

ADDENDUM



ADVANCE COUNCIL AGENDA

MEETING OF MONDAY, JULY 22, 2013

LEGISLATIVE AGENDA

RESOLUTIONS

(Require Four Affirmative, Recorded Roll Call Votes)

Request for suspension of the Rules to add Resolution 2013-0060 to the Agenda:

RES 2013-0060 Providing for the Intergovernmental Transfer of surplus City property (land adjacent to Joe Albi Stadium).

THE CITY OF SPOKANE



ADVANCE COUNCIL AGENDA

MEETING OF MONDAY, JULY 22, 2013

MISSION STATEMENT

**TO DELIVER EFFICIENT AND EFFECTIVE SERVICES
THAT FACILITATE ECONOMIC OPPORTUNITY
AND ENHANCE QUALITY OF LIFE.**

MAYOR DAVID A. CONDON

COUNCIL PRESIDENT BEN STUCKART

COUNCIL MEMBER MICHAEL A. ALLEN

COUNCIL MEMBER NANCY McLAUGHLIN

COUNCIL MEMBER JON SNYDER

COUNCIL MEMBER MIKE FAGAN

COUNCIL MEMBER STEVE SALVATORI

COUNCIL MEMBER AMBER WALDREF

COUNCIL CHAMBERS
CITY HALL

808 W. SPOKANE FALLS BLVD.
SPOKANE, WA 99201

CITY COUNCIL BRIEFING SESSION

Council will adopt the Administrative Session Consent Agenda after they have had appropriate discussion. Items may be moved to the 6:00 p.m. Legislative Session for formal consideration by the Council at the request of any Council Member.

SPOKANE CITY COUNCIL BRIEFING SESSIONS (BEGINNING AT 3:30 P.M. EACH MONDAY) AND LEGISLATIVE SESSIONS (BEGINNING AT 6:00 P.M. EACH MONDAY) ARE BROADCAST LIVE ON CITY CABLE CHANNEL FIVE AND STREAMED LIVE ON THE CHANNEL FIVE WEBSITE. THE SESSIONS ARE REPLAYED ON CHANNEL FIVE ON WEDNESDAYS AT 6:00 P.M. AND FRIDAYS AT 10:00 A.M.

The Briefing Session is open to the public, but will be a workshop meeting. Discussion will be limited to Council Members and appropriate Staff and Counsel. There will be an opportunity for the expression of public views on any issue not relating to the Current or Advance Agendas during the Open Forum at the beginning and the conclusion of the Legislative Agenda.

ADDRESSING THE COUNCIL

- No one may speak without first being recognized for that purpose by the Chair. Except for named parties to an adjudicative hearing, a person may be required to sign a sign-up sheet as a condition of recognition.
- Each person speaking at the public microphone shall print his or her name and address on the sheet provided at the podium and verbally identify him/herself by name, address and, if appropriate, representative capacity.
- If you are submitting letters or documents to the Council Members, please provide a minimum of ten copies via the City Clerk. The City Clerk is responsible for officially filing and distributing your submittal.
- In order that evidence and expressions of opinion be included in the record and that decorum befitting a deliberative process be maintained, modes of expression such as demonstration, banners, applause and the like will not be permitted.
- A speaker asserting a statement of fact may be asked to document and identify the source of the factual datum being asserted.

SPEAKING TIME LIMITS: Unless deemed otherwise by the Chair, each person addressing the Council shall be limited to a three-minute speaking time.

CITY COUNCIL AGENDA: The City Council Advance and Current Agendas may be obtained prior to Council Meetings from the Office of the City Clerk during regular business hours (8 a.m. - 5 p.m.). The Agenda may also be accessed on the City website at www.spokanecity.org. Agenda items are available for public review in the Office of the City Clerk during regular business hours.

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 Gita George-Hatcher at (509) 625-7083, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or ggeorge-hatcher@spokanecity.org. Persons who are deaf or hard of hearing may contact Ms. George-Hatcher at (509) 625-7083 through the Washington Relay Service at 7-1-1. Please contact us forty-eight (48) hours before the meeting date.

If you have questions, please call the Agenda Hotline at 625-6350.

BRIEFING SESSION

(3:30 p.m.)

(Council Chambers Lower Level of City Hall)

(No Public Testimony Taken)

Council Reports

Staff Reports

Committee Reports

Advance Agenda Review

Current Agenda Review

ADMINISTRATIVE SESSION

Roll Call of Council

CONSENT AGENDA

REPORTS, CONTRACTS AND CLAIMS

RECOMMENDATION

- | | | |
|--|---|---|
| <p>1. Low Bid of Hoffman Contractors, Inc. (Spokane, WA) for Riverside Park Water Reclamation Facility Package B—Digester Gas, Solids Process Equipment, and Standby Power Improvements—\$6,271,390 (including tax). An administrative reserve of \$627,139 (including tax), which is 10% of the contract price (including tax), will be set aside.
Dale Arnold</p> | <p>Approve &
Authorize
Contract</p> | <p>OPR 2013-0526
BID 3934-13</p> |
| <p>2. Low Bids meeting specifications of:</p> <p>a. M-B Companies, Inc. (New Holstein, WS) for the purchase of one paint striping unit and truck chassis by Fleet Services, as a replacement unit in the Street Department—estimated expense \$378,527.10 (including tax).
Gene Jakubczak</p> <p>b. Wingfoot Commercial Tire Systems, LLC (Spokane, WA) for miscellaneous retread tires and tire-related services—estimated annual expense \$350,000.
Gene Jakubczak</p> | <p>Approve
All</p> | <p>OPR 2013-0527
BID 3943-13</p> <p>OPR 2013-0528
BID 3949-13</p> |

- c. Auto Rain Supply (Spokane, WA) for miscellaneous sizes of backflow prevention devices to be purchased on an “as needed” basis—estimated annual expense \$106,686.63 (including tax).
Lynn Shupe OPR 2013-0529
 BID 3950-13
- 3. Purchase of Adaptive Signal Control Technology System NEMA TS2 Type 1 Signal Controller Cabinets for North Division from Euclid Avenue to the Y—\$73,484.87.
Val Melvin Approve OPR 2013-0530
 ENG 2011075
- 4. Purchase of Cisco Network Hardware Equipment from Cerium Networks, Inc. (Spokane, WA) for replacing and upgrading core network equipment using Washington State DES Master Contract #T12-MST-642—estimated expense \$690,351.10.
Michael Sloon Approve OPR 2013-0531
- 5. Contract with Greater Spokane Incorporated to provide regional business recruitment, retention, expansion, and assistance activities in addition to community capacity and regional planning—\$56,440.
Scott Chesney Approve OPR 2013-0532
- 6. Escrow Agreement and Temporary Construction Easement with Paco Industries, LLC (Spokane, WA) in conjunction with the Flint Road and Sunset Highway (SR2) Traffic Signal project —\$82,541.45.
Dave Steele Approve OPR 2013-0533
 ENG 2012120
- 7. Report of the Mayor of pending claims and payments of previously approved obligations, including those of Parks and Library, through _____, total \$_____, with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$_____.

Approve & Authorize Payment CPR 2013-0002

EXECUTIVE SESSION

(Closed Session of Council)

(Executive Session may be held or reconvened during the 6:00 p.m. Legislative Session)

CITY COUNCIL SESSION

(May be held or reconvened following the 3:30 p.m. Administrative Session)

(Council Briefing Center)

This session may be held for the purpose of City Council meeting with Mayoral nominees to Boards and/or Commissions. The session is open to the public.

LEGISLATIVE SESSION

(6:00 P.M.)

(Council Reconvenes in Council Chamber)

WORDS OF INSPIRATION

PLEDGE OF ALLEGIANCE

ROLL CALL OF COUNCIL

ANNOUNCEMENTS

(Announcements regarding Changes to the City Council Agenda)

BOARDS AND COMMISSIONS APPOINTMENTS

(Includes Announcements of Boards and Commissions Vacancies)

CITY ADMINISTRATION REPORT

COUNCIL COMMITTEE REPORTS

(Committee Reports for Finance, Neighborhoods, Public Safety, Public Works, and Planning/Community and Economic Development Committees and other Boards and Commissions)

OPEN FORUM

This is an opportunity for citizens to discuss items of interest not relating to the Current or Advance Agendas nor relating to political campaigns/items on upcoming election ballots. This Forum shall be for a period of time not to exceed thirty minutes. After all the matters on the Agenda have been acted on, unless it is 10:00 p.m. or later, the open forum shall continue for a period of time not to exceed thirty minutes. Each speaker will be limited to three minutes, unless otherwise deemed by the Chair. If you wish to speak at the forum, please sign up on the sign-up sheet located in the Chase Gallery.

LEGISLATIVE AGENDA

NO EMERGENCY BUDGET ORDINANCES

NO EMERGENCY ORDINANCES

RESOLUTIONS & FINAL READING ORDINANCE

(Require Four Affirmative, Recorded Roll Call Votes)

Resolutions requesting the Spokane County to hold a Special Election on November 5, 2013, in conjunction with the scheduled General Election to submit to the voters of the City of Spokane, advisory votes regarding the Envision Spokane Initiative and identification of funding the new requirements and regulations to be implemented:

RES 2013-0056 Relates to the question of whether the Spokane City Council should pursue additional funding sources in order to implement the provisions of the Envision Spokane Community Bill of Rights ballot proposition, if the proposition is approved by the voters.

Sponsors: Council Members Mike Allen & Steve Salvatori

RES 2013-0057 Relates to the question of whether the Spokane City Council should reduce funding in existing general fund programs to reallocate funding to implement the provisions of the Envision Spokane Community Bill of Rights ballot proposition, if the proposition is approved by the voters.

Sponsors: Council Members Mike Allen & Steve Salvatori

Resolutions requesting the Spokane County Auditor to hold a Special Election on November 5, 2013, in conjunction with the scheduled General Election, to submit to the voters of the City of Spokane, advisory votes regarding the Spokane Moves to Amend Initiative:

RES 2013-0058 Relates to the question of whether the Spokane City Council should pursue additional funding sources in order to fund the implementation of the provisions of the Spokane Moves to Amend Voter Bill of Rights proposition, if the proposition is approved by the voters.

Sponsors: Council Members Mike Allen & Steve Salvatori

RES 2013-0059 Relates to the question of whether the Spokane City Council should reduce funding in existing general fund programs to reallocate funding to the implementation of the provisions of the Spokane Moves to Amend Voter Bill of Rights proposition, if the proposition is approved by the voters.

Sponsors: Council Members Mike Allen & Steve Salvatori

ORD C34990 Relating to on-street parking regulations; amending SMC Section 16A.61.561. (Deferred from June 17, 2013, Agenda)

Sponsor: Council President Ben Stuckart

FIRST READING ORDINANCE

(No Public Testimony Will Be Taken)

ORD C35014 An Ordinance relating to initiatives; amending SMC Sections 2.02.030, 2.02.040 and 2.02.055; and repealing SMC Section 2.02.050.

Sponsor: Council President Ben Stuckart

FURTHER ACTION DEFERRED

NO SPECIAL CONSIDERATIONS

NO HEARINGS

Motion to Approve Advance Agenda for July 22, 2013
(per Council Rule 2.1.2)

OPEN FORUM (CONTINUED)

This is an opportunity for citizens to discuss items of interest not relating to the Current or Advance Agendas nor relating to political campaigns/items on upcoming election ballots. This Forum shall be for a period of time not to exceed thirty minutes. After all the matters on the Agenda have been acted on, unless it is 10:00 p.m. or later, the open forum shall continue for a period of time not to exceed thirty minutes. Each speaker will be limited to three minutes, unless otherwise deemed by the Chair. If you wish to speak at the forum, please sign up on the sign-up sheet located in the Chase Gallery.

ADJOURNMENT

The July 22, 2013, Regular Legislative Session of the City Council is adjourned to Monday, July 29, 2013.

NOTES



Agenda Sheet for City Council Meeting of:
07/22/2013

Date Rec'd	7/10/2013
Clerk's File #	OPR 2013-0526
Renews #	

Submitting Dept	WASTEWATER MANAGEMENT	Cross Ref #	
Contact Name/Phone	DALE ARNOLD 625-7900	Project #	
Contact E-Mail	DARNOLD@SPOKANECITY.ORG	Bid #	3934-13
Agenda Item Type	Contract Item	Requisition #	CR13593
Agenda Item Name	4320 PACKAGE B UPGRADES		

Agenda Wording

Award contract for Riverside Park Water Reclamation Facility "Package B - Digester Gas, Solids Process Equipment, and Standby Power Improvements to the low bidder, Hoffman Contractors, Inc. (Spokane, WA)for \$6,271,390 plus sales tax.

Summary (Background)

On June 17, 2013, bids were opened for the Package B Upgrades for the Riverside Park Water Reclamation Facility. The low bid was from Hoffman Contractors, Inc. in the amount of 6,271,390 which is 22% below the Engineer's Estimate. Three other bids were received which are as follows: Garco Construction, Inc. - 6,490,000; Harbor Pacific Contractors, Inc. - 7,375,000 and McClure and Sons, Inc. - 8,227,658.

Fiscal Impact	Budget Account
Expense \$ 7,498,701.02	# 4370-94321-94000-56501
Select \$	#
Select \$	#
Select \$	#

Approvals		Council Notifications	
Dept Head	ARNOLD, DALE	Study Session	
Division Director	ROMERO, RICK	Other	Public Works - 06/24/13
Finance	LESESNE, MICHELE	Distribution List	
Legal	BURNS, BARBARA	pdolan@spokanecity.org	
For the Mayor	SANDERS, THERESA*	Tax & Licenses	
Additional Approvals		mlesesne@spokanecity.org	
Purchasing	WAHL, CONNIE	lhendron@spokanecity.org	
		kbrooks@spokanecity.org	
		cwahl@spokanecity.org	

**BID TABULATIONS FOR THE RPWRF
PACKAGE B - DIGESTER GAS, SOLIDS PROCESS EQUIPMENT, AND STANDBY POWER
IMPROVEMENTS**

City Purchasing No. 3934-13

	Engineer's Estimate	Hoffman Contractors	Garco Construction	Harbor Pacific	McClure & Sons	Difference: EE vs. Low	Difference: EE vs. 2nd Low	Difference: Low vs. 2nd Low
SCHEDULE A: Plant Standby Power Upgrades								
Trench Safety Systems	\$1,700	\$500	\$2,000	\$1,000	\$1,000	(\$1,200)	\$300	\$1,500
All Other	\$1,191,276	\$825,000	\$1,070,000	\$1,566,500	\$854,000	(\$366,276)	(\$121,276)	\$245,000
Total Schedule A Lump Sum Bid as shown on p. 4	\$1,192,976	\$825,500	\$1,072,000	\$1,567,500	\$855,000	(\$367,476)	(\$120,976)	\$246,500
SCHEDULE B: Lube and Oil Storage Addition								
Trench Safety Systems	\$15,000	\$500	\$2,000	\$1,000	\$1,000	(\$14,500)	(\$13,000)	\$1,500
Cash Allowance: Misc Maint. & Safety Equip	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000			
All Other	\$1,306,898	\$318,000	\$1,380,000	\$1,384,000	\$3,506,658	(\$988,898)	\$73,102	\$1,062,000
Total Schedule B Lump Sum Bid as shown on p. 4	\$1,346,898	\$343,500	\$1,407,000	\$1,410,000	\$3,532,658	(\$1,003,398)	\$60,102	\$1,063,500
SCHEDULE C: Digester Gas Compressor System Upgrades								
Cash Allowance: Equipment Installation	\$95,000	\$95,000	\$95,000	\$95,000	\$95,000			
Cash Allowance: Additional DT Bldg Mods	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000			
All Other	\$2,803,984	\$1,960,000	\$1,791,000	\$2,015,000	\$1,920,000	(\$843,984)	(\$1,012,984)	(\$169,000)
Total Schedule C Lump Sum Bid as shown on p. 5	\$2,948,984	\$2,105,000	\$1,936,000	\$2,160,000	\$2,065,000	(\$843,984)	(\$1,012,984)	(\$169,000)
SCHEDULE D: Not Used								
SCHEDULE E: Not Used								
SCHEDULE F: Gravity Belt Thickeners 5 and 6								
Total Schedule F Lump Sum Bid as shown on p. 5	\$2,109,351	\$2,669,390	\$1,675,000	\$1,935,000	\$1,480,000	\$560,039	(\$434,351)	(\$994,390)
SCHEDULE G: Not Used								
SCHEDULE H: Not Used								
SCHEDULE I: Chlorine Building Heating and Ventilation Upgrades								
Total Schedule I Lump Sum Bid as shown on p. 5	\$399,951	\$328,000	\$400,000	\$302,500	\$295,000	(\$71,951)	\$49	\$72,000
Total Project Bid as shown on Page 5	\$7,998,160	\$6,271,390	\$6,490,000	\$7,375,000	\$8,227,658	(\$1,726,770)	(\$1,508,160)	\$218,610
<i>* Low line items shown in italics</i>								
Proposal Review								
License Number	HOFFMC*376NO	GARCCI928D5	HARBOPC132RS	MCCLUSI101MJ				
Tax ID Number	91-0725767	26-2160084	91-1392774	91-1411013				
UBI Number	329-005-739	602 809 160	601 058 667	601-077-878				
WA Employment Security Dept. Number	231,854-00	42091000-9	637981-00-6	699213 00 7				
WA Excise Tax Registration Number	329-005-739	602 809 160	601 058 667	601-077-878				
City of Spokane Business License Number	T12012610BUS	T12054470BUS	Stated in Progress	none listed				
Proposal Attachments								
Addendum No. 1	Yes	Yes	Yes	Yes				
Addendum No. 2	Yes	Yes	Yes	Yes				
MBE/WBE Forms	Yes	Yes	Yes, blank	Yes				
Subcontractors List	Yes	Yes	Yes	Yes				
Bid Bond	Yes	Yes	Yes	Yes				

CH2MHILL

TRANSMITTAL

To: City of Spokane
909 E. Sprague Ave
Spokane, WA 99202

From: Brian Gomolski
Construction Manager

Attn: Dale Arnold

Date: June 19, 2013

Re: Package B – Digester Gas, Solids Process Equipment, and Standby Power Improvements

We Are Sending You: Method of delivery: Hand delivery/Electronic

Attached

Under separate cover via

Shop Drawings

Documents

Tracings

CD

Specifications

Catalogs

Copy of letter

Other:

See following for Distribution
and quantity

Recommendation to Award

If material received is not as listed, please notify us at once

DISTRIBUTION:	QUANTITY
CITY OF SPOKANE	SPOKANE PMO – CH2M HILL, 4401 N Aubrey L White Parkway, Spokane, WA (509) 625-4668
Lars Hendron	1 - Electronic
Mike Coster	1 - Electronic
Connie Wahl	1 - Electronic
Barb Burns	1 - Electronic
CH2M HILL	SPOKANE PMO – CH2M HILL, 4401 N Aubrey L White Parkway, Spokane, WA (509) 625-4668
Brian Gomolski	1 – Hard Copy

Confirmed QC Review
is complete


Signature


Printed Name

If the material received is not as listed, please notify us at once.

Remarks:



CH2M HILL SPK PMO
4401 N. Aubrey L. White Pkwy
Spokane, WA 99205
Mailing Address:
717 W Sprague Ave, Suite 800
Spokane, WA 99201
Tel 509.625.4695
Fax 509.252.1544

June 18, 2013

Mr. Dale Arnold, Director - Wastewater
City of Spokane
909 East Sprague Avenue
Spokane, WA 99202

Subject: RPWRF Liquids Phase 2 - Package B - Digester Gas, Solids Process Equipment,
and Standby Power Improvements, Recommendation to Award, City Purchasing
Number: 3934-13

Dear Dale:

The bid opening for the Package B Improvements Project at the Riverside Park Water Reclamation Facility (RPWRF) was conducted on Monday, June 17, 2013, at 1:15 PM by the City purchasing department. Four bids were opened and read.

Bid Summary

<u>Contractor</u>	<u>Total Project Bid</u>
Hoffman Contractors, Inc.	\$6,271,390
Garco Construction, Inc.	\$6,490,000
Harbor Pacific Contractors, Inc.	\$7,375,000
McClure & Sons, Inc.	\$8,227,658
Engineer's Estimate	\$7,998,160

A detailed tabulation of the bid received is attached to this letter.

Bid Tabulation Evaluation

The low bid received from Hoffman Contractors, Inc. is 22% lower than the Engineer's Estimate. While this is a significant amount below the Engineer's Estimate, the second lowest bid from Garco Construction, Inc. is 19% lower than the Engineer's Estimate. These bids should be considered favorably because they are very close and were submitted by contractors with extensive experience at the RPWRF.

Significant variation is evident between bids received and the engineer's estimate for most bid schedules. In discussion with Alan Douglas/Hoffman, he stated that his bid split between schedules was not precise and he is willing to adjust the bid allocation between schedules after award. CH2M HILL finds no further issues of concern with the bid.

CH2M HILL finds that the overall low bid amount is favorable to the City.

Evaluation of Bid Proposal

The low bidder submitted the required 5% bid bond. Close examination of the low bid revealed no significant irregularities in the proposal submitted to the City.

Hoffman Contractors, Inc. is a small, local contractor who has completed numerous projects at the RPWRF since 1999. It recently satisfactorily completed a CH2M HILL designed water treatment plant in Sandpoint, Idaho and does not have any other current projects. The project team has a good working relationship with Hoffman. CH2M HILL finds that Hoffman is in a good position to begin this new project at the RPWRF.

In addition, we have checked the Washington State Department of Labor and Industries website and confirmed that Hoffman's and all subcontractor licenses are current.

Escrowed bid documents were also received from the two lowest bidders and are ready to be reviewed in accordance with the Contract Documents.

Recommendation

Based on the above observations and conclusions, we recommend that the City award the contract for construction of the Package B - Digester Gas, Solids Processing Equipment, and Standby Power Improvements Project to the lowest bidder, Hoffman Contractors, Inc., for the full bid amount of six million, two hundred seventy-one thousand, three hundred ninety dollars (\$6,271,390).

Sincerely,

CH2M HILL



Brian Gomolski
RPWRF Construction Manager

Attachments: Bid Tabulation

c: Lars Hendron, RPWRF Program Manager/Liaison
Mike Coster, RPWRF Superintendent
Connie Wahl, Purchasing
Barb Burns, Legal

BRIEFING PAPER
Public Works Committee
Wastewater Management

June 24, 2013

Subject

Award contract for Riverside Park Water Reclamation Facility “Package B – Digester Gas, Solids Process Equipment, and Standby Power Improvements” to the low bidder, Hoffman Contractors, Inc. of Spokane, WA, for \$6,271,390 plus tax.

Background

A larger Package B valued at about \$16 million was bid in late 2012. All bids were high and were rejected for non-responsiveness. To better fit within the City’s financial resources, Package B was revised in early 2013 to include only the highest priority projects. The Solids Process Building rehabilitation and digester heat exchangers replacement projects were deferred until those needs are greater. Cogeneration was deferred indefinitely until a feasible payback period can be achieved.

The rebid Package B primarily addresses five facilities and processes. The 40-year-old plant standby generator system is failing and must be replaced for reliability. The new system will incorporate the ability to monitor major electrical loading for real time management. The compressor system that enables RPWRF to use digester gas in lieu of buying natural gas is also at the end of its useful life and must be replaced for reliability. Gas production varies throughout the day and two replacement high-pressure compressors are needed for supply-side storage in the gas sphere. The third compressor will be replaced with a blower as RPWRF begins converting the demand-side system from high pressure to low pressure. Low pressure equipment is less expensive and requires significantly less maintenance.

The oil and lubrication storage facility must be relocated and upgraded to meet fire safety codes. The facility will be moved from within the Solids Process Building to the east loading dock and fire sprinklers will be provided. Sludge from the clarifiers is dewatered for digestion using gravity belt thickeners (GBTs). Two additional GBTs are needed to accommodate daily flow variations, especially during wet weather. Wet weather flows to RPWRF will continue to increase as the CSO reduction program is implemented. The liquid chlorine disinfection system that replaced the gaseous system is more compact and less hazardous, so portions of the disinfection building can now be used for other purposes. Adding heat and upgrading the ventilation is more economical than building additional work space.

The Engineers Estimate for Package B is \$7,998,160 plus tax. Four firms submitted bids as follows:

Hoffman Contractors, Inc.	Spokane, WA	\$ 6,271,390
Garco Construction, Inc.	Spokane, WA	\$ 6,490,000

BRIEFING PAPER
Public Works Committee
Wastewater Management

June 24, 2013

Harbor Pacific Contractors, Inc.	Woodinville, WA	\$ 7,375,000
McClure and Sons Inc.	Mill Creek, WA	\$ 8,227,658

The low bid is 22% percent below the Engineer's Estimate.

Impact

These upgrades enable the affected processes and facilities to meet regulations and be operated reliably.

Action

Award the RPWRF Package B contract to the low bidder.

Funding

Funding is from sewer rates and is provided for in the Wastewater Management budget.



Agenda Sheet for City Council Meeting of:
07/22/2013

Date Rec'd	7/10/2013
Clerk's File #	OPR 2013-0527
Renews #	

Submitting Dept	FLEET SERVICES	Cross Ref #	
Contact Name/Phone	GENE 625-7865	Project #	
Contact E-Mail	GJAKUBCZAK@SPOKANECITY.ORG	Bid #	3943-13
Agenda Item Type	Purchase w/o Contract	Requisition #	RE #16643
Agenda Item Name	5100 - FLEET SERVICES PURCHASE OF TRUCK MOUNTED PAINT STRIPING		

Agenda Wording

Low bid meeting specifications of M-B Companies Inc.(New Holstein, WS) for the purchase of one (1) paint striping unit and truck chassis. Estimated expenditure \$378,527.10 including tax

Summary (Background)

On 6/3/13 sealed bids were opened to provide the City of Spokane Fleet Services with truck mounted paint striping equipment. Two (2) bids were received with M-B Companies Inc being the lowest responsive bidder. This vehicle will replace a unit in the Street Department that has reached the end of its economic service life.

<u>Fiscal Impact</u>		<u>Budget Account</u>	
Expense	\$ 378,527.10	#	5110-71400-94000-56413
Select	\$	#	
Select	\$	#	
Select	\$	#	
<u>Approvals</u>		<u>Council Notifications</u>	
<u>Dept Head</u>	JAKUBCZAK, GENE	<u>Study Session</u>	
<u>Division Director</u>	ROMERO, RICK	<u>Other</u>	PWC 7/8/13
<u>Finance</u>	LESESNE, MICHELE	<u>Distribution List</u>	
<u>Legal</u>	BURNS, BARBARA	Purchasing: tprince	
<u>For the Mayor</u>	SANDERS, THERESA*	Fleet: gjakubczak & fleetservices	
<u>Additional Approvals</u>		Taxes & Licenses	
<u>Purchasing</u>	PRINCE, THEA		

**FLEET SERVICES
MEMORANDUM**

July 11, 2013

TO: PURCHASING DEPARTMENT

FROM: GENE JAKUBCZAK
FLEET SERVICES DIRECTOR

SUBJ: BID # 3943-13

After careful consideration, the Fleet Services Department recommends bid #3943-13 be awarded to M-B Companies, Inc., the lowest responsive bidder, for the purchase of one paint striping unit and truck chassis. Bids were received from two vendors. This is a replacement unit for the Street Department.

QTY	ITEM	PRICE
1	Truck mounted paint striping equipment	\$239,698.00
	OPTIONS	
1	Truck chassis for striping equipment	\$108,533.00
Sub-total		\$348,231.00
Sales Tax	8.7%	\$30,296.10
TOTAL		\$378,527.10

cc: Shane Thornton
Marcus Eveland

TRUCK MOUNTED PAINT STRIPING EQUIPMENT

BID #3943-13

OPEN: 6/3/13

	M-B Companies Inc. 1615 Wisconsin Avenue New Holstein,WI 53061	Vogel Traffic Services Dba EZ-Liner Ind. PO Box 140 Orange City, IA 51041
UNIT PRICE:	\$239,698.00	\$262,475.00
	2013 M-B Striper #MB507P	2013 EZ-Liner #AL500-EZ
Sales Tax	\$ 20,853.73 (8.7%)	\$23,622.75 (9%)
TOTAL BID:	\$260,551.73	\$286,097.75
OPTIONS: Vendor to provide suitable truck chassis for unit as specified. Unit to be complete and ready for service.	\$108,533.00 \$ 9,442.37 (8.7% sales tax) \$117,975.37	\$115,249.00 Doesn't include taxes, title or license
Accept Credit Card	No	No
DELIVERY TIME:	120 days FRO	180 days FRO
EXCEPTIONS TO TECHNICAL SPECIFICATIONS:	Front Tires will be 425not 315 to maintain 10,000 lb capacity each	
WARRANTY: BASICUNIT Miles Months Hours % Coverage CHASSIS Miles Months Hours % Coverage	UNLIMITED 12 UNLIMITED 100% UNLIMITED 12 UNLIMITED 100% 250,000 24 MONTH UNIMITED ENGINE 100% 350,000 36 MONTH UNLIMITED TRANSMISSION 100%	N/A 12 N/A 100% PARTS 100,000 12 N/A 100%
CITY BUSINESS LICENSE:	602-852-294 (WA Business Lic)	NOT APPLICABLE
ADDITIONAL PURCHASES	YES	YES

BRIEFING PAPER
Public Works Committee
Fleet Services
July 8, 2013

Subject

Purchase of one (1) Paint Striper unit and chassis for the Street Department for \$378,527.10 (tax incl.) as a replacement unit from M-B Companies, Inc. of New Holstein, Wisconsin.

Background

Bid #3943-13 for chassis mounted paint striping equipment with an option to provide the chassis was opened on June 3, 2013. M-B Companies, Inc. submitted the lowest bid for a unit meeting specifications.

Impact

This vehicle will replace a unit in the Street Department fleet that has reached the end of its economic service life.

Action

Recommend approval.

Funding

Funding is available in the Street Department's 2013 replacement fund.



Agenda Sheet for City Council Meeting of:

07/22/2013

Date Rec'd	7/10/2013
Clerk's File #	OPR 2013-0528
Renews #	
Cross Ref #	
Project #	
Bid #	3949-13
Requisition #	VBO

Submitting Dept	FLEET SERVICES
Contact Name/Phone	GENE 625-7865
Contact E-Mail	GJAKUBCZAK@SPOKANECITY.ORG
Agenda Item Type	Purchase w/o Contract
Agenda Item Name	5100 - FLEET SERVICES - RETREAD TIRES & TIRE RELATED SERVICES VALUE

Agenda Wording

Low bid meeting specifications of Wingfoot Commercial Tire Systems, LLC (Spokane, WA) for miscellaneous retread tires and tire related services. Estimated annual expenditure - \$350,000.00

Summary (Background)

On 6/24/13 sealed bids were opened to provide the City of Spokane Fleet Services Department with miscellaneous retread tires and tire related services. Two (2) responses were received with Wingfoot Commercial Tire Systems, LLC being the lowest responsive bidder.

<u>Fiscal Impact</u>		<u>Budget Account</u>	
Expense	\$ 350,000.00	#	various
Select	\$	#	
Select	\$	#	
Select	\$	#	
<u>Approvals</u>		<u>Council Notifications</u>	
<u>Dept Head</u>	JAKUBCZAK, GENE	<u>Study Session</u>	
<u>Division Director</u>	ROMERO, RICK	<u>Other</u>	PWC 7/8/13
<u>Finance</u>	LESESNE, MICHELE	<u>Distribution List</u>	
<u>Legal</u>	BURNS, BARBARA	Purchasing: tprince	
<u>For the Mayor</u>	SANDERS, THERESA*	Fleet: gjakubczak & fleetservices	
<u>Additional Approvals</u>		Taxes & Licenses	
<u>Purchasing</u>	PRINCE, THEA		

**FLEET SERVICES
MEMORANDUM**

July 11, 2013

TO: PURCHASING DEPARTMENT

FROM: GENE JAKUBCZAK
FLEET SERVICES DIRECTOR

SUBJ: BID # 3949-13

After careful consideration, the Fleet Services Department recommends bid #3949-13 be awarded to Wingfoot Commercial Tire Systems, LLC the lowest responsive bidder, for the purchase of retread tires and related services. Bids were received from two vendors. This contract is utilized by the Fleet Services Department to purchase retread tires, provide additional services to our using departments, and assist in managing the tire management program. The estimated annual expenditure is \$350,000.

ITEM	PRICE
SERVICES	
Tire nail hole repair	No charge
Tire Section repair	\$10.00
Balancing	No charge
Replace valve stems	\$4.97
Refurbish rims	\$24.95
Dismount/Mount	\$22.00
Non-reinforced spot repairs	No charge
Minor bead repairs	No charge
Hourly labor rate - Tire/Road service calls	\$46.00
Hourly labor rate - On-site tire work	\$46.00
RETREAD TIRES	
11R22.5	\$129.99
255-70R22.5	\$102.99
14X24	\$391.76
225-70R19.5	\$85.00
9X20	\$95.00

Cc: Lorie Butz

Bid #3949-13 Retread Tires and Tire Related Services		Wingfoot Commercial Tire Services 901 N Bradley Spokane Valley WA 99212 Dan Zyph 509-928-0199 dzyph@wingfootct.com	Tire Distribution Systems Inc. 410 N. Fancher Rd Spokane WA 99212 Randy Chance 509-953-8636 rchance@tdstires.com
#1	Tire nail hole repair, radial , at contractor facility	No Charge	\$8.89/ea
#2	Tire section repair at contractor facility	\$10.00/ea	\$39.15/ea
#3	Balancing	No Charge	\$15.00/ea
#4	Replace valve stems	4.97/ea	\$5.00/ea
#5	Refurbish Rims	\$24.95/ea	\$33.56/ea
#6	Dismount and Mount	\$22.00/ea	\$25.00/ea
#7	Non reinforced spot repairs acceptable	No Charge	No Charge
#8	Minor bead repairs	No Charge	No Charge
#9	Hourly Labor Rate for tire/road service (Includes miscellaneous materials and sundries) Portal to Portal, 2 hour minimum call time. Peak Period 7:00 am - 4:00 pm Monday - Friday	\$46.00/hr	\$61.52/hr
#10	Hourly Labor Rate for tire/road service (Includes miscellaneous materials and sundries) Portal to Portal, 2 hour minimum call time. Off Hour Period 5:01pm - 6:59 am Monday - Friday plus weekends and holidays	\$46.00/hr	\$80.00/hr
#11	On Site Work	\$46.00/hr	\$61.52/hr
RETREAD TIRES			
	11R22.5	\$129.99/ea	\$176.02/ea
	255-70R22.5	\$102.99/ea	\$83.09/ea
	14x24	\$391.76/ea	\$340.00/ea
	225-70R19.5	\$85.00/ea	\$110.25/ea
	9x20	\$95.00/ea	\$85.00/ea
CITY OF		602 093 377	602 161 070

EXCEPTIONS:

*Took exception to Shearography requirements see attachment to Bid

BRIEFING PAPER
Public Works Committee
Fleet Services
July 8, 2013

Subject

Award of a contract for retread tires and related services to Wingfoot Commercial Tire Systems, LLC

Background

Bid #3949-13 for retread tires and related services was opened on June 24, 2013. Wingfoot Commercial Tire Systems, LLC submitted the lowest bid meeting specifications.

Impact

This contracted is utilized by Fleet Services to purchase retread tires and tire related services. The vendor also provides services and reports as part of the overall tire management program. The primary users of retread tires are the Solid Waste Management and Street Departments. The estimated annual expenditure is \$350,000.

Action

Recommend approval.

Funding

Funding is available in the Fleet Services Department's operating budget.



Agenda Sheet for City Council Meeting of:
07/22/2013

Date Rec'd	7/10/2013
Clerk's File #	OPR 2013-0529
Renews #	

Submitting Dept	WATER & HYDROELECTRIC SERVICES	Cross Ref #	
Contact Name/Phone	LYNN SHUPE 625-7851	Project #	
Contact E-Mail	LSHUPE@SPOKANECITY.ORG	Bid #	3950-13
Agenda Item Type	Purchase w/o Contract	Requisition #	VBO
Agenda Item Name	4100 - WATER DEPT. PURCHASE OF BACKFLOW PREVENTION DEVICES		

Agenda Wording

Low bid meeting specifications of Auto Rain Supply (Spokane, WA) for miscellaneous sizes of backflow prevention devices to be purchased on an "as needed" basis - estimated annual expenditure - \$106,868.63 including tax.

Summary (Background)

On 6/24/13 sealed bids were opened to provide the City of Spokane Water & Hydroelectric Services with an annual supply of miscellaneous sizes of backflow prevention devices. Seven (7) responses were received with Auto Rain Supply being the lowest responsive bidder. A Value Blanket will be set up for the Water Department to use throughout the next twelve (12) months to purchase backflow prevention devices as needed

Fiscal Impact	Budget Account
Expense \$ 106,868.63	# 4100-42430-94000-56595
Select \$	#
Select \$	#
Select \$	#

Approvals		Council Notifications	
Dept Head	KEGLEY, DANIEL	Study Session	
Division Director	ROMERO, RICK	Other	PWC 7/8/13
Finance	LESESNE, MICHELE	Distribution List	
Legal	BURNS, BARBARA	Purchasing: tprince	
For the Mayor	SANDERS, THERESA*	Water: dkegley, acline	
Additional Approvals		taxes & licenses	
Purchasing	PRINCE, THEA		

BRIEFING PAPER
Public Works Committee
Water Department
July 8, 2013

Subject

The low responsive bid, meeting specifications and selection criteria, of Auto Rain Supply (Spokane, WA) for miscellaneous sizes of backflow prevention devices bid #3950-13 for the City of Spokane Water Department - \$106,868.63.

Background

On Monday June 24, 2013 sealed bids were opened to provide the City of Spokane Water Department with an annual supply of miscellaneous sizes of backflow prevention devices to be purchased as needed throughout the year. Seven (7) responses were received with HD Supply Waterworks being the lowest bidder. A Value Blanket Order will be set up for the Water Department to use throughout the year to purchase Backflow Prevention Devices as needed.

Impact

This purchase will result in the Water Department being able to provide new backflow prevention devices for new construction as well as replacement of old worn out backflow prevention devices throughout the year from July 2013 to July 2014.

Action

Recommend approval

Funding

All funding for this purchase will be from the Water Department Funds.



Agenda Sheet for City Council Meeting of:

07/22/2013

Date Rec'd	7/10/2013
Clerk's File #	OPR 2013-0530
Renews #	

Submitting Dept	STREET	Cross Ref #	
Contact Name/Phone	VAL MELVIN 232-8804	Project #	2011075
Contact E-Mail	VMELVIN@SPOKANECITY.ORG	Bid #	
Agenda Item Type	Purchase w/o Contract	Requisition #	RE 16683
Agenda Item Name	1100 - N. DIVISION ST. ADAPTIVE SIGNAL CONTROL TECHNOLOGY		

Agenda Wording

North Division from Euclid Avenue to the Y Adaptive Signal Control Technology (ASCT) System NEMA TS2 Type 1 Signal Controller Cabinets for an amount of \$73,484.87 from Western Systems.

Summary (Background)

Procurement of an ASCT system for the North Division corridor is underway. To optimize performance of the ASCT system along the corridor, additional vehicular detection beyond what existing signal controller cabinets support is required at three critical intersections: Wellesley, Francis and the "Y". NEMA TS2 Type 1 cabinets will provide up to 64 channels of detections; existing NEMA TS1 cabinets provide only 16 channels. This procurement is under the Washington State Contract-No. 3709.

Fiscal Impact

Expense	\$ 73,484.87
Select	\$
Select	\$
Select	\$

Budget Account

3200 95033 95300 56501
#
#
#

Approvals

<u>Dept Head</u>	SCHENK, ANDREW
<u>Division Director</u>	QUINTRALL, JAN
<u>Finance</u>	LESESNE, MICHELE
<u>Legal</u>	BURNS, BARBARA
<u>For the Mayor</u>	SANDERS, THERESA*

Council Notifications

<u>Study Session</u>	
<u>Other</u>	PCED 7/8/13

Distribution List

lhattenburg@spokanecity.org
vmelvin@spokanecity.org
dmitchell@spokanecity.org
mdoval@spokanecity.org
cbrazington@spokanecity.org
bblankenagle@spokanecity.org

Additional Approvals

<u>Purchasing</u>	PRINCE, THEA
--------------------------	--------------



Western Systems

Innovative Transportation Solutions

909 SE Everett Mall Way #A120
Everett, WA 98208

Phone (425) 438-1133
Fax (425) 438-1585

Page 1 of 2

June 18, 2013

Quotation # **WSQ WZH3625**

Attention: Val Melvin / City of Spokane

Quotation – P+ Controller Cabinet Assembly (TS2-1) with Alpha UPS Equipment

Val,

We are pleased to provide this quotation. All equipment can be purchased through WSDOGA Contract # 3709 will all applicable discounts factored into the pricing. If you have any questions please let us know.

Bid Item #1: Type P+ (TS2-1) Cabinet

3 – Type P+ controller cabinet wired per City of Spokane (TS2-1) specifications and including:

Type P+ aluminum enclosure (unfinished) with right side battery compartment door with recessed allen head handle, locking generator bypass front door with recessed front handle, Corbin #2 core locks and USA Manufactured with;
16-position (TS2-1) load-bay, final assembly, Cable P+ generator plug, (1) detector rack wired for 1 – BIU / 16 – channels of detection / 2 – Opticom, (1) detector rack wired for 1 – BIU / 16 – channels of detection, AC outlet panel, auxiliary switch panel, communications panel, detector panel, fan-thermostat assembly, power supply interface panel, power panel, flash program jumpers and unused phase links.

Western Systems Part # 2510510003

Includes the following plug-in devices:

- 1 – Controller EPAC; (TS2-2) OS9 with SEPAC 3.34G software
SIEMENS Part # EPAC3108M52/SEPAC334G
- 1 – Sub-assembly; data-key module, port 3 RS232 and FSK
SIEMENS Part # AAD15288P004
- 1 – Data key 2mb 5V flash
SIEMENS Part # PIA06027P001
- 1 – Smart monitor 16 channel enhanced MMU with FYA support & ethernet
Eberle Design, Inc.(EDI) Part # MMU2-16LEIP
- 1 – Power supply shelf mount TS2 2A
Eberle Design, Inc.(EDI) Part # PS200
- 4 – Bus interface units TS2
Eberle Design, Inc.(EDI) Part # BIU700
- 16 – Load switches with I/O indicators
Power Distribution & Control (PDC) Part # SSS87I/O
- 1 – Flasher
Power Distribution & Control (PDC) Part # SSF87
- 6 – Flash transfer relays
Detrol Part # 205
- 14 – Loop amplifier 2 channel rack mount with timing & LCD display
Eberle Design, Inc.(EDI) Part # ORACLE2e
- 1 – UPS power module 1100W 120V input/output W/SNMP
Alpha Part # FXM1100UPS/SNMP

The leader in providing innovative solutions, support and manufacturing for the transportation industry



Western Systems

Innovative Transportation Solutions

909 SE Everett Mall Way #A120
Everett, WA 98208

Phone (425) 438-1133
Fax (425) 438-1585

Page 2 of 2

June 18, 2013

Quotation # **WSQ W3008SC**

Attention: Val Melvin / City of Spokane

Quotation – P+ Controller Cabinet Assembly (TS2-1) with Alpha UPS Equipment

- 1 – Automatic transfer switch assembly with surge & RPA 120V
Alpha Part # **020-0168-25**
- 1 – Battery equalizer for 1 string of 48V batteries
Alpha Part # **ALPHAGUARD**
- 1 – Battery equalizer for 1 string of 48V batteries
Alpha Part # **ALPHAGUARD**
- 1 – Rack mount kit 3RU FX1100 to FXM2000
Alpha Part # **740-697-21**
- 4 – Battery AlphaCell 220 Gold HP-GXL (109AH / 73LB) 5 year warranty
Alpha Part # **220GOLD-HP**
- 1 – Opticom auxiliary interface panel (infrared/GPS)
GTI Part # **768**

\$ 22,534.46 unit cost

\$ 67,603.38 extended

**PATENT
PENDING**

WE APPRECIATE YOUR CONTINUED SUPPORT!

THIS QUOTATION INCLUDES ONLY THE ITEMS LISTED HEREIN If you see anything incorrect please let us know and we will issue a new quotation

Pricing is good for 30 days

Delivery 60-75 days after release

Terms: Net 30 Days

FOB Destination / Freight Pre-Paid and Allowed

Sincerely,
WESTERN SYSTEMS

Robert W. Nims

President

The leader in providing innovative solutions, support and manufacturing for the transportation industry

PCED
BRIEFING PAPER
July 8, 2013

Subject:

North Division Adaptive Signal Control Technology (ASCT) System NEMA TS2 Type 1 Signal Controller Cabinets.

Background:

Procurement of an ASCT system for the North Division corridor is underway. In order to optimize ASCT performance, additional detection is needed for each approaching lane. Three intersections considered critical on this project include Wellesley, Francis and the "Y". Critical intersections are those that have high volumes and have complicated geometry and/or signal phasing. The additional lanes and phases at these intersections require additional vehicular detection beyond the capability of existing signal controller cabinets. Existing signal controller cabinets are NEMA TS1 and provide only 16 channels of vehicular detection. NEMA TS2 Type 1 cabinets provide up to 64 channels of detection. Installation of TS2 Type 1 cabinets at the three critical intersections along the ASCT corridor will accommodate both stop bar and advanced detection in each approaching lane.

Impact:

Additional lane-by-lane detection will optimize the performance of the ASCT system. In addition, the cabinets will include an uninterrupted power source (UPS) within the cabinet. The UPS will allow continuous signal operations in the event of a power outage. The UPS designed for these cabinets can provide approximately 8 hours of signal operation service, including pedestrian indications, thereby promoting safe operations at these critical intersections in the event of a power outage.

Action:

This document is for informational purposes, only.

**Agenda Sheet for City Council Meeting of:**

07/22/2013

Date Rec'd	7/11/2013
Clerk's File #	OPR 2013-0531
Renews #	
Cross Ref #	
Project #	
Bid #	
Requisition #	RE16697

Submitting Dept	INFORMATION TECHNOLOGY
Contact Name/Phone	MICHAEL SLOON 625-6468
Contact E-Mail	MSLOON@SPOKANECITY.ORG
Agenda Item Type	Purchase w/o Contract
Agenda Item Name	5300 CERIUM NTWRKS PURCHASE (2013)

Agenda Wording

Approval to Purchase Cisco Network Hardware Equipment from Cerium Networks, Inc. (Spokane, WA) for replacing & upgrading core network equipment utilizing Washington State DES Master Contract #T12-MST-642. Cost is approximately \$690,351.10.

Summary (Background)

Cerium Networks, Inc. currently provides the City of Spokane with hardware support and is a reseller for CISCO Inc. The purpose of the new equipment is for efficiencies, improved service, to provide the City's network infrastructure with high-speed connectivity and availability, future capacity, and aligns with the City's standard for network equipment and deployment.

Fiscal Impact

Expense	\$ 690,351.10
Select	\$
Select	\$
Select	\$

Budget Account

5310-73100-94000-56409
#
#
#

Approvals

Dept Head	SLOON, MICHAEL
Division Director	DOLAN, PAM
Finance	LESESNE, MICHELE
Legal	BURNS, BARBARA
For the Mayor	SANDERS, THERESA*

Council Notifications

Study Session	
Other	
Distribution List	
Accounting - pdolan@spokanecity.org	
Contract Accounting - mlesense@spokanecity.org	
Legal - bburns@spokanecity.org	

Additional Approvals

Purchasing	WAHL, CONNIE	Taxes & Licenses
		Purchasing - cwahl@spokanecity.org
		IT - jhamilton@spokanecity.org
		Cerium Networks - jlynch@cerium networks.com



Cerium Networks
 1636 West 1st Avenue
 Spokane, WA 99201
 800-217-0933
csc@ceriumnetworks.com

QUOTE

Project # CERQ49920

Date 07/03/13

Sales Rep. Jeff Lynch

jlynch@ceriumnetworks.com

Spokane Location:
 1636 West 1st Avenue
 Spokane, WA 99201
 800-217-0933

Sold To:

City of Spokane
 John Walters
 808 W. Spokane Falls Blvd.
 7th Floor - City Hall
 Spokane, WA 99201

Ship To:

City of Spokane
 John Walters
 808 W. Spokane Falls Blvd.
 7th Floor - City Hall
 Spokane, WA 99201

Ln #	Qty	Description	Purchase Price/Unit	Purchase Price/Total
1		Pricing is reflective of Washington State DIS Master Contract #T12-MST-642		
2		City Hall Basement - Router		
3	1	Cisco 2921 UC Sec. Bundle PVDM332 UC and SEC License P	\$3,269.53	\$3,269.53
4	1	Cisco 29012921 IOS UNIVERSAL	\$0.00	\$0.00
5	1	PVDM3 32channel to 256channel factory upgrade	\$4,629.10	\$4,629.10
6	2	256channel highdensity voice and video DSP module	\$5,890.50	\$11,781.00
7	1	512MB to 2.5GB DRAM Upgrade (2GB+512MB) for Cisco 29012921	\$297.50	\$297.50
8	1	256MB to 1GB Compact Flash Upgrade for Cisco 190029003900	\$238.00	\$238.00
9	1	Cisco 29212951 AC Power Supply	\$0.00	\$0.00
10	1	AC Power Cord (North America) C13 NEMA 515P 2.1m	\$0.00	\$0.00
11	1	Cisco Config Pro Express on Router Flash wo default config	\$0.00	\$0.00
12	1	IP Base License for Cisco 29012951	\$0.00	\$0.00
13	1	Unified Communication License for Cisco 29012951	\$0.00	\$0.00
14	1	Security License for Cisco 29012951	\$0.00	\$0.00
15	1	1000BASET SFP	\$235.03	\$235.03
16	1	SMARTNET 8X5XNBD Cisco 2921 Voice Sec.	\$495.00	\$495.00
17		SubTotal		\$20,945.16
18		City Hall - Basement Distribution Switches		
19	2	Catalyst 4500X 32 Port 10G IP Base FronttoBack No PS	\$16,660.00	\$33,320.00
20	2	Catalyst 4500X Network Module Blank	\$0.00	\$0.00
21	2	Catalyst 4500X 750W AC front to back cooling power supply	\$1,190.00	\$2,380.00
22	2	Catalyst 4500X 750W AC front to back cooling 2nd PWR supply	\$1,190.00	\$2,380.00
23	4	Cabinet Jumper Power Cord 250 VAC 13A C14C15 Connectors	\$0.00	\$0.00
24	2	CAT4500X Universal Crypto Image	\$0.00	\$0.00
25	2	IP Base to Ent. Services license for 32 Port Catalyst 4500X	\$4,760.00	\$9,520.00

Ln #	Qty	Description	Purchase Price/Unit	Purchase Price/Total
26	4	10GBASECU SFP+ Cable 1 Meter	\$89.25	\$357.00
27	12	10GBASELRM SFP Module	\$770.53	\$9,246.36
28	2	10GBASELR SFP Module	\$2,377.03	\$4,754.06
29	6	10GBASEER SFP Module	\$5,950.00	\$35,700.00
30	2	Catalyst 4500 2GB SD Memory Card for Sup7E	\$297.50	\$595.00
31	2	SMARTNET 8X5XNBD Catalyst 4500X 32 Port 10G IP Base Fro	\$1,620.00	\$3,240.00
32		SubTotal		\$101,492.42
33		City Hall - 2nd Floor TR		
34	9	Cisco Catalyst 3850 48 Port Full PoE IP Base	\$8,330.00	\$74,970.00
35	6	Cisco Catalyst 3850 2 x 10GE Network Module	\$1,487.50	\$8,925.00
36	9	50CM Type 1 Stacking Cable	\$0.00	\$0.00
37	9	Catalyst 3750X Stack Power Cable 30 CM	\$0.00	\$0.00
38	9	1100W AC Config 1 Power Supply	\$0.00	\$0.00
39	18	North America AC Type A Power Cable	\$0.00	\$0.00
40	9	1100W AC Config 1 Secondary Power Supply	\$892.50	\$8,032.50
41	9	CAT3850 UNIVERSAL	\$0.00	\$0.00
42	6	10GBASELRM SFP Module	\$770.53	\$4,623.18
43	3	Catalyst 3750X and 3850 Stack Power Cable 150 CM Spare	\$116.03	\$348.09
44	3	1M Type 1 Stacking Cable	\$119.00	\$357.00
45		SubTotal		\$97,255.77
46		City Hall - 6th Floor TR		
47	12	Cisco Catalyst 3850 48 Port Full PoE IP Base	\$8,330.00	\$99,960.00
48	6	Cisco Catalyst 3850 2 x 10GE Network Module	\$1,487.50	\$8,925.00
49	12	50CM Type 1 Stacking Cable	\$0.00	\$0.00
50	12	Catalyst 3750X Stack Power Cable 30 CM	\$0.00	\$0.00
51	12	1100W AC Config 1 Power Supply	\$0.00	\$0.00
52	24	North America AC Type A Power Cable	\$0.00	\$0.00
53	12	1100W AC Config 1 Secondary Power Supply	\$892.50	\$10,710.00
54	12	CAT3850 UNIVERSAL	\$0.00	\$0.00
55	6	10GBASELRM SFP Module	\$770.53	\$4,623.18
56	3	Catalyst 3750X and 3850 Stack Power Cable 150 CM Spare	\$116.03	\$348.09
57	3	1M Type 1 Stacking Cable	\$119.00	\$357.00
58		SubTotal		\$124,923.27
59		Public Safety Building - Router		
60	1	Cisco 2921 UC Sec. Bundle PVDM332 UC and SEC License P	\$3,269.53	\$3,269.53
61	1	Cisco 29012921 IOS UNIVERSAL	\$0.00	\$0.00
62	1	PVDM3 32channel to 256channel factory upgrade	\$4,629.10	\$4,629.10
63	1	512MB to 2.5GB DRAM Upgrade (2GB+512MB) for Cisco 29012921	\$297.50	\$297.50
64	1	256MB to 1GB Compact Flash Upgrade for Cisco 190029003900	\$238.00	\$238.00
65	1	Cisco 29212951 AC Power Supply	\$0.00	\$0.00

Ln #	Qty	Description	Purchase Price/Unit	Purchase Price/Total
66	1	AC Power Cord (North America) C13 NEMA 515P 2.1m	\$0.00	\$0.00
67	1	Cisco Config Pro Express on Router Flash wo default config	\$0.00	\$0.00
68	1	IP Base License for Cisco 29012951	\$0.00	\$0.00
69	1	Unified Communication License for Cisco 29012951	\$0.00	\$0.00
70	1	Security License for Cisco 29012951	\$0.00	\$0.00
71	1	1000BASET SFP	\$235.03	\$235.03
72	1	SMARTNET 8X5XNBD Cisco 2921 Voice Sec.	\$495.00	\$495.00
73		SubTotal		\$9,164.16
74		Public Safety Building - Distribution Switches		
75	2	Catalyst 4500X 16 Port 10G IP Base FronttoBack No PS	\$9,520.00	\$19,040.00
76	2	Catalyst 4500X Network Module Blank	\$0.00	\$0.00
77	2	Catalyst 4500X 750W AC front to back cooling power supply	\$1,190.00	\$2,380.00
78	2	Catalyst 4500X 750W AC front to back cooling 2nd PWR supply	\$1,190.00	\$2,380.00
79	4	Cabinet Jumper Power Cord 250 VAC 13A C14C15 Connectors	\$0.00	\$0.00
80	2	CAT4500X Universal Crypto Image	\$0.00	\$0.00
81	2	IP Base to Ent. Services license for 16 Port Catalyst 4500X.	\$2,380.00	\$4,760.00
82	2	Catalyst 4500 2GB SD Memory Card for Sup7E	\$297.50	\$595.00
83	4	10GBASELRM SFP Module	\$770.53	\$3,082.12
84	2	10GBASELR SFP Module	\$2,377.03	\$4,754.06
85	2	10GBASEER SFP Module	\$5,950.00	\$11,900.00
86	2	SMARTNET 8X5XNBD Catalyst 4500X 16 Port 10G IP Base Fro	\$972.00	\$1,944.00
87		SubTotal		\$50,835.18
88		Public Safety Building - 1st Floor Access Switches		
89	5	Cisco Catalyst 3850 48 Port Full PoE IP Base	\$8,330.00	\$41,650.00
90	4	Cisco Catalyst 3850 2 x 10GE Network Module	\$1,487.50	\$5,950.00
91	5	50CM Type 1 Stacking Cable	\$0.00	\$0.00
92	5	Catalyst 3750X Stack Power Cable 30 CM	\$0.00	\$0.00
93	5	1100W AC Config 1 Power Supply	\$0.00	\$0.00
94	10	North America AC Type A Power Cable	\$0.00	\$0.00
95	5	1100W AC Config 1 Secondary Power Supply	\$892.50	\$4,462.50
96	5	CAT3850 UNIVERSAL	\$0.00	\$0.00
97	4	10GBASELRM SFP Module	\$770.53	\$3,082.12
98	2	Catalyst 3750X and 3850 Stack Power Cable 150 CM Spare	\$116.03	\$232.06
99	2	1M Type 1 Stacking Cable	\$119.00	\$238.00
100		SubTotal		\$55,614.68
101		Gardner Building - Access Switches		
102	3	Cisco Catalyst 3850 48 Port Full PoE IP Base	\$8,330.00	\$24,990.00
103	2	Cisco Catalyst 3850 2 x 10GE Network Module	\$1,487.50	\$2,975.00
104	3	50CM Type 1 Stacking Cable	\$0.00	\$0.00
105	3	Catalyst 3750X Stack Power Cable 30 CM	\$0.00	\$0.00

Ln #	Qty	Description	Purchase Price/Unit	Purchase Price/Total
106	3	1100W AC Config 1 Power Supply	\$0.00	\$0.00
107	6	North America AC Type A Power Cable	\$0.00	\$0.00
108	3	1100W AC Config 1 Secondary Power Supply	\$892.50	\$2,677.50
109	3	CAT3850 UNIVERSAL	\$0.00	\$0.00
110	2	10GBASELR SFP Module	\$2,377.03	\$4,754.06
111	1	Catalyst 3750X and 3850 Stack Power Cable 150 CM Spare	\$116.03	\$116.03
112	1	1M Type 1 Stacking Cable	\$119.00	\$119.00
113		SubTotal		\$35,631.59
114		Combined Communications Building (CCB)		
115		Combined Communications Building (CCB) - Router (Relocated from City Hall - 6th Floor TR)		
116	1	Cisco 2921 UC Sec. Bundle PVDM332 UC and SEC License P	\$3,269.53	\$3,269.53
117	1	Cisco 29012921 IOS UNIVERSAL	\$0.00	\$0.00
118	1	PVDM3 32channel to 256channel factory upgrade	\$4,629.10	\$4,629.10
119	2	256channel highdensity voice and video DSP module	\$5,890.50	\$11,781.00
120	1	512MB to 2.5GB DRAM Upgrade (2GB+512MB) for Cisco 29012921	\$297.50	\$297.50
121	1	256MB to 1GB Compact Flash Upgrade for Cisco 190029003900	\$238.00	\$238.00
122	1	Cisco 29212951 AC Power Supply	\$0.00	\$0.00
123	1	AC Power Cord (North America) C13 NEMA 515P 2.1m	\$0.00	\$0.00
124	1	Cisco Config Pro Express on Router Flash wo default config	\$0.00	\$0.00
125	1	IP Base License for Cisco 29012951	\$0.00	\$0.00
126	1	Unified Communication License for Cisco 29012951	\$0.00	\$0.00
127	1	Security License for Cisco 29012951	\$0.00	\$0.00
128	1	1000BASET SFP	\$235.03	\$235.03
129	1	SMARTNET 8X5XNBD Cisco 2921 Voice Sec.	\$495.00	\$495.00
130		SubTotal		\$20,945.16
131		Combined Communications Building (CCB) - Core Switches		
132	2	Catalyst 4500X 32 Port 10G IP Base FronttoBack No PS	\$16,660.00	\$33,320.00
133	2	Catalyst 4500X Network Module Blank	\$0.00	\$0.00
134	2	Catalyst 4500X 750W AC front to back cooling power supply	\$1,190.00	\$2,380.00
135	2	Catalyst 4500X 750W AC front to back cooling 2nd PWR supply	\$1,190.00	\$2,380.00
136	4	Cabinet Jumper Power Cord 250 VAC 13A C14C15 Connectors	\$0.00	\$0.00
137	2	CAT4500X Universal Crypto Image	\$0.00	\$0.00
138	2	IP Base to Ent. Services license for 32 Port Catalyst 4500X	\$4,760.00	\$9,520.00
139	2	1000BASELXLH SFP transceiver module MMFSMF 1310nm DOM	\$592.03	\$1,184.06
140	2	10GBASEER SFP Module	\$5,950.00	\$11,900.00
141	2	Catalyst 4500 2GB SD Memory Card for Sup7E	\$297.50	\$595.00
142	2	SMARTNET 8X5XNBD Catalyst 4500X 32 Port 10G IP Base Fro	\$1,620.00	\$3,240.00
143		SubTotal		\$64,519.06
144		Water Reclamation Facility (WRF) - Access Switches		

Ln #	Qty	Description	Purchase Price/Unit	Purchase Price/Total
145	4	Cisco Catalyst 3850 48 Port Full PoE IP Base	\$8,330.00	\$33,320.00
146	2	Cisco Catalyst 3850 2 x 10GE Network Module	\$1,487.50	\$2,975.00
147	4	50CM Type 1 Stacking Cable	\$0.00	\$0.00
148	4	Catalyst 3750X Stack Power Cable 30 CM	\$0.00	\$0.00
149	4	1100W AC Config 1 Power Supply	\$0.00	\$0.00
150	8	North America AC Type A Power Cable	\$0.00	\$0.00
151	4	1100W AC Config 1 Secondary Power Supply	\$892.50	\$3,570.00
152	4	CAT3850 UNIVERSAL	\$0.00	\$0.00
153	2	10GBASEER SFP Module	\$5,950.00	\$11,900.00
154	1	Catalyst 3750X and 3850 Stack Power Cable 150 CM Spare	\$116.03	\$116.03
155	1	1M Type 1 Stacking Cable	\$119.00	\$119.00
156		SubTotal		\$52,000.03
157		Fire Station 1 - Access Switches		
158	3	Cisco Catalyst 3850 48 Port Full PoE IP Base	\$8,330.00	\$24,990.00
159	2	Cisco Catalyst 3850 2 x 10GE Network Module	\$1,487.50	\$2,975.00
160	3	50CM Type 1 Stacking Cable	\$0.00	\$0.00
161	3	Catalyst 3750X Stack Power Cable 30 CM	\$0.00	\$0.00
162	3	1100W AC Config 1 Power Supply	\$0.00	\$0.00
163	6	North America AC Type A Power Cable	\$0.00	\$0.00
164	3	1100W AC Config 1 Secondary Power Supply	\$892.50	\$2,677.50
165	3	CAT3850 UNIVERSAL	\$0.00	\$0.00
166	2	10GBASELR SFP Module	\$2,377.03	\$4,754.06
167	1	Catalyst 3750X and 3850 Stack Power Cable 150 CM Spare	\$116.03	\$116.03
168	1	1M Type 1 Stacking Cable	\$119.00	\$119.00
169		SubTotal		\$35,631.59
170		Water Department Campus - Router		
171	1	Cisco 2921 UC Sec. Bundle PVD332 UC and SEC License P	\$3,269.53	\$3,269.53
172	1	Cisco 29012921 IOS UNIVERSAL	\$0.00	\$0.00
173	1	PVD332 32channel to 256channel factory upgrade	\$4,629.10	\$4,629.10
174	1	512MB to 2.5GB DRAM Upgrade (2GB+512MB) for Cisco 29012921	\$297.50	\$297.50
175	1	256MB to 1GB Compact Flash Upgrade for Cisco 190029003900	\$238.00	\$238.00
176	1	Cisco 29212951 AC Power Supply	\$0.00	\$0.00
177	1	AC Power Cord (North America) C13 NEMA 515P 2.1m	\$0.00	\$0.00
178	1	Cisco Config Pro Express on Router Flash wo default config	\$0.00	\$0.00
179	1	IP Base License for Cisco 29012951	\$0.00	\$0.00
180	1	Unified Communication License for Cisco 29012951	\$0.00	\$0.00
181	1	Security License for Cisco 29012951	\$0.00	\$0.00
182	1	SMARTNET 8X5XNBD Cisco 2921 Voice Sec.	\$495.00	\$495.00
183		SubTotal		\$8,929.13
184		City of Spokane - Access Point Refresh		

Ln #	Qty	Description	Purchase Price/Unit	Purchase Price/Total
185	10	802.11n CAP 10APs wCleanAir; 3x4:3SS; Mod; Int; A RegDomain	\$6,515.25	\$65,152.50
186	10	Cisco 2600 Series IOS WIRELESS LAN RECOVERY	\$0.00	\$0.00
187	100	BOM Level AP2600i Bulk PID for A reg domain	\$0.00	\$0.00
188	100	802.11n AP Low Profile Mounting Bracket (Default)	\$0.00	\$0.00
189	100	Ceiling Grid Clip for Aironet APs Recessed Mount (Default)	\$0.00	\$0.00
190	100	Ceiling Grid Clip for Aironet APs Flush Mount	\$0.00	\$0.00
191		SubTotal		\$65,152.50
192		Spares		
193	1	10GBASELRM SFP Module	\$770.53	\$770.53
194	1	10GBASELR SFP Module	\$2,377.03	\$2,377.03
195	1	10GBASEER SFP Module	\$5,950.00	\$5,950.00
196	1	Cisco Catalyst 3850 48 Port Full PoE IP Base	\$8,330.00	\$8,330.00
197	1	Cisco Catalyst 3850 2 x 10GE Network Module	\$1,487.50	\$1,487.50
198	1	50CM Type 1 Stacking Cable	\$0.00	\$0.00
199	1	Catalyst 3750X Stack Power Cable 30 CM	\$0.00	\$0.00
200	1	1100W AC Config 1 Power Supply	\$0.00	\$0.00
201	2	North America AC Type A Power Cable	\$0.00	\$0.00
202	1	1100W AC Config 1 Secondary Power Supply	\$892.50	\$892.50
203	1	CAT3850 UNIVERSAL	\$0.00	\$0.00
204	1	Catalyst 3750X and 3850 Stack Power Cable 150 CM Spare	\$116.03	\$116.03
205	1	1M Type 1 Stacking Cable	\$119.00	\$119.00
206		SubTotal		\$20,042.59
207	-1	Trade-in Items:	\$127,984.68	-\$127,984.68
		4 - 2851 Voice Routers (6th Floor, Computer Room, Water and PSB)		
		3 - 6513's (2nd and 6th Floor - City Hall)		
		3 - 6509 (CCB, PSB and 6th Floor City Hall)		
		1 - 4507R (Gardner Bldg.)		
208		SubTotal		-\$127,984.68
209	160	Cerium Engineer - Professional Services Hours	\$180.00	\$28,800.00
210	-1	Preferred Customer Discount	\$28,800.00	-\$28,800.00
211		SubTotal		\$0.00
212		Running SubTotal		\$635,097.61
213	1	ESTIMATED SALES TAX	\$55,253.49	\$55,253.49
214		SubTotal		\$55,253.49

Ln #	Qty	Description	Purchase Price/Unit	Purchase Price/Total
			Subtotal	\$690,351.10

Any professional services pricing is budgetary and based on the current equipment configuration. A formal Design Assurance review and signed Scope of Project is required prior to final pricing delivery and contract acceptance.



Agenda Sheet for City Council Meeting of:
07/22/2013

Date Rec'd	7/10/2013
Clerk's File #	OPR 2013-0532
Renews #	

Submitting Dept	PLANNING & DEVELOPMENT	Cross Ref #	
Contact Name/Phone	SCOTT CHESNEY 625-6061	Project #	
Contact E-Mail	SCHESENEY@SPOKANECITY.ORG	Bid #	
Agenda Item Type	Contract Item	Requisition #	CR 13601
Agenda Item Name	0650-GREATER SPOKANE INC		

Agenda Wording

Contract with Greater Spokane Incorporated (GSI) to provide regional business recruitment, retention, expansion and assistance activities in addition to community capacity and regional planning for an amount of \$56,440.00.

Summary (Background)

GSI is designated by Spokane County and the State of Washington as the Associate Development Organization for Spokane County. As such, GSI provides regional business recruitment, retention, expansion and assistance activities in addition to community capacity and regional planning. These efforts help to grow jobs and business investments across Spokane County, providing a benefit to all communities. As a beneficiary of these efforts,

Fiscal Impact	Budget Account
Expense \$ 56,440.00	# 0750 36230 58100 54101
Select \$	#
Select \$	#
Select \$	#

Approvals		Council Notifications	
Dept Head	CHESNEY, SCOTT	Study Session	
Division Director	QUINTRALL, JAN	Other	
Finance	LESENE, MICHELE	Distribution List	
Legal	BURNS, BARBARA	lhattenburg@spokanecity.org	
For the Mayor	SANDERS, THERESA*	mhughes@spokanecity.org	
Additional Approvals		ewade@spokanecity.org	
Purchasing		schesney@spokanecity.org	
		cbrazington@spokanecity.org	

CONTRACT

THIS CONTRACT is between the CITY OF SPOKANE, a Washington State municipal corporation, as "City," and GREATER SPOKANE INCORPORATED, whose address is 801 West Riverside Avenue, Suite 100, Spokane, Washington, as "GSI."

The parties agree as follows:

1. SCOPE OF WORK. The parties agree that for and in consideration of compensation as set forth below, GSI will perform the work described in the attached Scope of Work.
2. CONTRACT TERM. The contract shall run from January 1, 2013 and be completed by December 31, 2013, unless terminated earlier.
3. COMPENSATION.
 - A. The City shall pay a maximum of FIFTY SIX THOUSAND FOUR HUNDRED FORTY AND NO/100 DOLLARS (\$56,440.00), inclusive of the payment set forth in the attached Scope of Work. No funds shall be expended for private gain.
 - B. No funds shall be expended for "hosting" activities related to food and drink. "Hosting" includes, but is not limited to activities which are primarily social, and for which the City is not legally permitted to reimburse.
4. PAYMENT. GSI shall send application for payment to the Director of Business and Developer Services, Second Floor, City Hall, 808 West Spokane Falls Boulevard, Spokane, Washington 99201-3343. Payment will be made within thirty (30) days after receipt of GSI's application. *on a quarterly basis. BT*
5. COMPLIANCE WITH LAWS. Each party shall comply with all applicable federal, state, and local laws and regulations.
6. ASSIGNMENTS. This contract is binding on the parties and their heirs, successors, and assigns. Neither party may assign, transfer or subcontract its interest, in whole or in part, without the other party's prior written consent.
7. DISPUTES. This contract shall be performed under the laws of the State of Washington. Any litigation to enforce this contract or any of its provisions shall be brought in Spokane County, Washington.
8. AMENDMENTS. This contract may be amended at any time by mutual written agreement.
9. 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 this contract.
10. TERMINATION. Either party may terminate this contract by ten (10) days written notice to the other party. In the event of such termination, the City shall pay GSI for all work previously authorized and performed prior to the termination date.

11. RELATIONSHIP OF THE PARTIES. The parties intend that an independent relationship will be created by this contract. No agent or employee of GSI shall be deemed to be an employee or agent of the City for any purpose. GSI shall be solely responsible for its acts and the acts of its agents, employees and subcontractors during the performance of this contract.
12. INDEMNIFICATION. GSI shall defend, indemnify and hold harmless the City, its officers and employees, from and against all claims for damages, liability, cost and expense arising out of the negligent conduct of GSI, its officers, employees and subcontractors in connection with the performance of the contract, except to the extent of those claims arising from the negligence of the City, its officers and employees.
13. SEVERABILITY. In the event any provision of this contract should become invalid, the rest of the contract shall remain in full force and effect.
14. STANDARD OF PERFORMANCE. The silence or omission in the contract regarding any detail required for the proper performance of the work, means that GSI shall perform the best general practice and that only material and workmanship of the best quality are to be used.
15. 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 agreement because of age, sex, race, color, religion, creed, marital status, familial status, sexual orientation, 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.
16. BUSINESS REGISTRATION REQUIREMENT. 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 annual business registration. GSI shall be responsible for contacting the State of Washington Business License Services at <http://bls.dor.wa.gov> or 1-800-451-7985 to obtain a business registration or an exemption status determination.
17. INSURANCE COVERAGE. During the term of the contract, GSI shall maintain in force at its own expense, the insurance coverage noted below:
 - A. 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 Employer's Liability Insurance in the amount of \$500,000;
 - B. 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 include contractual liability coverage for the indemnity provided under this contract. It shall provide that the City, its officers and employees are additional insureds but only with respect to GSI's services to be provided under this contract; and
 - C. Automobile Liability Insurance with a combined single limit, or the equivalent of not less than \$1,000,000 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 60 days written notice from GSI or its insurer(s) to the City.

As evidence of the insurance coverages required by this contract, GSI shall furnish acceptable insurance certificates to the City at the time it returns the signed contract. The certificate shall specify all of the parties who are additional insured, and include applicable policy endorsements, the 60 day cancellation clause, and the deductible or retention level, as well as policy limits. Insuring companies or entities are subject to City acceptance and must have a rating of A- or higher by Best. Copies of all applicable endorsements shall be provided and, if requested complete copies of insurance policies shall be provided to the City. GSI shall be financially responsible for all pertinent deductibles, self-insured retentions, and/or self-insurance.

- 18. RECORDS. GSI shall maintain for a minimum of three (3) years following final payment all records related to its performance of the contract. GSI shall provide access to authorized City representatives, including the City Auditor, at reasonable times and in a reasonable manner to inspect and copy any such record. In the event of conflict between this provision and related auditing provisions required under federal law applicable to the contract, the federal law shall prevail.

Dated on _____

CITY OF SPOKANE

By: _____
Title _____

Attest: _____
City Clerk

Dated on _____

GREATER SPOKANE INCORPORATED

E-Mail address, if available: _____
rbattley@greater-spokane.org
By: Jim Madley
Title: President / CEO

Approved as to form:


Assistant City Attorney

SCOPE OF WORK

BACKGROUND

GSI is designated by Spokane County and the State of Washington as the Associate Development Organization for Spokane County. As such, GSI provides regional business recruitment, retention, expansion and assistance activities in addition to community capacity and regional planning. These efforts help to grow jobs and business Investments across Spokane County, providing a benefit to all communities. As a beneficiary of these efforts, the City regularly participates in regional planning and also contracts with GSI for specific deliverables.

TASKS:

- A. Focus recruitment activities on the City of Spokane's Targeted Area Development projects:
 - Spokane University District - health sciences and services, research and development and clean tech.
 - Foothills Drive - business and professional services.
 - West Spokane Energy District - energy industry and conservation and renewable energy generation.
 - East Hillyard Industrial - manufacturing and logistics and distribution.
 - Target site selectors and corporate real estate brokers in these industries and provide current information about City of Spokane, incentive programs and development tools.
 - Develop proposals for projects, including sites located In the City of Spokane.
- B. Focus Expansion, Retention and Business Assistance Activities throughout the City:
 - Meet with 50 businesses in the City in the following sectors - manufacturing, aerospace, health sciences/services and clean tech.
 - Market and manage the City of Spokane's Community Empowerment Zone.
 - Provide demographic, workforce development and other information to existing businesses.
 - Educate businesses about access to capital and expansion Incentives.
- C. Certified Site Program:
 - Work with the City on a certified/shovel-ready/SEPA-ready program for Targeted Area Developments.

- City will provide GSI with site maps showing site layout, complementary companies, zoning and regulations, current and planned infrastructure, prospective building orientation, incentives available, etc.

D. Joint Planning:

- Co-chair the Spokane Project Pegasus team with Spokane International Airport.
- Develop the recruitment package for OEM, retail or tiered suppliers in partnership with the City and others.
- Medical School Steering Committee.
- University District Development Board, Advisory Group and Marketing and Communications Committee.

E. Submit quarterly reports and a comprehensive year-end report to the Director of Business & Development Services and present reports to the City Council quarterly on April 15, 2013, July 15, 2013, October 14, 2013 and January 27, 2014.

F. Meet with City Business & Development Services staff on a quarterly basis in March, June, September, and December.



CERTIFICATE OF LIABILITY INSURANCE

GREAT-6

OP ID: BL

DATE (MM/DD/YYYY)

02/15/13

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Fidelity Associates, Inc. P.O. Box 3144 Spokane, WA 99220-3144 Kimberly V. Krogh, ARM	509-747-3121 509-623-1073	CONTACT NAME: PHONE (A/C, No, Ext): E-MAIL ADDRESS:	FAX (A/C, No):
	INSURER(S) AFFORDING COVERAGE INSURER A : Maryland Casualty Company		NAIC # 19356
INSURED Greater Spokane, Inc. 801 W Riverside Ave, Ste 100 Spokane, WA 99201	INSURER B : INSURER C : INSURER D : INSURER E : INSURER F :		

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	X	PAS003181429	08/15/12	08/15/13	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COM/OP AGG \$ 2,000,000 Emp Ben. \$ 1,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB DED <input checked="" type="checkbox"/> RETENTION \$ 10,000	X	PAS003181429	08/15/12	08/15/13	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A			WC STATUTORY LIMITS OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 Certificate holder is listed as an additional insured with respects to the named insureds operations.

CERTIFICATE HOLDER**CANCELLATION**

City of Spokane
 808 W Spokane Falls Blvd
 Spokane, WA 99201

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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Agenda Sheet for City Council Meeting of:

07/22/2013

Date Rec'd	7/10/2013
Clerk's File #	OPR 2013-0533
Renews #	
Cross Ref #	
Project #	2012120
Bid #	
Requisition #	BT

Submitting Dept	ASSET MANAGEMENT
Contact Name/Phone	DAVE STEELE 625-6064
Contact E-Mail	DSTEELE@SPOKANECITY.ORG
Agenda Item Type	Contract Item
Agenda Item Name	5900-ESCROW AGREEMENT - PACO INDUSTRIES

Agenda Wording

Escrow Agreement and Temporary Construction Easement with Paco Industries, LLC in conjunction with the Flint Road and Sunset Highway (SR2) Traffic Signal project for an amount of \$82,541.45. Remit funds to First American Title Company.

Summary (Background)

As part of the Flint Road and Sunset Highway (SR 2) & intersection reconfiguration and signalization project the City is acquiring right-of-way on the southeast corner from Paco Industries, LLC. This acquisition allows for the development of permanent stormwater facilities for the project, improved turn radii and provides for temporary construction access on the site and the relocation of an existing monument sign.

Fiscal Impact

Expense	\$ 82,541.45
Select	\$
Select	\$
Select	\$

Budget Account

3200 95050 95200 56102
#
#
#


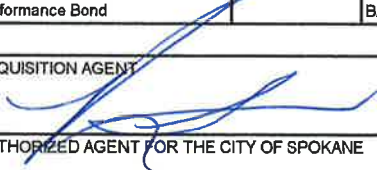
Approvals

Dept Head	WERNER, MARK
Division Director	QUINTRALL, JAN
Finance	LESESNE, MICHELE
Legal	BURNS, BARBARA
For the Mayor	SANDERS, THERESA*

Council Notifications

Study Session	
Other	
Distribution List	
	lhattenburg@spokanecity.org
	ewade@spokanecity.org
Additional Approvals	mhughes@spokanecity.org
Purchasing	dstele@spokanecity.org
	mlesesne@spokanecity.org

REAL PROPERTY VOUCHER

AGENCY NAME CITY OF SPOKANE Department of Engineering Services 808 West Spokane Falls Blvd. Spokane WA 99201				I hereby certify under penalty of perjury that the items and amounts listed herein are proper charges against the City of Spokane that the same or any part thereof has not been paid, and that I am authorized to sign for the claimant.			
GRANTOR OR CLAIMANT (NAME, ADDRESS) First American Title Company 40 East Spokane Falls Blvd. Spokane WA 99202				SIGNATURE (IN INK) FOR EACH CLAIMANT X 		DATED	
PROJECT NO. AND TITLE SR 2 Craig Road to Russel Road Vicinity				X			
FEDERAL AID NO.		PARCEL NO. 25292 9052					
In full, complete and final payment and settlement for the title or interest conveyed or released, as fully set forth in:				DATED		\$ AMOUNT	
LAND: approx. 4,242 sf land in fee approx 522 sf temporary construction easement				+		\$57,267.00 \$704.00	
IMPROVEMENTS: 4700sq.ft irrigated landscaped lawn area				+		\$1,645.00	
DAMAGES: Cost to Cure curbing/asphalt replacement/sign relocation/irr sys Proximity Other				+ + +		\$16,180.00	
SPECIAL BENEFITS							
JC (Just Compensation) Amount						\$75,800.00 (rd)	
REMAINDER:							
Uneconomic Remnant Excess Acquisition				+ +			
DEDUCTIONS:							
Amount Previously Paid Performance Bond Salvage Amount Pre Paid Rent Other							
ADMINISTRATIVE SETTLEMENT				+		\$6,200.00	
STATUTORY EVALUATION ALLOWANCE				+			
ESCROW FEE				+		\$380.45	
REAL ESTATE EXCISE TAX				+		\$10.00	
OTHER: Recording Fee				+		\$151.00	
				+			
PARCEL NO.	JOB NUMBER	WORK OP.	ACCOUNT OBJ / SUB	CONTROL SECTION	ORG. NO.	NON-PART.	TOTAL DOLLARS
25292 9052							\$82,541.45
Performance Bond		B/S Account-A592					
				TOTAL ----->		\$82,541.45	
ACQUISITION AGENT				DATE		Voucher No.	
				6/28/13			
AUTHORIZED AGENT FOR THE CITY OF SPOKANE				DATE		TOTAL AMOUNT PAID	
						\$82,541.45	

ESCROW AGREEMENT

TO:

First American Title Insurance Company
40 East Spokane Falls Boulevard
Spokane WA 99202

Your Reference: 4259-2039879

CUSTOMER REFERENCE:

SR 2 Craig Road to Russell Road Vicinity

Parcel No.: 6-06776/25292.9052

Paco Industries, LLC, (Sellers) and the City of Spokane, (Purchaser), mutually agree and direct you to close this escrow in accordance with the following instructions:

1. The Seller(s) hereby authorize(s) the issuance of payment to the above Escrow Agent, for our benefit.
2. Receive herewith a Warranty Deed and Temporary Construction Easement from the Sellers to the City of Spokane, Purchaser, conveying a portion of the lands described in your above-referenced preliminary commitment. Please prepare the Excise Tax Affidavit showing the City of Spokane as exempt per WAC 458-61A-206.
3. Receive the sum of \$82,541.45 which includes the \$81,296.00 acquisition price, \$704.00 in payment of a temporary construction easement and \$541.45 for payment of the escrow fee, excise processing fee and recording fees.
4. The following is a summarized required disposition of all exceptions shown on your preliminary commitment dated February 6, 2013:
 - 1: Delete: City exempt
 - 2: Delete – County will set over taxes
 - 3-22: Subject to – show on policy
 - 23: Delete: see attached documents

Pay the following charges:

Escrow Fee of \$350.00 plus sales tax \$30.45;

Excise processing fee of \$10.00

Recording fees of \$151.00

Please do not withhold any sums to assure payment of any utility service charges. Any closing costs, including those fees listed as title charges, recording and transfer charges, and/or additional settlement charges, are to be charged to the Purchaser and shown as such on the settlement statement. No recording fee or excise tax is to be charged to the Seller. Fees are to be billed directly to our office at City of Spokane, Engineering Services, 2nd Floor, City Hall, 808 West Spokane Falls Blvd., Spokane WA 99201. Please note that the initial preliminary commitment premium should have been previously paid.

The County will cancel the balance of the current year's taxes and any refund due the seller may be obtained by presenting to the County Treasurer the attached "Tax Refund" letter.

5. When ready to vest title in the City of Spokane, record the instruments shown in Instruction 2 above and prepare CLOSING DETAIL STATEMENT as explained on page 3 hereof.

6. Remit the balance by check to Sellers as follows:

Paco Industries, LLC

13505 South Greyhawk Lane

Spokane WA 99224

7. Issue standard form Owner's policy of title insurance in the sum of \$81,296.00 insuring the City of Spokane, as owner of the appropriate interest conveyed.

8. Upon completion of closing, mail recorded instruments, copy of closing detail statement, and title policy to City of Spokane, Engineering Services, 2nd Floor, City Hall, 808 West Spokane Falls Blvd., Spokane WA 99201.

Purchaser:

CITY OF SPOKANE

By: _____

Title: _____

Seller:



Date 7-3-13

Phone No. 509 879 4709

CLOSING DETAIL STATEMENT

As indicated on the Escrow Agreement, the Escrow Agent shall furnish, upon completion of the closing of the escrow transaction, a CLOSING DETAIL STATEMENT, which shall show thereon:

- (a) The total amount of escrowed funds.
- (b) The fee for escrow services and a statement that the entire escrow fee has been paid solely by the City of Spokane;
- (c) The date on which the Escrow Agent disburses funds to the Seller(s);
- (d) Date of closing of the escrow;
- (e) Detail of a deed of trust or mortgage payoff which includes:
 - Principal unpaid balance and date
 - Accrued interest and dates for which interest is paid
 - Prepayment penalty assessed, if any
 - Offset of reserves held by beneficiary or mortgagee
 - Net amount paid to beneficiary or mortgagee and date
- (f) Sums, if any, withheld from distribution to Seller(s) at time of closing, and for what reason;*
- (g) Endorsements to the effect that
 1. The statement has been read by the Seller(s), is approved, and acknowledgment of receipt of the funds indicated as the net balance due from the Escrow Agent.
 2. The closing officer certifies that the statement is true and correct.

*In case the Escrow Agent has withheld funds from distribution to the Seller(s) for any reason, the Escrow Agent shall furnish to the City copies of correspondence transmitting such withheld funds at the time of their final disposition.

City of Spokane
Engineering Services
2nd Floor, City Hall
808 West Spokane Falls Blvd.
Spokane WA 99201

Parcel Number: 6-06776/25292.9052
Preliminary Commitment Number: 4259-2039879

Attached is the information requested per the Escrow Agreement

Document: _____

Date Recorded _____ Recording No. _____

Document: _____

Date Recorded _____ Recording No. _____

DATE OF DISBURSEMENT OF FUNDS: _____

First American Title Insurance Company
40 East Spokane Falls Boulevard
Spokane WA 99202

Paco Industries, LLC

RE: Tax Parcel No. 25292.9052

SR 2 CRAIG ROAD TO RUSSELL ROAD VICINITY

This is to advise you that as a result of the City of Spokane's acquisition of a portion of your property for public purposes, you may be entitled to a refund of certain prepaid real property taxes pursuant to the provisions of RCW 84.60.050(2).

Your deed to the City of Spokane will be recorded in the County Auditor's Office as a part of the escrow closing of your sale to the City.

In order to determine whether this sale qualifies for such a refund, please take the following steps:

Take this letter and the recording data for the deed to the County Assessor's and/or County Treasurer's Office.

The Assessor of the County in which the real property is located will determine the amount of refund to which you may be entitled. The Treasurer of that county will make payment of such refund, if any.

After recording return document to:
City of Spokane
Engineering Services
2nd Floor, City Hall
808 West Spokane Falls Blvd.
Spokane WA 99201

PLEASE MAKE NO MARK IN THE MARGIN SPACE - RESERVED FOR COUNTY AUDITOR'S USE

Document Title: Warranty Deed
Reference Number of Related Documents:
Grantor(s): Paco Industries, L.L.C., A Washington Limited Liability Company
Grantee(s): City of Spokane
Legal Description: PORTION SECTION 29, TOWNSHIP 25 NORTH, RANGE 42 EAST, NORTHWEST QUARTER
Additional Legal Description is on Pages 4 and 5 of Document.
Assessor's Tax Parcel Number: 25292.9052

WARRANTY DEED

SR 2, Craig Road to Russell Road Vicinity

The Grantor(s), **PACO INDUSTRIES, LLC, a Washington Limited Liability Company**, for and in consideration of the sum of TEN AND NO/100 (\$10.00) Dollars, and other valuable consideration, hereby convey(s) and warrant(s) to the **CITY OF SPOKANE, a Washington municipal corporation, Grantee**, the following described real property situated in Spokane County, in the State of Washington, under the imminent threat of the Grantee's exercise of its right of Eminent Domain:

For legal description and additional conditions
See Exhibit A attached hereto and made a part hereof.

Also, the undersigned hereby requests the Assessor and Treasurer of said County to set-over to the remainder of the herein described Parcel "A" the lien of all unpaid taxes, if any, affecting the property hereby conveyed, as provided by RCW 84.60.070. It is understood and agreed that delivery of this deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Spokane unless and until accepted and approved hereon in writing for the City of Spokane-, by and through its Department of Engineering Service, by its authorized agent.

WARRANTY DEED

Date: 7-3-13

PACO INDUSTRIES, LLC

By 
Frank B. De Lis, Manager

Accepted and Approved

CITY OF SPOKANE

By: _____

Authorized agent

Date: _____

WARRANTY DEED

EXHIBIT "A"

All that portion of the hereinafter described Parcel "A" described as follows:

Beginning at a point opposite Highway Engineer's Station (hereinafter referred to as HES) 417+82.20 on the SR 2 line survey of SR 2, Craig Road to Russell Road Vicinity and 128.35 feet southerly therefrom; thence northeasterly to a point opposite HES 417+90.11 on said line survey and 124.27 feet southerly therefrom; thence northeasterly to a point opposite HES 418+71.35 on said line survey and 82.41 feet southerly therefrom; thence northerly to a point opposite said HES 418+71.35 on said line survey and 52.50 feet southerly therefrom; thence westerly parallel with said line survey to a point opposite HES 418+27.85 thereon; thence southwesterly on a curve to the left, with a radius of 45 feet, a distance of 69.77 feet, to a point opposite HES 417+82.85 on said line survey and 96.59 feet southerly therefrom; thence southerly to the point of beginning.

Parcel "A":

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 25 NORTH, RANGE 42 EAST, WILLAMETTE MERIDIAN MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 29;
THENCE SOUTH 00°29'02" EAST ALONG THE WEST LINE OF SAID SECTION 29, A DISTANCE OF 52.50 FEET;
THENCE NORTH 89°43'13" EAST AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 29 A DISTANCE OF 100.16 FEET TO THE TRUE POINT OF BEGINNING;
THENCE CONTINUING NORTH 89°43'13" EAST, A DISTANCE OF 231.09 FEET;
THENCE LEAVING SAID NORTH LINE, SOUTH 00°16'47" EAST, A DISTANCE OF 385.11 FEET TO A POINT ON A CURVE, CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 399.00 FEET (FROM WHICH POINT A RADIAL LINE BEARS SOUTH 08°48'49" WEST);
THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE 09°17'51" AN ARC DISTANCE OF 64.75 FEET;
THENCE SOUTH 89°30'58" WEST A DISTANCE OF 185.92 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 27.50 FEET;
THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" AN ARC DISTANCE OF 43.20 FEET TO A LINE 52.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SECTION 29; THENCE NORTH 00°29'02" WEST, ALONG THE SAID LINE, A DISTANCE OF 103.66 FEET; THENCE NORTH 05°00'06" EAST A DISTANCE OF 31.38 FEET TO A LINE 55.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SECTION 29; THENCE NORTH 00°29'02" WEST ALONG THE SAID LINE A DISTANCE OF 173.30 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 45.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°12'15" AN ARC DISTANCE OF 70.85 FEET TO THE TRUE POINT OF BEGINNING;

SITUATE IN THE COUNTY OF SPOKANE, STATE OF WASHINGTON.

WARRANTY DEED

The lands herein described contain an area of 4,242 square feet, more or less, the specific details concerning all of which are to be found on sheet 14 of that certain plan entitled SR 2 Craig Road To Russell Road Vicinity, now of record and on file in the office of the Secretary of Transportation at Olympia, and bearing date of approval October 11, 2007, revised April 4, 2013.

After recording return document to:
City of Spokane
Engineering Services
2nd Floor, City Hall
808 West Spokane Falls Blvd.
Spokane WA 99201

PLEASE MAKE NO MARK IN THE MARGIN SPACE - RESERVED FOR COUNTY AUDITOR'S USE

Document Title: Temporary Construction Easement
Reference Number of Related Documents:
Grantor(s): Paco Industries, LLC
Grantee(s): City of Spokane
Legal Description: Ptn. NW1/4, Sec. 29, Twp. 25N, Rge. 42 E.W.M.
Additional Legal Description is on Page 4 of Document.
Assessor's Tax Parcel Number: 25292.9052

TEMPORARY CONSTRUCTION EASEMENT

SR2 CRAIG ROAD TO RUSSELL ROAD VICINITY

The Grantor(s), **PACO INDUSTRIES, LLC**, a **Washington Limited Liability Company**, for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS and other valuable consideration, convey(s) and grant(s) unto the **CITY OF SPOKANE**, a **Washington municipal corporation** and its assigns under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and temporary easement over, upon, and across the hereinafter described lands for the purpose of blending the new roadway improvements into the existing subject remainder.

The temporary rights herein granted shall terminate on July 1, 2014.

Said lands being situated in Spokane County, State of Washington, and described as follows:

For legal description and additional conditions
See Exhibit A attached hereto and made a part hereof.

It is understood and agreed that delivery of this Easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Spokane, unless and until accepted and approved hereon in writing for the City of Spokane.

TEMPORARY CONSTRUCTION EASEMENT

Dated: July 3, 2013

PACO INDUSTRIES, LLC

By Frank B. De Lis
Frank B. De Lis, Manager

Accepted and Approved

CITY OF SPOKANE

By: _____

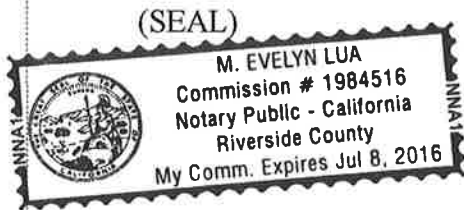
Title: _____

Date: _____

TEMPORARY CONSTRUCTION EASEMENT

STATE OF CALIFORNIA)
) : SS
County of Riverside)

On this 3rd day of July 2013, before me personally appeared Frank B. De Lis to me known to be the Manager of Paco Industries, LLC., the Limited Liability Company that executed the foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said Limited Liability Company, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.



[Handwritten Signature]

Notary Public in and for the State of
California, residing at Palim Desert.
My commission expires July 8, 2016.

TEMPORARY CONSTRUCTION EASEMENT

EXHIBIT A

All that portion of the hereinafter described Parcel "A" described as follows:

Beginning at a point opposite Highway Engineer's Station (hereinafter referred to as HES) 417+80.93 on the SR 2 line survey of SR 2, Craig Road to Russell Road Vicinity and 191.08 feet southerly therefrom; thence northerly to a point opposite HES 417+82.20 on said line survey and 128.35 feet southerly therefrom; thence northeasterly to a point opposite HES 417+90.11 on said line survey and 124.27 feet southerly therefrom; thence southerly to a point opposite HES 417+89.18 on said line survey and 191.19 feet southerly therefrom; thence westerly to the point of beginning.

Parcel "A":

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 25 NORTH, RANGE 42 EAST, WILLAMETTE MERIDIAN MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 29;
THENCE SOUTH 00°29'02" EAST ALONG THE WEST LINE OF SAID SECTION 29, A DISTANCE OF 52.50 FEET;
THENCE NORTH 89°43'13" EAST AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 29 A DISTANCE OF 100.16 FEET TO THE TRUE POINT OF BEGINNING;
THENCE CONTINUING NORTH 89°43'13" EAST, A DISTANCE OF 231.09 FEET;
THENCE LEAVING SAID NORTH LINE, SOUTH 00°16'47" EAST, A DISTANCE OF 385.11 FEET TO A POINT ON A CURVE, CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 399.00 FEET (FROM WHICH POINT A RADIAL LINE BEARS SOUTH 08°48'49" WEST);
THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE 09°17'51" AN ARC DISTANCE OF 64.75 FEET;
THENCE SOUTH 89°30'58" WEST A DISTANCE OF 185.92 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 27.50 FEET;
THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" AN ARC DISTANCE OF 43.20 FEET TO A LINE 52.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SECTION 29; THENCE NORTH 00°29'02" WEST, ALONG THE SAID LINE, A DISTANCE OF 103.66 FEET; THENCE NORTH 05°00'06" EAST A DISTANCE OF 31.38 FEET TO A LINE 55.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SECTION 29; THENCE NORTH 00°29'02" WEST ALONG THE SAID LINE A DISTANCE OF 173.30 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 45.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°12'15" AN ARC DISTANCE OF 70.85 FEET TO THE TRUE POINT OF BEGINNING;

SITUATE IN THE COUNTY OF SPOKANE, STATE OF WASHINGTON.

The lands herein described contain an area of 522 square feet, more or less, the specific details concerning all of which are to be found on sheet 14 of that certain plan entitled SR 2 Craig Road To Russell Road Vicinity, now of record and on file in the office of the Secretary of Transportation at Olympia, and bearing date of approval October 11, 2007, revised April 4, 2013.



Agenda Sheet for City Council Meeting of:
07/22/2013

Date Rec'd	7/10/2013
Clerk's File #	RES 2013-0056
Renews #	
Cross Ref #	
Project #	
Bid #	
Requisition #	

Submitting Dept	CITY COUNCIL
Contact Name/Phone	MIKE ALLEN & 625-6715
Contact E-Mail	RBARDEN@SPOKANECITY.ORG
Agenda Item Type	Resolutions
Agenda Item Name	RESOLUTION REGARDING AN ADVISORY VOTE

Agenda Wording

A resolution requesting the Spokane County Auditor to hold a special election on November 5, 2013 in conjunction with the scheduled general election to submit to the voters of the City of Spokane an advisory vote regarding the identification of fundi

Summary (Background)

The Envision Spokane initiative measure regarding a community bill of rights has qualified for the November 5, 2013 general election ballot. If approved by the voters, the proposition will create new requirements and regulations to be implemented by the City of Spokane, including City Charter provisions that 1) secures the right of neighborhood residents to approve re-zonings proposed for major, new development, 2)

Fiscal Impact		Budget Account	
Select	\$		#
Select	\$		#
Select	\$		#
Select	\$		#
Approvals		Council Notifications	
Dept Head	WESTFALL, JENNIFER	Study Session	
Division Director		Other	
Finance	LESESNE, MICHELE	Distribution List	
Legal	BURNS, BARBARA	Steve Salvatori	
For the Mayor	SANDERS, THERESA*		
Additional Approvals			
Purchasing			

A resolution requesting the Spokane County Auditor to hold a special election on November 5, 2013 in conjunction with the scheduled general election to submit to the voters of the City of Spokane an advisory vote regarding the identification of funding sources to implement the provisions of the Envision Spokane Community Bill of Rights proposition.

The Envision Spokane initiative measure regarding a community bill of rights has qualified for the November 5, 2013 general election ballot. If approved by the voters, the proposition will create new requirements and regulations to be implemented by the City of Spokane, including City Charter provisions that 1) secures the right of neighborhood residents to approve rezonings proposed for major, new development, 2) recognizes the right of neighborhood residents to reject development which violated the City Charter or the City's Comprehensive Plan, 3) expands protections for the Spokane River and Spokane Valley-Rathdrum Prairie Aquifer, 4) provides constitutional protections in the workplace, and 5) elevates Charter rights above rights claimed by the corporation. This resolution will submit an advisory vote to the electors on the November 5, 2013 ballot asking whether the City should pursue additional funding sources in order to implement the provisions of the Envision Spokane Community Bill of Rights ballot proposition.

RESOLUTION NO. 2013-0056

A RESOLUTION REQUESTING THE SPOKANE COUNTY AUDITOR TO HOLD A SPECIAL ELECTION ON NOVEMBER 5, 2013 IN CONJUNCTION WITH THE SCHEDULED GENERAL ELECTION TO SUBMIT TO THE VOTERS OF THE CITY OF SPOKANE AN ADVISORY VOTE REGARDING THE IDENTIFICATION OF FUNDING SOURCES TO IMPLEMENT THE PROVISIONS OF THE ENVISION SPOKANE COMMUNITY BILL OF RIGHTS PROPOSITION.

WHEREAS, on April 12, 2012, the Envision Spokane Political Committee (Envision Spokane) filed with the City Clerk's Office under the direct petition method an initiative designated as Initiative No. 2012-3; and

WHEREAS, on April 10, 2013 Envision Spokane filed with the City Clerk's Office the petition signatures for Initiative No. 2012-3; and

WHEREAS, pursuant to SMC 2.02.080, the City Council held a hearing and first reading on April 22, 2013 for Initiative No. 2012-3, designated by the City Council as Ordinance No. C-34979; and

WHEREAS, on May 2, 2013, the Spokane County Elections Office confirmed that Initiative No. 2012-3 satisfied the required number of valid signatures of registered voters as required by Section 82 of the City Charter; and

WHEREAS, pursuant to SMC 2.02.100, the City Council held a hearing on May 20, 2013 on the validated initiative petition where Ordinance No. C-34979 was given a second and final reading and Resolution No. 2013-0038 was approved to request the Spokane County Auditor to place the proposition on the November 5, 2013 general election; and

WHEREAS, the Envision Spokane Community Bill of Rights initiative will be presented to the voters for their approval or rejection on the November 5, 2013 ballot as the following proposition:

CITY OF SPOKANE

PROPOSITION NO. 1

**A CITY CHARTER AMENDMENT
ESTABLISHING A COMMUNITY BILL OF RIGHTS**

Shall the City Charter be amended to add a Community Bill of Rights, which secures the right of neighborhood residents to approve re-zonings proposed for major new development, recognizes the right of neighborhood residents to reject development

which violates the City Charter or the City’s Comprehensive Plan, expands protections for the Spokane River and Spokane Valley-Rathdrum Prairie Aquifer, provides constitutional protections in the workplace, and elevates Charter rights above rights claimed by the corporation?

YES
NO

WHEREAS, the Envision Spokane Community Bill of Rights proposition creates new requirements and regulations to be implemented by the City of Spokane by establishing in the City Charter provisions that 1) secures the right of neighborhood residents to approve re-zonings proposed for major, new development, 2) recognizes the right of neighborhood residents to reject development which violates the City Charter or the City’s Comprehensive Plan, 3) expands protections for the Spokane River and Spokane Valley-Rathdrum Prairie Aquifer, 4) provides constitutional protections in the workplace, and 5) elevates Charter rights above rights claimed by the corporation; and

WHEREAS, the Envision Spokane Community Bill of Rights proposition does not provide the City a funding source to implement these provisions; and

WHEREAS, if approved by the voters, the provisions of the Envision Spokane Community Bill of Rights proposition will become effective upon the certification of the election results by the County Auditor; and

WHEREAS, if the Envision Spokane Community Bill of Rights proposition is approved by the voters, the City could fund the cost of implementing the provisions of the proposition by either raising new revenue or by reallocating existing general fund revenue from other programs; and

WHEREAS, the Spokane City Council seeks to obtain the advice of the voters of the City of Spokane on efforts to identify funding sources to implement the provisions of the Envision Spokane Community Bill of Rights proposition, if approved by the voters either by pursuing additional funding sources or by reallocating funding in existing general fund programs.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Spokane, pursuant to section 84 of the City Charter, that:

- 1) the Spokane County Auditor is hereby requested, pursuant to RCW 29A.04.330, to hold a special election on November 5, 2013, in conjunction with the scheduled general election, for the purpose of submitting to the voters of the City of Spokane an advisory vote proposition, as set forth below, regarding identification of

funding sources to implement the provisions of the Envision Spokane Community Bill of Rights proposition:

CITY OF SPOKANE

PROPOSITION NO. 3

**ADVISORY VOTE REGARDING FUNDING FOR A
COMMUNITY BILL OF RIGHTS**

The Spokane City Council approved Resolution No. 2013-0056, authorizing a ballot proposition for an advisory vote regarding the identification of funding sources to implement the provisions of the Envision Spokane Community Bill of Rights proposition.

Should the Spokane City Council pursue additional funding sources in order to implement the provisions of the Envision Spokane Community Bill of Rights ballot proposition, if the proposition is approved by the voters?

YES
NO

2) the City Clerk is directed to deliver a certified copy of this resolution to the Spokane County Auditor no later than August 6, 2013 unless a judicial determination has been issued to remove the proposition from the ballot, in which case, the City Clerk shall not deliver the resolution to the County Auditor.

Adopted _____.

City Clerk

Approved as to form:

Assistant City Attorney



Agenda Sheet for City Council Meeting of:
07/22/2013

Date Rec'd	7/10/2013
Clerk's File #	RES 2013-0057
Renews #	
Cross Ref #	
Project #	
Bid #	
Requisition #	

Submitting Dept	CITY COUNCIL
Contact Name/Phone	MIKE ALLEN & 625-6715
Contact E-Mail	RBARDEN@SPOKANECITY.ORG
Agenda Item Type	Resolutions
Agenda Item Name	RESOLUTION REGARDING AN ADVISORY VOTE FOR REALLOCATION OF

Agenda Wording

A resolution requesting the Spokane County Auditor to hold a special election on November 5, 2013 in conjunction with the scheduled general election to submit to the voters of the City of Spokane an advisory vote regarding the identification of fundi

Summary (Background)

The Envision Spokane initiative measure regarding a community bill of rights has qualified for the November 5, 2013 general election ballot. If approved by the voters, the proposition will create new requirements and regulations to be implemented by the City of Spokane, including City Charter provisions that 1) secures the right of neighborhood residents to approve re-zonings proposed for major, new development, 2) recognizes the right of neighborhood residents to reject development which viol

Fiscal Impact		Budget Account
Neutral	\$	#
Select	\$	#
Select	\$	#
Select	\$	#
Approvals		Council Notifications
Dept Head	WESTFALL, JENNIFER	Study Session
Division Director		Other
Finance	LESESNE, MICHELE	Distribution List
Legal	BURNS, BARBARA	Steve Salvatori
For the Mayor	SANDERS, THERESA*	
Additional Approvals		
Purchasing		

The agenda wording will be:

A resolution requesting the Spokane County Auditor to hold a special election on November 5, 2013 in conjunction with the scheduled general election to submit to the voters of the City of Spokane an advisory vote regarding the identification of funding sources to implement the provisions of the Envision Spokane Community Bill of Rights proposition.

The agenda background will be:

The Envision Spokane initiative measure regarding a community bill of rights has qualified for the November 5, 2013 general election ballot. If approved by the voters, the proposition will create new requirements and regulations to be implemented by the City of Spokane, including City Charter provisions that 1) secures the right of neighborhood residents to approve rezonings proposed for major, new development, 2) recognizes the right of neighborhood residents to reject development which violated the City Charter or the City's Comprehensive Plan, 3) expands protections for the Spokane River and Spokane Valley-Rathdrum Prairie Aquifer, 4) provides constitutional protections in the workplace, and 5) elevates Charter rights above rights claimed by the corporation. This resolution will submit an advisory vote to the electors on the November 5, 2013 ballot asking whether the City should reduce funding in existing general fund programs to reallocate funding to implement the provisions of the Envision Spokane Community Bill of Rights ballot proposition.

RESOLUTION NO. 2013-0057

A RESOLUTION REQUESTING THE SPOKANE COUNTY AUDITOR TO HOLD A SPECIAL ELECTION ON NOVEMBER 5, 2013 IN CONJUNCTION WITH THE SCHEDULED GENERAL ELECTION TO SUBMIT TO THE VOTERS OF THE CITY OF SPOKANE AN ADVISORY VOTE REGARDING THE IDENTIFICATION OF FUNDING SOURCES TO IMPLEMENT THE PROVISIONS OF THE ENVISION SPOKANE COMMUNITY BILL OF RIGHTS PROPOSITION.

WHEREAS, on April 12, 2012, the Envision Spokane Political Committee (Envision Spokane) filed with the City Clerk's Office under the direct petition method an initiative designated as Initiative No. 2012-3; and

WHEREAS, on April 10, 2013 Envision Spokane filed with the City Clerk's Office the petition signatures for Initiative No. 2012-3; and

WHEREAS, pursuant to SMC 2.02.080, the City Council held a hearing and first reading on April 22, 2013 for Initiative No. 2012-3, designated by the City Council as Ordinance No. C-34979; and

WHEREAS, on May 2, 2013, the Spokane County Elections Office confirmed that Initiative No. 2012-3 satisfied the required number of valid signatures of registered voters as required by Section 82 of the City Charter; and

WHEREAS, pursuant to SMC 2.02.100, the City Council held a hearing on May 20, 2013 on the validated initiative petition where Ordinance No. C-34979 was given a second and final reading and Resolution No. 2013-0038 was approved to request the Spokane County Auditor to place the proposition on the November 5, 2013 general election; and

WHEREAS, the Envision Spokane Community Bill of Rights initiative will be presented to the voters for their approval or rejection on the November 5, 2013 ballot as the following proposition:

CITY OF SPOKANE

PROPOSITION NO. 1

**A CITY CHARTER AMENDMENT
ESTABLISHING A COMMUNITY BILL OF RIGHTS**

Shall the City Charter be amended to add a Community Bill of Rights, which secures the right of neighborhood residents to approve re-zonings proposed for major new

development, recognizes the right of neighborhood residents to reject development which violates the City Charter or the City’s Comprehensive Plan, expands protections for the Spokane River and Spokane Valley-Rathdrum Prairie Aquifer, provides constitutional protections in the workplace, and elevates Charter rights above rights claimed by the corporation?

YES
NO

WHEREAS, the Envision Spokane Community Bill of Rights proposition creates new requirements and regulations to be implemented by the City of Spokane by establishing in the City Charter provisions that 1) secures the right of neighborhood residents to approve re-zonings proposed for major, new development, 2) recognizes the right of neighborhood residents to reject development which violates the City Charter or the City’s Comprehensive Plan, 3) expands protections for the Spokane River and Spokane Valley-Rathdrum Prairie Aquifer, 4) provides constitutional protections in the workplace, and 5) elevates Charter rights above rights claimed by the corporation; and

WHEREAS, the Envision Spokane Community Bill of Rights proposition does not provide the City a funding source to implement these provisions; and

WHEREAS, if approved by the voters, the provisions of the Envision Spokane Community Bill of Rights proposition will become effective upon the certification of the election results by the County Auditor; and

WHEREAS, if the Envision Spokane Community Bill of Rights proposition is approved by the voters, the City could fund the cost of implementing the provisions of the proposition by either raising new revenue or by reallocating existing general fund revenue from other programs; and

WHEREAS, the Spokane City Council seeks to obtain the advice of the voters of the City of Spokane on efforts to identify funding sources to implement the provisions of the Envision Spokane Community Bill of Rights proposition, if approved by the voters either by pursuing additional funding sources or by reallocating funding in existing general fund programs.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Spokane, pursuant to section 84 of the City Charter, that:

1) the Spokane County Auditor is hereby requested, pursuant to RCW 29A.04.330, to hold a special election on November 5, 2013, in conjunction with the scheduled general election, for the purpose of submitting to the voters of the City of Spokane an advisory vote proposition, as set forth below, regarding identification of

funding sources to implement the provisions of the Envision Spokane Community Bill of Rights proposition:

CITY OF SPOKANE

PROPOSITION NO. 4

**ADVISORY VOTE REGARDING FUNDING FOR A
COMMUNITY BILL OF RIGHTS**

The Spokane City Council approved Resolution No. 2013-0057, authorizing a ballot proposition for an advisory vote regarding the identification of funding sources to implement the provisions of the Envision Spokane Community Bill of Rights proposition.

Should the Spokane City Council reduce funding in existing general fund programs to reallocate funding to implement the provisions of the Envision Spokane Community Bill of Rights ballot proposition, if the proposition is approved by the voters?

YES
NO

2) the City Clerk is directed to deliver a certified copy of this resolution to the Spokane County Auditor no later than August 6, 2013 unless a judicial determination has been issued to remove the proposition from the ballot, in which case, the City Clerk shall not deliver the resolution to the County Auditor.

Adopted _____.

City Clerk

Approved as to form:

Assistant City Attorney



Agenda Sheet for City Council Meeting of:
07/22/2013

Date Rec'd	7/10/2013
Clerk's File #	RES 2013-0058
Renews #	

Submitting Dept	CITY COUNCIL	Cross Ref #	
Contact Name/Phone	MIKE ALLEN & 625-6715	Project #	
Contact E-Mail	RBARDEN@SPOKANECITY.ORG	Bid #	
Agenda Item Type	Resolutions	Requisition #	
Agenda Item Name	RESOLUTION REGARDING AN ADVISORY VOTE FOR ADDITIONAL FUNDING		

Agenda Wording

A resolution requesting the Spokane County Auditor to hold a special election on November 5, 2013, in conjunction with the scheduled general election, to submit to the voters of the City of Spokane an advisory vote regarding the identification of fun

Summary (Background)

The Spokane Moves to Amend initiative measure regarding a voter bill of rights has qualified for the November 5, 2013 general election ballot. If approved by the voters, the proposition will prohibit any corporation from making a contribution or expenditure to influence any election within the City of Spokane and from communicating with an elected official within the City of Spokane urging support or opposition to pending legislation or citizen initiative, except when the communication occurs

Fiscal Impact	Budget Account
Neutral \$	#
Select \$	#
Select \$	#
Select \$	#

Approvals		Council Notifications	
Dept Head	WESTFALL, JENNIFER	Study Session	
Division Director		Other	
Finance	LESESNE, MICHELE	Distribution List	
Legal	BURNS, BARBARA	Steve Salvatori	
For the Mayor	SANDERS, THERESA*		

Additional Approvals	
Purchasing	

The agenda wording will be:

A resolution requesting the Spokane County Auditor to hold a special election on November 5, 2013, in conjunction with the scheduled general election, to submit to the voters of the City of Spokane an advisory vote regarding the identification of funding sources to implement the provisions of the Spokane Moves to Amend Voter Bill of Rights proposition.

The agenda background will be:

The Spokane Moves to Amend initiative measure regarding a voter bill of rights has qualified for the November 5, 2013 general election ballot. If approved by the voters, the proposition will prohibit any corporation from making a contribution or expenditure to influence any election within the City of Spokane and from communicating with an elected official within the City of Spokane urging support or opposition to pending legislation or citizen initiative, except when the communication occurs during an open forum and provides that a violation of the prohibited acts by corporations, corporate directors, officers, or other corporate agents is a criminal offence under the Spokane Municipal Code and that corporations in violation of the rights and prohibitions established by the proposition, or seeking to engage in activities prohibited by the proposition shall not have the rights of "persons" afforded by the United States and Washington Constitutions, nor shall those corporations be afforded rights under the First or Fifth Amendments to the United States Constitution or corresponding sections of the Washington Constitution. This resolution will submit an advisory vote to the electors on the November 5, 2013 ballot asking whether the City should pursue additional funding sources in order to implement the provisions of the Spokane Moves to Amend Bill of Rights ballot proposition.

RESOLUTION NO. 2013-0058

A RESOLUTION REQUESTING THE SPOKANE COUNTY AUDITOR TO HOLD A SPECIAL ELECTION ON NOVEMBER 5, 2013, IN CONJUNCTION WITH THE SCHEDULED GENERAL ELECTION TO SUBMIT TO THE VOTERS OF THE CITY OF SPOKANE AN ADVISORY VOTE REGARDING THE IDENTIFICATION OF FUNDING SOURCES TO IMPLEMENT THE PROVISIONS OF THE SPOKANE MOVES TO AMEND VOTER BILL OF RIGHTS PROPOSITION.

WHEREAS, on April 16, 2012, the Spokane Moves to Amend Political Committee(SMAC) filed with the City Clerk's Office under the direct petition method an initiative designated as Initiative No. 2012-4; and

WHEREAS, on April 8, 2013, SMAC filed with the City Clerk's Office the petition signatures for Initiative No. 2012-4; and

WHEREAS, pursuant to SMC 2.02.080, the City Council held a hearing and first reading on April 22, 2013 for Initiative No. 2012-4, designated by the City Council as Ordinance No. C-34978; and

WHEREAS, on May 7, 2013, the Spokane County Elections Office confirmed that Initiative No. 2012-4 satisfied the required number of valid signatures of registered voters as required by Section 82 of the City Charter; and

WHEREAS, pursuant to SMC 2.02.100, the City Council held a hearing on May 20, 2013 on the validated initiative petition where Ordinance No. C-34978 was given a second and final reading and Resolution No. 2013-0039 was approved to request the Spokane County Auditor to place the proposition on the November 5, 2013 general election; and

WHEREAS, the Spokane Moves to Amend Voter Bill of Rights initiative will be presented to the voters for their approval or rejection on the November 5, 2013 ballot as the following proposition:

CITY OF SPOKANE

PROPOSITION NO. 2

**A VOTER BILL OF RIGHTS: A CLEAN AND FAIR ELECTIONS AND
GOVERNMENT ORDINANCE**

Shall the Spokane Municipal Code be amended to add a Voter Bill of Rights for Clean and Fair Elections, and Government Ordinance that

Prohibits Corporate Lobbying, Corporate Involvement in Initiatives, and Corporate Donations to Candidates for Elected Office?

YES
NO

WHEREAS, the Spokane Moves to Amend Voter Bill of Rights proposition prohibits any corporation from making a contribution or expenditure to influence any election within the City of Spokane and from communicating with an elected official within the City of Spokane urging support or opposition to pending legislation or citizen initiative, except when the communication occurs during an open forum; and

WHEREAS, the Spokane Moves to Amend Voter Bill of Rights proposition provides that a violation of the prohibited acts by corporations, corporate directors, officers, or other corporate agents is a criminal offence under the Spokane Municipal Code and that corporations in violation of the rights and prohibitions established by the proposition, or seeking to engage in activities prohibited by the proposition shall not have the rights of “persons” afforded by the United States and Washington Constitutions, nor shall those corporations be afforded rights under the First or Fifth Amendments to the United States Constitution or corresponding sections of the Washington Constitution; and

WHEREAS, the Spokane Moves to Amend Voter Bill of Rights proposition does not provide the City a funding source to implement these provisions; and

WHEREAS, if approved by the voters, the provisions of the Spokane Moves to Amend Voter Bill of Rights proposition will become effective upon the certification of the election results by the County Auditor; and

WHEREAS, if the Spokane Moves to Amend Voter Bill of Rights proposition is approved by the voters, the City could fund the cost of enforcement, monitoring, implementation and prosecution called for by the provisions of the proposition by either raising new revenue or by reallocating existing general fund revenue from other programs; and

WHEREAS, the Spokane City Council seeks to obtain the advice of the voters of the City of Spokane on efforts to identify funding sources to implement the provisions of the Spokane Moves to Amend Voter Bill of Rights proposition, if approved by the voters either by pursuing additional funding sources or by reallocating funding in existing general fund programs.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Spokane, pursuant to section 84 of the City Charter, that:

1) the Spokane County Auditor is hereby requested, pursuant to RCW 29A.04.330, to hold a special election on November 5, 2013, in conjunction with the scheduled general election, for the purpose of submitting to the voters of the City of Spokane an advisory vote proposition, as set forth below, regarding identification of funding sources to implement the provisions of the Spokane Moves to Amend Voter Bill of Rights proposition:

CITY OF SPOKANE
PROPOSITION NO. 5
ADVISORY VOTE REGARDING FUNDING FOR A
VOTER BILL OF RIGHTS

The Spokane City Council approved Resolution No. 2013-0058, authorizing a ballot proposition for an advisory vote regarding the identification of funding sources to implement the provisions of the Spokane Moves to Amend Voter Bill of Rights proposition.

Should the Spokane City Council pursue additional funding sources in order to fund the implementation of the provisions of the Spokane Moves to Amend Voter Bill of Rights proposition, if the proposition is approved by the voters?

YES
NO

2) the City Clerk is directed to deliver a certified copy of this resolution to the Spokane County Auditor no later than August 6, 2013 unless a judicial determination has been issued to remove the proposition from the ballot, in which case, the City Clerk shall not deliver the resolution to the County Auditor.

Adopted _____.

City Clerk

Approved as to form:

Assistant City Attorney



Agenda Sheet for City Council Meeting of:
07/22/2013

Date Rec'd	7/10/2013
Clerk's File #	RES 2013-0059
Renews #	
Cross Ref #	
Project #	
Bid #	
Requisition #	

Submitting Dept	CITY COUNCIL
Contact Name/Phone	MIKE ALLEN & 625-6715
Contact E-Mail	RBARDEN@SPOKANECITY.ORG
Agenda Item Type	Resolutions
Agenda Item Name	REGARDING AN ADVISORY VOTE FOR ADDITIONAL FUNDING TO IMPLEMENT

Agenda Wording

A resolution requesting the Spokane County Auditor to hold a special election on November 5, 2013, in conjunction with the scheduled general election, to submit to the voters of the City of Spokane an advisory vote regarding the identification of fun

Summary (Background)

The Spokane Moves to Amend initiative measure regarding a voter bill of rights has qualified for the November 5, 2013 general election ballot. If approved by the voters, the proposition will prohibit any corporation from making a contribution or expenditure to influence any election within the City of Spokane and from communicating with an elected official within the City of Spokane urging support or opposition to pending legislation or citizen initiative, except when the communication occurs

Fiscal Impact		Budget Account
Neutral	\$	#
Select	\$	#
Select	\$	#
Select	\$	#
Approvals		Council Notifications
Dept Head	WESTFALL, JENNIFER	Study Session
Division Director		Other
Finance	LESESNE, MICHELE	Distribution List
Legal	BURNS, BARBARA	Steve Salvatori
For the Mayor	SANDERS, THERESA*	
Additional Approvals		
Purchasing		

The agenda wording will be:

A resolution requesting the Spokane County Auditor to hold a special election on November 5, 2013, in conjunction with the scheduled general election, to submit to the voters of the City of Spokane an advisory vote regarding the identification of funding sources to implement the provisions of the Spokane Moves to Amend Voter Bill of Rights proposition.

The agenda background will be:

The Spokane Moves to Amend initiative measure regarding a voter bill of rights has qualified for the November 5, 2013 general election ballot. If approved by the voters, the proposition will prohibit any corporation from making a contribution or expenditure to influence any election within the City of Spokane and from communicating with an elected official within the City of Spokane urging support or opposition to pending legislation or citizen initiative, except when the communication occurs during an open forum and provides that a violation of the prohibited acts by corporations, corporate directors, officers, or other corporate agents is a criminal offence under the Spokane Municipal Code and that corporations in violation of the rights and prohibitions established by the proposition, or seeking to engage in activities prohibited by the proposition shall not have the rights of "persons" afforded by the United States and Washington Constitutions, nor shall those corporations be afforded rights under the First or Fifth Amendments to the United States Constitution or corresponding sections of the Washington Constitution. This resolution will submit an advisory vote to the electors on the November 5, 2013 ballot asking whether the City should reduce funding in existing general fund programs to reallocate funds to implement the provisions of the Spokane Moves to Amend Bill of Rights ballot proposition.

RESOLUTION NO. 2013-0059

A RESOLUTION REQUESTING THE SPOKANE COUNTY AUDITOR TO HOLD A SPECIAL ELECTION ON NOVEMBER 5, 2013, IN CONJUNCTION WITH THE SCHEDULED GENERAL ELECTION TO SUBMIT TO THE VOTERS OF THE CITY OF SPOKANE AN ADVISORY VOTE REGARDING THE IDENTIFICATION OF FUNDING SOURCES TO IMPLEMENT THE PROVISIONS OF THE SPOKANE MOVES TO AMEND VOTER BILL OF RIGHTS PROPOSITION.

WHEREAS, on April 16, 2012, the Spokane Moves to Amend Political Committee(SMAC) filed with the City Clerk's Office under the direct petition method an initiative designated as Initiative No. 2012-4; and

WHEREAS, on April 8, 2013, SMAC filed with the City Clerk's Office the petition signatures for Initiative No. 2012-4; and

WHEREAS, pursuant to SMC 2.02.080, the City Council held a hearing and first reading on April 22, 2013 for Initiative No. 2012-4, designated by the City Council as Ordinance No. C-34978; and

WHEREAS, on May 7, 2013, the Spokane County Elections Office confirmed that Initiative No. 2012-4 satisfied the required number of valid signatures of registered voters as required by Section 82 of the City Charter; and

WHEREAS, pursuant to SMC 2.02.100, the City Council held a hearing on May 20, 2013 on the validated initiative petition where Ordinance No. C-34978 was given a second and final reading and Resolution No. 2013-0039 was approved to request the Spokane County Auditor to place the proposition on the November 5, 2013 general election; and

WHEREAS, the Spokane Moves to Amend Voter Bill of Rights initiative will be presented to the voters for their approval or rejection on the November 5, 2013 ballot as the following proposition:

CITY OF SPOKANE

PROPOSITION NO. 2

A VOTER BILL OF RIGHTS: A CLEAN AND FAIR ELECTIONS AND GOVERNMENT ORDINANCE

Shall the Spokane Municipal Code be amended to add a Voter Bill of Rights for Clean and Fair Elections, and Government Ordinance that

Prohibits Corporate Lobbying, Corporate Involvement in Initiatives, and Corporate Donations to Candidates for Elected Office?

YES
NO

WHEREAS, the Spokane Moves to Amend Voter Bill of Rights proposition prohibits any corporation from making a contribution or expenditure to influence any election within the City of Spokane and from communicating with an elected official within the City of Spokane urging support or opposition to pending legislation or citizen initiative, except when the communication occurs during an open forum; and

WHEREAS, the Spokane Moves to Amend Voter Bill of Rights proposition provides that a violation of the prohibited acts by corporations, corporate directors, officers, or other corporate agents is a criminal offence under the Spokane Municipal Code and that corporations in violation of the rights and prohibitions established by the proposition, or seeking to engage in activities prohibited by the proposition shall not have the rights of “persons” afforded by the United States and Washington Constitutions, nor shall those corporations be afforded rights under the First or Fifth Amendments to the United States Constitution or corresponding sections of the Washington Constitution; and

WHEREAS, the Spokane Moves to Amend Voter Bill of Rights proposition does not provide the City a funding source to implement these provisions; and

WHEREAS, if approved by the voters, the provisions of the Spokane Moves to Amend Voter Bill of Rights proposition will become effective upon the certification of the election results by the County Auditor; and

WHEREAS, if the Spokane Moves to Amend Voter Bill of Rights proposition is approved by the voters, the City could fund the cost of enforcement, monitoring, implementation and prosecution called for by the provisions of the proposition by either raising new revenue or by reallocating existing general fund revenue from other programs; and

WHEREAS, the Spokane City Council seeks to obtain the advice of the voters of the City of Spokane on efforts to identify funding sources to implement the provisions of the Spokane Moves to Amend Voter Bill of Rights proposition, if approved by the voters either by pursuing additional funding sources or by reallocating funding in existing general fund programs.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Spokane, pursuant to section 84 of the City Charter, that:

1) the Spokane County Auditor is hereby requested, pursuant to RCW 29A.04.330, to hold a special election on November 5, 2013, in conjunction with the scheduled general election, for the purpose of submitting to the voters of the City of Spokane an advisory vote proposition, as set forth below, regarding identification of funding sources to implement the provisions of the Spokane Moves to Amend Voter Bill of Rights proposition:

CITY OF SPOKANE

PROPOSITION NO. 6

**ADVISORY VOTE REGARDING FUNDING FOR A
VOTER BILL OF RIGHTS**

The Spokane City Council approved Resolution No. 2013-0059, authorizing a ballot proposition for an advisory vote regarding the identification of funding sources to implement the provisions of the Spokane Moves to Amend Voter Bill of Rights proposition.

Should the Spokane City Council reduce funding in existing general fund programs to reallocate funding to the implementation of the provisions of the Spokane Moves to Amend Voter Bill of Rights proposition, if the proposition is approved by the voters?

YES
NO

2) the City Clerk is directed to deliver a certified copy of this resolution to the Spokane County Auditor no later than August 6, 2013 unless a judicial determination has been issued to remove the proposition from the ballot, in which case, the City Clerk shall not deliver the resolution to the County Auditor.

Adopted _____.

City Clerk

Approved as to form:

Assistant City Attorney



Agenda Sheet for City Council Meeting of:

07/22/2013

<u>Date Rec'd</u>	07/12/2013
<u>Clerk's File #</u>	RES 2013-0060
<u>Renews #</u>	
<u>Cross Ref #</u>	
<u>Project #</u>	
<u>Bid #</u>	
<u>Requisition #</u>	

<u>Submitting Dept</u>	ASSET MANAGEMENT
<u>Contact Name/Phone</u>	DAVE STEELE 625-6064
<u>Contact E-Mail</u>	DSTEELE@SPOKANECITY.ORG
<u>Agenda Item Type</u>	Resolutions
<u>Agenda Item Name</u>	5900-RESO-SURPLUS PROPERTY-JOE ALBI STADIUM

Agenda Wording

A Resolution providing for the intergovernmental transfer of surplus City property (land adjacent to Joe Albi Stadium).

Summary (Background)

In conjunction with an anticipated property exchange with Spokane Public Schools, the City is declaring property adjacent to Joe Albi Stadium as surplus and authorizing an exchange with Spokane Public Schools for property of equal or greater value.

<u>Fiscal Impact</u>	<u>Budget Account</u>
Select \$	#
Select \$	#
Select \$	#
Select \$	#

<u>Approvals</u>		<u>Council Notifications</u>	
<u>Dept Head</u>		<u>Study Session</u>	
<u>Division Director</u>		<u>Other</u>	
<u>Finance</u>		<u>Distribution List</u>	
<u>Legal</u>		mwerner@spokanecity.org	
<u>For the Mayor</u>		lhattenburg@spokanecity.org	
<u>Additional Approvals</u>		dsteele@spokanecity.org	
<u>Purchasing</u>		jrichman@spokanecounty.org	

RESOLUTION 2013-0060

A RESOLUTION PROVIDING FOR THE INTERGOVERNMENTAL TRANSFER OF SURPLUS CITY PROPERTY (LAND ADJACENT TO JOE ALBI STADIUM).

WHEREAS, the City of Spokane is the owner of certain property located in the City of Spokane, County of Spokane, State of Washington, and more particularly described as Parcel 1 in Exhibit A hereto, which is adjacent to Joe Albi Stadium ("Property"); and

WHEREAS, RCW 35.22.280(3) authorizes the City to dispose of surplus property, with RCW 39.33.020 providing the method for intergovernmental transfers of surplus City property with an estimated value in excess of fifty thousand dollars (\$50,000.00); and

WHEREAS, the City proposes to trade the Property to Spokane Schools for certain property owned by Spokane Schools ("School Property"); and

WHEREAS, the City has commissioned appraisals of the Property and the School District has appraised their Property; and

WHEREAS, on July 10th, 2013, the City caused to be published in the Spokesman Review, a newspaper of general circulation, a notice of reasonable size in display advertising form, setting forth the date, time, and place of the Council's hearing on this Resolution, a copy of which is attached to this resolution.

NOW, THEREFORE - - it is hereby resolved by the Spokane City Council;

1. The Property described as Parcel 1 in Exhibit A, is hereby declared to be surplus City property no longer needed for the present and foreseeable public uses of the City.
2. The City of Spokane, acting through the Asset Management Department, has commissioned an appraisal that establishes the fair market value of the Property.
3. The City Council finds that the City will receive full value for the Property by trading it to Spokane Schools for the School Property according to the terms of the Real Estate Purchase, Sale, and Exchange Agreement attached to this Resolution.
4. The Mayor is hereby authorized to execute the attached Real Estate Purchase, Sale, and Exchange Agreement and is further authorized to execute any and all such documents as are reasonably necessary to consummate the transactions provided for in said agreement.

ADOPTED by the Spokane City Council this _____ day of _____, 20____.

City Clerk

Approved as to form:

Assistant City Attorney

**DESCRIPTION OF
PARCEL 1**

DESCRIPTION of a parcel of land being a portion of Southeast $\frac{1}{4}$, Section 34, Township 26 North, Range 42 East, W.M., City of Spokane, County of Spokane, State of Washington, and being a portion of the Quitclaim Deed to the City of Spokane filed in Book 577 at Pages 52-56 as Instrument No. 852719A on 10/27/1948, more particularly described as follows:

COMMENCING at the WSDOT brass disk survey monument designated as GP32291-70, which bears North $87^{\circ}13'35''$ East a distance of 2626.24 feet along Francis Avenue (SR-291) from the WSDOT brass disk survey monument designated as GP32291-73 near the intersection with Nine Mile Road;

Thence South $19^{\circ}56'54''$ West a distance of 5715.91 feet, to a brass pin in 2" iron pipe set in a monument case at the Southeast Corner of said Section 34;

Thence along the East line of said Section 34, North $02^{\circ}22'55''$ West a distance of 2639.03 feet, to a brass pin in 2" iron pipe set in a monument case at the East $\frac{1}{4}$ corner of said Section 34 as shown on the Record of Survey filed in Book 108 at Page 2 as Instrument No. 4967520 on 9/23/2003 and also shown on the Record of Survey filed in Book 140 at Pages 61-63 as Instrument No. 5883541 on 3/15/2010;

Thence along the North line of Southeast $\frac{1}{4}$ of said Section 34, South $87^{\circ}59'27''$ West a distance of 30.00 feet to the West right-of-way line of Assembly Street;

Thence continuing along the North line of the Southeast $\frac{1}{4}$ of said Section 34, South $87^{\circ}59'27''$ West a distance of 109.20 feet;

Thence along the east line of the proposed Transit Center Easement, the following courses:

1. South $01^{\circ}36'27''$ West a distance of 106.11 feet;
2. Thence South $15^{\circ}27'51''$ West a distance of 99.40 feet;
3. Thence South $29^{\circ}19'15''$ West a distance of 100.69 feet

Thence along the west line of the Fire Station Site, and the northerly prolongation thereof, as shown on the Record of Survey filed in Book 47 at Page 56 as Instrument No. 9104010215 in 1991, South $02^{\circ}22'41''$ East a distance of 255.03 feet;

Thence along the south line of said Instrument No. 852719A, South $87^{\circ}52'16''$ West a distance of 976.02 feet, to an angle point shown on said Record of Survey filed in Book 108 at Page 2;

Thence along the east line of said Instrument No. 852719A, South $02^{\circ}22'55''$ East a distance of 2062.74 feet, to the north right-of-way line of Wellesley Avenue as shown on said Records of Survey filed in Book 108 at Page 2 and also in Book 140 at Pages 61-63;

Thence along the north right-of-way of Wellesley Avenue, South 87°52'16" West a distance of 65.00 feet to the **TRUE POINT OF BEGINNING**;

Thence continuing along said line South 87°52'16" West a distance of 1079.26 feet to a point which lies 40 feet distant and parallel with the east line of Parcel B as shown on the Record of Survey filed in Book 33 at Page 64 as Instrument No. 8501230163 on 1/29/1985;

Thence North 11°15'23" East along said line a distance of 395.49 feet to a point which lies 82.50 feet distant from and parallel with the east line of Parcel A as shown on the Record of Survey filed in Book 33 at Page 64 as Instrument No. 8501230163 on 1/29/1985;

Thence North 02°15'08" West, along a said line a distance of 480.89 feet;

Thence North 87°52'16" East along a line which is 865.63 feet distant and parallel with the north right-of-way line of Wellesley Avenue, a distance of 984.92 feet to a point which lies 65 feet distant from and parallel with the east line of said Instrument No. 852719A;

Thence South 02°22'55" East along said line, a distance of 865.64 feet to the **TRUE POINT OF BEGINNING**;

CONTAINING: approximately 871,200 square feet or 20.00 acres of land, more or less.

Prepared on: May 20, 2013

Revised on: June 12, 2013

Revised on: June 27, 2013

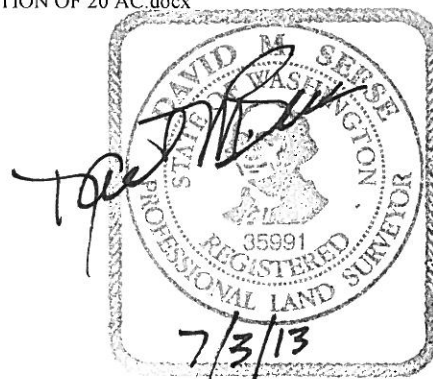
Revised on: July 3, 2013

Prepared for and on behalf of Taylor Engineering Inc.

Prepared by David M. Seese, PLS

Project No. 11502 JOE ALBI STADIUM DESCRIPTIONS

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**DESCRIPTION OF
PARCEL 3**

DESCRIPTION of a parcel of land being a portion of Southeast $\frac{1}{4}$, Section 34, Township 26 North, Range 42 East, W.M., City of Spokane, County of Spokane, State of Washington, and being a portion of the Quitclaim Deed to the City of Spokane filed in Book 577 at Pages 52-56 as Instrument No. 852719A on 10/27/1948, more particularly described as follows:

COMMENCING at the WSDOT brass disk survey monument designated as GP32291-70, which bears North $87^{\circ}13'35''$ East a distance of 2626.24 feet along Francis Avenue (SR-291) from the WSDOT brass disk survey monument designated as GP32291-73 near the intersection with Nine Mile Road;

Thence South $19^{\circ}56'54''$ West a distance of 5715.91 feet, to a brass pin in 2" iron pipe set in a monument case at the Southeast Corner of said Section 34;

Thence along the East line of said Section 34, North $02^{\circ}22'55''$ West a distance of 2639.03 feet, to a brass pin in 2" iron pipe set in a monument case at the East $\frac{1}{4}$ corner of said Section 34 as shown on the Record of Survey filed in Book 108 at Page 2 as Instrument No. 4967520 on 9/23/2003 and also shown on the Record of Survey filed in Book 140 at Pages 61-63 as Instrument No. 5883541 on 3/15/2010;

Thence along the North line of Southeast $\frac{1}{4}$ of said Section 34, South $87^{\circ}59'27''$ West a distance of 30.00 feet to the West right-of-way line of Assembly Street;

Thence continuing along the North line of the Southeast $\frac{1}{4}$ of said Section 34, South $87^{\circ}59'27''$ West a distance of 109.20 feet;

Thence along the east line of the proposed Transit Center Easement, the following courses:

1. South $01^{\circ}36'27''$ West a distance of 106.11 feet;
2. Thence South $15^{\circ}27'51''$ West a distance of 99.40 feet;
3. Thence South $29^{\circ}19'15''$ West a distance of 100.69 feet

Thence along the west line of the Fire Station Site, and the northerly prolongation thereof, as shown on the Record of Survey filed in Book 47 at Page 56 as Instrument No. 9104010215 in 1991, South $02^{\circ}22'41''$ East a distance of 255.03 feet;

Thence along the south line of said Instrument No. 852719A, South 87°52'16" West a distance of 976.02 feet, to an angle point shown on said Record of Survey filed in Book 108 at Page 2 and to the **TRUE POINT OF BEGINNING**;

Thence along the east line of said Instrument No. 852719A, South 02°22'55" East a distance of 2062.74 feet, to the north right-of-way line of Wellesley Avenue as shown on said Records of Survey filed in Book 108 at Page 2 and also in Book 140 at Pages 61-63;

Thence along the north right-of-way of Wellesley Avenue, South 87°52'16" West a distance of 65.00 feet;

Thence North 02°22'55" West along a line which is 65 feet distant from and parallel with the east line of said Instrument No. 852719A, a distance of 865.64 feet to a point which is 865.63 feet distant and parallel with the north right-of-way line of Wellesley Avenue;

Thence South 87°52'16" West along said line a distance of 984.92 feet to a point which lies 82.50 feet distant from and parallel with the east line of Parcel A as shown on the Record of Survey filed in Book 33 at Page 64 as Instrument No. 8501230163 on 1/29/1985;

Thence South 02°15'08" East along said line a distance of 480.89 feet to a point which is the prolongation and 40 feet distant and parallel with the southeast line of Parcel B as shown on the Record of Survey filed in Book 33 at Page 64 as Instrument No. 8501230163 on 1/29/1985;

Thence South 11°15'23" West along said line a distance of 395.49 feet to the north right-of-way line of Wellesley Avenue;

Thence along the north right-of-way line of Wellesley Avenue, South 87°52'16" West a distance of 41.12 feet, to the east line of Parcel B as shown on the Record of Survey filed in Book 33 at page 64 as Instrument No. 8501230163 on 1/29/1985;

Thence along the east lines of Parcels A and B as shown on said Record of Survey filed in Book 33 at Page 64, the following courses:

1. North 11°15'23" East a distance of 218.33 feet;
2. Thence North 02°15'08" West a distance of 567.60 feet;

Thence along the north line of said Parcel A, South 87°52'16" West a distance of 300.15 feet, more or less, to the west line of the Southeast $\frac{1}{4}$ of said Section 34;

Thence along the west line of the Southeast $\frac{1}{4}$ of said Section 34, North 02°15'25" West a distance of 1454.50 feet to a point that is 375 feet distant and parallel with the north line of the Southeast $\frac{1}{4}$ of said Section 34;

Thence North 87°59'27" East along said line a distance of 1228.70 feet;

Thence South 52°07'44" East a distance of 263.23 feet to the **TRUE POINT OF BEGINNING**;

CONTAINING: approximately 2,080,889 square feet or 47.77 acres of land, more or less.

Prepared on: May 20, 2013

Revised on: June 12, 2013

Revised on: June 27, 2013

Revised on: July 3, 2013

Prepared for and on behalf of Taylor Engineering Inc.

Prepared by David M. Seese, PLS

Project No. 11502 JOE ALBI STADIUM DESCRIPTIONS

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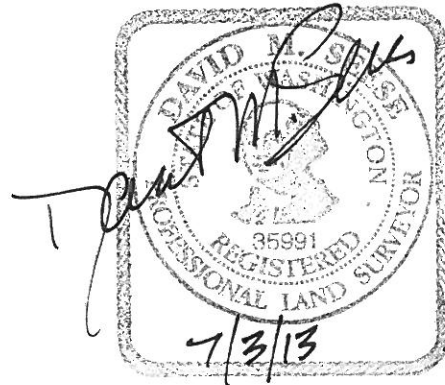
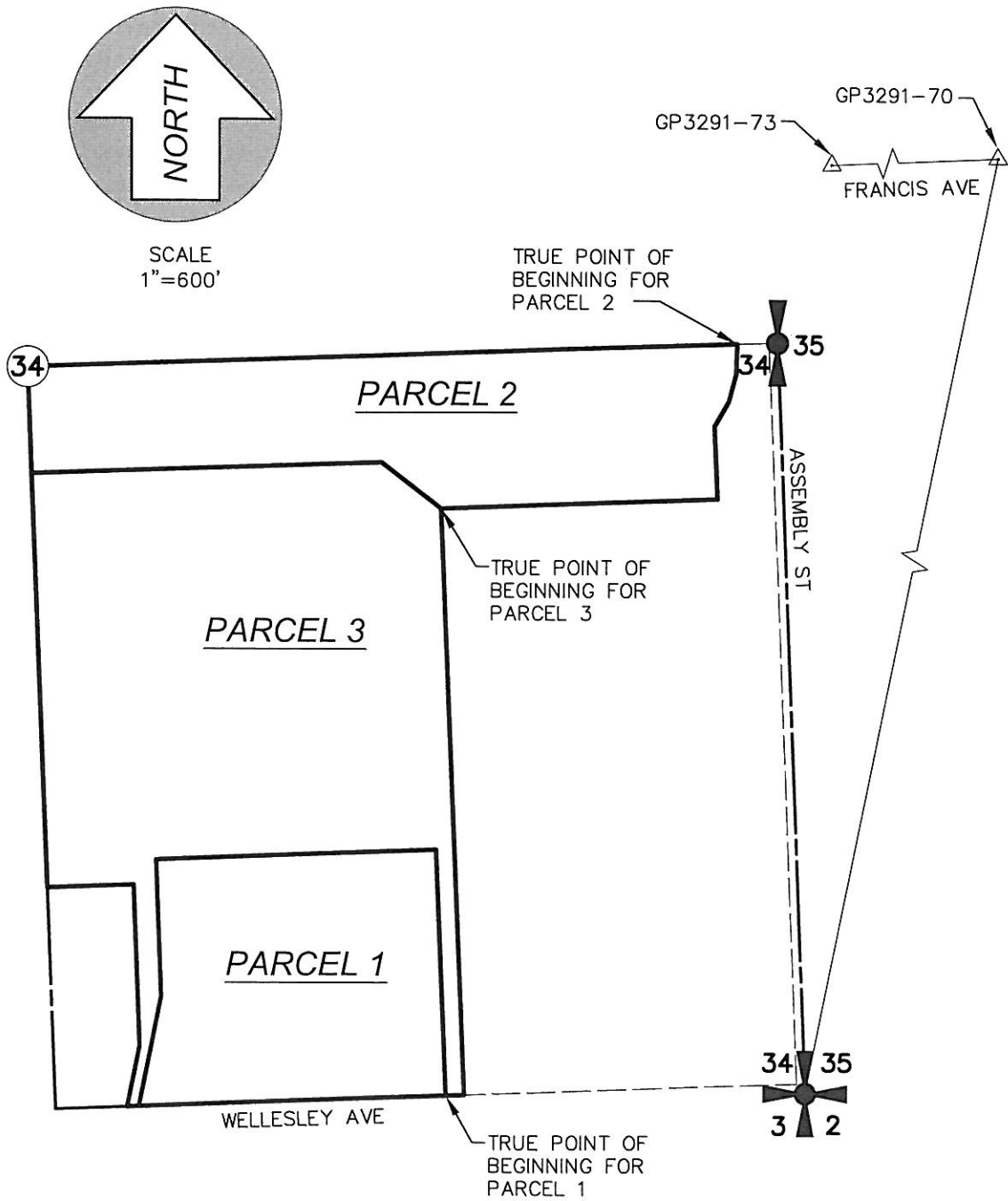


EXHIBIT FOR
JOE ALBI PROPERTY EXCHANGE



THIS MAP IS FOR EXHIBIT PURPOSES ONLY AND
DOES NOT CONSTITUTE A PROPERTY BOUNDARY
SURVEY

Note: The Exchange Agreement is not available at this time.



OFFICE OF THE CITY CLERK
808 W. SPOKANE FALLS BLVD
SPOKANE, WASHINGTON 99201-3342
509.625.6350

June 20, 2013

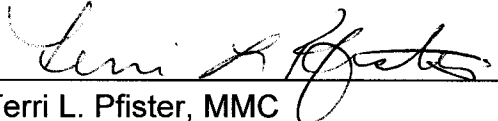
City Clerk File No.:
ORD C34990

COUNCIL ACTION MEMORANDUM

RE: FINAL READING ORDINANCE C34990 RELATING TO ON-STREET PARKING REGULATIONS

During the Spokane City Council's 6:00 p.m. Legislative Session held Monday, June 17, 2013, Council President Stuckart, as the sponsor, requested a motion to defer Final Reading Ordinance C34990 (relating to on-street parking regulations) for one month. Subsequently, the following action was taken:

Motion by Council Member Fagan, seconded by Council Member Waldref, to so move [to defer Final Reading Ordinance C34990 for one month (to July 22, 2013)]; **carried unanimously.**



Terri L. Pfister, MMC
Spokane City Clerk



Agenda Sheet for City Council Meeting of:

06/03/2013

Date Rec'd	5/22/2013
Clerk's File #	ORD C34990
Renews #	
Cross Ref #	
Project #	
Bid #	
Requisition #	

Submitting Dept	CITY COUNCIL
Contact Name/Phone	BEN STUCKART 625.6258
Contact E-Mail	BSTUCKART@SPOKANECITY.ORG
Agenda Item Type	First Reading Ordinance
Agenda Item Name	0320 ON STREET PARKING

Agenda Wording
 An ordinance relating to on-street parking regulations; amending SMC section 16A.61.561.

Summary (Background)
 SMC 16A.61.561 currently prohibits a vehicle from being parked continuously on any one block upon a street for more than twelve hours. This ordinance will extend that time period to twenty-four hours and permit the establishment and enforcement of other on-street parking regulations affecting the hours set forth in SMC 16A.61.561 including regulations related, but not limited, to snow emergencies, abandon vehicles or vehicles without current registration.

Fiscal Impact	Budget Account
Select \$	#
Select \$	#
Select \$	#
Select \$	#

Approvals		Council Notifications	
Dept Head	WESTFALL, JENNIFER	Study Session	
Division Director		Other	
Finance	LESESNE, MICHELE	Distribution List	
Legal	BURNS, BARBARA		
For the Mayor	GEMMILL, GERRY		
Additional Approvals			
Purchasing			

ORDINANCE NO. C34990

An ordinance relating to on-street parking regulations; amending SMC section 16A.61.561.

The City of Spokane does ordain:

Section 1. That SMC section 16A.61.561 is amended to read as follows:

16A.61.561 Parking Time Limited and Regulated

- A. No vehicles shall be parked continuously in any one block upon any public street or highway in this City at any time for a period longer than ~~((twelve))~~ twenty-four hours. Vehicles in violation may be deemed unauthorized and subject to twenty-four hour notification of impoundment and be impounded.
- B. Between the hours of eight a.m. and seven p.m. on weekdays, no vehicle shall be parked continuously in any one block upon any street within that portion of the retail zone of the congested district lying north of the Burlington Northern Railway Company's viaduct for a period longer than one hour, nor in that portion of the retail zone of the congested district lying south of the Burlington Northern Railway Company's viaduct for a period longer than two hours, nor in any one block upon any street within the congested district outside the retail zone of the congested district for a period longer than three hours; provided, the city council may fix a shorter or longer time for parking in reserved and other restricted parking places established under the provisions of this code, the same to be effective when properly signed and posted by the City street director.
- C. Between the hours of eight a.m. and seven p.m., Monday through Saturday, no vehicle shall be parked within the parking meter area (as authorized by SMC 16A.61.5902) bounded by Sprague Avenue, Lincoln Street, Spokane Falls Boulevard, and Washington Street, inclusive of the boundary streets, at a space from which the parking meter or space number sign has been removed for a period longer than two hours.
- D. Nothing in this section shall prevent the establishment and enforcement of other on-street parking regulations affecting the hours set forth in this section including regulations related, but not limited, to snow emergencies, abandoned vehicles or vehicles without current registration.

PASSED BY THE CITY COUNCIL ON _____, 2013.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date



Agenda Sheet for City Council Meeting of:
07/22/2013

Date Rec'd	7/10/2013
Clerk's File #	ORD C35014
Renews #	
Cross Ref #	
Project #	
Bid #	
Requisition #	

Submitting Dept	CITY COUNCIL
Contact Name/Phone	BEN STUCKART 625.6258
Contact E-Mail	BSTUCKART@SPOKANECITY.ORG
Agenda Item Type	First Reading Ordinance
Agenda Item Name	0320 INITIATIVE PROCESS

Agenda Wording

An ordinance relating to initiatives; amending SMC sections 2.02.030, 2.02.040 and 2.02.055 and repealing SMC section 2.02.050.

Summary (Background)

Chapter 2.02 SMC currently provides that the initiative sponsor may request a legal review of a proposed measure by the City Attorney, which occurs after the measure has been filed and a ballot title has been prepared. The City Council can also request that the City Attorney prepare a legal review and an alternative version of the ballot title and summary of the measure to be used in the event the sponsor elects to modify the proposal consistent with the City Attorney's legal review.

Fiscal Impact	Budget Account
Select \$	#
Select \$	#
Select \$	#
Select \$	#

Approvals		Council Notifications	
Dept Head	WESTFALL, JENNIFER	Study Session	
Division Director		Other	
Finance	LESESNE, MICHELE	Distribution List	
Legal	BURNS, BARBARA		
For the Mayor	SANDERS, THERESA*		

Additional Approvals	
Purchasing	

ORDINANCE NO. C35014

AN ORDINANCE relating to initiatives; amending SMC sections 2.02.030, 2.02.040 and 2.02.055; and repealing SMC section 2.02.050.

The City of Spokane does ordain:

Section 1. That SMC section 2.02.030 is amended to read as follows:

2.02.030 Filing of Initiative Measure

- A. In order to facilitate the processing of a proposed initiative measure, a petitioner shall file the proposed measure with the city clerk.
- B. The proposed measure must contain the mailing address of the petitioner and telephone number of the petitioner or petitioner's representative.
- C. The city clerk must immediately transmit a copy of the proposed measure to the city attorney.
- D. Within two weeks after receiving the measure, the city attorney prepares, after consultation with the petitioner(s), a ballot title and summary of the measure and files them with the city clerk.
 - 1. The ballot title shall consist of:
 - a. a statement of the subject measure;
 - b. a concise description of the measure; and
 - c. a question.
 - 2. The statement of the subject measure must be sufficiently broad to reflect the subject of the measure, sufficiently precise to give notice of the measure's subject matter, and not exceed ten words.
 - 3. The concise description must be a true and impartial description of the measure's essential contents, clearly identify the proposition to be voted on, to the extent reasonably possible, not create prejudice either for or against the measure and not exceed seventy-five words. When practicable, the question posed by the ballot title is written in such way that an affirmative answer to the question and an affirmative vote on the measure would result in a change in the law.

4. The summary of the measure should be a clear and concise statement not to exceed one hundred fifty words.
 5. The ballot title and the summary of the measure shall not be argumentative or likely to create prejudice for or against the measure.
- E. In addition to preparing the ballot title and summary of the measure, the city attorney shall review the proposed measure for such matters as form and style. The city attorney shall edit the measure as necessary to correct obvious typographical errors, conform the language to Spokane Municipal Code format and style, or eliminate ambiguity. Any such editorial revisions are made on a separate sheet from the measure as submitted and clearly identified. All editorial revisions shall be provided to the sponsor and the city clerk at the same time the city attorney files the ballot title and summary of the measure with the city clerk.
- F. Upon receipt of the ballot title and summary of the measure from the city attorney, the city clerk assigns a number by which the measure is identified. The city clerk affixes the ballot title and summary to the original of the proposed measure or the measure as revised pursuant to this section, inscribes the identifying number upon it and retains it in the official file.
- G. The city clerk must immediately furnish a copy of the proposed measure with its ballot title and summary to the sponsor and prepare a report to the city council for the next agenda.
- ~~((H. Upon receipt of the measure from the city clerk with the assigned number, the initiative sponsors may begin collecting signatures.))~~

Section 2. That SMC section 2.02.040 is amended to read as follows:

2.02.040 Council Action on Initiative Measure

- A. Upon receiving the report regarding an initiative from the city clerk, the city council may ((:))
~~((A.))~~ pass the measure as proposed or submit the initiative measure to the voters on its own motion~~((, or))~~.
- B. ~~((provide for legal review of the procedural and substantive validity of the proposed measure by the city attorney, if requested by the sponsor.))~~ If the city council does not take either action set for in subsection A, the initiative and the ballot title and summary of the measure shall be forwarded by the city clerk to the city hearing examiner who shall issue a formal written opinion as to the legal validity and effect of the proposed measure. Within fourteen days of receiving the initiative measure from the city clerk, the hearing examiner shall file his written

opinion with the city council and the city clerk with a copy provided to the initiative measure sponsor.

- C. Within seven days of receipt of the hearing examiner's written opinion, the initiative measure sponsor shall notify the city clerk in writing of the sponsor's decision to proceed with collecting signatures for the initiative measure or to revise the initiative measure based upon the hearing examiner's written opinion. If the sponsor elects to proceed with gathering signatures, the time period to collect and file petition signatures set forth in SMC 2.02.055 shall begin to run from the date the sponsor's written decision is filed with the city clerk. If the sponsor elects to revise the initiative measure, the city council shall discontinue processing the originally filed initiative measure. The initiative sponsors may file a revised initiative measure, which shall be submitted to the city clerk's office pursuant to SMC 2.02.030.

Section 3. That SMC section 2.02.050 is repealed.

~~((2.02.050 — Review of Initiative Measure by City Attorney~~

- ~~A. — If directed by the city council, the city attorney reviews the proposed measure for appropriate subject matter and legal validity and effect.~~
- ~~B. — Within ten calendar days the city attorney files a written report of review with the city clerk and the city council expressing a formal opinion as to the legal validity and effect of the measure being proposed and at the same time provides a copy of the report of review to the filer of the proposed measure.~~
- ~~C. — If the report of review suggests significant changes in the text of the proposed measure, the city council may request the city attorney to prepare an alternate version of the ballot title and summary of the measure to be used in the event the sponsor elects to modify the proposal in accordance with the city attorney's report.))~~

Section 4. That SMC section 2.02.055 is amended to read as follows:

Section 2.02.055 Petition Signatures

- A. Prior to circulation for signatures, an initiative petition shall have received an assigned number from the city clerk's office and a written opinion from the hearing examiner regarding the legal validity and effect of the proposed measure.
- B. Signed petitions must be filed with the city clerk within three hundred sixty-five days ~~((after the approval by the city council of the ballot title and summary of the measure))~~ from the date the sponsor files a written decision to proceed with the

signature gathering pursuant to SMC 2.02.040. If the three hundred sixty-fifth day lands on a Saturday, Sunday, or a legal holiday, the petitions may be filed on the next succeeding day which is not a Saturday, Sunday, or a legal holiday.

- C. The sponsor of the initiative may submit additional petition signatures at any time during the three hundred sixty-five day period until a sufficient number of signatures have been validated to place the measure on a ballot; however, if the additional petition signatures are submitted later than one-hundred twenty calendar days prior to the next election, the measure, if otherwise valid, will be placed on the ballot at the next appropriate election pursuant to section 82 of the City Charter.
- D. Petition signatures collected after the three hundred sixty-five day period will not be counted towards a previously filed initiative.
- E. A person who has signed an initiative petition may withdraw his or her signature from a petition by submitting to the city clerk a written request for the withdrawal of the signature up to the time the city clerk is directed by the city council to validate the signatures.

PASSED BY THE CITY COUNCIL ON _____.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date