99202</td> <td style="text-align: center;">88</td> </tr> <tr> <td>Koz on 4th</td> <td>307 W 4th Ave, Spokane, WA 99204</td> <td style="text-align: center;">210</td> </tr> <tr> <td>Rose 4-plex</td> <td>1813 E 4th Spokane, WA 99202</td> <td style="text-align: center;">4</td> </tr> <tr> <td>Thrive International & Spokane Library Nevada Project</td> <td>6980 N Nevada St, Spokane, WA 99208</td> <td style="text-align: center;">12-24</td> </tr> <tr> <td>Excelsior Wellness Intergenerational Living Community for Elders and Transition Aged Youth</td> <td>2303 W Northwest Blvd & 2321 W Northwest Blvd Spokane, WA 99205</td> <td style="text-align: center;">27-34</td> </tr> </tbody> </table>		Project Name	Address	Planned No. of Affordable Units	Hifumi En	926 E 8th Ave, Spokane, WA 99202	88	Koz on 4th	307 W 4th Ave, Spokane, WA 99204	210	Rose 4-plex	1813 E 4th Spokane, WA 99202	4	Thrive International & Spokane Library Nevada Project	6980 N Nevada St, Spokane, WA 99208	12-24	Excelsior Wellness Intergenerational Living Community for Elders and Transition Aged Youth	2303 W Northwest Blvd & 2321 W Northwest Blvd Spokane, WA 99205	27-34
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Proposed Council Action	N/a – for information only																			

Fiscal Impact

Total Cost:

Approved in current year budget? ☐ Yes ☐ No ☒ N/AFunding Source ☒ One-time ☐ Recurring

Specify funding source: State Grant

Expense Occurrence ☐ One-time ☐ Recurring

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

Operations Impacts (If N/A, please give a brief description as to why)**What impacts would the proposal have on historically excluded communities?**

Public Works services and projects are designed to serve all residents 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 is a public works project 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?

This project is consistent with the City's adopted policies and programs.

4.3

4.3 - Upriver

McIntosh, Seth

Upriver is soliciting proposals for trunnion friction testing on 8 radial spillway gates at the Upriver Dam to examine gate performance parameters, i.e., trunnion bearing resistance, gate lift force and gate friction, operational stress and force results, lift symmetry, and total gate friction.

| For Information

Attachments

[Expenditure Control Form 2023 Upriver Trunnion Friction Testing - signed.pdf](#)

[Garret Jones Approval Email.pdf](#)

Expenditure Control Form



1. All requests being made, including those against master agreements, must be accompanied by this form.
2. All requests requiring City Council approval exceeding \$100,000 must be accompanied by this form.
3. Route **ALL** requests to the Division Director first and then the CFO for signature.
4. The CFO will route for signature to the City Administrator.

Today's Date: 9/27/23

Type of expenditure: Contractual Services

Goods

☐

Services

☒

Department: Water & Hydroelectric Services

Approving Supervisor: Seth McIntosh

Amount of Proposed Expenditure: \$120,000 to \$180,000

Is this against a master agreement? If yes, please provide the number: na

Funding Source 4100 42460 34148 54201 99999

Please verify correct funding sources. Indicate breakdown if more than one funding source.

Why is this expenditure necessary now?

The Federal Energy Regulatory Commission recommended annual trunnion friction testing.

What are the impacts if expenses are deferred?

Failure to comply with FERC's recommendation could have negative impact on dam operations and

What alternative resources have been considered?

Previous consultants tests at a lower cost have been scrutinized as inaccurate and incomplete.

Description of the goods or service and any additional information?

Trunnion friction testing on 8 radial spillway gates at the Upriver Dam to examine gate performance p

Person Submitting Form/Contact: Seth McIntosh

Division Director:

Marlene Feist

CFO Signature:

Tonya Wallace

City Administrator Signature:

Additional Comments:

Committee Agenda Sheet

Urban Experience Committee

Submitting Department	Water & Hydroelectric Services
Contact Name	Seth McIntosh
Contact Email & Phone	smcintosh@spokanecity.org 509-742-8154
Council Sponsor(s)	CP Kinnear
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested:
Agenda Item Name	Trunnion Friction and Gate Performance Testing
Summary (Background) *use the Fiscal Impact box below for relevant financial information	An IRFP has been sent out to solicit proposals for trunnion friction testing on 8 radial spillway gates at the Upriver Dam to examine gate performance parameters, i.e., trunnion bearing resistance, gate lift force and gate friction, operational stress and force results, lift symmetry, and total gate friction. The FERC has recommended to complete trunnion friction testing on each gate on an annual basis until all the gates have been rehabilitated.
Proposed Council Action	None at this time. Following consultant selection a contract and scope will be presented to council for approval.
Fiscal Impact Total Cost: <u>\$120,000 to \$180,000 estimated cost</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: Budget Code: 4100 42460 34148 54201 99999 Expense Occurrence <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring Other budget impacts: NA	
Operations Impacts (If N/A, please give a brief description as to why)	
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 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 project is consistent with our adopted six-year programs as well as the annual budget and strategic initiative to maintain public works activities.

CITY OF SPOKANE

INFORMAL REQUEST FOR PROPOSALS



DESCRIPTION: Trunnion Friction and Gate Performance Testing

DEPARTMENT: Water & Hydroelectric Services

DUE DATE: October 13th, 2023 no later than 5:00pm

1. INTRODUCTION

1.1 PURPOSE

The City of Spokane is soliciting proposals for trunnion friction tests on 8 (eight) radial spillway gates at the Upriver Dam including all methods and instrumentation to examine gate performance parameters, i.e., trunnion bearing resistance, gate lift force and gate friction, operational stress and force results, lift symmetry, and total gate friction.

1.2 PERIOD OF PERFORMANCE

The proposed contract is estimated to begin on November 13th, 2023, and run through December 31, 2024. Contract renewals or extensions, if any, shall be at the sole discretion of the City. The contract may be extended for 4 (four) additional one-year contract periods, subject to mutual agreement, with the total contract period not to exceed 5 (five) years.

1.3 MINIMUM QUALIFICATIONS

The Firm must be licensed to do business in the State of Washington. The Firm must have 10 (ten) years of experience in radial gate testing of high hazard dams that are either owned and operated by the US Army Corps of Engineers OR regulated by the Federal Energy Regulatory Commission (FERC). Such experience shall include test procedure development, instrumentation selection and installation, successful application of environmental controls during testing, engineering analysis, and preparing reports accepted by the client and the FERC (if applicable).

2. SCOPE OF SERVICES

2.1 SCOPE OF SERVICES

The City of Spokane owns and operates Upriver Dam, a Hydroelectric Project that is licensed and regulated by the Federal Energy Regulatory Commission (FERC). The Project has eight, 26 feet wide by 17 feet high radial steel Tainter gates that control flow through the spillway. The gates are in poor condition. The FERC agreed with a previous consultant's recommendation to complete trunnion friction testing on each gate on an annual basis until all the gates have been rehabilitated. The scope of services will include at a minimum annual trunnion friction testing.

The successful firm will design and implement an initial test procedure to establish baselines and an annual testing program for all eight gates until each is rehabilitated and returned to service. One of the gates is currently locked out of service due to damages sustained from cable failure during gate motor amperage testing operations but is expected to be available for testing. Tasks shall include:

CITY OF SPOKANE

INFORMAL REQUEST FOR PROPOSALS



1. Develop recommendation of tests to be performed based upon site visit (optional) and review of Project documents including but not limited to the Supporting Technical Information Document Section 9 – Gates; Section 2 and Appendix A of the Condition Assessment Inspection Report (Hatch, 2021) which cover the Tainter Gate Inspection and Trunnion Friction Testing performed in 2020; record drawings. Documents can be accessed at the link below.
2. Develop test procedures including redundancy to verify functionality of sensors and procedures; identify and procure needed instrumentation for tests.
3. Coordinating with City Project staff for lockout / tagout, access gates with appropriate safety equipment and procedures to install instrumentation and perform tests.
4. Perform engineering analysis of test results.
5. Prepare and submit draft report for City review. Report shall include all test procedures, analysis methods, presentation of results, benchmarking or discussion of results in the context of applicable agency standards and industry best practices, and recommendations. All test data shall also be made available in spreadsheet format.
6. Upon receipt of review comments, prepare final report.
7. Prepare test plan for year 2 and beyond based on findings from year 1 tests, repair or rehabilitation status of gates, applicable agency standards and industry best practices.

The link to transfer your file(s) will expire on **Tuesday, October 31, 2023, 12:00 AM.**

<https://ftp.spokanecity.org/?ShareToken=EEFEFC1B914677B702D06F12B1B04953773DCE24>

Password: 4RdhV78z

3. GENERAL INFORMATION

3.1 IRFP COORDINATOR

The IRFP Coordinator is the sole point of contact in the City for this procurement. All communication between the Proposer and the City upon receipt of this IRFP shall be with the IRFP Coordinator, as follows:

Name	Seth McIntosh
Department	Water & Hydroelectric Services
Phone Number	509-742-8154
E-Mail Address	smcintosh@spokanecity.org

Any other communication will be considered unofficial and non-binding on the City.

3.2 SUBMISSION OF PROPOSALS

CITY OF SPOKANE

INFORMAL REQUEST FOR PROPOSALS



- A. PROPOSALS MAY BE SUBMITTED BY HAND, MAIL OR E-MAIL.
- B. If mailing or hand delivering, place one copy of the Proposal in a sealed envelope. On the front of the envelope, place the following information:
PROPOSAL
TITLE DUE:
DUE DATE
PROPOSER'S
NAME
- C. Mail, hand-deliver or e-mail one copy of the Proposal, as follows:
Water & Hydroelectric Services
ATTN: Seth McIntosh
2701 N Waterworks St
Spokane, WA 99212
smcintosh@spokanecity.org
509-742-8154

3.3 ACCEPTANCE PERIOD

Proposals shall remain in effect for a minimum of thirty (30) days from the due date for receipt of Proposals for acceptance by the City.

3.4 RESPONSIVENESS

Failure by the Proposer to comply with any part of the IRFP may result in rejection of the Proposal as non-responsive. The City also reserves the right, however, at its sole discretion to waive minor administrative irregularities.

3.5 COSTS TO PROPOSE

The City will not be liable for any costs incurred by the Proposer in preparation of a Proposal submitted in response to this IRFP, conduct of a presentation, or any other activities related to responding to this IRFP.

3.6 EVALUATION PROCEDURE

Responsive Proposals will be evaluated based on the requirements stated in this solicitation. The evaluation process is designed to award this procurement not necessarily to the Consultant of least cost, but rather to the Consultant whose Proposal best meets the requirements of this IRFP. The City, at its sole discretion, may elect to select the top- scoring firms as finalists for an oral presentation. The IRFP Coordinator may contact the Proposer for clarification of any portion of the Proposer's Proposal.

CITY OF SPOKANE

INFORMAL REQUEST FOR PROPOSALS



3.7 EVALUATION WEIGHTING AND SCORING

The following weighting and points will be assigned to the Proposal for evaluation purposes:

		Max Points	Score
TECHNICAL AND MANAGEMENT PROPOSAL 70%			
1.	Approach/Methodology/Work Plan	30	
2.	Key Staff Qualifications & Experience	10	
3.	Company qualifications & experience	20	
4.	References	10	
COST PROPOSAL 30%		30	
TOTAL SCORE		100	

3.8 ACCEPTANCE / REJECTION OF PROPOSALS

Contract award, if made, will be to the Proposer submitting the most favorable Proposal. The City reserves the right at its sole discretion to reject any and all Proposals received without penalty and to not issue a contract from this IRFP.

4. PROPOSAL CONTENTS

4.1 PREPARATION OF PROPOSAL

Preferred delivery is electronically in Adobe PDF format. Any proposals hand delivered or by mail shall be on eight and one-half by eleven inch (8" 1/2 x 11") paper. Include the Letter of Submittal, Technical and Management Proposal, Cost Proposal and other information as requested in this solicitation.

4.2 LETTER OF SUBMITTAL

The Letter of Submittal shall be signed and dated by a person authorized to legally bind the Consultant to a contractual relationship, e.g., the president or executive director if a corporation, the managing partner if a partnership, or the proprietor if a sole proprietorship. The Letter of Submittal should include the following information about the Consultant.

1. Name, address, principal place of business, telephone number, and fax number/e- mail address of legal entity or individual with whom contract would be written.
2. Legal status of the Consultant (sole proprietorship, partnership, corporation, etc.).

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3. Acknowledgement that the Consultant will comply with all terms and conditions set forth in the Request for Proposals, unless otherwise agreed by the City.

4.3 TECHNICAL AND MANAGEMENT PROPOSAL

The Proposal shall contain a comprehensive description of services including the following elements:

1. **APPROACH / METHODOLOGY / WORK PLAN**
 - Include a complete description of the Consultant's proposed approach and methodology for the services. State any assumptions.
 - Include all requirements and the proposed tasks, services, activities, etc. necessary to accomplish the scope. Convey sufficient detail to show the Consultant's knowledge of the subjects and skills necessary to successfully complete the services. Include any required involvement of City staff. The Consultant may also present any creative approaches that might be appropriate and may provide any pertinent supporting documentation.
2. **STAFF QUALIFICATIONS & EXPERIENCE**
 - **TEAM STRUCTURE / INTERNAL CONTROLS** - Provide a description of the proposed team structure, including identification of key staff. Include who within the firm will have prime responsibility and final authority for the work.
 - **STAFF QUALIFICATIONS / EXPERIENCE** – Identify all staff who will be assigned to the potential contract, indicating their responsibilities and qualifications. The Consultant shall commit that staff identified in its Proposal will actually perform the assigned work.
3. **EXPERIENCE OF THE CONSULTANT** - Indicate the experience the Consultant has in the area of the proposed contract work and how the Consultant meets the minimum qualifications described in Section 1.3 of this IRFP.
4. **REFERENCES** - List names, addresses, telephone numbers, and fax numbers/e-mail addresses of three (3) business references for whom work has been accomplished and briefly describe the type of service provided. The Consultant shall grant permission to the City to contact the references. Do not include current City staff as references. The City may evaluate references at the City's discretion.

4.4 COST PROPOSAL

The fee shall include all costs required to perform the services necessary to accomplish the objectives of the contract. Identify all costs including expenses to be charged for performing the services. List staff costs and any expenses necessary to accomplish the

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tasks and produce the deliverables under the contract. Show costs separately for services in 2024 and option years. Consultants are required to collect and pay Washington state sales tax, if applicable.

4.5 PROPRIETARY INFORMATION / PUBLIC DISCLOSURE

All materials submitted to the City in response to this competitive procurement shall become the property of the City.

All materials received by the City are public records and are subject to being released pursuant to a valid public records request. Washington state law mandates that all documents used, received or produced by a governmental entity are presumptively public records, and there are few exemptions. RCW Ch. 41.56.

When responding to this competitive procurement, please consider that what you submit will be a public record. If you believe that some part of your response constitutes legally protected proprietary information, you **MUST** submit those portions of your response as a separate part of your response, and you **MUST** label it as “**PROPRIETARY INFORMATION.**” If a valid public records request is then received by the City for this information, you will be given notice and a 10-day opportunity to go to court to obtain an injunction to prevent the City from releasing this part of your response. If no injunction is obtained, the City is legally required to release the records.

The City will neither look for nor honor any claims of “proprietary information” that are not within the separate part of your response.

4.6 OWNERSHIP OF DOCUMENTS

Any and all data, reports, analyses, documents, photographs, pamphlets, plans, specifications, surveys, films, or any other material created, prepared, produced, constructed, assembled, made, performed or otherwise produced by the Consultant or the Consultant’s subcontractors or consultants for delivery to the City under this Agreement shall be the sole and absolute property of the City. Such property shall constitute “work made for hire” as defined by the U.S. Copyright Act of 1976, 17 U.S.C. § 101, and the ownership of the copyright and any other intellectual property rights in such property shall vest in the City at the time of its creation. Ownership of the intellectual property includes the right to copyright, patent, and register, and the ability to transfer these rights. Material which the Consultant uses to perform this Agreement but is not created, prepared, constructed, assembled, made, performed or otherwise produced for or pay for by the City is owned by the Consultant and is not “work made for hire” within the terms of this Agreement.

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5. CONTRACT TERMS

5.1 CITY OF SPOKANE BUSINESS REGISTRATION.

Section 8.01.070 of the Spokane Municipal Code states that no person may engage in business with the City without first having obtained a valid business license. The Consultant shall be responsible for contacting the State of Washington Business License Services at www.dor.wa.gov or 1-360-705-6741 to obtain a business registration. If the Consultant does not believe it is required to obtain a business registration, it may contact the City's Taxes and Licenses Division at (509) 625-6070 to request an exemption status determination.

5.2 ANTI-KICKBACK.

No officer or employee of the City of Spokane, having the power or duty to perform an official act or action related to this contract shall have or acquire any interest in the contract, or have solicited, accepted or granted a present or future gift, favor, service or other thing of value from or to any person involved in the contract.

5.3 NONDISCRIMINATION.

No individual shall be excluded from participation in, denied the benefit of, subjected to discrimination under, or denied employment in the administration of or in connection with this Contract because of age, sex, race, color, religion, creed, marital status, familial status, sexual orientation including gender expression or gender identity, national origin, honorably discharged veteran or military status, the presence of any sensory, mental or physical disability, or use of a service animal by a person with disabilities. The Contractor agrees to comply with, and to require that all subcontractors comply with, Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act, as applicable to the Contractor.

5.4 INSURANCE COVERAGE

During the term of the contract, the Consultant shall maintain in force at its own expense, each insurance coverage noted below:

- i. Worker's Compensation Insurance in compliance with RCW 51.12.020, which requires subject employers to provide workers' compensation coverage for all their subject workers; and
- ii. General Liability Insurance on an occurrence basis, with a combined single limit of not less than \$1,000,000 each occurrence for bodily injury and property damage. It shall provide that the City, its officers and employees are additional insureds but only with respect to the Consultant's services to be provided under this contract; and

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- iii. Automobile Liability Insurance with a combined single limit, or the equivalent of not less than \$300,000 each accident for bodily injury and property damage, including coverage for owned, hired and non-owned vehicles.

There shall be no cancellation, material change, reduction of limits or intent not to renew the insurance coverage(s) without thirty (30) days written notice from the Consultant or its insurer(s) to the City. As evidence of the insurance coverages required by this contract, the Consultant shall furnish acceptable insurance certificates to the City at the time it returns the signed contract. Insuring companies or entities are subject to City acceptance and must have a rating of A- or higher by Best. The Consultant shall be financially responsible for all pertinent deductibles, self- insured retentions, and/or self-insurance.









Expenditure Control Form 2023 Upriver Trunnion Friction Testing

Final Audit Report

2023-09-30

Created:	2023-09-28
By:	Seth McIntosh (smcintosh@spokanecity.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAANTJVNbq3mRi710j4G1HVYMXZe19QMhYG

"Expenditure Control Form 2023 Upriver Trunnion Friction Testing" History

-  Document created by Seth McIntosh (smcintosh@spokanecity.org)
2023-09-28 - 0:11:18 AM GMT
-  Document emailed to Marlene Feist (mfeist@spokanecity.org) for signature
2023-09-28 - 0:14:00 AM GMT
-  Email viewed by Marlene Feist (mfeist@spokanecity.org)
2023-09-28 - 0:38:05 AM GMT
-  Document e-signed by Marlene Feist (mfeist@spokanecity.org)
Signature Date: 2023-09-28 - 0:38:28 AM GMT - Time Source: server
-  Document emailed to Tonya Wallace (twallace@spokanecity.org) for signature
2023-09-28 - 0:38:30 AM GMT
-  Email viewed by Tonya Wallace (twallace@spokanecity.org)
2023-09-30 - 2:07:42 PM GMT
-  Document e-signed by Tonya Wallace (twallace@spokanecity.org)
Signature Date: 2023-09-30 - 2:08:35 PM GMT - Time Source: server
-  Agreement completed.
2023-09-30 - 2:08:35 PM GMT

From: [Jones, Garrett](#)
To: [McIntosh, Seth](#); [Haugen, Erin](#); [Gunn, Jeff](#); [Byrd, Giacobbe](#)
Cc: [Wallace, Tonya](#)
Subject: RE: October 9th Urban Experience Committee Meeting Agenda Item Request
Date: Wednesday, October 4, 2023 7:51:10 AM
Attachments: [image010.png](#)
[image011.png](#)
[image012.png](#)
[image013.png](#)

Sorry Seth, I don't why I didn't receive this one but email this will serve as my approval.

Thanks,

GARRETT JONES | CITY OF SPOKANE | INTERIM CITY ADMINISTRATOR
509.363.5462 office | 509.795.9936 cell | gjones@spokanecity.org | spokanecity.org



Emails and attachments sent to or from the City, including personal information, are presumptively public records that are subject to disclosure. - Chapter 42.56 RCW

From: McIntosh, Seth <smcintosh@spokanecity.org>
Sent: Tuesday, October 3, 2023 11:58 AM
To: Haugen, Erin <ehaugen@spokanecity.org>; Gunn, Jeff <jgunn@spokanecity.org>; Byrd, Giacobbe <gbyrd@spokanecity.org>
Cc: Wallace, Tonya <twallace@spokanecity.org>; Jones, Garrett <gjones@spokanecity.org>
Subject: RE: October 9th Urban Experience Committee Meeting Agenda Item Request

The title is Upriver Trunnion Friction Testing for the Water Dept. I attached a copy already signed by Marlene and Tonya.

Thank you



Seth McIntosh | City of Spokane | **Water System & Hydroelectric Plant Manager**
509.742.8154 | cell 509.847.9415
smcintosh@spokanecity.org spokanecity.org



From: Haugen, Erin <ehaugen@spokanecity.org>

Sent: Tuesday, October 3, 2023 11:13 AM

To: Gunn, Jeff <jgunn@spokanecity.org>; McIntosh, Seth <smcintosh@spokanecity.org>; Byrd, Giacobbe <gbyrd@spokanecity.org>

Cc: Wallace, Tonya <twallace@spokanecity.org>; Jones, Garrett <gjones@spokanecity.org>

Subject: RE: October 9th Urban Experience Committee Meeting Agenda Item Request

Hi Seth,

Can you let me know the title/dept for the Expenditure Control Form. We get a fair amount of them in so what to make sure I find the correct one.

ERIN HAUGEN | CITY OF SPOKANE | ADMINISTRATIVE SPECIALIST TO TONYA WALLACE, CFO, FINANCE
509.625.6585 office | 509.992.0252 cell | ehaugen@spokanecity.org | spokanecity.org

Emails and attachments sent to or from the City, including personal information, are presumptively public records that are subject to disclosure. - Chapter 42.56 RCW

From: Gunn, Jeff <jgunn@spokanecity.org>

Sent: Tuesday, October 3, 2023 10:55 AM

To: McIntosh, Seth <smcintosh@spokanecity.org>; Byrd, Giacobbe <gbyrd@spokanecity.org>

Cc: Haugen, Erin <ehaugen@spokanecity.org>; Wallace, Tonya <twallace@spokanecity.org>; Jones, Garrett <gjones@spokanecity.org>

Subject: RE: October 9th Urban Experience Committee Meeting Agenda Item Request

Erin should know, yes.

I'm looping in Tonya and Garrett as well.

Jeff

From: McIntosh, Seth <smcintosh@spokanecity.org>

Sent: Tuesday, October 03, 2023 9:57 AM

To: Byrd, Giacobbe <gbyrd@spokanecity.org>; Gunn, Jeff <jgunn@spokanecity.org>

Cc: Haugen, Erin <ehaugen@spokanecity.org>

Subject: RE: October 9th Urban Experience Committee Meeting Agenda Item Request

Thank you all, the directions said Tonya would forward to Garret if over \$100k but I have no way of knowing if or when that happened. Is that something Erin can answer? I'm asking because I need to meet tomorrow's committee agenda deadline.



Seth McIntosh | City of Spokane | **Water System & Hydroelectric Plant Manager**
509.742.8154 | cell 509.847.9415
smcintosh@spokanecity.org spokanecity.org

From: Byrd, Giacobbe <gbyrd@spokanecity.org>
Sent: Tuesday, October 3, 2023 9:28 AM
To: Gunn, Jeff <jgunn@spokanecity.org>; McIntosh, Seth <smcintosh@spokanecity.org>
Cc: Haugen, Erin <ehaugen@spokanecity.org>
Subject: RE: October 9th Urban Experience Committee Meeting Agenda Item Request

Hi Seth, the order in the packet doesn't matter on my end either.
However, the EC does need all of the signatures required before being submitted to committee.
Copying Erin Haugen in case she can be of assistance in this case.
Giacobbe

Giacobbe R. Byrd

Director, City Council Office
808 W. Spokane Falls Boulevard, Spokane, WA 99201-3335
(509) 625-6715 gbyrd@spokanecity.org

This email is subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may therefore be subject to disclosure as a public record.

From: Gunn, Jeff <jgunn@spokanecity.org>
Sent: Tuesday, October 3, 2023 9:21 AM
To: McIntosh, Seth <smcintosh@spokanecity.org>
Cc: Byrd, Giacobbe <gbyrd@spokanecity.org>
Subject: RE: October 9th Urban Experience Committee Meeting Agenda Item Request

Hi Seth,

The order doesn't matter. I'll rearrange it when I put the agenda together.

As for the signature, I wouldn't think so. As I believe Garret would just need to sign before it is on the final agenda.

Though I am looping in Giacobbe Byrd for clarification.

Thanks!

From: McIntosh, Seth <smcintosh@spokanecity.org>
Sent: Monday, October 02, 2023 10:22 AM
To: Gunn, Jeff <jgunn@spokanecity.org>
Subject: RE: October 9th Urban Experience Committee Meeting Agenda Item Request

Hi Jeff,

I would like to submit an agenda item for the Oct. 9th Urban Experience Committee Meeting for consent and have questions about the new Expenditure Control form. Should the EC form be the first page like in the attached or should the Committee Agenda sheet be the first page when submitting? Also, Do I need all three signatures on the EC before submitting for committee?

Thanks in advance.

Seth



Seth McIntosh | City of Spokane | **Water System & Hydroelectric Plant Manager**

509.742.8154 | cell 509.847.9415

smcintosh@spokanecity.org spokanecity.org



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From: Gunn, Jeff <jgunn@spokanecity.org>

Sent: Tuesday, September 26, 2023 2:07 PM

To: Urban Experience Committee <UEC@spokanecity.org>

Subject: October 9th Urban Experience Committee Meeting Agenda Item Request

Good afternoon,

My sincerest apologies but I am inadvertently a week behind on the Urban Experience Committee agenda process.

So, the timeline will be a little condensed in the lead up to the October 9th committee meeting.

Attached are instructions for submitting agenda item requests for the October 9th Urban Experience Committee meeting using the Decisions platform. You must still submit a Briefing Paper with every item – the template is attached. This Briefing Paper format must be used and completed, including a Council sponsor, fiscal information and the supplemental questions.

Be sure to fill out all necessary fields on the Decisions platform per the instructions.

The deadline for items to be submitted is **12:00 pm next Wednesday, October 4th**.

Please don't hesitate to reach out to me if you have any questions. For fastest response, texting to my cell number (below), sending a chat on Teams, or emailing me back here are best.

Thanks!

Jeff Gunn

Legislative Assistant to Council Members Karen Stratton and Zack Zappone

OFFICE: (509) 625-6718 | CELL: (509) 828-7655 | jgunn@spokanecity.org

808 W Spokane Falls Boulevard, Spokane, WA 99201-3335

5 - Executive Session

Executive Session may be held or reconvened during any committee meeting.

6 - Adjournment

7 - Next Meeting

The next meeting of the Urban Experience Committee will be held at 1:15 p.m. on November 13, 2023.