

THE CITY OF SPOKANE



ADVANCE COUNCIL AGENDA

MEETING OF MONDAY, NOVEMBER 11, 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

- | | | |
|--|------------------------|------------------------------|
| 1. Additional purchase of one 2014 Freightliner M2-106 truck cab & chassis from Freedom Truck Center (Spokane, WA) by the Fleet Services Department for the Water Department—\$93,027.17 (including tax).
Gene Jakubczak | Approve | OPR 2013-0777
BID 3709-10 |
| 2. Low bid meeting specifications of Sound Ford (Renton, WA) for two 3/4 ton 4x4 extended cab pick-up trucks for the Fleet Services Department—\$54,537.66 (including tax). Gene Jakubczak | Approve | OPR 2013-0778
BID 3971-13 |
| 3. Low Bid of Arc Electric & Lighting Corporation (Spokane, WA) for Cedar Road and Country Homes Boulevard Intersection Signalization—\$430,826 (plus tax). An administrative reserve of \$43,082.60 (plus tax), which is 10% of the contract price, will be set aside. Gary Nelson | Approve | OPR 2013-0779
ENG 2009151 |
| 4. Consulting/Professional Services Agreement with Accela, Inc. (San Ramon, CA) to implement Electronic Document Review and perform configuration and scripting tasks through November 30, 2014—\$168,447 (incl. tax). Michael Sloon | Approve &
Authorize | OPR 2013-0780 |

5. Report of the Mayor of pending claims and payments of previously approved obligations, including those of Parks and Library, through _____, 2011, 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

RESOLUTION

(Require Four Affirmative, Recorded Roll Call Votes)

RES 2013-0080

Joint Resolution with Spokane County in the matter of authorizing the Airport Board to acquire various parcels comprising of approximately 844 acres of land adjacent to Spokane International Airport property and one single family home located on approximately 19,330.71 square feet of land adjacent to Felts Field Airport property for long-term aviation development at Spokane International Airport and to protect runway approach and maintain safe operations at Felts Field Airport.

Judy Gifford

FINAL READING ORDINANCES

(Require Four Affirmative, Recorded Roll Call Votes)

ORD C35050

Relating to animal control; adopting Chapters 5.04 and 5.12 of the Spokane County Code; amending Spokane Municipal Code Sections 1.05.210, 8.02.080, 8.02.081, 10.03.020, 10.03.033, 10.03.050, and 17C.310.150; adopting new Sections 10.03.015 and 10.03.025; repealing Sections 10.03.010, 10.03.030, 10.03.040, 10.03.060, 10.03.065, 10.03.070, 10.03.075, 10.03.080, 10.03.090, 10.03.120, 10.03.130, 10.24.010, 10.24.020, 10.24.030, 10.24.040, 10.24.050, 10.24.080, 10.24.090, 10.24.100, 10.24.110, 10.24.120, 10.24.130, 10.24.140, 10.24.150, 10.24.160, 10.24.170, 10.24.180, 10.24.190, 10.24.200, 10.24.210, and 10.24.900; and setting an effective date.

Jonathan Mallahan

- ORD C35053 Establishing the Department of Grants Management and Financial Assistance; adopting a new Section 03.01A.315 to Chapter 3.01A of the Spokane Municipal Code. **Gavin Cooley**

FIRST READING ORDINANCES

(No Public Testimony Will Be Taken)

- ORD C35054 Relating to the management of capital programs and infrastructure planning and the creation of an integrated capital management department, amending Spokane Municipal Code Sections 3.01A.220 and 3.01A.500; adopting a new Section 3.01A.345; adopting a new Chapter 13.10 to Title 13 of the Spokane Municipal Code; and setting an effective date. **Rick Romero**
- ORD C35055 Relating to water, wastewater and stormwater rates and incorporating integrated capital management rates, and the creation of water and wastewater rate section in the Spokane Municipal Code, adopting a new chapter 13.035 to title 13 of the Spokane Municipal Code; and setting an effective date. **Rick Romero**
- ORD C35056 Relating to the rates of public utilities and services, amending Spokane Municipal Code Sections 13.03.1004, 13.03.1006, 13.03.1008, 13.03.1010, 13.03.1012, 13.03.1014, 13.03.1016, 13.03.1018, 13.03.1020, 13.03.1022, 13.03.1202, 13.03.1226, and 13.03.1312; and adopting a new Section 13.03.1003 to Chapter 13.03 of the Spokane Municipal Code; and setting an effective date. (Relates to Wastewater rates.) **Rick Romero**
- ORD C35057 Relating to the rates of the water and hydroelectric department for services, amending SMC sections 13.04.2002, 13.04.2004, 13.04.2005, 13.04.2008, 13.04.2010, 13.04.2012, 13.04.2014, 13.04.2015, 13.04.2016, 13.04.2019, 13.04.2022, 13.04.2024, 13.04.2025, 13.04.2026, and 13.04.2028 of the Spokane Municipal Code; and setting an effective date. **Rick Romero**
- ORD C35058 Relating to solid waste rates; amending SMC sections 13.02.0502, 13.02.0504, 13.02.0506, 13.02.0508, 13.02.0510, 13.02.0512, 13.02.0514, 13.02.0516, 13.02.0518, 13.02.0520, 13.02.0528, 13.02.0530, 13.02.0552, and 13.02.0554; and setting an effective date. **Rick Romero**

FURTHER ACTION DEFERRED

NO SPECIAL CONSIDERATIONS

HEARING

(If there are items listed you wish to speak on, please sign your name on the sign-up sheets in the Chase Gallery.)

RECOMMENDATION

H1.	Hearing on the 2014 Total Proposed Budget. Tim Dunivant	Continue Hrg. to 11-18-13	FIN 2013-0001
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**Motion to Approve Advance Agenda for November 11, 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 November 11, 2013, Regular Legislative Session of the City Council is adjourned to Monday, November 18, 2013.

NOTES

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

11/11/2013

Date Rec'd

10/30/2013

Clerk's File #

OPR 2013-0777

Renews #**Submitting Dept**

FLEET SERVICES

Cross Ref #**Contact Name/Phone**

GENE JAKUBCZAK 625-7865

Project #**Contact E-Mail**

GJAKUBCZAK@SPOKANECITY.ORG

Bid #

#3709-10

Agenda Item Type

Purchase w/o Contract

Requisition #

RE #16784

Agenda Item Name

5100 - FLEET ADDTL PURCHASE OF SINGLE AXLE TRUCK CAB & CHASSIS

Agenda Wording

Additional purchase of one (1) 2014 Freightliner M2-106 truck cab & chassis from FREEDOM TRUCK CENTER (Spokane, WA) for the City of Spokane Fleet Services Department - \$93,027.17 including tax.

Summary (Background)

On 7/26/10 City Council awarded Bid #3709-10 for the purchase of single axle truck cab & chassis to Freedom Truck Center. Subsequently Fleet Services has identified an additional need for one (1) more truck cab & chassis. This truck cab & chassis is to build a new utility truck for the Water Department.

Fiscal Impact**Budget Account**

Expense \$ 93,027.17

4100-42490-94000-56404

Select \$

#

Select \$

#

Select \$

#

Approvals**Council Notifications****Dept Head**

BUTZ, LORIE

Study Session**Division Director**

ROMERO, RICK

Other

PWC 10/28/13

Finance

LESESNE, MICHELE

Distribution List**Legal**

BURNS, BARBARA

Purchasing: tprince

For the Mayor

SANDERS, THERESA

Fleet: gjakubczak & fleetservices

Additional Approvals

Taxes & Licenses

Purchasing

PRINCE, THEA

BRIEFING PAPER
Public Works Committee
Fleet Services
October 28, 2013

Subject

Purchase of one truck cab and chassis for the Water Department.

Background

Purchase one Freightliner cab and chassis utilizing the terms of bid #3709-10 for \$93,027.17, including tax.

Impact

This unit will replace a unit that has reached the end of its economic service life.

Action

Recommend approval

Funding

Funds are available in the Water Department's 2013 budget.

**FLEET SERVICES
MEMORANDUM**

October 31, 2013

TO: PURCHASING DEPARTMENT

**FROM: GENE JAKUBCZAK
ASSISTANT FLEET SERVICES DIRECTOR**

SUBJ: ADDITIONAL UNIT FROM BID #3709-10

After extensive consideration, the Fleet Services Department recommends that one additional truck chassis be purchased using bid #3709-10 for one single rear axle truck cabs & chassis. An additional \$1,500 increase plus 5% for orders after Feb. 28, 2012 is the only change in pricing. This escalator was listed in the original bid.

This chassis will be utilized by the Water Department as a utility truck. This is a replacement unit.

RE 16784 has been initiated for this purchase.

QTY	ITEM	TOTAL
1	Freightliner M2-106	\$55,450.00
OPTIONS		0.00
1	Alt. cab to axle dimension, 104"	\$0.00
1	Heated Mirrors	\$185.00
1	Driver controlled full locking differential	\$650.00
1	Air ride cab	\$135.00
1	Auxiliary radio power post	\$25.00
1	Auxiliary radio mounting position	\$115.00
1	Premium cab insulation	\$99.00
1	Outside frame clear	\$0
2	Additional factory installed switches	\$215.00
1	Engine option - 300 HP w/860 lb. ft. torque	\$9,200.00
1	Front suspension - 16,000 lb min. rated w/HD shock absorbers. To include springs, steering gear upgrade and appropriate brakes, tires, and wheels	\$5,560.00
1	Front fender extension - 2 inch	\$250.00
1	Frame - 7/16" x 3 9/16" x 11 1/8" 2.59M RBM single rail	\$750.00
1	23,000 lb. min. at ground with applicable springs, shocks, tires and wheels with 26,000 lb spring pack	\$4,765.00
1	Engine tunnel/firewall liner	\$75.00
1	Center storage console mtd. On backwall	\$25.00
1	12V dash power supply	\$30.00
1	Back-up alarm	\$97.00

1	Factory P.T.O. switch w/lamp	\$195.00
1	Huck bolt fasteners	\$197.00
1	Tilt and telescopic steering wheel	\$425.00
1	Air ride driver's and passenger's seat	\$875.00
1	Exhaust horizontal muffler, under cab step	\$610.00
	Sub-total	\$79,928.00
1	Price escalator for units built after Feb., 2012 - \$1,500 + 5%	\$5,496.00
	Sub-total w/price escalator	\$85,424.00
	Sales tax - 8.9%	\$7,602.77
TOTALS		\$93,027.17

cc: Dan Kegley
Lynn Shupe

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

11/11/2013

Date Rec'd

10/30/2013

Clerk's File #

OPR 2013-0778

Renews #**Submitting Dept**

FLEET SERVICES

Cross Ref #**Contact Name/Phone**

GENE JAKUBCZAK 625-7865

Project #**Contact E-Mail**

GJAKUBCZAK@SPOKANECITY.ORG

Bid #

#3971-13

Agenda Item Type

Purchase w/o Contract

Requisition #RE #16735 &
16736**Agenda Item Name**

5100-FLEET PURCHASE OF 3/4 TON PICKUP TRUCKS

Agenda Wording

Low bid meeting specifications of Sound Ford (Renton, WA) for two (2) 3/4 ton 4x4 extended cab pick up trucks. \$54,537.66 including tax

Summary (Background)

On September 30, 2013, sealed bids were opened to provide the City of Spokane Fleet Services Department with two (2) or more 3/4 ton pick up trucks with options. Three (3) responses were received with Sound Ford being the lowest responsive bidder.

Fiscal Impact**Budget Account**

Expense \$ 54,537.66

1950-54925-94000-56404

Select \$

#

Select \$

#

Select \$

#

Approvals**Council Notifications****Dept Head**

BUTZ, LORIE

Study Session**Division Director**

ROMERO, RICK

Other

PWC 10/28/13

Finance

LESESNE, MICHELE

Distribution List**Legal**

BURNS, BARBARA

Purchasing: tprince

For the Mayor

SANDERS, THERESA

Fleet: gjakubczak & Fleetservices

Additional Approvals

Taxes & Licenses

Purchasing

PRINCE, THEA

BID #3971-13		SOUND FORD	BUD CLARY FORD	WENDLE MOTORS
3/4 TON 4WD PICK UPS		101 SW GRADY WAY RENTON WA 98507	PO BOX 127 LONGVIEW WA 98632	9000 N DIVISION SPOKANE WA 99218
ITEM	QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
	2	3/4 TON 4WD PICK UPS	\$ 24,106.00	\$ 48,212.00
SALES TAX			9.80%	\$ 4,724.78
GRAND TOTAL				\$ 52,936.78
GVWR BID:		10,000 LBS		
ENGINE BID:		6.2 LITER 385HP		
OPTIONS:				
Limited Slip Rear Axle		Not Available		\$339.00
Optional (4.10 or similar) gear ratio				\$330.00
Limited Slip Rear Axle (4.10 or similar) gear ratio				\$196.00
Trailer Brake Controller				\$375.00
Spray-On Bed Liner				\$235.00
Manual, Parts and Service CD				
Auto 4 Wheel Drive w/auto hubs EXCEPTIONS		\$158.88 *** (Elect shift on the fly- manual locking hubs & auto rotary control on instrument panel)		\$160.00
DELIVERY		60-90 DAYS FRO	120 DAYS FRO	120 DAYS FRO
CREDIT CARD		NO	YES	NO
ADDITIONAL PURCHASES		YES	YES	YES

BRIEFING PAPER
Public Works Committee
Fleet Services
October 28, 2013

Subject

Purchase of two pick up trucks for the Parks Department.

Background

Sound Ford was the lowest responsive bidder (Bid #3971-13) for a total of \$54,537.66, including sales tax.

Impact

These units will replace units that have reached the end of their economic service life.

Action

Recommend approval

Funding

Funds are available in the Parks Department's 2013 budget.

**FLEET SERVICES
MEMORANDUM**

October 31, 2013

TO: PURCHASING DEPARTMENT

FROM: GENE JAKUBCZAK
FLEET SERVICES DIRECTOR

SUBJ: BID # 3971-13

After careful consideration, the Fleet Services Department recommends bid #3971-13 be awarded to Sound Ford, the lowest responsive bidder, for the purchase of two pick up trucks. Three bids were received. These are replacement units for the Parks Department.

QTY	ITEM	EACH	TOTAL
2	Ford F-250 ext. cab 4x4 long bed pick-up	\$24,106.00	\$48,212.00
OPTIONS			
2	Trailer Brake Controller	\$ 196.00	\$ 392.00
2	Spray-on bed liner	\$ 375.00	\$ 750.00
2	Auto 4 wheel drive w/auto hubs	\$ 158.00	\$ 316.00
Sub-Total		\$24,835.00	\$49,670.00
Sales Tax	9.8%		\$ 4,867.66
TOTAL			\$54,537.66

cc: Tony Madunich

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

11/11/2013

Date Rec'd

10/30/2013

Clerk's File #

OPR 2013-0779

Renews #**Submitting Dept**

ENGINEERING SERVICES

Cross Ref #**Contact Name/Phone**

GARY NELSON 625-6678

Project #

2009151

Contact E-Mail

GNELSON@SPOKANECITY.ORG

Bid #**Agenda Item Type**

Contract Item

Requisition #

CR 13909

Agenda Item Name

0370-LOW BID AWARD-CEDAR ROAD/COUNTRY HOMES BLVD.

Agenda Wording

Low Bid of Arc Electric & Lighting Corporation (Spokane, WA) for Cedar Road and Country Homes Blvd. Intersection Signalization - \$430,826.00 plus tax. An admin reserve of \$43,082.60, plus tax, which is 10% of the contract price, will be set aside.

Summary (Background)

On October 21, 2013 bids were opened for the above project. The low bid was from Arc Electric & Lighting Corporation in the amount of \$430,826.00, which is \$8,563.42 or 1.91% under the Engineer's Estimate; two other bids were received as follows: Colvico, Inc. - \$455,455.00 and Aztech Electric, Inc. - \$589,201.02.

Fiscal Impact**Budget Account**

Expense \$ 467,975.67

3200 49109 95300 56501

Expense \$ 8,962.35

4370 43354 94000 56501

Select \$

#

Select \$

#

Approvals**Council Notifications****Dept Head**

TWOHIG, KYLE

Study Session**Division Director**

QUINTRALL, JAN

Other**Finance**

LESESNE, MICHELE

Distribution List**Legal**

BURNS, BARBARA

sdecker@spokanecity.org

For the Mayor

SANDERS, THERESA

rdykes@spokanecity.org

Additional Approvals

mhughes@spokanecity.org

Purchasing

pdolan@spokanecity.org

mlesesne@spokanecity.org

htrautman@spokanecity.org

City Of Spokane
Engineering Services Department
***** Bid Tabulation *****

Project Number: 2009151

Project Description Cedar Rd. and Country Homes Blvd. Intersection

Original Date 12/15/2009 11:05:26 AM

Funding Source Signalization
Federal

Update Date 10/21/2013 2:42:47 PM

Preparer Ryan Cornwell

Addendum

Project Number: 2009151			Engineer's Estimate		Arc Electric & Lighting Corporation		Colvico Inc		Aztech Electric Inc	
Item No	Bid Item Description	Estimated Quantity	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount

Schedule Description					Tax Classification					
Schedule 01 Common Items					Public Street Improvement					
101	REIMBURSEMENT FOR THIRD PARTY DAMAGE	1 EST	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
102	SPCC PLAN	1 LS	*****	500.00	*****	1,000.00	*****	750.00	*****	850.00
103	PUBLIC LIAISON REPRESENTATIVE	1 LS	*****	300.00	*****	2,500.00	*****	1,500.00	*****	5,460.00
104	MOBILIZATION	1 LS	*****	40,000.00	*****	16,950.00	*****	25,000.00	*****	22,500.00
105	PROJECT TEMPORARY TRAFFIC CONTROL	1 LS	*****	30,000.00	*****	39,150.00	*****	49,500.00	*****	83,400.00
106	SPECIAL SIGNS	105 SF	20.00	2,100.00	12.00	1,260.00	11.00	1,155.00	10.51	1,103.03
107	SEQUENTIAL ARROW SIGN	1200 HR	2.00	2,400.00	3.00	3,600.00	2.75	3,300.00	2.63	3,150.00
108	ESC LEAD	1 LS	*****	500.00	*****	500.00	*****	750.00	*****	1,050.00
109	INLET PROTECTION	3 EA	75.00	225.00	150.00	450.00	125.00	375.00	285.00	855.00
110	SOD INSTALLATION	100 SY	15.00	1,500.00	18.50	1,850.00	6.00	600.00	30.79	3,079.00
111	REMOVE AND REPLACE EXISTING SPRINKLER HEADS AND LINES	1 LS	*****	500.00	*****	1,000.00	*****	1,500.00	*****	1,369.00
112	CEMENT CONCRETE CURB	150 LF	17.00	2,550.00	27.00	4,050.00	23.00	3,450.00	28.51	4,276.05
113	CEMENT CONC. CURB AND GUTTER	440 LF	18.50	8,140.00	26.00	11,440.00	22.00	9,680.00	27.37	12,041.92
114	CEMENT CONC. SIDEWALK	115 SY	41.50	4,772.42	45.00	5,175.00	39.00	4,485.00	45.62	5,245.96

<i>Project Number:</i> 2009151			<i>Engineer's Estimate</i>		Arc Electric & Lighting Corporation		Colvico Inc		Aztech Electric Inc	
<i>Item No</i>	<i>Bid Item Description</i>	<i>Estimated Quantity</i>	<i>Unit Price</i>	<i>Amount</i>	<i>Unit Price</i>	<i>Amount</i>	<i>Unit Price</i>	<i>Amount</i>	<i>Unit Price</i>	<i>Amount</i>

<i>Schedule Description</i>					<i>Tax Classification</i>					
<i>Schedule 01</i>		Common Items			Public Street Improvement					
116	RAMP DETECTABLE WARNING	64 SF	32.00	2,048.00	26.00	1,664.00	22.00	1,408.00	28.52	1,825.02
<i>Schedule Totals</i>				95,536.42		90,590.00		103,454.00		146,205.97

<i>Project Number:</i> 2009151			<i>Engineer's Estimate</i>		Arc Electric & Lighting Corporation		Colvico Inc		Aztech Electric Inc	
<i>Item No</i>	<i>Bid Item Description</i>	<i>Estimated Quantity</i>	<i>Unit Price</i>	<i>Amount</i>	<i>Unit Price</i>	<i>Amount</i>	<i>Unit Price</i>	<i>Amount</i>	<i>Unit Price</i>	<i>Amount</i>
<i>Schedule Description</i>					<i>Tax Classification</i>					
<i>Schedule 02</i> Street Items					Public Street Improvement					
201	MATERIAL ON HAND, TREE PROTECTION	1 LS	*****	1,500.00	*****	175.00	*****	200.00	*****	342.00
202	ROADSIDE CLEANUP	1 LS	*****	800.00	*****	1,380.00	*****	1,300.00	*****	1,757.00
203	REMOVAL OF STRUCTURE AND OBSTRUCTION	1 LS	*****	2,000.00	*****	2,070.00	*****	3,000.00	*****	2,100.00
204	REMOVE EXISTING CURB	320 LF	5.00	1,600.00	5.00	1,600.00	4.50	1,440.00	4.59	1,470.08
205	REMOVE CEMENT CONCRETE SIDEWALK AND DRIVEWAY	150 SY	8.00	1,200.00	6.00	900.00	5.50	825.00	7.00	1,050.00
206	SAWCUTTING CURB	16 EA	20.00	320.00	57.50	920.00	70.00	1,120.00	65.63	1,050.00
207	SAWCUTTING FLEXIBLE PAVEMENT	260 LFI	0.80	208.00	0.75	195.00	1.00	260.00	1.01	263.12
208	ROADWAY EXCAVATION INCL. HAUL	500 CY	15.00	7,500.00	20.70	10,350.00	20.00	10,000.00	21.00	10,500.00
209	CRUSHED SURFACING TOP COURSE	200 CY	32.00	6,400.00	48.30	9,660.00	47.00	9,400.00	54.17	10,833.00
210	CRUSHED SURFACING BASE COURSE	200 CY	32.00	6,400.00	48.30	9,660.00	47.00	9,400.00	54.17	10,833.00
211	CSTC FOR SIDEWALK AND DRIVEWAYS	200 CY	41.50	8,300.00	40.25	8,050.00	39.00	7,800.00	45.61	9,122.00
212	HMA CL. 1/2 IN. PG 70-28, 5 INCH THICK	1060 SY	35.00	37,100.00	39.10	41,446.00	38.00	40,280.00	40.88	43,330.68
213	HMA CL. 1/2 IN. PG 70-28, 7 INCH THICK	450 SY	25.00	11,250.00	57.00	25,650.00	54.00	24,300.00	60.82	27,368.10
214	TRAFFIC SIGNAL SYSTEM - COUNTRY HOMES RD./CEDAR RD.	1 LS	*****	160,000.00	*****	125,000.00	*****	143,200.00	*****	211,002.00
215	COMMUNICATION CABLES AND INTERFACE	1 LS	*****	7,000.00	*****	5,000.00	*****	1,500.00	*****	1,445.00
216	VIDEO & DATA TRANSMISSION AND DISTRIBUTION SYSTEM	1 LS	*****	20,000.00	*****	21,630.00	*****	23,250.00	*****	25,746.00
217	CCTV SYSTEM CEDAR ROAD AND COUNTRY HOMES BLVD ROAD	1 LS	*****	12,500.00	*****	8,950.00	*****	6,250.00	*****	7,111.00
218	ADJUST EXISTING ELECTRICAL JUNCTION BOX	3 EA	200.00	600.00	150.00	450.00	225.00	675.00	300.00	900.00
219	SIGNING, PERMANENT	1 LS	*****	7,000.00	*****	8,855.00	*****	8,500.00	*****	8,553.00

Project Number: 2009151			Engineer's Estimate		Arc Electric & Lighting Corporation		Colvico Inc		Aztech Electric Inc	
Item No	Bid Item Description	Estimated Quantity	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount

<i>Schedule Description</i>					<i>Tax Classification</i>					
<i>Schedule 02</i> Street Items					Public Street Improvement					
220	REMOVAL OF EXISTING PAVEMENT MARKINGS	200 SF	4.50	900.00	3.75	750.00	3.50	700.00	12.08	2,415.00
221	PAVEMENT MARKING - DURABLE HEAT APPLIED	1099 SF	10.00	10,990.00	10.00	10,990.00	9.00	9,891.00	12.97	14,254.03
222	WORD AND SYMBOL MARKINGS - DURABLE HEAT APPLIED	4 EA	180.00	720.00	300.00	1,200.00	275.00	1,100.00	200.00	800.00
223	REINFORCED DOWELED CURB	80 LF	15.00	1,200.00	32.00	2,560.00	28.00	2,240.00	32.79	2,623.04
224	TRAFFIC ISLAND CONCRETE	100 SY	31.25	3,125.00	55.00	5,500.00	49.00	4,900.00	62.72	6,272.00
<i>Schedule Totals</i>				308,613.00		302,941.00		311,531.00		401,140.05

Project Number: 2009151			Engineer's Estimate		Arc Electric & Lighting Corporation		Colvico Inc		Aztech Electric Inc	
Item No	Bid Item Description	Estimated Quantity	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount

Schedule Description					Tax Classification					
Schedule 03 Storm Sewer Items					Public Street Improvement					
302	GRATE INLET TYPE DIRECTIONAL VANED GRATE	1 EA	150.00	150.00	805.00	805.00	770.00	770.00	1,027.00	1,027.00
303	CATCH BASIN TYPE 1	1 EA	1,850.00	1,850.00	2,750.00	2,750.00	2,700.00	2,700.00	2,965.00	2,965.00
304	CLEANING EXISTING DRAINAGE STRUCTURE	1 EA	700.00	700.00	230.00	230.00	225.00	225.00	315.00	315.00
305	CATCH BASIN SEWER PIPE 8 IN. DIAM.	40 LF	70.00	2,800.00	55.00	2,200.00	51.00	2,040.00	59.88	2,395.00
306	CONNECT 8 IN DIAMETER PIPE TO EXISTING CATCH BASIN, DRYWELL, OR MANHOLE	1 EA	500.00	500.00	460.00	460.00	440.00	440.00	570.00	570.00
Schedule Totals				6,000.00		6,445.00		6,175.00		7,272.00

<i>Project Number:</i> 2009151			<i>Engineer's Estimate</i>		Arc Electric & Lighting Corporation		Colvico Inc		Aztech Electric Inc	
<i>Item No</i>	<i>Bid Item Description</i>	<i>Estimated Quantity</i>	<i>Unit Price</i>	<i>Amount</i>	<i>Unit Price</i>	<i>Amount</i>	<i>Unit Price</i>	<i>Amount</i>	<i>Unit Price</i>	<i>Amount</i>
<i>Schedule Description</i>					<i>Tax Classification</i>					
<i>Schedule 04</i> Water Items					Not Public Street Improvement					
401	ADJUST EXISTING VALVE BOX, MONUMENT OR CLEANOUT IN ASPHALT	2 EA	200.00	400.00	290.00	580.00	275.00	550.00	315.00	630.00
402	ADJUST EXISTING MANHOLE	1 EA	300.00	300.00	690.00	690.00	660.00	660.00	735.00	735.00
403	DUCTILE PIPE FOR WATER MAIN 4 IN. DIAM	20 LF	32.00	640.00	55.20	1,104.00	120.00	2,400.00	91.20	1,824.00
404	DUCTILE PIPE FOR WATER MAIN 6 IN. DIAM	20 LF	40.00	800.00	69.00	1,380.00	240.00	4,800.00	102.65	2,053.00
405	TRENCH SAFETY SYSTEM	1 LS	*****	1,500.00	*****	805.00	*****	800.00	*****	840.00
406	REMOVAL OF EXSITNG 4 IN DIAM. WATER MAIN	20 LF	20.00	400.00	5.75	115.00	6.00	120.00	7.90	158.00
407	REMOVAL OF EXISTING 6 IN DIAM. WATER MAIN	20 LF	20.00	400.00	5.75	115.00	6.00	120.00	7.90	158.00
408	GATE VALVE 4 IN.	1 EA	800.00	800.00	690.00	690.00	660.00	660.00	800.00	800.00
409	GATE VALVE 6 IN.	1 EA	1,100.00	1,100.00	865.00	865.00	825.00	825.00	970.00	970.00
410	VALVE BOX AND COVER 4 IN.	1 EA	200.00	200.00	175.00	175.00	170.00	170.00	285.00	285.00
411	VALVE BOX AND COVER 6 IN.	1 EA	300.00	300.00	175.00	175.00	170.00	170.00	285.00	285.00
412	METER 4 IN.	1 EA	2,500.00	2,500.00	3,726.00	3,726.00	3,500.00	3,500.00	3,991.00	3,991.00
413	METER 6 IN.	1 EA	3,500.00	3,500.00	6,350.00	6,350.00	6,000.00	6,000.00	6,500.00	6,500.00
414	DOUBLE CHECK VALVE 4 IN.	1 EA	2,500.00	2,500.00	1,450.00	1,450.00	1,450.00	1,450.00	1,600.00	1,600.00
415	DOUBLE CHECK VALVE 6 IN.	1 EA	3,500.00	3,500.00	2,300.00	2,300.00	2,200.00	2,200.00	2,623.00	2,623.00
416	90 DEG ELBOW W/ RESTRAINED JOINTS 4 IN.	2 EA	200.00	400.00	290.00	580.00	275.00	550.00	342.50	685.00
417	90 DEG ELBOW W/ RESTRAINED JOINTS 6 IN.	2 EA	300.00	600.00	380.00	760.00	360.00	720.00	433.50	867.00
418	FL x FL GATE VALVE 4 IN.	2 EA	1,200.00	2,400.00	1,035.00	2,070.00	1,000.00	2,000.00	1,140.50	2,281.00
419	FL x FL GATE VALVE 6 IN.	2 EA	1,600.00	3,200.00	1,380.00	2,760.00	1,300.00	2,600.00	1,482.50	2,965.00

<i>Project Number:</i> 2009151			<i>Engineer's Estimate</i>		Arc Electric & Lighting Corporation		Colvico Inc		Aztech Electric Inc	
<i>Item No</i>	<i>Bid Item Description</i>	<i>Estimated Quantity</i>	<i>Unit Price</i>	<i>Amount</i>	<i>Unit Price</i>	<i>Amount</i>	<i>Unit Price</i>	<i>Amount</i>	<i>Unit Price</i>	<i>Amount</i>

Schedule Description					Tax Classification					
Schedule 04					Not Public Street Improvement					
420	WATER VALVE VAULT	1 EA	3,800.00	3,800.00	4,160.00	4,160.00	4,000.00	4,000.00	4,333.00	4,333.00
Schedule Totals				29,240.00		30,850.00		34,295.00		34,583.00

	SCHEDULE SUMMARY								
	Sched 1	Sched 2	Sched 3	Sched 4	Sched 5	Sched 6	Sched 7	Sched 8	Total
Engineer's Est	95,536.42	308,613.00	6,000.00	29,240.00	0.00	0.00	0.00	0.00	439,389.42
Arc Electric & Lighting	90,590.00	302,941.00	6,445.00	30,850.00	0.00	0.00	0.00	0.00	430,826.00
Colvico Inc	103,454.00	311,531.00	6,175.00	34,295.00	0.00	0.00	0.00	0.00	455,455.00
Aztech Electric Inc	146,205.97	401,140.05	7,272.00	34,583.00	0.00	0.00	0.00	0.00	589,201.02

Low Bid Contractor: Arc Electric & Lighting Corporation

	Contractor's Bid	Engineer's Estimate	% Variance	
Schedule 01	\$90,590.00	\$95,536.42	5.18	% Under Estimate
Schedule 02	\$302,941.00	\$308,613.00	1.84	% Under Estimate
Schedule 03	\$6,445.00	\$6,000.00	7.42	% Over Estimate
Schedule 04	\$33,533.95	\$31,783.88	5.51	% Over Estimate
Bid Totals	\$433,509.95	\$441,933.30	1.91	% Under Estimate



Agenda Sheet for City Council Meeting of:
11/11/2013

Date Rec'd	10/30/2013
Clerk's File #	OPR 2013-0780
Renews #	
Cross Ref #	
Project #	
Bid #	
Requisition #	CR13914000

Submitting Dept	INFORMATION TECHNOLOGY
Contact Name/Phone	MICHAEL SLOON 625-6468
Contact E-Mail	MSLOON@SPOKANECITY.ORG
Agenda Item Type	Contract Item
Agenda Item Name	5300 ACCELA PROF SVCS (2013)

Agenda Wording

Consulting/Professional Services Agreement with Accela, Inc. (San Ramon, CA) to implement Electronic Document Review and perform configuration and scripting tasks. Agreement begins at the date of signature through November 30, 2014.

Summary (Background)

The City of Spokane has contracted with Accela since 2006 for the software licensing, maintenance, and support of the city-wide Accela Permit System. Accela implemented the City's Permitting System and has knowledge of our current configuration and customization. There is continuity of the initial implementation and the on-going issue resolutions. The Accela Permitting System is proprietary.

<u>Fiscal Impact</u>		<u>Budget Account</u>
Expense	\$ 168,447.00 inc tax	# 5300-73320-18880-54201
Select	\$	#
Select	\$	#
Select	\$	#
<u>Approvals</u>		<u>Council Notifications</u>
<u>Dept Head</u>	SLOON, MICHAEL	<u>Study Session</u>
<u>Division Director</u>	DOLAN, PAM	<u>Other</u>
<u>Finance</u>	LESESNE, MICHELE	<u>Distribution List</u>
<u>Legal</u>	BURNS, BARBARA	Accounting - pdolan@spokanecity.org
<u>For the Mayor</u>	SANDERS, THERESA	Contract Accounting - mlesense@spokanecity.org
<u>Additional Approvals</u>		Legal - bburns@spokanecity.org
<u>Purchasing</u>		Taxes & Licenses
		Purchasing - cwahl@spokanecity.org
		IT - jhamilton@spokancity.org
		Accela - cclark@accela.com

SERVICES AGREEMENT

- | | | |
|-------------------|--|---|
| 1. <u>Parties</u> | ACCELA
Accela, Inc.
2633 Camino Ramon, Suite 500
Bishop Ranch 3
San Ramon, California 94583
Attention: Contracts Administration
T: 925.659.3200
F: 925.407.2722
e-Mail: contractsadmin@accela.com | CUSTOMER
City of Spokane, Washington
808 West Spokane Falls Boulevard

Spokane, Washington 99201-3344
Attention: Mike Sloon
T: N/A
F: N/A
e-Mail: msloon@spokanecity.org |
|-------------------|--|---|

This Services Agreement ("SA") is intended for the exclusive benefit of the Parties; nothing herein will be construed to create any benefits, rights, or responsibilities in any other parties.

2. Term and Termination

- 2.1 Term Provided that Customer signs and returns this SA to Accela **no later than December 1, 2013**, this SA is effective as of the date of Customer's signature ("Effective Date") and will continue until completion of the services deliverables described herein.
- 2.2 Termination Either party may terminate if the other party materially breaches this SA and, after receiving a written notice describing the circumstances of the default, fails to correct the breach within thirty (30) calendar days. Upon any termination or expiration of this SA, all rights granted to Customer are cancelled and revert to Accela.

3. Professional Services Accela will provide the implementation, data conversion, and/or training services ("Professional Services") described in the Statement of Work ("SOW") attached hereto as Exhibit A.

- 3.1 Warranty Accela will commence and complete the Professional Services in a good and workmanlike manner, consistent with the practices and standards of care generally-accepted within and expected of Accela's industry.
- 3.2 Customer Cooperation As required, Customer agrees to provide Accela with appropriate access to Customer's facilities, personnel, data systems, and other resources. Customer acknowledges that the implementation process described in this SA is cooperative in nature and that Customer must complete its designated tasks in a timely manner in order for Accela to proceed with and complete the Professional Services. Customer delays during the implementation period may have adverse collateral effects on Accela's overall work schedule. Although Accela will use its best efforts to immediately resume work following such a delay, Customer acknowledges that schedules for the Professional Services may be delayed by more than the number of days delayed by Customer. Customer agrees that if additional time is required to complete the Professional Services because of Customer delays, such time will be charged to Customer at Accela's then-current time-and-materials rates.

3.3 Compensation

- 3.3.1 Implementation Fees In exchange for the Professional Services, Customer will pay to Accela the amounts indicated in Exhibit A according to the billing events schedule described therein. The pricing set forth herein reflects information generally known to Accela, supplied to Accela by Customer, and based on Accela's interpretation of the work to be performed. In addition to such amounts, Customer will reimburse Accela for airfare, travel time, lodging,

rental transportation, meals, and other miscellaneous expenses at current rates. Customer will reimburse Accela for data communications charges at the flat, per-day rate specified in Exhibit A. Upon Customer request, Accela will provide scanned or copied receipts of other appropriate documentation supporting claimed expenses and other charges.

- 3.3.2 Payment Terms Amounts are quoted in United States dollars and do not include applicable taxes, if any. Customer will be responsible for payment of all federal, state or provincial, and local taxes and duties, except those based on Accela's income. If Customer is exempt from certain taxes, Customer will provide Accela with an appropriate certificate of exemption. Customer will be invoiced for all amounts upon occurrence of the billing events described in Exhibit A. The payment terms of all invoices are net thirty (30) calendar days from the dates of the invoices. Accela may, at its sole discretion, suspend its obligations hereunder without penalty until payments for all past-due billings have been paid in full by Customer.

4. Confidentiality

- 4.1 Definitions "Disclosing Party" and "Recipient" refer respectively to the party which discloses information and the party to which information is disclosed in a given exchange. Either Accela or Customer may be deemed Disclosing Party or Recipient depending on the circumstances of a particular communication or transfer of information. "Confidential Information" means all disclosed information relating in whole or in part to non-public data, proprietary data compilations, computer source codes, compiled or object codes, scripted programming statements, byte codes, or data codes, entity-relation or workflow diagrams, financial records or information, client records or information, organizational or personnel information, business plans, or works-in-progress, even where such works, when completed, would not necessarily comprise Confidential Information. The foregoing listing is not intended by the Parties to be comprehensive, and any information which Disclosing Party marks or otherwise designates as "Confidential" or "Proprietary" will be deemed and treated as Confidential Information. Information which qualifies as "Confidential Information" may be presented to Recipient in oral, written, graphic, and/or machine-readable formats. Regardless of presentation format, such information will be deemed and treated as Confidential Information. Notwithstanding, the following specific classes of information are not "Confidential Information" within the meaning of this Section:
- a) information which is in Recipient's possession prior to disclosure by Disclosing Party;
 - b) information which is available to Recipient from a third party without violation of this SA or Disclosing Party's intellectual property rights;
 - c) information disclosed pursuant to Subsection 4.4 below;
 - d) information which is in the public domain at the time of disclosure by Disclosing Party, or which enters the public domain from a source other than Recipient after disclosure by Disclosing Party;
 - e) information which is subpoenaed by governmental or judicial authority; and
 - f) information subject to disclosure pursuant to a state's public records laws.
- 4.2 Confidentiality Term The obligations described in this Section commence on the Effective Date and will continue until two (2) years following any termination or expiration of this SA ("Confidentiality Term").
- 4.3 Confidentiality Obligations During the Confidentiality Term, Recipient will protect the confidentiality of Confidential Information using the same degree of care that it uses to protect its own information of similar importance, but will in any case use no less than a reasonable degree of care to protect Confidential Information. Recipient will not directly or indirectly disclose Confidential Information or any part thereof to any third party without Disclosing Party's advance express written authorization to do so. Recipient may disclose Confidential Information only to its employees or agents under its control and direction in the normal course of its business and only on a need-to-know basis. In responding to a

request for Confidential Information, Recipient will cooperate with Disclosing Party, in a timely fashion and in a manner not inconsistent with applicable laws, to protect the Confidential Information to the fullest extent possible.

- 4.4 Publicity During the term of this SA, including the term of any amendment hereto, Accela may publicly disclose its ongoing business relationship with Customer. Such disclosures may indicate Customer's identity and the Accela product(s) and services provided or contracted to be provided to Customer. These disclosures may include press releases or other communications to media, display on Accela web sites, or use in other marketing activities, but will not include non-public information or indicate Customer's express endorsement of Accela's products or services without Customer's prior written authorization.

5. Other Terms and Conditions

- 5.1 Mutual Indemnification Accela agrees to indemnify, defend, and hold Customer and its officers, agents, and employees harmless against any claims, suits, or damages arising out of physical property damage or bodily injury caused by the negligence or misconduct of Accela or its employees or agents while the terms and conditions of this SA remain enforceable. Customer agrees to indemnify, defend, and hold Accela and its officers, agents, and employees harmless against any claims, suits, or damages arising out of physical property damage or bodily injury caused by the negligence or misconduct of Customer or its employees or agents while the terms and conditions of this SA remain enforceable.
- 5.2 Limitation of Liability Accela provides no warranty whatsoever for any third-party hardware or software products. Third-party applications which utilize or rely upon the Professional Services may be adversely affected by remedial or other actions performed pursuant to this SA; Accela bears no liability for and has no obligation to remedy such effects. Except as set forth herein, Accela provides all Professional Services "as is" without express or implied warranty of any kind regarding the character, function, capabilities, or appropriateness of such services or deliverables. To the extent not offset by its insurance coverage and to the maximum extent permitted by applicable laws, in no event will Accela's cumulative liability for any general, incidental, special, compensatory, or punitive damages whatsoever suffered by Customer or any other person or entity exceed the fees paid to Accela by Customer during the twelve (12) calendar months immediately preceding the circumstances which give rise to such claim(s) of liability, even if Accela or its agents have been advised of the possibility of such damages.
- 5.3 Insurance Coverage Accela will maintain insurance coverage at its sole cost and expense and will provide certificates of insurance to Customer if so requested. The insurance will not be cancelled or terminated without thirty (30) calendar days' advance written notice to Customer.
- 5.4 Force Majeure If either party is delayed in its performance of any obligation under this SA due to causes or effects beyond its control, that party will give timely notice to the other party and will act in good faith to resume performance as soon as practicable.
- 5.5 Dispute Resolution This SA is governed by the laws of the State of Washington. Any controversy or claim arising out of or relating to this SA, or the breach thereof, will be settled by arbitration administered by the American Arbitration Association under its Commercial Arbitration Rules, including the Emergency Interim Relief Procedures, and judgment on the award rendered by the arbitrator may be entered in any court having jurisdiction thereof. The place of arbitration will be Spokane County, Washington. Either party may apply to the arbitrator for injunctive relief until the arbitration award is rendered or the controversy is otherwise resolved. Either party also may, without waiving any remedy under this SA, seek from any court having jurisdiction any interim or provisional relief that is necessary to protect the rights or property of that party, pending the arbitrator's determination of the merits of the

controversy. Each party will initially bear its own expenses and an equal share of the costs of the arbitration, but the prevailing party may be awarded its expenses, reasonable attorneys' fees, and costs. The failure of either party to object to a breach of this SA will not prevent that party from thereafter objecting to that breach or any other breach of this SA.

- 5.6 Assignment Accela may assign its rights and obligations hereunder for purposes of financing or pursuant to corporate transactions involving the sale of all or substantially all of its stock or assets. Accela may subcontract with qualified third parties to provide portions of the Professional Services described hereinabove.
- 5.7 Survival The following provisions will survive the termination or expiration of this SA: Section 3.3 and all subsections thereof, as to Customer's obligation to pay any fees accrued or due at the time of termination or expiration; Section 4 and all subsections thereof; and Section 5 and all subsections thereof with the exceptions of Subsections 5.1, 5.3, and 5.4.
- 5.8 Alternate Terms Disclaimed The parties expressly disclaim any alternate terms and conditions accompanying drafts and/or purchase orders issued by Customer.
- 5.9 Severability and Amendment If any particular provision of this SA is determined to be invalid or unenforceable, that determination will not affect the other provisions of this SA, which will be construed in all respects as if the invalid or unenforceable provision were omitted. No extension, modification, or amendment of this SA will be effective unless it is described in writing and signed by the Parties.

ACCELA

By: _____
(Signature)

(Print Name)

Its _____
(Title)

Dated: _____
(Month, Day, Year)

CUSTOMER

By: _____
(Signature)

(Print Name)

Its _____
(Title)

Dated: _____
(Month, Day, Year)

Exhibit Follows.

END OF DOCUMENT

EXHIBIT A

Statement of Work (SOW) document follows this page.

END OF DOCUMENT

Statement of Work

City of Spokane

10/16/2013

Accela, Inc.
2633 Camino Ramon
Suite 120
San Ramon, CA 94583
Tel: 925-659-3200
Fax: 925-659-3201

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Document Control

Date	Author	Version	Change Reference
10/16/2013	Dane Quatacker	1.0	Initial

Overview

The following Statement of Work will detail how Accela will provide you with Professional Services consulting.

This Statement of Work ("SOW") dated 10/16/2013 sets forth a scope and definition of the consulting/professional services, work and/or project (collectively, the "Services") to be provided by Accela ("Accela") to City of Spokane ("Agency").

Capitalized terms not defined in this SOW are as defined in the Services Agreement. In the event of any conflict between the Agreement and this SOW, the terms of the Services Agreement shall govern.

Work Description

Accela will work with Agency staff to implement EDR and perform configuration and scripting tasks according to the requirements set forth by the Agency. The specific scoping points can be found in Appendix A.

Project Schedule

The termination of this project is 8 months from the date of execution.

If an Agency-based delay puts the project on hold more than one (1) month, Accela reserves the right to terminate the contract and new terms will need to be negotiated. If an Agency-based delay puts the project on hold past the termination period, Accela reserves the right to terminate the contract at the time of the delay.

Payment Terms

Payment Schedule:

Accela will perform the Services on an hourly payment basis at a rate of \$185 per hour for consulting and project management and \$225 per hours for project executive oversight based on: the nature and scope of the Services as outlined in Appendix A, the expected staffing requirements, project schedule, Accela's and Customer's roles and responsibilities and the other assumptions set forth in this SOW. The projects is expected to take an estimated 769 hours and Accela's total price to perform the Services and provide the work described in Appendix A is estimated to be \$143,625 exclusive of taxes and expenses. The price is based on the information available at the time of signing and the assumptions, dependencies and constraints, and roles and responsibilities of the Parties, as stated in this SOW. Should there be changes to the scope, timeline or resources that increases the hours or costs needed to complete the project, a Change Order may be required prior for project continuation. Please see Change Order details below.

Invoices will be sent every two weeks for work completed. Accela will endeavor not exceed the total estimate amount without the prior approval of Customer; however Agency is responsible to pay all actual project hours worked. Accela has the right to refuse to work additional hours should there be no remaining estimated hours and no Change Order delineating additional hours.

Any estimated hours remaining on the project when Accela has completed work will not be used for other work without a Change Order delineating the scope. Any estimated hours remaining on the project when Accela has completed work will either terminate when the project is complete or expire on the term date of the agreement whichever is sooner.

Task	Estimated Price
Analysis and Configuration - 44hrs @ \$185/hr	\$8,140
Interfaces – 40hrs @ \$185/hr	\$7,400
Scripts – 260hrs @ \$185/hr	\$48,100
Electronic Document Review – 172hrs @ 185/hr	\$31,820
Accela Citizen Access – 152hrs @ 185/hr	\$28,120
Project Management – 67hrs @ 185/hr	\$20,045
Project Executive Oversight – 34hrs @ 225/hr	
Travel and Expenses Estimate	\$11,340
Estimated Total Professional Services	\$154,965

Expenses:

Actual amounts of any reasonable and customary travel expenses incurred during the performance of services under this SOW will be billed to Agency, according to Accela expense policy. Accela will bill Customer for actual expenses incurred for travel and lodging/living, as well as other approved out-of-pocket expenses (such as mileage, parking, tolls and telecommunications charges). Accela will work with Customer to manage and control its expenses in accordance with Accela's global travel policy guidelines and will not incur expenses in excess of the initial contracted budget below without Customer's prior written consent. Expense receipts will be made available as requested by Agency. Total estimated expenses are based on past Accela engagement experience.

Based on the assumption that there will only need to be 4 onsite trips at an estimated \$1715 each, the travel expense budget estimate is \$6,860. Resource travel time is billed above this budget at a rate of \$140/hr with an estimated 32 hours for this expense or \$4,480. Should the customer require more onsite trips than the assumption above, a Change Order will be required prior to additional travel commencing to cover the cost of those additional trips.

Contract Sum

The total estimated amount payable under this Agreement is therefore \$154,965 including travel expenses and travel time.

Change Order

The estimated fees for this SOW are predicated on the timely completion of project milestones. However, should completion of milestones slip due to actions of Agency, and should this slippage result in material effort to Accela in excess of the hours provided for in this document, Accela will produce a change order at a rate of \$230/hr. for additional hours in support of the scope and deliverables contained herein. Any change order will need to be approved by both Agency and Accela. Change orders will need to be approved within three business days of delivery to avoid a halt of work on the engagement.

General Assumptions

- Scope is based on discovery sessions with Agency prior to the SOW development.
- Agency and Accela will review their responsibilities before work begins to ensure that Services can be satisfactorily completed and in the appropriate timeframe.
- Coding not specifically described in this document is the responsibility of Agency.

- Agency has committed to the involvement of key resources and subject matter experts for ongoing participation in all project activities as defined in the project plan associated with this SOW.
- Agency will provide access to subject matter experts and decision makers in a timely fashion.
- Agency will commit project sponsors and all necessary stakeholders and SME's during the project kickoff.
- Any additional worked hours over the hours or scope stated in the SOW will require a Change Order.
- Accela is not responsible for impacts to project timeline created by dependency on Agency third party consultants. Timeline changes will result in a Change Order for extension of Accela project resources caused by Agency third party consultant actions (including availability) resulting in additional time or scope.
- Invoices are due net 30 of the invoice date.

Acceptance:

Accepted By:

ACCELA, INC.

Authorized Signature

Name - Type or Print

Title

Date

Accepted By:

CITY OF SPOKANE

Authorized Signature

Name - Type or Print

Title

Date

Appendix A follows

Appendix A: Specific Scoping Details and Assumptions

Project Management and Oversight

Accela will provide a project manager for services throughout the implementation in order to plan and monitor execution of the project in accordance with deliverables outlined in the Statement of Work. To support the implementation of the Accela Automation software at the Agency, Accela will provide Project Management services throughout the project. Generally these services include the following:

- Project plan management using Microsoft Project 2010,
- Project document management using Accela Hosted Microsoft SharePoint project site,
- Issue log management and escalation,
- Status reporting,
- Change order management,
- Project workspace management,
- Resource management,
- Executive project oversight and quality assurance.

By mutual agreement, some project management tasks may be shared between the Accela Project Manager and the Agency Project Manager. Project Management tasks may be done remotely, at Accela's discretion.

Analysis and Configuration

Accela will work the Agency to develop configuration for the following:

- Review and update the Collections process to ensure statuses are consistent across the process.
- Review the ACA Configuration for the ACA Auto-Activation process so that accounts will be auto approved
- Do analysis and configuration to support reassignment of code enforcement tasks to other departments (Scripting portion of this task is listed under Accela Automation Scripting section).

Scripting

Accela will work the Agency to develop or update Scripting for the following elements:

- 1 Expression Builder Script
 - Expression Builder Script that will sync the App Name and Business/Brief Description
- 22 Automation Type Scripts
 - Final Inspection Approval will update workflow
 - Automate the syncing up of Class Code in productized record info to ASI
 - Moving Activities from one fire site location to another fire site location record
 - Update Cloning process so that workflow copies down to cloned record
 - Update the Application name after the business/brief description is changed
 - Script to update the date opened on Temp records when they are created as real records
 - Validate the payment reference number is compatible with the payment method chosen based on reconciliation rules
 - Create cloning process for the Servicer Records
 - Script to add tank fee permits when updating an underground storage tank construction permit to UST operating permit
 - Update scripting for Collection review to ensure status are consistent across scripting and configuration

- Update the External notification process already in place to ensure emails are sent in all situations
- Add ASB validation script to block permits submitted that are outside of city limits (assume GIS functionality is available to support the check)
- Update Fees not calculating correct off of info tables
 - 6 Automation Scripts for Treasurers
 - 1 Automation Script for Planning
 - 1 Automation Script for Building
- Automation script to copy the valuation calculated value to contractor valuation when update to ensure both are synced when valuation calculator is used
- Code reassignment across modules (this is the script part of the code enforcement reassignment effort)
- 2 Batch Scripts
 - Update batch scripting for Aging and Billing for Renewables and correct status change updates
 - Batch Script that will only remove the TMP records older than 3 days
- 1 Custom EMSE Function
 - Create function that will auto attach invoices generated to record

Interfaces

Accela will work the Agency to develop or update the Licensed Professional interface for the following elements:

- Update APO Conversion Address mapping to correct addresses being flagged as inactive.

Electronic Document Review

Accela will work with Agency staff to implement the Electronic Document Review (EDR) feature in Accela Automation according to the requirements set forth by the Agency.

Assumptions and Agency Responsibilities

- Prior to Accela's configuration of Accela Electronic Document Review:
 - The Agency will have installed .Net Framework 4.0 Client Profile and Adobe Acrobat Pro software. Adobe Acrobat Pro must be purchased and installed separately for each Agency user who will be interacting with Accela Electronic Document Review for plan review and markups. The Agency will use the standard Accela installation for Adobe.
 - The Agency is using Accela Automation 7.2 FP2
- In support of the project, the Agency will:
 - Make available the appropriate subject matter experts to provide needed information, participate in the analysis and verify the accuracy of the information provided.
 - Adhere to agreed-upon timelines for deliverable review and acceptance.
 - Provide timely and appropriate responses to Accela's request for information.
 - Provide Accela with access to its equipment, systems, and personnel to the extent needed to complete the defined Services. Accela accepts full responsibility for the actions of its representatives while on City information and communications technology resources
- Agency shall review and test work submitted by Accela within five City work days of notification. City shall respond "Accepted, "Accepted with Minor Issues", or "Not Accepted Due to..."
- Each department agrees to utilize the baseline/standard processes that are currently setup for record types in Accela Automation.
- The configuration of Accela Electronic Document Review will build on the configuration, record types, and workflow tasks the Agency already has in place and allow for modifications to the document review process. Processes to

submit, review, and accept documents will leverage this in-place configuration. New or redesigned workflow beyond the tasks described in the section above shall be the responsibility of the Agency, or constitutes additional scope.

- The configuration of Accela Electronic Document Review will build on Accela Citizen Access configuration that the Agency already has in place. Application processes through Accela Citizen Access will have already been configured and enabled. Configuration of new online applications and new or updated page flows constitutes additional scope.
- Accela will leverage stamps provided out-of-the box, or from its stock of stamps, and provide instruction on the creation of stamps to the Agency. Accela will also provide one custom stamp for each of these categories; static text only, simple dynamic stamp and dynamic stamp with input. These samples will be used as training exercises, and the result of the training exercise is the delivered stamp. The Agency will be responsible for creating any additional stamps that will be applied through configuration.
- Accela will leverage buttons provided out of the box and provide training and instruction on the creation of custom buttons with links. Accela will provide one sample custom button for the purposes of training. The Agency will be responsible for creating any buttons that will be applied through configuration.
- Training participants will already have been trained in Accela Automation.
- Training will focus on leveraging the functionality of Accela EDR and assumes that users are familiar with the basic functionality of the Adobe Acrobat software.
- The Agency will provide suitable facilities, hardware, software and supporting equipment required for training – including fully configured workstations.
- Training must be conducted on systems/workstations that have been setup with appropriate software and configuration. Since there is a client install of software and configuration, end user training will occur at the user's workstation. Accela will train up to eight (8) end-users in this manner. Any additional training required will be completed by the Agency, or constitute additional scope and changes.
- In support of User Acceptance Testing, the Agency will:
 - Develop use cases / test cases needed to test the configuration.
 - Allocate appropriate staff to the testing effort to ensure that the system is operating per signed specifications and ready for the move to production.
- The Agency will leverage in-place procedures for storage of documents in Accela Automation.
- The Agency will leverage the Accela out-of-the-box functionality, accepting best practices as basis for system configuration where applicable, with modifications allowed to address customer-specific nomenclature, conditions, and Accela Citizen Access text.
- The Agency will be responsible for applicant plan/document submittal instructions and materials. In addition, the Agency will be responsible for applicant training.

Tasks

The Accela Electronic Document Review implementation is comprised of the activities that will enable the submission, review, and markup of documents to work effectively given the Agency's configuration of Accela Automation. Accela will conduct the following activities in support of the implementation:

- **Installation.** Accela will install Accela Electronic Document Review (EDR), Adobe Acrobat configuration files, and Accela Document Service (ADS).
- **Analysis.** Accela will work with the Agency to understand its document submission and approval process for up to four (4) processes in order to enable the Accela Electronic Document Review configuration to work effectively with the Agency's workflow. Accela will work with the Agency to identify and review:
 - The up to four (4) selected EDR processes for inclusion in this effort
 - Documents that will be submitted online through Accela Citizen Access and Accela Automation as part of the review process.

- Agency workflows associated with the document review process.
- Requirements for workflow tasks / statuses / assignments for each role (e.g. intake personnel, plan reviewers, plan processors / approvers, etc.) in support of Agency workflow.
- Versioning of documents submitted / reviewed.
- Process steps within the Agency's workflow associated with reviewing the plan.
- Requirements for notifications via email.
- Stamps to be used on submitted documents.
- Buttons to be used to quickly access Web-based regulatory codes.
- Information that will be exposed to the public via Accela Citizen Access.

Accela will produce an Accela Electronic Document Review Specifications Document as the basis for configuration.

- **Configuration.** Accela will configure the following for this effort:
 - Accela Automation based on the Accela Electronic Document Review Specifications document
 - configure Accela Document Service ("ADS") in up to two environments to support the EDR effort
 - configuration up to 4 custom EMSE scripts (anticipated for submittal, auto assignment, updating workflow from EDR process, and resubmittal)
- **Training for Configuring work stations.** Accela will train the Agency's Information Technology staff on configuring workstations and modifying portlet displays to accommodate Accela Electronic Document Review so that they may deploy any changes according to Agency standards. The Agency is responsible for installing EDR software and required dependencies on all workstations.
- **User Acceptance Testing (UAT).** Accela will work with the Agency in the testing and validation of the configuration to ensure its readiness to be migrated to Production. As Agency staff executes testing activities during the UAT process, Accela will address and rectify issues discovered for.
- **End-User Training.** Accela will provide standard training on Accela Electronic Document Review for up to eight (8) end users. Topics include:
 - attaching documents via Accela Citizen Access and Accela Automation,
 - searching for documents,
 - and reviewing and annotating documents
 - The training will describe how to leverage Adobe Acrobat in support of Accela Electronic Document Review including:
 - accessing and using the tools for annotations and markups,
 - setting default names for and colors for authors of comments,
 - and using stamps
- **Go-Live.** Upon completion of UAT Accela will work with the Agency to deploy the configuration to the production environment.

Accela Citizen Access

Accela will work with City of Spokane to update the existing Accela Citizen Access install.

Assumptions

- Accela Citizen Access is currently installed
- Access will be provided to the test environment
- This effort will build on existing configuration

Tasks

- **Analysis.** Accela will work with the Agency to review existing Accela Citizen Access configuration and work with Agency to define updates and best practices

- Create the configuration specification for Accela Citizen Access based on analysis with the Agency for up to the following items:
 - Two Department (Building, and Engineering)
 - Up to eight (8) Pageflows to support the EDR processes – a pageflow is a set of pages representing the application process for online applications. It is possible for one pageflow to be utilized by multiple records.
 - Shopping Cart Processing
 - Auto Activation Process for ACA Accounts
- **Configuration.** Accela will perform configuration of the online record type
 - Configure Accela Citizen Access as defined in the system configuration document produced for ACA.
- **User Acceptance Testing (UAT).** Agency will perform user acceptance testing of Accela Citizen Access and provide issues to Accela for resolution. The Agency UAT period will last no longer than one (1) week.
- **Go-Live.** Upon completion of UAT issue and confirmation by agency, Accela will work with the Agency to deploy the configuration to the production environment.



Agenda Sheet for City Council Meeting of:
11/11/2013

Date Rec'd	10/30/2013
Clerk's File #	RES 2013-0080
Renews #	
Cross Ref #	
Project #	
Bid #	
Requisition #	

Submitting Dept	AIRPORTS
Contact Name/Phone	LARRY 455-6434
Contact E-Mail	LKRAUTER@SPOKANEAIRPORTS.NET
Agenda Item Type	Resolutions
Agenda Item Name	SIA & FELTS FIELD -

Agenda Wording

Joint Resolution with Spokane County in the matter of authorizing the Airport Board to acquire various parcels comprising of approximately 844 acres of land adjacent to Spokane International Airport property and one single family home located

Summary (Background)

Pursuant to Paragraph 8(b) of the Spokane International Airports Joint Operation Agreement, the County and City must by joint action approve the acquisition, sale, transfer or disposal of real property. The Airport Board recommends to the County and the City the acquisition of various Spokane County Assessor Tax Parcels as indicated above.

Fiscal Impact		Budget Account	
Select	\$	#	
Select	\$	#	
Select	\$	#	
Select	\$	#	
Approvals		Council Notifications	
<u>Dept Head</u>	PFISTER, TERRI	<u>Study Session</u>	
<u>Division Director</u>		<u>Other</u>	
<u>Finance</u>	LESESNE, MICHELE	<u>Distribution List</u>	
<u>Legal</u>	BURNS, BARBARA	judyg@spokaneairports.net	
<u>For the Mayor</u>	SANDERS, THERESA	jrichman@spokanecity.org	
<u>Additional Approvals</u>		jquintrall@spokanecity.org	
<u>Purchasing</u>		schesney@spokanecity.org	



Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

on approximately 19,330.71 square feet of land adjacent to Felts Field Airport property for long term aviation development at Spokane International Airport and to protect runway approach and maintain safe operations at Felts Field Airport.

Summary (Background)

Fiscal Impact

Select \$

Select \$

AmtType7 \$ Amount7

AmtType8 \$ Amount8

Budget Account

#

#

Budget7

Budget8

Distribution List

Email16

Email17

Email18

Email19

Email20

Email21

Email22

Email23

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

IN THE MATTER OF AUTHORIZING)
THE AIRPORT BOARD TO)
ACQUIRE PROPERTY IDENTIFIED)
AS SPOKANE COUNTY ASSESSOR)
PARCELS 14012.9004, 14013.9007,)
14013.9008, 14022.0101, 14022.0501,)
14022.0601, 14022.0701, 14025.9004,))
and 45063.2236

JOINT RESOLUTION

WHEREAS, pursuant to Chapter 14.08 RCW, Spokane County ("County") , by and through its Board of County Commissioners, and the City of Spokane ("City"), by and through its City Council, entered into an agreement dated August 28, 1990 ("Agreement") to provide for the joint operation of Spokane International Airport, Felts Field Airport and Spokane International Airport Business Park; and

WHEREAS, pursuant to Paragraph 8(b) of the Agreement, the County and City must by joint action approve the acquisition, sale, transfer or disposal of real property; and

WHEREAS, the Airport Board has recommended to the County and City the acquisition of Spokane County Assessor Tax Parcels as identified on Exhibit A, attached hereto, ("Property") comprising of approximately 844 acres of land which is adjacent to Spokane International Airport property and one (1) single family home located on approximately 19,330.71 square feet of land adjacent to Felts Field Airport property; and

WHEREAS, the Property is necessary for long term aviation development at Spokane International Airport and to protect runway approach and maintain safe operations at Felt Field Airport; and

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

1. That the Airport Board is authorized to purchase the Property identified on Exhibit A located in Spokane County, Washington, to be paid for with Airport funds, at no cost, expense, or liability to either Spokane County or the City of Spokane;
2. That title to the Property identified on Exhibit A shall vest in Spokane County and the City of Spokane, as tenants in common; and
3. Subject to the foregoing, that the Chief Executive Officer of the Airport Board be and is hereby authorized to prepare and execute any documents on behalf of Spokane County and City of Spokane to acquire the Property identified on Exhibit A.

ADOPTED by the Spokane City Council this _____ day of _____, 2013.

Terri L. Pfister, City Clerk

Approved as to form:

Assistant City Attorney

ADOPTED by the Board of County Commissioners of Spokane County, Washington this _____
day of _____, 2013.

Shelly O'Quinn, Chair

ATTEST:

Al French, Vice-Chair

Daniela Erickson
Clerk of the Board

Todd Mielke, Commissioner

EXHIBIT A

PARCEL NUMBERS OF PROPERTY

Spokane International Airport – 844 Acre Parcel

14012.9004

14013.9007

14013.9008

14022.0101

14022.0501

14022.0601

14022.0701

14025.9004

Felts Field Airport – Single Family Home

45063.2236

J:\120125\Acaddwg\Sheets\Construction Set\Exhibits\C13-059 - Land Purchases\Felts.dwg, 10/15/2013 4:10:48 PM, Kusler, Keith, None

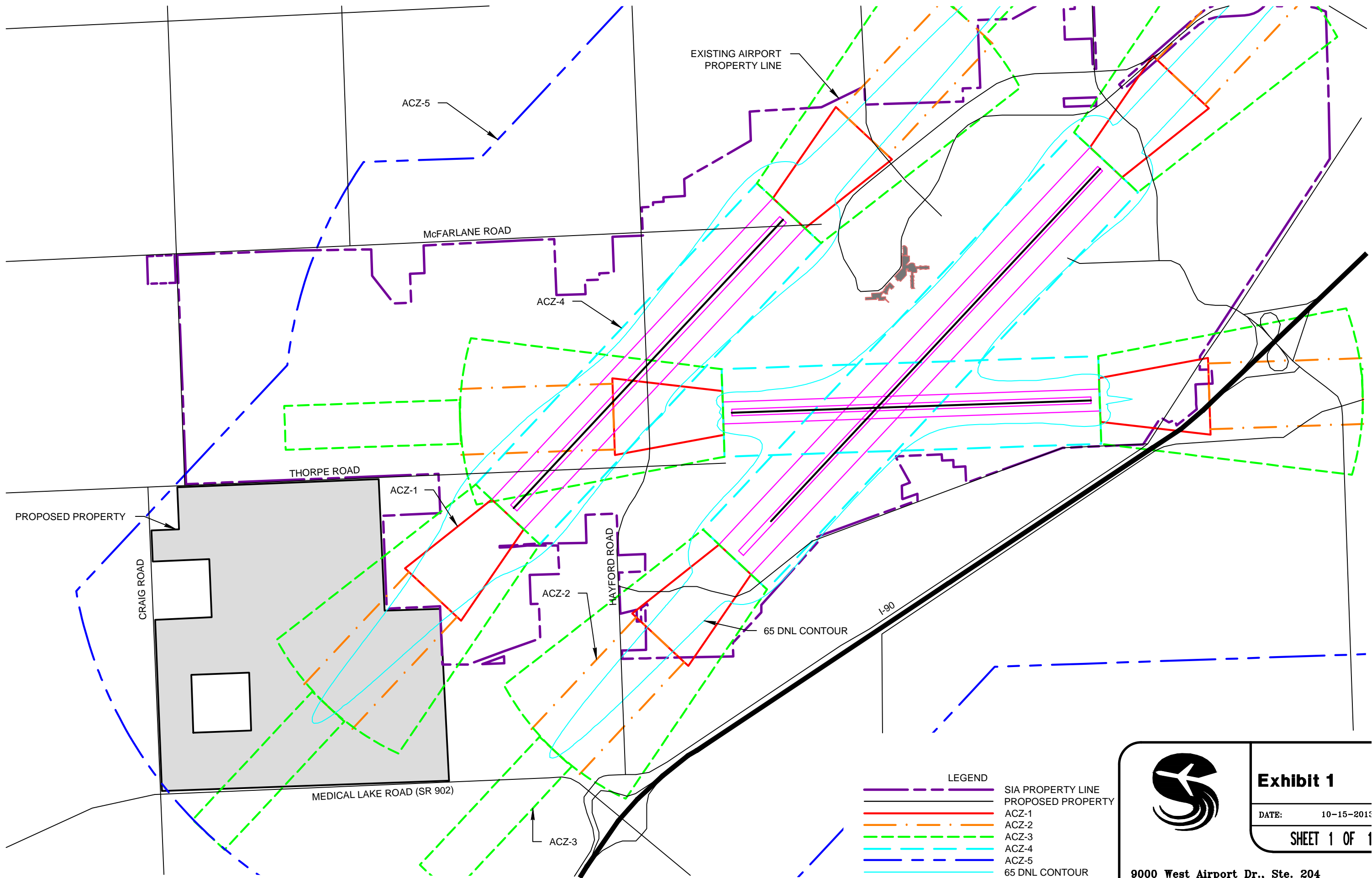


Felts Field

DATE:

SHEET 1 OF 1

9000 West Airport Dr., Ste. 204
Spokane, WA 99224



LEGEND	
	SIA PROPERTY LINE
	PROPOSED PROPERTY
	ACZ-1
	ACZ-2
	ACZ-3
	ACZ-4
	ACZ-5
	65 DNL CONTOUR



Exhibit 1

DATE: 10-15-2018

SHEET 1 OF 1

9000 West Airport Dr., Ste. 204
Spokane, WA 99224

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

11/11/2013

Date Rec'd

10/23/2013

Clerk's File #

ORD C35050

Renews #**Submitting Dept**NEIGHBORHOOD SERVICES & CODE
ENFORCEMENT**Cross Ref #****Contact Name/Phone**JONATHAN 6734
MALLAHAN**Project #****Contact E-Mail**

JMALLAHAN@SPOKANECITY.ORG

Bid #**Agenda Item Type**

Final Reading Ordinance

Requisition #**Agenda Item Name**

SPOKANE MUNICIPAL CODE AMENDMENT RELATING TO ANIMAL CONTROL

Agenda Wording

An ordinance relating to animal control; adopting chapters 5.04 and 5.12 of the Spokane County Code and repealing section of the Spokane Municipal Code relating to animal control.

Summary (Background)

The City of Spokane and Spokane County have agreed that the County will take over animal control services for the City of Spokane starting January 1, 2014. The County (SCRAPS) will be operating a regional animal control facility that will provide animal control services to citizens of Spokane County in one centralized location. The City is amending the Spokane Municipal Code to incorporate the Spokane County Code as it relates to animal control. City representatives have been working with county representative for the past nine months to make a smooth transition from the current animal control services to the County regional plan. The proposed ordinance amendment repeals a majority of the Spokane Municipal Code as it relates to animal control and adopts the Spokane County Code. The ordinance amendments will make each code consistent with one another and eliminate any possible conflict between the two codes.

Fiscal Impact**Budget Account**

Select \$

#

Select \$

#

Select \$

#

Select \$

#

Approvals**Council Notifications****Dept Head****Study Session****Division Director**

MALLAHAN, JONATHAN

Other**Finance**

LESESNE, MICHELE

Distribution List**Legal****For the Mayor**

SANDERS, THERESA

tszambelan@spokanecity.org

Additional Approvals

rriedinger@spokanecity.org

Purchasing

ORDINANCE NO. C35050

AN ORDINANCE relating to animal control; adopting chapters 5.04 and 5.12 of the Spokane County Code; amending SMC sections 1.05.210, 8.02.080, 8.02.081, 10.03.020, 10.03.033, 10.03.050, and 17C.310.150; adopting new SMC sections 10.03.015, and 10.03.025; repealing SMC sections 10.03.010, 10.03.030, 10.03.040, 10.03.060, 10.03.065, 10.03.070, 10.03.075, 10.03.080, 10.03.090, 10.03.120, 10.03.130, 10.24.010, 10.24.020, 10.24.030, 10.24.040, 10.24.050, 10.24.080, 10.24.090, 10.24.100, 10.24.110, 10.24.120, 10.24.130, 10.24.140, 10.24.150, 10.24.160, 10.24.170, 10.24.180, 10.24.190, 10.24.200, 10.24.210, and 10.24.900; and setting an effective date.

The City of Spokane does ordain:

Section 1. That there is adopted a new section 10.03.015 to chapter 10.03 SMC to read as follows:

10.03.015 Animal Control Regulations.

- A. The City of Spokane adopts by reference chapter 5.04 entitled "Dogs and Cats" and chapter 5.12 entitled "Inherently Dangerous Mammals / Reptiles", of the Spokane County Code as now in effect and as subsequently amended as the animal control regulations for the City of Spokane except as otherwise provided in the Spokane Municipal Code. Any reference to "Spokane County" in chapters 5.04 and 5.12 of the Spokane County Code shall be construed to refer to the City of Spokane.
- B. One copy of chapters 5.04 and 5.12 of the Spokane County Code (SCC) shall be available in the office of the city clerk for use, inspection and copying by the public.

Section 2. That there is adopted a new section 10.03.025 to chapter 10.03 SMC to read as follows:

10.03.025 Sections Not Adopted.

The following sections of chapters 5.04 and 5.12 of the Spokane County Code (SCC) are not adopted by reference and are expressly deleted.

- 5.04.032 Declaration of dangerous dog – Administrative appeal hearing and appeal
 – Impounding of dog

10-17-13

- 5.04.033 Determination of potentially dangerous dog – Notice, administrative review, and appeal
5.04.035 Registration of dangerous dogs – Requirements – Annual Fee
5.04.036 Dangerous dog - Identification

Section 3. That SMC section 1.05.210 is amended to read as follows:

1.05.210 Penalty Schedule – Personal Conduct

- A. For each subsequent violation by a person the classification of infraction advances by one class.
- B. Infraction/Violation Class.

SMC 1.05.210 Penalty Schedule - Personal Conduct)		
Infraction		Violation Class
IFC 307.1	Open Burning	1
SMC 1.06.040	Act of Discrimination	1
((SMC 10.03.060	Barking Dog	4))
SMC 10.03.100	Offenses Relating to Safety and Sanitation	4
SMC 10.03.110	Allow Animal in Riverfront Park or Special Permitted Event Area when Banned	3
SMC 10.08.010	Deposit of Tobacco Product Capable of Being Lit	\$500
SMC 10.08.010	Littering, Unlawful Disposal of Rubbish	1
SMC 10.08D.080 SMC 10.08D.090(C) SMC 10.08D.120 – First violation within a one year period	Noise Control	2
SMC 10.08.055	Purchase, Possession of Tobacco by Minor	3
SMC 10.08.100 SMC 10.08.120 SMC 10.08.140(B-D)	Homeless Encampment	1
SMC 10.08.246	Liquor Purchase by Apparently Intoxicated Person	\$500
SMC 10.08A.040(D)	Failure to Respond – Chronic Nuisance	1
SMC 10.10.040	Offending Peace and Order in Public Park	1

<u>SMC 12.06.050 – SMC 12.06.080</u>		
<u>SMC 10.11.042</u>	Not Having or Displaying Concealed Pistol License	1
<u>SMC 10.15.115</u>	Selling or Giving Drug Paraphernalia	1
<u>SMC 10.15.220</u>	Open Possession/Consumption of Marijuana, Usable Marijuana or Marijuana-Infused Products	3
<u>SMC 10.17.030</u>	Helmet Safety – Failure to Wear Approved Helmet	4
<u>SMC 10.17.040</u>	Helmet Safety – Failure to Require Wearing of Approved Helmets at Special Events	4
<u>SMC 10.17.050</u>	Helmet Safety – Failure to Rent, Lease, or Loan Approved Helmet	4
<u>SMC 10.17.060</u>	Helmet Safety – Failure to Sell or Offer to Sell Approved Helmet	4
((SMC 10.24.010	Harbor Dog or Cat Without License	3))
((SMC 10.24.020	Permit Animal to Run at Large	3))
((SMC 10.24.040	Rabies	3))
<u>SMC 10.24.060</u>	Property Damage by Animal	3
((SMC 10.24.090	Sale of Animals	2))
<u>SMC 10.33A.055</u>	Sell, Use, Discharge Fireworks	1
<u>SMC 12.02.910 SMC 12.02.914</u>	No Tree Permit; Destroy, Injure Street Tree, or Other Violations	1
<u>SMC 17F.100.050</u>	Disposal of Liquid Waste in Unapproved Place or Manner	1
<u>SMC 17G.050.050</u>	Ex Parte Contact with Adjudicative Officer	2

Section 4. That SMC section 8.02.080 is amended to read as follows:

8.02.080 Animals

See Spokane County Code section 5.04.030.

~~((A. Annual license fees are:~~

- ~~1. fifty dollars for each dog and twenty-five dollars for each cat, unless spayed or neutered;~~

10-17-13

2. ~~twenty-five dollars for each spayed or neutered dog and fifteen dollars for each spayed or neutered cat.~~

a. ~~Written proof is required from a licensed veterinarian that the dog or cat has been spayed or neutered in order to qualify for a reduced license fee.~~

B. ~~Other fees are:~~

1. ~~Twenty dollars for a late fee when the license is delinquent or expired.~~

2. ~~Five dollars for each license ownership transfer.~~

3. ~~Five dollars for each replacement license tag.~~

4. ~~Redemption fees.~~

a. ~~Twenty-five dollars for the first time.~~

b. ~~Thirty-five dollars for the second time in any twelve-month period.~~

c. ~~Fifty-five dollars for the third and every subsequent time in any twelve-month period.~~

5. ~~Ten dollars per day or part of a day for board and administration.~~

C. ~~The annual license fees and the redemption fees are one-half in the case of an eligible person. An eligible person is one who:~~

1. ~~has a gross annual income of less than:~~

d. ~~nineteen thousand one hundred dollars, in the case of a one-person household; or~~

e. ~~twenty-one thousand eight hundred fifty dollars, in the case of a household of two or more persons; or~~

2. ~~is substantially disabled, meaning that the person has a physical or mental impairment which substantially limits one or more major life activities or functions, such as caring for oneself, performing manual tasks such as walking, seeing, hearing, speaking, breathing and learning.))~~

Section 5. That SMC section 8.02.081 is amended to read as follows:

8.02.081 Dangerous Dog Registration

The annual fee to register a dangerous dog with the animal control authority is one hundred ~~((fifty))~~ dollars.

Section 6. That SMC section 10.03.020 is amended to read as follows:

10.03.020 Dangerous Dog Declaration and Registration

- A. When an animal protection ~~((control))~~ officer has probable cause based upon the officer's records or investigation of an incident to believe that a dog is a dangerous dog, the officer declares the dog to be a dangerous dog by the issuance of a dangerous dog declaration.
- B. Upon issuance of the dangerous dog declaration, the animal protection ~~((control))~~ officer shall immediately confiscate ~~((confiscates))~~ the dog and place ~~((places))~~ the dog in the animal control authority's custody ~~((shelter))~~ pending final disposition.
 - 1. ~~((If the animal is licensed, the))~~ The animal protection ~~((control))~~ officer serves the owner or keeper of the dog with notice of the dangerous dog declaration either in person or by regular and certified mail, return receipt requested ~~((, to the address listed on the animal license within seven days of the declaration being made))~~.
 - 2. Service, if by mail, shall be considered completed three days after mailing of the notice.
 - 3. The notice shall state:
 - a. the basis for the dangerous dog declaration,
 - b. the applicable ordinance invoked to support the dangerous dog declaration,
 - c. the reason(s) the animal control authority considers the dog to be dangerous,
 - d. a statement that the dog is subject to registration and controls required by this chapter, and
 - e. an explanation of the owner's or keeper's rights and the proper procedure to appeal the declaration.
- C. No owner or keeper may keep a dangerous dog, except a dog currently used by law enforcement officers for police work, without a certificate of registration

issued under this chapter. The certificate of registration must be acquired within fifteen (~~fourteen~~) days of service of the dangerous dog notice unless the owner or keeper has appealed the dangerous dog declaration pursuant to subsection (F) of this section.

D. The animal control authority of the City issues a certificate of registration to the owner or keeper of a dangerous dog upon payment of the fee set forth in SMC 8.02.081 if the owner or keeper presents to the authority sufficient evidence of:

1. a proper enclosure to confine a dangerous dog; and
2. the posting of the premises with a clearly visible warning sign that there is a dangerous dog on the property, and the conspicuous display of a sign with a warning symbol that informs children of the presence of a dangerous dog; and
3. a surety bond issued by a surety insurer qualified under chapter 48.28 RCW in a form acceptable to the animal control authority in the sum of at least two hundred fifty thousand dollars, which provides for prior written notification to the animal control authority of cancellation or material change, payable to any person for personal injuries or property damage caused by the dangerous dog regardless of whether the personal injury or property damage occurs on or off the owner's or keeper's premises; or
4. a policy of liability insurance, such as homeowner's insurance, issued by an insurer qualified under Title 48 RCW in the amount of at least two hundred fifty thousand dollars with a maximum five hundred dollar deductible and which provides for prior written notification to the animal control authority of cancellation or material change, insuring the owner or keeper for any personal injuries and property damage inflicted by the dangerous dog regardless of whether the personal injury or property damage occurs on or off the owner or keeper premises; and
5. a permanent (~~((identification on the dog including))~~) microchip implant (~~((identification, a tattoo, or other methods of identification acceptable to the animal control authority))~~); and
6. documentation demonstrating that the dangerous dog has been spayed or neutered; (~~and~~)
7. a muzzle and leash approved by the animal control authority, as to strength and fit, for the dangerous dog; and
8. additional conditions determined by the animal control authority to be necessary to protect the public health, safety, and welfare.

E. Appeal of Dangerous Dog Declaration.

1. A dangerous dog declaration by the animal control authority may be appealed to the City's hearing examiner.
2. An appeal must be filed with the hearing examiner's office within fifteen (~~fourteen~~) days of service of the dangerous dog notice.
3. An appeal does not proceed until the owner or keeper has complied with the requirements of SMC 10.03.050.
4. At the appeal hearing, the records of the animal control director, or the director's designee, and any supplemental material shall be admissible to prove the dog is a dangerous dog. The owner or keeper of the dog may present evidence and examine witnesses present.
5. It is the animal control agency's burden to provide the hearing examiner with evidence which establishes the dangerous dog determination by a preponderance of the evidence. The hearing examiner shall apply a preponderance of the evidence standard at the dangerous dog determination appeal. It is an affirmative defense that the owner must prove by a preponderance of the evidence that the person or domestic animal attacked or bitten by the owner's or keeper's dog (~~((trespassed on the owner's or keeper's real or personal property or))~~) provoked the owner's or keeper's dog without justification or excuse.
6. The hearing examiner will provide upon request to an individual all rules and procedures applicable to the appeal.
7. The hearing examiner either:
 - a. affirms the decision of the animal control authority in issuing the dangerous dog declaration,
 - b. dismisses the declaration, or
 - c. reduces a dangerous dog declaration to a potentially dangerous dog declaration based upon the evidence presented during the appeal.
8. The hearing examiner's decision may be appealed to the Spokane County superior court within fifteen (~~fourteen~~) days from the date the decision is issued.

F. If an owner or keeper fails to register the dog as a dangerous dog within fifteen (~~fourteen~~) days of service of the animal control authority's notice, or of the

hearing examiner's decision affirming the animal control authority's determination, and no restraining order has been served upon the animal control authority, the dog shall be euthanized.

Section 7. That SMC section 10.03.033 is amended to read as follows:

10.03.033 Potentially Dangerous Dog Declaration

- A. When an animal protection ~~((control))~~ officer has probable cause based upon his records or investigation of an incident to believe that a dog is a potentially dangerous dog, the officer declares the dog a potentially dangerous dog by the issuance of a potentially dangerous dog declaration.
- B. If the animal is licensed, the animal control authority serves the owner or keeper of the dog with notice of the potentially dangerous dog declaration, either in person or by regular ~~((and certified))~~ mail~~((, return receipt requested, to the address listed on the animal license within seven days of the declaration being made))~~. Service, if by mail, shall be considered completed three days after mailing of the notice. ~~((The notice shall state:~~
- ~~1. the basis for the potentially dangerous dog declaration;~~
 - ~~2. the reason(s) the animal control authority considers the dog potentially dangerous;~~
 - ~~3. a statement that the dog is subject to controls required by this chapter;~~
 - ~~4. an explanation that if there is future similar problems with the dog, the dog could be declared a dangerous dog; and~~
 - ~~5. an explanation of the owner's rights and proper procedure to appeal the declaration.))~~
- C. The notice shall contain the following information:
1. That the person receiving the notice is the owner or keeper of a potentially dangerous dog as defined in SCC section 5.04.020;
 2. The breed, color, sex, and license number (if known) of the dog;
 3. The facts upon which the determination of potentially dangerous dog is based;

4. That if there are future similar incidents with the dog, the dog could be declared a dangerous dog pursuant to SCC section 5.04.032, and required to be registered as provided in SCC section 5.04.035;
 5. That the owner or keeper must comply with restrictions set forth in the notice as a condition of continued ownership or keeping of the dog and that restrictions may include, but are not limited to, those which may be imposed on the owner or keeper of a potentially dangerous dog pursuant to SCC section 5.04.032;
 6. That the notice constitutes a final determination that the dog is a potentially dangerous dog, unless the owner or keeper of the dog requests an administrative review meeting in writing on a form provided with the notice within fifteen days of the receipt of the notice. For purposes of this section, if the notice is mailed, it shall be deemed received on the third day after the notice is placed in the mail; and
 7. That pursuant to SCC section 5.04.033, a failure by the dog owner or keeper to request and attend an administrative review meeting with the animal control director or designee shall constitute a failure to exhaust all administrative remedies, and that such failure to exhaust all administrative remedies shall preclude any appeal of the administrative determination to the City hearing examiner.
- C. The notice of a potentially dangerous dog declaration constitutes a final determination that the dog constitutes a potentially dangerous dog, unless the owner requests a hearing within fifteen (~~fourteen~~) days of service of the notice.
- D. In the event the owner or keeper requests a hearing, a hearing is held within thirty days of the request.
1. The animal control authority notifies the owner or keeper of the date, time and place of the hearing, as well as the right to present evidence as to why the dog should not be found potentially dangerous.
 2. The hearing is conducted by the director of the animal control authority or his designee as the hearing officer.
 3. The hearing officer shall be someone who did not participate in making the potentially dangerous dog determination.
- E. The hearing officer notifies, in writing, the owner or keeper of his decision within ten (~~fourteen~~) days of the hearing. The decision of the hearing officer is final unless a timely request for an administrative appeal is made in the same manner as provided in SMC 10.03.020 (E). The owner or keeper of the dog may appeal the hearing examiner's decision on the potentially dangerous dog appeal within

twenty days ~~((appealed))~~ to the Spokane County superior court ~~((within fourteen days))~~.

Section 8. That SMC section 10.03.050 is amended to read as follows:

10.03.050 Dangerous Dog – Confiscation

- A. An animal protection ~~((control))~~ officer shall immediately confiscate ~~((confiscates))~~ a dangerous dog if:
1. it is not validly registered under SMC 10.03.020; or
 2. it is not maintained in the proper enclosure; or
 3. its owner does not have the surety bond or liability insurance required by SMC 10.03.020; or
 4. it is outside the dwelling of its owner or keeper, or outside the proper enclosure, and not under the appropriate physical restraint of a responsible person ~~((pursuant to SMC 10.03.030))~~; or
 5. it, after being declared and registered as a dangerous dog, engages in subsequent conduct that would constitute a potentially dangerous dog or dangerous dog as prescribed in SCC section 5.04.020 ~~((SMC 10.03.040))~~.
- B. If a dangerous dog has been confiscated because it is in violation of subsection (A)(4) or (A)(5) of this section, the animal control authority quarantines the dog for fifteen days ~~((the appropriate length of time))~~ and thereafter causes the dog to be destroyed in an expeditious and humane manner unless the owner or keeper files an appeal pursuant to subsection (D) of this section. ~~((If the animal is licensed, the))~~ The animal protection ~~((control))~~ officer serves the owner or keeper of the dog with notice that the dog has been confiscated, either in person or by regular and certified mail, return receipt requested~~((, to the address listed on the animal license, within seven days of the confiscation))~~. Service, if by mail, shall be considered completed three days after mailing of the notice. The notice shall state:
1. the reason(s) for the confiscation,
 2. a statement that the dog will be quarantined for fifteen days ~~((the appropriate length of time))~~ and thereafter euthanized in an expeditious and humane manner, and
 3. an explanation of the owner's or keeper's rights and proper procedure to appeal the confiscation and pending euthanasia.

- C. If a dangerous dog is confiscated because it is in violation of subsection (A)(1), (A)(2) or (A)(3) of this section, the animal control authority serves the owner or keeper of the dog with notice that the dog has been confiscated, either in person or by regular and certified mail, return receipt requested(~~(, to the address listed on the animal license within seven days of the confiscation))~~). Service, if by mail, shall be considered completed three days after mailing of the notice. The notice shall state:
1. the reason(s) for the confiscation,
 2. that the owner or keeper is responsible for payment of the costs of confinement and control prior to the dog being released,
 3. that the dog will be destroyed in an expeditious and humane manner if the deficiencies for which the dog was confiscated are not corrected within fifteen (~~fourteen~~) days, and
 4. an explanation of the owner's or keeper's rights and proper procedure to appeal the confiscation and pending euthanasia.
- D. Appeal of Dangerous Dog Confiscation and/or Pending Euthanasia.
1. The owner or keeper of a dangerous dog may appeal the confiscation and/or pending euthanasia of his dog to the City's hearing examiner.
 2. An appeal must be filed with the hearing examiner's office within fifteen (~~fourteen~~) days of service of notice that the dog has been confiscated.
 3. If the confiscation is for violations of subsection (A)(4) or (A)(5) of this section, the sole issue to be appealed to the hearing examiner is whether the dog was in violation of subsection (A)(4) or (A)(5) of this section. It shall not be relevant to the appeal whether the owner has been charged and/or convicted pursuant to RCW 16.08.100(2) or (3).
 4. ~~((An appeal does not proceed until the owner has complied with the requirements of subsection (F) of this section.~~
 - 5-)) The hearing examiner's decision may be appealed to the Spokane County superior court within twenty (~~fourteen~~) days from the date the decision is issued.
- E. If a dangerous dog is at large in violation of SMC 10.03.030, in addition to confiscation of the dog as provided in subsection (A) of this section, the owner is guilty of a gross misdemeanor and punishable as provided in RCW 9A.20.021.

- F. In the event the director, or designee, has sufficient information to determine a dog is dangerous and may pose a threat of serious harm to human beings or animals, the director, or designee, shall seize and impound the dog pending notice, hearings, appeals and other determinations hereunder. The owner or keeper of the dog shall be liable to the animal control authority for the costs and expenses of keeping such dog, unless a finding is made that the dog is neither a dangerous dog nor a potentially dangerous dog.

~~((When a dangerous dog is placed in a shelter facility either because it has been declared a dangerous dog pursuant to SMC 10.03.020 or because it was confiscated pursuant to this section, its owner has the responsibility to contact the shelter facility within fourteen days of receipt of the dangerous dog notice or notice of confiscation to make payment of the boarding fee provided in SMC 8.02.080(B)(5) regardless of the owner's decision to pursue an appeal. Payments of boarding fees must be made in advance, in fourteen-day increments, and must continue for the entire time the dog is placed in the shelter facility regardless of the owner's decision to appeal to the hearing examiner or to the superior court.~~

- ~~1. A certificate of registration is not issued, a dog is not released and an appeal is not heard until the owner has paid the full boarding fee owing to the shelter facility.~~
- ~~2. The boarding fee is not refundable regardless of the outcome of an appeal.~~
- ~~3. The shelter facility may euthanize a dog if its owner fails to pay the full board fee within fourteen days of receiving notice of the determination by the animal control authority, regardless of the owner's decision to appeal under SMC 10.03.020(F), or if the owner fails to maintain payment of the boarding fee.))~~

Section 9. That SMC section 17C.310.150 is amended to read as follows:

17C.310.150 Inherently Dangerous Animals

- A. Where Permitted.
The keeping of inherently dangerous animals is prohibited in all zones, except as provided in Spokane County Code chapter 5.12 ((SMC 10.24.120)).
- B. Standards Applicable to Keeping Inherently Dangerous Animals.
The standards for keeping of inherently dangerous animals are provided in Spokane County Code chapter 5.12 ((chapter 10.24 SMC, Article II)).

Section 10. That SMC section 10.03.010 is repealed.

Section 11. That SMC section 10.03.030 is repealed.

Section 12. That SMC section 10.03.040 is repealed.

Section 13. That SMC section 10.03.060 is repealed.

Section 14. That SMC section 10.03.065 is repealed.

Section 15. That SMC section 10.03.070 is repealed.

Section 16. That SMC section 10.03.075 is repealed.

Section 17. That SMC section 10.03.080 is repealed.

Section 18. That SMC section 10.03.085 is repealed.

Section 19. That SMC section 10.03.090 is repealed.

Section 20. That SMC section 10.03.120 is repealed.

Section 21. That SMC section 10.03.130 is repealed.

Section 22. That SMC section 10.24.010 is repealed.

Section 23. That SMC section 10.24.020 is repealed.

Section 24. That SMC section 10.24.030 is repealed.

Section 25. That SMC section 10.24.040 is repealed.

10-17-13

Section 26. That SMC section 10.24.050 is repealed.

Section 27. That SMC section 10.24.070 is repealed.

Section 28. That SMC section 10.24.080 is repealed.

Section 29. That SMC section 10.24.090 is repealed.

Section 30. That SMC section 10.24.100 is repealed.

Section 31. That SMC section 10.24.110 is repealed.

Section 32. That SMC section 10.24.120 is repealed.

Section 33. That SMC section 10.24.130 is repealed.

Section 34. That SMC section 10.24.140 is repealed.

Section 35. That SMC section 10.24.150 is repealed.

Section 36. That SMC section 10.24.160 is repealed.

Section 37. That SMC section 10.24.170 is repealed.

Section 38. That SMC section 10.24.180 is repealed.

Section 39. That SMC section 10.24.190 is repealed.

Section 40. That SMC section 10.24.200 is repealed.

Section 41. That SMC section 10.24.210 is repealed.

10-17-13

Section 42. That SMC section 10.24.900 is repealed.

Section 43. Effective Date.

This ordinance shall take effect and be in force on January 1, 2014.

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:
11/04/2013

Date Rec'd	10/23/2013
Clerk's File #	ORD C35053
Renews #	
Cross Ref #	
Project #	
Bid #	
Requisition #	
Submitting Dept	FINANCE
Contact Name/Phone	GAVIN COOLEY 995-3376
Contact E-Mail	GCOOLEY@SPOKANECITY.ORG
Agenda Item Type	FIRST READING ORDINANCE
Agenda Item Name	0410 - DEPARTMENT OF GRANTS MANAGEMENT AND FINANCIAL ASSISTANCE

Agenda Wording

An Ordinance creating the Department of Grants Management and Financial Assistance.

Summary (Background)

The City of Spokane has determined that the creation of a Department of Grants Management and Financial Assistance is needed to provide central leadership and management of its city-wide activities involving the application and administration of grants. It is necessary to amend the Spokane Municipal Code to create this Department. We have included in the 2014 budget an amount of \$250,000. Once the department is created this will be reallocated to create the positions through an EBO.

Fiscal Impact		Budget Account	
Neutral	\$	#	
Select	\$	#	
Select	\$	#	
Select	\$	#	
Approvals		Council Notifications	
Dept Head	DOLAN, PAM	Study Session	
Division Director	DUNIVANT, TIMOTHY	Other	Finance Committee 10/09/13
Finance	LESESNE, MICHELE	Distribution List	
Legal	BURNS, BARBARA	lwilliams@spokanecity.org	
For the Mayor	SANDERS, THERESA	gcooley@spokanecity.org	
Additional Approvals		tdunivant@spokanecity.org	
Purchasing			

ORDINANCE NO. C35053

AN ORDINANCE establishing the Department of Grants Management and Financial Assistance; adopting a new section 03.01A.315 to chapter 3.01A of the Spokane Municipal Code.

WHEREAS, the process for procuring grants and other financial assistance is increasingly competitive in the face of dwindling governmental and private funding; and

WHEREAS, a citywide chief compliance officer for all City grants, loans and other federal / state awards is needed to properly respond to the significant and continuing expansion of federal and state regulations and other compliance requirements for the City's grants and other financial assistance; and

WHEREAS, a customized financial assistance tracking and management database is needed to facilitate the department's citywide management of grants and financial assistance; and

WHEREAS, centralized consultation and coordination with City administration and the city council is needed to strategically identify the grants and financial assistance opportunities to be pursued by the City and region; and

WHEREAS, a centralized coordination of applications across the Spokane region is needed to demonstrate the regional collaboration necessary to successfully procure certain grants and other financial assistance awards; and

WHEREAS, the City has determined that creation of the Department of Grants Management and Financial Assistance will provide the central leadership and management of the application and administration of grant writing and financial assistance necessary to properly address these, and other changing conditions; -- Now, Therefore,

The City of Spokane does ordain:

Section 1. That there is adopted a new SMC section 03.01A.315 to read as follows:

3.01A.315 Grants Management and Financial Assistance

- A. The department of grants management and financial assistance provides centralized management and other support services to city-wide activities involving the application, administration reporting and closeout of grants and financial assistance awards. The department shall provide centralized consultation and coordination with City administration and city council, to

strategically identify and manage the grants and financial assistance opportunities to be pursued by the City and region. The department will coordinate with other jurisdictions and strategic community partners on the identification, application and administration of financial assistance opportunities to improve regional collaboration and competitiveness in obtaining these resources.

- B. The director of grants management and financial assistance shall act as the chief compliance officer for all City activities involving grants, loans and other Federal/State funding.
- C. The director of grants management and financial assistance shall establish and be responsible for the administration of a centralized grants and financial assistance tracking and management database.
- D. The director shall serve as the authorized organization representative for grants and other awards of financial assistance made to the City.

Passed by the City Council on _____

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date

Briefing Paper:

Department of Grants Management and Financial Assistance

Proposal:

The Administration is proposing the creation of a 'Department of Grants Management and Financial Assistance'. The Department will consist of one Exempt Confidential position as the Department Head and one supporting Civil Service position.

Jennifer Stapleton, who has served as the 'Grants Administrator & Director of Strategic Projects' for Spokane County, from January 2008 to present, has been identified to fill this position. (see

Funding:

Funding for the Department in the amount of approximately \$250k annually has been identified through anticipated and sustainable increases in interest income in the City's Spokane Investment Pool (SIP). It is nevertheless expected that the Department will more than pay for itself through new the identification and procurement of additional funding opportunities coupled with enhancing the City's ability to qualify for grant and other financial assistance funds through a significantly improved city compliance function.

Key Considerations:

The creation of the Department at this time addresses two key developments in the areas of grants and financial assistance as follows:

- A dramatically more competitive process for procuring these resources in the face of dwindling governmental and private funding.
- A significant expansion of Federal and State regulations and other compliance requirements.

Primary Responsibilities of the Proposed Department:

- Centralization of the administration and management of both grants and Federal/State contracts for all City departments
- Establish citywide chief compliance officer for all City grants, loans and other Federal/State awards and loans expected to exceed \$100 million annually.
- Implementation of a customized financial assistance tracking and management database to facilitate the department's citywide management of grants and financial assistance
- Provide consultation and coordination with City Administration and Council on strategically identifying the financial resources to be identified, obtained and managed by the Department. This will include providing leadership in financial resource identification and development for economic development projects.

- Establish and manage regional County and Municipal relationships along with other strategic community partners to assure collaborative grant and financial assistance underwriting and compliance to maximize Federal and State dollars to the Spokane region
- Serve as the Authorized Organization Representative for grants and other awards of financial assistance made to the City
- Work with Office of Performance and Business Analytics to develop reports on performance metrics for all grants and financial assistance programs managed both internally and externally

--- See Jennifer Stapleton Resume next page ---

Jennifer Pearson Stapleton

EDUCATION

- M.A.** Public Administration, Eastern Washington University, Cheney, Washington, 1998
- B.A.** Political Science, Gonzaga University, Spokane, Washington, 1991

CERTIFICATIONS

CGMS, Certified Grants Management Specialist, 2012

PROFESSIONAL EXPERIENCE

Grants Administrator & Director of Strategic Projects Spokane County, 1/2008 – Present

Serves as chief compliance officer for \$80 million in annual County expenditures under grants and Federal/ State contracts awarded to County departments. Planned, implemented and directs the County's Central Services Department and Office of Financial Assistance which is centralizing grants and Federal/State contracts administration for all County departments. Designed and implemented a customized financial assistance tracking/management database. Consults with County department heads and elected officials on strategic financial resource development and management. Oversees strategic planning and program implementation for increasing energy efficiency/resource conservation and meeting the County's goal of reducing energy consumption by 20% by the year 2020. Wrote and oversees administration of centralized financial assistance and resource conservation management policy and procedures. Serves as primary contact for economic development efforts and leads efforts in financial resource identification and development for economic development projects. Developed and administers the Board of County Commissioners' Outside Agency Grants Program and serves as primary conduit for the program. Represents Spokane County on the Spokane Area Workforce Development Council and managed the transition of the Council from a City of Spokane department to a public nonprofit corporation. Develops and reports on performance metrics for all programs managed both internally and externally.

Director of Grants, Marketing & Technology Inland Northwest Community Foundation 2/2006 – 1/2008

Responsible for managing the Grants Division, including designing and implementing a \$2 million competitive grants program, donor-advised grants and designated/agency funds. Served as primary contact for grant seekers and fund holders/donors requiring assistance with grants. Reviewed competitive grant proposals, which included intensive budget and financial capacity analysis, and provided funding recommendations to the Board of Directors and designated volunteer committees. Developed and managed the budgets for marketing, grants and technology. Developed and provided training on grant writing and organizational sustainability to nonprofit organizations throughout the region. Developed and initiated a comprehensive marketing and communications strategic plan that included media relations, communication guidelines for grant recipients, donor and prospect communications and collateral print materials. Designed and launched a new website on an ASP platform with interactive back office functionality, including data records management, gift and grant records processing management, prospect research and management. Developed and uploaded all website content and design. Successfully implemented a comprehensive branding campaign. Streamlined, centralized and improved overall agency communication. Developed and implemented an agency-wide technology plan. Served as the lead staff person for all press conferences and managed

all marketing and communications activities related to special events.

Executive Director **Spokane County Domestic Violence Consortium, 1994 - 200**

Served as chief executive officer in charge of day-to-day administration and management. Responsible for coordinating efforts and promoting consensus building with 275 volunteer Consortium members; developing, implementing and monitoring annual agency budget; hiring, supervising and terminating all agency personnel; developing and implementing long and short-term strategic plans in conjunction with the Board of Directors; developing and implementing organizational policies and procedures; administering contracts with subcontractors; developing and submitting grant applications and managing all grant-funded programs; developing and managing relationships with agency donors; providing public and professional education on intimate partner violence; developing and implementing effective public relations strategies; preparing and presenting program and agency reports; securing and assisting an independent certified public accounting firm in performing an annual A-133 audit; and providing regular reports and updates to the Board of Directors.

Served as the Principal Investigator and Program Manager of two \$2 million three-year cooperative agreements with the U.S. Centers for Disease Control and Prevention. Served as Program Manager on a three-year National Institutes of Health grant researching domestic violence/stalking in the workplace in partnership with Washington State University and Associated Industries. Primary author of the grant-funded training curriculum, "Child Witnesses to Intimate Partner Violence". Developed and marketed the program, Domestic (Intimate Partner) Violence: It's a Workplace Issue! which was used in a NIOSH-funded IPV in the workplace program. Authored and presented the training curriculum, "Identifying and Effectively Responding to Stalking on the College Campus" for colleges and universities funded by the Department of Justice Reducing Violence Crimes Against Women on the College Campus program. Authored and presented the curriculum, "Guidelines for First Responders to Intimate Partner Violence and Stalking" for Eastern Washington University Safe Campus program. Co-wrote and presented the train-the-trainer curriculum, "Guidelines for Identification of and Intervention in Intimate Partner Violence" a healthcare program for primary care, emergency room, and general practice physicians, nurses and physician's assistants.

Real Estate Marketing Specialist

Jim & Linda Miller, 1992 - 199

Responsible for all promotional marketing of real estate properties and researching properties for potential new buyers. Handled telephone and written communications for all parties. Completed research for real estate appraisals and set up an office management system in the appraisal office to track appraisals, invoicing and worker productivity.

Accounting & Audit Department Assistant

McFarland & Alton, CPA's, 1991 - 199

Assisted with the development and presentation of proposals for audit work to prospective clients. Provided clerical support to auditors and firm partners. Planned and organized staff and company functions.

ACHIEVEMENTS/HONORS

2002 Recipient, **Community Service Award**, Spokane Child Abuse and Neglect Prevention Council
2000 Recipient, **Community Service Award**, Spokane Child Abuse and Neglect Prevention Council
1999 Graduate, **Leadership Spokane**, Spokane Regional Chamber of Commerce
1999 Finalist, **Agora Business Excellence Award**, Spokane Regional Chamber of Commerce
1999 Recipient, **Advertising Excellence**, "You Have the Right" Adolescent Healthy Relationships PSA, Spokane Advertising Federation
1996 Recipient, **Professionalism Award**, Spokane County Domestic Violence Consortium
1995 Recipient, **Kendall I. Lingle Community Resources Award**, National Council of Juvenile and Family Court Judges

VOLUNTEER ACTIVITIES/AFFILIATIONS

Board of Directors, Spokane Area Workforce Development Council	201
Member, Spokane Community Network	2007 - 201
Member, Spokane Public Relations Council	2006 - 200
Trustee, Board of Directors, North Eastern Washington Treatment Alternatives	1999 - 200
Member, Inland Northwest Development Council	1998 - 200
Member, Washington State Attorney General's Grant Distribution Committee	199
Member, Washington State Governor's Domestic Violence Task Force	199
Member, Spokane County Domestic Violence Fatality Review Board	
1999 - 2004	
Member, Spokane County Law & Justice Council	
1994 - 2006	
Member, National Coalition Against Domestic Violence	
1995 - 2003	
Member, Washington State Coalition Against Domestic Violence	
1994 - 2004	
Member, Spokane County Sheriff's Department D.V. in the Workplace Advisory Board	
2004 - 2006	



Agenda Sheet for City Council Meeting of:
11/11/2013

<u>Date Rec'd</u>	10/30/2013
<u>Clerk's File #</u>	ORD C35054
<u>Renews #</u>	
<u>Cross Ref #</u>	
<u>Project #</u>	
<u>Bid #</u>	
<u>Requisition #</u>	

<u>Submitting Dept</u>	UTILITIES
<u>Contact Name/Phone</u>	RICK ROMERO 625-6361
<u>Contact E-Mail</u>	RROMERO@SPOKANECITY.ORG
<u>Agenda Item Type</u>	First Reading Ordinance
<u>Agenda Item Name</u>	5200 - INTEGRATED CAPITAL MANAGEMENT DEPARTMENT

Agenda Wording

An ordinance creating the Integrated Capital Management Department, amending SMC sections 3.01A.220 and 3.01A.500; adopting a new SMC section 3.01A.345; adopting a new chapter 13.10 to title 13 of the Spokane Municipality Code.

Summary (Background)

The integrated capital management department will manage capital programs in coordination with other City departments, including coordination of the administration, management, maintenance and operation of the City's utility assets as well as transportation, right of way, stormwater, and all utility capital infrastructure programs including how these areas relate to a comprehensive plan related to combined sewer overflow, stormwater solutions, wastewater and water infrastructure.

<u>Fiscal Impact</u>		<u>Budget Account</u>	
Select	\$	#	
Select	\$	#	
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Select	\$	#	
<u>Approvals</u>		<u>Council Notifications</u>	
<u>Dept Head</u>	ROMERO, RICK	<u>Study Session</u>	
<u>Division Director</u>	ROMERO, RICK	<u>Other</u>	PWC 10/14/2013
<u>Finance</u>	LESESNE, MICHELE	<u>Distribution List</u>	
<u>Legal</u>	BURNS, BARBARA	mtaylor@spokanecity.org	
<u>For the Mayor</u>	SANDERS, THERESA	cmarchand@spokanecity.org	
<u>Additional Approvals</u>		eschoedel@spokanecity.org	
<u>Purchasing</u>		acmarshall@spokanecity.org	
		bpatrick@spokanecity.org	

ORDINANCE NO. C35054

AN ORDINANCE relating to the management of capital programs and infrastructure planning and the creation of an integrated capital management department, amending SMC sections 3.01A.220 and 3.01A.500; adopting a new SMC section 3.01A.345; adopting a new chapter 13.10 to title 13 of the Spokane Municipal Code; and setting an effective date.

WHEREAS, integrated planning between and amongst departments is known to reduce costs and improve efficiencies; and

WHEREAS, the City is required to comply with the Washington State Department of Ecology's issued NPDES permit and control all possible discharges of pollutants into the Spokane River; both from point sources and non-point sources; and

WHEREAS, as part of the re-evaluation of the City's compliance schedule with its NPDES permit, the City is utilizing all areas of the City's responsibilities and undertakings in an effort to develop and implement management and cost efficiencies throughout the City; and

WHEREAS, there exists a strong nexus between the street system and stormwater; water and wastewater requirements and functions; and

WHEREAS, integrated capital planning supports and promotes long term financial stability of the water, wastewater and street systems; -- Now, Therefore,

The City of Spokane does ordain:

Section 1: That SMC section 3.01A.220 is amended to read as follows:

3.01A.220 Asset Management Group

The asset management group provides focused leadership in maintaining and managing the City's hard assets. ~~((This include the parking system, right of way work, all infrastructure capital programs including how all these areas relate to the combined sewer overflow and storm water solutions.))~~

Section 2 That there is adopted a new SMC section 3.01A.345 to read as follows:

3.01A.345 Integrated Capital Management

The integrated capital management department shall maintain and manage capital programs in coordination with other City departments, including coordination of the administration, management, maintenance and operation of the City's utility assets as well as transportation, right of way, stormwater, and all utility capital infrastructure programs including how these areas relate to a comprehensive plan related to combined sewer overflow, stormwater solutions, wastewater and water infrastructure maintenance.

Section 3: That SMC section 3.01A.500 is amended to read as follows

3.01A.500 Utilities

The utilities department manages the City's public utilities including water, wastewater, and solid waste operations and infrastructure, as well as overseeing the City's vehicle fleet, and integrated capital management program and coordinates with the street department.

Section 4: That there is adopted a new chapter 13.10 to title 13 of the Spokane Municipal Code to read as follows:

Chapter 13.10 Integrated Capital Management

Sections:

13.10.010	Integrated Capital Management Rate
13.10.020	Director
13.10.030	General Provisions and Rates

13.10.030 Integrated Capital Management Rate

The Integrated capital management rate is defined as the capital allocation for purposes of replacing, rehabilitating and maintaining current and future water, wastewater and stormwater infrastructure.

13.10.020 Director

"Director" shall mean the administrative head of the City integrated capital management department.

13.10.030 General Provisions and Rates

- A. The director shall be responsible for coordinating the City's integration of all capital programs throughout the City's public utilities, including responsibilities for planning, design, construction, maintenance, administration, and operation of all capital programs of the City's public utilities. The director will also have the responsibility of consultation, cooperation, and coordination with water, wastewater, streets, transportation system, storm water facilities, and fleet services, as well as establishing standards for design, construction, and maintenance of improvements on private property where these may impact storm water and management.
- B. In addition to user charges for providing utility services to customers, all residential and commercial accounts are assessed an integrated capital management fund charge which shall be placed in a separate account reserved for purposes of contribution to integrated capital works.
1. This rate shall be separately itemized on the utility bill.
 2. In-City commercial accounts will be assessed a minimum integrated capital charge which will include forty-eight units of service. For those commercial accounts which are over forty-eight units of service, a water wastewater consumption integrated capital charge will also be assessed.
 3. Outside City commercial accounts will be assessed a minimum integrated capital charge which will include twenty-eight units of service. For those commercial accounts which are over twenty-eight units of service, a water wastewater consumption integrated capital charge will also be assessed.
- C. Rates for integrated capital management are established and provided for in SMC 13.035.500.

Section 5: Effective Date. This ordinance shall take effect and be in full force on January 1, 2014.

Passed by the City Council on _____.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date

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

11/11/2013

Date Rec'd

10/30/2013

Clerk's File #

ORD C35055

Renews #**Submitting Dept**

UTILITIES

Cross Ref #**Contact Name/Phone**

RICK ROMERO 625-6361

Project #**Contact E-Mail**

RROMERO@SPOKANECITY.ORG

Bid #**Agenda Item Type**

First Reading Ordinance

Requisition #**Agenda Item Name**

5200 - WATER-WASTEWATER INTEGRATED CAPITAL RATES

Agenda Wording

An ordinance relating to integrated capital management rates and the creation of water and wastewater rate section in the Spokane Municipal Code, adopting a new chapter 13.035 to title 13.

Summary (Background)

The ordinance for integrated capital rates incorporates water, Wastewater and Stormwater charges used for capital to streamline the utility bill and be transparent and accessible to the citizen and rate payer.

Fiscal Impact**Budget Account**

Select \$

#

Select \$

#

Select \$

#

Select \$

#

Approvals**Council Notifications****Dept Head**

ROMERO, RICK

Study Session**Division Director**

ROMERO, RICK

Other

PWC 10/28/2013

Finance

LESESNE, MICHELE

Distribution List**Legal**

BURNS, BARBARA

eschoedel@spokanecity.org

For the Mayor

SANDERS, THERESA

acmarshall@spokanecity.org

Additional Approvals

cmarchand@spokanecity.org

Purchasing

bpatrick@spokanecity.org

ORDINANCE NO. C35055

AN ORDINANCE relating to water, wastewater and stormwater rates and incorporating integrated capital management rates, and the creation of water and wastewater rate section in the Spokane Municipal Code, adopting a new chapter 13.035 to title 13 of the Spokane Municipal Code; and setting an effective date.

WHEREAS, the City's water and wastewater funds were combined into one fund on May 6, 2013 and all revenues and expenses incurred by the water and wastewater departments are deposited within the combined water-wastewater fund; and

WHEREAS, integrated planning between and amongst departments is known to reduce costs and improve efficiencies; and

WHEREAS, currently rates for water, wastewater, stormwater, and integrated capital are spread throughout chapter 13 of the Spokane Municipal Code; and

WHEREAS, creating a new chapter within the Spokane Municipal Code dedicated the water, wastewater, stormwater and integrated capital rates is more transparent and accessible to the citizen and rate payer; -- Now, Therefore,

The City of Spokane does ordain:

Section 1: That there is adopted a new chapter 13.035 to title 13 of the Spokane Municipal Code to read as follows:

Chapter 13.035 Water-Wastewater Rates

Sections:

13.035.100	General
13.035.200	Water Rates
13.035.300	Wastewater Rates
13.035.400	Stormwater Rates
13.035.500	Water-Wastewater Integrated Capital Rate

13.035.100 General

Reserved

13.035.200 Water Rates

Rates for water usage and consumption are established and provided for in chapter 13.04 SMC.

13.035.300 Wastewater Rates

Rates for wastewater usage and consumption are established and provided for in chapter 13.03 SMC.

13.035.400 Stormwater Rates

Rates for stormwater are established and provided for in chapter 13.03 SMC.

13.035.500 Water-Wastewater Integrated Capital Rates

- A. In addition to user charges for providing utility services to customers, all accounts are assessed a water-wastewater integrated capital management fund charge which shall be placed in a separate fund, reserved for purposes of contribution to water-wastewater integrated capital works.
- B. The following rates shall apply to the water-wastewater integrated capital management fund charge:
 - 1. Domestic User – In City rate (per single family residence or equivalent residential unit).
 - a. Twenty-five dollars sixty cents.
 - b. This rate shall be separately itemized on the utility bill.
 - 2. Domestic User – Outside City rate (per single family residence or equivalent residential unit).
 - a. Twenty-nine dollars thirty-three cents.
 - b. This rate shall be separately itemized on the utility bill.
 - 3. Commercial User – In City rate.

- a. Minimum commercial user charge (includes first forty eight units):
Twenty-five dollars sixty cents.
 - b. Water-wastewater consumption charge (over forty eight units):
Fifty-three and sixty-eight one-hundredths cents (per hundred cubic feet)
 - c. This rate shall be separately itemized on the utility bill.
- 4. Commercial User – Outside City rate.
 - a. Minimum commercial user charge (includes first twenty eight units):
Twenty-nine dollars thirty-three cents.
 - b. Water-wastewater consumption charge (over twenty eight units):
One dollar seven and thirty-six hundredths cents (per hundred cubic feet).
 - c. This rate shall be separately itemized on the utility bill.
- 5. Service outside City utility service area (per hundred cubic feet). This rate shall apply unless modified by separate agreement.
 - a. One dollar seven and thirty-six hundredths cents.
 - b. This rate shall be separately itemized on the utility bill.
- 6. Non-domestic process wastewater integrated capital charge (per thousand gallons).
 - a. Thirty-six dollars eighty cents.
 - b. This rate shall be separately itemized on the utility bill.
- 7. Septage Charge (per thousand gallons).
 - a. Thirty-six dollars eighty cents.
 - b. This rate shall be separately itemized on the utility bill.

13.035.600

Water-Wastewater Integrated Capital Defined

“Integrated Capital” is defined as a rate assessed to all residential and commercial water and wastewater accounts which shall be placed into the water-wastewater integrated capital management account and reserved for purposes of contribution to integrated capital works. ~~This rate shall be separately itemized on the customer’s bill.~~

Section 2: Effective Date. This ordinance shall take effect and be in full force on January 1, 2014.

Passed by the City Council on _____.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date

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

11/11/2013

Date Rec'd

10/30/2013

Clerk's File #

ORD C35056

Renews #**Submitting Dept**

UTILITIES

Cross Ref #**Contact Name/Phone**

RICK ROMERO 625-6361

Project #**Contact E-Mail**

RROMERO@SPOKANECITY.ORG

Bid #**Agenda Item Type**

First Reading Ordinance

Requisition #**Agenda Item Name**

4300 - WASTEWATER RATE ORDINANCE

Agenda Wording

An ordinance relating to the wastewater rate; amending SMC sections 13.03.1004, 13.03.1006, 13.03.1008, 13.03.1010, 13.03.1012, 13.03.1014, 13.03.1016, 13.03.1018, 13.03.1020, 13.03.1022, 13.03.1202, 13.03.1226, and 13.03.1312; and adopting a new SMC

Summary (Background)

The ordinance reflects an increase of 2.9% to wastewater rates for commercial and residential, the realignment of Rate Stabilization charges and Integrated Capital.

Fiscal Impact**Budget Account**

Select \$

#

Select \$

#

Select \$

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Select \$

#

Approvals**Council Notifications****Dept Head**

ROMERO, RICK

Study Session**Division Director**

ROMERO, RICK

Other

PWC 10/28/2013

Finance

LESESNE, MICHELE

Distribution List**Legal**

BURNS, BARBARA

eschoedel@spokanecity.org

For the Mayor

SANDERS, THERESA

acmarshall@spokanecity.org

Additional Approvals

cmarchand@spokanecity.org

Purchasing

bpatrick@spokanecity.org

ORDINANCE NO. _____

AN ORDINANCE relating to the rates of public utilities and services, amending SMC sections 13.03.1004, 13.03.1006, 13.03.1008, 13.03.1010, 13.03.1012, 13.03.1014, 13.03.1016, 13.03.1018, 13.03.1020, 13.03.1022, 13.03.1202, 13.03.1226, and 13.03.1312; and adopting a new SMC section 13.03.1003 to chapter 13.03 of the Spokane Municipal Code; and setting an effective date.

The City of Spokane does ordain:

Section 1: That there is adopted a new SMC section 13.03.1003 to read as follows:

13.03.1003 **Purpose and Allocation**

The City's basic monthly service charge is a component of other rates below. It is the intent of the city council that the revenues from service charges be allocated into revenues for collection of wastewater (sewerage collection service) and revenues for treatment and other non-collection services of wastewater. The allocation for collection of wastewater, and the rate for such service, is that amount determined to be the actual costs paid from this revenue source for collection of wastewater services, as determined each year. The remainder of the revenues shall be the rate for treatment / non-collection wastewater services. All revenues are for operation of a public wastewater collection and treatment system.

Section 2: That SMC section 13.03.1004 is amended to read as follows:

13.03.1004 **Basic Domestic Service Charge – Monthly Amount**

~~The City's basic monthly service charge is reflected in this section. ((This charge is also a component of other rates below. It is the intent of the city council that the revenues from basic service charges be allocated into two categories: revenues for collection of wastewater (sewerage collection service) and revenues for treatment and other non-collection services of wastewater. The allocation for collection of wastewater, and the rate for such service, is that amount determined to be the actual costs paid from this revenue source for collection of wastewater services, as determined each year. The remainder of the revenues shall be the rate for treatment/non-collection wastewater services. All revenues are for operation of a public wastewater collection and treatment system.))~~

- A. Basic Domestic Service Charge.
 ~~((Twenty dollars thirty-one cents.))~~ Twenty dollars ninety cents.

- B. Cost Per Apartment.
~~((Nineteen dollars seventy-four cents.))~~ Twenty dollars thirty one cents.
- C. Cost Per RV Dump Connection.
~~((Four dollars ninety-five cents.))~~ Five dollars nine cents.

Section 3: That SMC section 13.03.1006 is amended to read as follows:

13.03.1006 User Charge – Standard Strength Wastewater – Monthly Amount

This section lists the City's monthly user charge for treatment of standard strength wastewater. ~~((This charge is also a component of other rates below. It is the intent of the city council that the revenues from this rate be allocated into two categories: revenues for collection of wastewater and revenues for treatment and non-collection wastewater services. The allocation for collection of wastewater, and the rate for such service, is that amount determined to be the actual costs paid from this revenue source for collection of wastewater services, as determined each year. The remainder of the revenues shall be the rate for treatment/non-collection services.))~~

- A. User Charge for Treatment of Standard Strength Wastewater (per M gallons).
~~((One thousand four hundred fifty-one dollars one cent))~~ One thousand four hundred ninety three dollars and nine cents; OR two dollars per cubic foot.

Section 4: That SMC section 13.03.1008 is amended to read as follows:

13.03.1008 Domestic and Commercial User Charges Inside City – Monthly Amount

This section lists the City's monthly domestic and commercial user and other monthly charges inside the City. ~~((It is the intent of the city council that the revenues from this rate be allocated into two categories: revenues for collection of wastewater and revenues for treatment and non-collection wastewater services. The allocation for collection of wastewater, and the rate for such service, is that amount determined to be the actual costs paid from this revenue source for collection of wastewater services, as determined each year. The remainder of the revenues shall be the rate for treatment/non-collection services. The rate stabilization charge is for capital contribution purposes only. The rate stabilization) _charge revenues are placed in a restricted capital fund, and are not subject to the above referenced collection/treatment allocation.))~~

- A. Domestic User Charge (single-family residence or equivalent residential unit).
 - 1. Domestic Charge.
~~((Thirty dollars thirteen cents.))~~ Twenty seven dollars twenty seven cents.

2. General Stormwater Charge.
~~((Three dollars seventy-three cents.))~~ Three dollars eighty four cents.
3. ~~((Rate Stabilization))~~ Water-Wastewater Integrated Capital (per single family residence or equivalent residential unit).
 - a. This rate shall be separately itemized on the utility bill.
 - b. ~~((Twenty-one dollars twenty-five cents.))~~ Rates for water-wastewater integrated capital are established and provided for in SMC 13.035.500.
- ~~((4.))~~ Cost for Additional Apartments.
~~((Twenty-nine dollars forty-three cents.))~~ Twenty six dollars fifty five cents.
4. ~~((5.))~~ General Stormwater Charge for Four Units or Less.
~~((Three dollars twenty cents.))~~ Three dollars twenty nine cents.
5. ~~((6.))~~ General Stormwater Charge for Over Four Units.
~~((Two dollars fifty-six cents.))~~ Two dollars sixty three cents.

B. Commercial User Charge.

1. Commercial User Charge.
 - a. ~~((One thousand eight hundred seventy dollars seventy-four cents per M gallons))~~ One thousand nine hundred twenty four dollars ninety nine cents per M gallons; or
 - b. ~~((One dollar thirty-nine and ninety-four one-hundredths cents per hundred cubic feet.))~~ One dollar forty four cents per hundred cubic feet.
2. General Stormwater Charge.
 - a. ~~((Nine hundred dollars twenty-six cents))~~ Nine hundred twenty six dollars and thirty seven cents per impervious acre per year; or
 - b. ~~((Seventy-five and three one-hundredths cents))~~ Seventy seven and twenty one one-hundredths cents per one-one hundredth impervious acre per month. (See RCW 35.67.020; RCW 35.92.020)
3. CSO Stormwater User Surcharge (per acre or equivalent thereof).
~~((Sixty-five dollars nineteen cents.))~~ Sixty seven dollars eight cents.

4. ~~((Rate Stabilization))~~ Water-Wastewater Integrated Capital (per hundred cubic feet).
 - a. This rate shall be separately itemized on the utility bill.
 - b. ~~((Fifty-two and seventeen one-hundredths cents.))~~ Rates for water-wastewater integrated capital are established and provided for in SMC 13.035.500.
5. Process/Seepage User Charge.
 - a. ~~((Five hundred fifty-five dollars twenty-two cents))~~ Five hundred seventy one dollars thirty two cents per M gallons; or
 - b. ~~((Forty-one and fifty-three one-hundredths cents))~~ Forty two and seventy three one-hundredths cents per hundred cubic feet.

Section 5: That SMC section 13.03.1010 is amended to read as follows:

13.03.1010 Domestic and Commercial User Charges – Non-City Customer – Monthly Amount

This section lists the City's monthly domestic and commercial user charges and other monthly charges for non-City customers. ~~((It is the intent of the city council that the revenues from this rate be allocated into two categories: revenues for collection of wastewater and revenues for treatment and non-collection wastewater services. The allocation for collection of wastewater, and the rate for such service, is that amount determined to be the actual costs paid from this revenue source for collection of wastewater services, as determined each year. The remainder of the revenues shall be the rate for treatment/non-collection services. The rate stabilization charge is for capital contribution purposes only. The rate stabilization charge revenues are placed in a restricted capital fund, and are not subject to the above referenced collection/treatment allocation.))~~

- A. Non-City Domestic User Charge (single-family residence or equivalent residential unit).
 1. Domestic Charge.
 ~~((Sixty dollars twenty-six cents.))~~ Fifty four dollars fifty five cents.
 2. ~~((Rate Stabilization))~~ Water-Wastewater Integrated Capital (per single family residence or equivalent residential unit).
 - a. This rate shall be set out separately itemized on the utility bill.

- b. ~~((Twenty-one dollars twenty-five cents. Rates for water-wastewater integrated capital are established and provided for in SMC 13.035.500.~~
 - 3. Cost for Additional Apartments.
~~((Fifty-eight dollars eighty-five cents.))~~ Fifty three dollars ten cents.
- B. Non-City Retail Commercial User Charge.
 - 1. Charge.
 - a. ~~((Three thousand seven hundred forty-one dollars forty-seven cents))~~ Three thousand eight hundred forty nine dollars ninety seven cents per M gallons; or
 - b. ~~((Two dollars seventy-nine and eighty-seven one-hundredths cents))~~ Two dollars eighty seven and ninety nine one-hundredths cents per hundred cubic feet.
 - 2. ~~((Rate Stabilization))~~ Water-Wastewater Integrated Capital (per hundred cubic feet).
 - a. This rate shall be separately itemized on the utility bill.
 - b. ~~((Fifty-two and seventeen one-hundredths cents.))~~ Rates for water-wastewater integrated capital are established and provided for in SMC 13.035.500.

Section 6: That SMC section 13.03.1012 is amended to read as follows:

13.03.1012 Septage Charge – Amount

This section lists the City's septage charge rate. ~~((It is the intent of the city council that the revenues from this rate be allocated into two categories: revenues for collection of wastewater and revenues for treatment and non-collection wastewater services. The allocation for collection of wastewater, and the rate for such service, is that amount determined to be the actual costs paid from this revenue source for collection of wastewater services, as determined each year. The remainder of the revenues shall be the rate for treatment/non-collection services. The rate stabilization charge is for capital contribution purposes only. The rate stabilization charge revenues are placed in a restricted capital fund, and are not subject to the above referenced collection/treatment allocation.))~~

- A. Septage Charge Rate.

1. User Charge (per thousand gallons).
~~((One hundred three dollars thirty seven cents.))~~ One hundred six dollars thirty seven cents.
2. ~~((Rate Stabilization))~~ Water-Wastewater Integrated Capital (per thousand gallons).
 - a. This rate shall be separately itemized on the utility bill.
 - b. ~~((Thirty five dollars seventy six cents.))~~ Rates for water-wastewater integrated capital are established and provided for in SMC 13.035.500.
3. ~~((Total Septage Charge Rate (per thousand gallons). One hundred thirty nine dollars fourteen cents.~~
- 4.)) Surcharge on Loads Over Four Thousand Gallons.
~~((Five dollars eighty eight cents))~~ Six dollars five cents per thousand gallons.

Section 7: That SMC section 13.03.1014 is amended to read as follows:

13.03.1014 Service Outside City Utility Service Area – Monthly Amount

This section lists the monthly rate for service outside the City's utility service area. ~~((It is the intent of the city council that the revenues from this rate be allocated into two categories: revenues for collection of wastewater and revenues for treatment and non-collection wastewater services. The allocation for collection of wastewater, and the rate for such service, is that amount determined to be the actual costs paid from this revenue source for collection of wastewater services, as determined each year. The remainder of the revenues shall be the rate for treatment/non-collection services. The rate stabilization charge is for capital contribution purposes only. The rate stabilization charge revenues are placed in a restricted capital fund, and are not subject to the above referenced collection/treatment allocation.))~~

- A. Outside City Utility Service Area (except by interlocal agreement).
 1. Charge.
 - a. ~~((Three thousand seven hundred forty one dollars forty seven cents))~~ Three thousand eight hundred forty nine dollars ninety seven cents per M gallons; or

- b. ~~((Two dollars seventy-nine and eighty-seven one-hundredths cents))~~ Two dollars eighty seven and ninety nine one-hundredths cents per hundred cubic feet.
- 2. ~~((Rate Stabilization))~~ Water-Wastewater Integrated Capital (per hundred cubic feet).
 - a. This rate shall be separately itemized on the utility bill.
 - b. ~~((Fifty-two and seventeen one-hundredths cents.))~~ Rates for water-wastewater integrated capital are established and provided for in SMC 13.035.500.

Section 8: That SMC section 13.03.1016 is amended to read as follows:

13.03.1016 Non-domestic Process Wastewater User Charge – Monthly Amount

This section lists the monthly rate for non-domestic process wastewater user charges. ~~((It is the intent of the city council that the revenues from this rate be allocated into two categories: revenues for collection of wastewater and revenues for treatment and non-collection wastewater services. The allocation for collection of wastewater, and the rate for such service, is that amount determined to be the actual costs paid from this revenue source for collection of wastewater services, as determined each year. The remainder of the revenues shall be the rate for treatment/non-collection services. The rate stabilization charge is for capital contribution purposes only. The rate stabilization charge revenues are placed in a restricted capital fund, and are not subject to the above referenced collection/treatment allocation.))~~

A. Non-domestic Process Wastewater User Charge.

- 1. User Charge (per thousand gallons).
~~((One hundred three dollars thirty-seven cents.))~~ One hundred six dollars thirty seven cents.
- 2. ~~((Rate Stabilization))~~ Water-Wastewater Integrated Capital (per thousand gallons).
 - a. This rate shall be separately itemized on the utility bill.
 - b. ~~((Thirty-five dollars seventy-six cents.))~~ Rates for water-wastewater integrated capital are established and provided for in SMC 13.035.500.

3. Non-domestic Process Wastewater Disposal Charge (per thousand gallons).
~~((One hundred thirty-nine dollars fourteen cents))~~ One hundred forty three dollars eighteen cents.
4. Surcharge on Loads Over Four Thousand Gallons.
~~((Five dollars eighty-eight cents per thousand gallons))~~ Six dollars five cents.

Section 9: That SMC section 13.03.1018 is amended to read as follows:

13.03.1018 Landfill Wastewater Pump and Treat Services – Amount

This section lists the rate for landfill wastewater pump and treat services. ~~((It is the intent of the city council that the revenues from this rate be allocated into two categories: revenues for collection of wastewater and revenues for treatment and non-collection wastewater services. The allocation for collection of wastewater, and the rate for such service, is that amount determined to be the actual costs paid from this revenue source for collection of wastewater services, as determined each year. The remainder of the revenues shall be the rate for treatment/non-collection services.))~~

- A. Landfill Pump and Treat Total.
~~((One thousand forty dollars four cents per M gallons or seventy-seven and eighty one hundredths cents per hundred cubic feet.))~~ One thousand seventy dollars twenty cents per M gallons or eighty and seven one-hundredths cents per hundred cubic feet.

Section 10: That SMC section 13.03.1020 is amended to read as follows:

13.03.1020 Cesspool and Miscellaneous Charges – Amount

This section lists the rate for cesspool pump and miscellaneous charges. ~~((It is the intent of the city council that the revenues from this rate be allocated into two categories: revenues for collection of wastewater and revenues for treatment and non-collection wastewater services. The allocation for collection of wastewater, and the rate for such service, is that amount determined to be the actual costs paid from this revenue source for collection of wastewater services, as determined each year. The remainder of the revenues shall be the rate for treatment/non-collection services.))~~

- A. Cesspool Pump and Miscellaneous Charges.

Gallons	Basic Charge
500	(((\$240.94)) <u>\$217.03</u>

600	(((\$239.32)) <u>\$246.26</u>
700	(((\$266.78)) <u>\$274.52</u>
800	(((\$295.04)) <u>\$303.60</u>
900	(((\$323.25)) <u>\$332.62</u>
1000	(((\$351.30)) <u>\$361.49</u>
1100	(((\$365.37)) <u>\$375.97</u>
1200	(((\$379.42)) <u>\$390.42</u>
1300	(((\$393.49)) <u>\$404.90</u>
1400	(((\$407.45)) <u>\$419.27</u>
1500	(((\$421.59)) <u>\$433.82</u>

- B. Miscellaneous Charges for Laboratory Analysis – Bacteriological Tests.
Fecal Coliform: ~~((Sixty-nine dollars eighty-nine cents.))~~ Seventy one dollars ninety two cents.

- C. Chemistry Tests.

Alkalinity	
Bicarbonate	(((\$26.86)) <u>\$27.64</u>
Carbonate	(((\$20.56)) <u>\$21.16</u>
Total	(((\$47.37)) <u>\$48.80</u>
Biochemical Oxygen Demand	(((\$44.73)) <u>\$46.03</u>
Chloride	(((\$22.93)) <u>\$23.59</u>
Chemical Oxygen Demand	(((\$42.61)) <u>\$43.85</u>
Dissolved Oxygen	(((\$34.31)) <u>\$35.30</u>
Fluoride	(((\$20.54)) <u>\$21.14</u>
Hardness	(((\$19.93)) <u>\$20.51</u>
Nitrogen	
Ammonia	(((\$37.35)) <u>\$38.43</u>
Kjeldahl	(((\$39.89)) <u>\$41.05</u>
TKN (Total Kjeldahl Nitrogen)	(((\$77.05)) <u>\$79.28</u>
Nitrate	(((\$34.31)) <u>\$35.30</u>
Nitrite	(((\$22.67)) <u>\$23.33</u>
Oil & Grease	(((\$58.24)) <u>\$59.93</u>
pH	(((\$9.53)) <u>\$9.81</u>
Phosphorus	

Inorganic	(((\$32.00)) <u>\$32.93</u>
Orthophosphate	(((\$23.32)) <u>\$24.00</u>
Total	(((\$55.32)) <u>\$56.93</u>
Residue	
Settleable Solids	(((\$19.95)) <u>\$20.53</u>
Coliform	(((\$52.40)) <u>\$53.92</u>
Suspended Solids	(((\$19.95)) <u>\$20.53</u>
Total Solids	(((\$22.00)) <u>\$22.64</u>
Total Dissolved Solids	(((\$22.00)) <u>\$22.64</u>
Volatile Solids	(((\$27.29)) <u>\$28.08</u>
Volatile Suspended Solids	(((\$27.29)) <u>\$28.08</u>
Specific Oxygen Demand	(((\$83.46)) <u>\$85.88</u>
Specific Conductance	(((\$11.07)) <u>\$11.39</u>
Sulfates	(((\$28.64)) <u>\$29.47</u>
Turbidity	(((\$16.58)) <u>\$17.06</u>

D. Elemental Analysis Performed by Atomic Absorption Spectrophotometry.

1. Flame Technique.

- a. Aluminum, calcium, cadmium, chromium, copper, iron, lead, magnesium, manganese, mercury, nickel, potassium, sodium and zinc.
~~((Twenty-six dollars eighty-three cents.))~~ Twenty seven dollars sixty one cents.

2. Flameless Technique.

- a. Same as elements in subsection (D)(1) of this section.
- b. ~~((Twenty-six dollars eighty-three cents.))~~ Twenty seven dollars sixty one cents.

E. Biosolids Application Program.

~~((Fifteen dollars fifty-three cents))~~ Fifteen dollars ninety eight cents per cubic yard.

Section 11: That SMC section 13.03.1022 is amended to read as follows:

13.03.1022 Refuse Dumpster Maintenance Charge – Amount

This section lists the refuse dumpster maintenance charge. ~~((It is the intent of the city council that the revenues from this rate be allocated into two categories: revenues for collection of wastewater and revenues for treatment and non-collection wastewater services. The allocation for collection of wastewater, and the rate for such service, is that amount determined to be the actual costs paid from this revenue source for collection of wastewater services, as determined each year. The remainder of the revenues shall be the rate for treatment/non-collection services.))~~

A. Monthly Refuse Dumpster Maintenance Charge.

1. Charge.

- a. ~~((Five dollars eighty two cents.))~~ Five dollars ninety nine cents.
- b. ~~((Five and twenty two one hundredths))~~ Five and thirty seven one-hundredths cents per hundred cubic feet.

2. Inspection Fee (start-up, one-time fee).

~~((Eighty two dollars eighty cents.))~~ Eighty five dollars twenty cents.

Section 12: That SMC section 13.03.1202 is amended to read as follows:

13.03.1202 Single-dwelling Units – Family Daycare Home

Single-dwelling units, apartment house units, mobile home units and trailer park units which are shown to pay as separate accounts in the records of the utilities billing division of the City of Spokane shall be charged the basic service charge plus one domestic user charge.

A. A “single-dwelling unit” shall include:

- 1. Kitchen or cooking area room, which must include a sink;
- 2. Bathroom, which must include a toilet, bathtub, and sink or a toilet, shower, and sink; and
- 3. A separate entrance to the unit which does not require residents to co-mingle.

B. Family daycare homes, as defined in SMC 13.04.2002(D) of Water Rates, are considered domestic users and shall be charged the basic service charge plus one domestic user charge.

Section 13: That SMC section 13.03.1226 is amended to read as follows:

13.03.1226 ~~((Rate Stabilization Contribution))~~ Water-Wastewater Integrated Capital

Rates for water-wastewater integrated capital are established and provided for in SMC 13.035.500.

~~((A. In addition to user charges for providing sewerage collection service to customers for sewerage collection service, residential accounts are assessed a rate stabilization fund surcharge, which shall be placed in a separate fund reserved for purposes of contribution to capital works. This rate shall be separately itemized on the utility bill.~~

~~B. Commercial accounts will also contribute a similar contribution to capital surcharge in addition to the charges made for providing sewerage collection service. This rate shall be separately itemized on the utility bill.~~

~~C. ERU Surcharge.~~

~~All accounts will further be charged, per equivalent residential unit (ERU), a capital contribution ERU surcharge. Such ERU surcharge shall be separate from and in addition to the charge for providing sewerage collection service, which shall not be less than the actual cost of providing such sewerage collection service. The number of ERUs in any given project is determined by the director of engineering services or designee based upon the building permit application. In case of changes in occupancy or use, the ERU designation may be adjusted accordingly. Said charge shall be payable as follows, at the customer's election:~~

~~1. One-time Payment.~~

~~A one-time payment of three hundred dollars per ERU designated, due upon issuance of a side sewer permit; or~~

~~2. Installments.~~

~~A two-year monthly rate surcharge, which may be included in the regular monthly utility bill commencing at the time of initiation of utility service to the subject premises, of thirteen dollars fifty-seven cents per month per ERU, any delinquency to be collectable as a lien against the premises pursuant to RCW 35.67.200 in addition to all other accrued charges.~~

~~a. In case this option is selected, prior to issuance of the side sewer permit the customer shall furnish the City issuing official evidence of recording of an ERU rate surcharge notice on the title of the premises concerned advising of the ERU surcharge under this subsection (C)(2).~~

~~C. This charge reflects the original three hundred dollar surcharge per ERU over a two-year period, plus eight percent interest. At any time a customer can pay off the unpaid principal balance.~~

~~1. Customer billings shall be itemized so that the actual charges for providing sewerage collection service is set forth, separate and apart from other charges, which charge shall not be less than the actual cost of providing such sewerage collection service.~~

~~2. The rate stabilization or contribution to capital charge need not be itemized separate and apart from such charges.))~~

Section 14: That SMC section 13.03.1312 is amended to read as follows:

13.03.1312 User Charge Based on Volume

A. Sewerage user charges established on the basis of wastewater volumes calculated upon City water meter readings shall be adjusted on request to reflect water volumes consumed on the property of the customer for irrigation, evaporation equipment, steam equipment, product additions or other similar consumptive water uses, that do not contribute wastewater loading to the municipal sewage collection and treatment system, as provided hereafter.

B. Meters of a design approved in coordination with the director and department of water and hydroelectric services may be installed by the user for the purpose of adjusting the volume of water consumption to establish actual wastewater loading to the municipal sewage collection and treatment system to determine the proper sewage user charge.

1. Each account may be assessed an additional forty percent of basic service charges per meter.

2. Meter installations used to determine actual wastewater loadings of the municipal sewage treatment and collection system must be approved by the director.

3. Effective January 1, 1988, all new commercial and industrial users will be allowed volume discounts only when a separate approved water meter is provided at the owner's expense to quantify the actual volume not discharging to the sewer (lawn sprinkling).

C. The water meter must be a positive displacement meter with a digital dial totalizer reading in hundreds of cubic feet.

1. The totalizer must not turn over more than once per year during the first year of installation.
 2. The equipment of plumbing following a water meter used for wastewater flow reduction must not contain overflows or valves that can discharge to the sanitary sewer system.
 3. The City shall be permitted access to the premises for meter reading and confirming that the water use is as stated by the user.
- D. Upon written request, and subject to the approval of the director, the volume of wastewater loading of the municipal sewage collection and treatment system for any specific user may be determined on the basis of the average of the amounts of water consumed per month by the user during a five-month period commencing on the date of a water meter reading in the month of November and concluding on the date of a water meter reading in the following month of April, which average shall be computed annually after the water meter reading in April of each succeeding year.
1. This estimated computation has a fee of (~~two dollars~~) two dollars six cents per month.

Section 15: Effective Date.

This ordinance shall take effect and be in force on January 1, 2014.

Passed by the City Council on _____.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date



Agenda Sheet for City Council Meeting of:
11/11/2013

<u>Date Rec'd</u>	10/30/2013
<u>Clerk's File #</u>	ORD C35057
<u>Renews #</u>	
<u>Cross Ref #</u>	
<u>Project #</u>	
<u>Bid #</u>	
<u>Requisition #</u>	

<u>Submitting Dept</u>	UTILITIES
<u>Contact Name/Phone</u>	RICK ROMERO 625-6361
<u>Contact E-Mail</u>	RROMERO@SPOKANECITY.ORG
<u>Agenda Item Type</u>	First Reading Ordinance
<u>Agenda Item Name</u>	4100 - WATER RATE ORDINANCE

Agenda Wording

An ordinance relating to the water rate; amending SMC sections 13.04.2002, 13.04.2004, 13.04.2005, 13.04.2008, 13.04.2010, 13.04.2012, 13.04.2014, 13.04.2015, 13.04.2016, 13.04.2019, 13.04.2022, 13.04.2024, 13.04.2025, 13.04.2026, and 13.04.2028.

Summary (Background)

The ordinance reflects an increase of 2.9% to water rates for commercial and residential, the realignment of Rate Stabilization charges and Integrated Capital.

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

<u>Approvals</u>		<u>Council Notifications</u>	
<u>Dept Head</u>	ROMERO, RICK	<u>Study Session</u>	
<u>Division Director</u>	ROMERO, RICK	<u>Other</u>	PWC 10/28/2013
<u>Finance</u>	LESESNE, MICHELE	<u>Distribution List</u>	
<u>Legal</u>	BURNS, BARBARA	eschoedel@spokanecity.org	
<u>For the Mayor</u>	SANDERS, THERESA	acmarshall@spokanecity.org	
<u>Additional Approvals</u>		cmarchand@spokanecity.org	
<u>Purchasing</u>		bpatrick@spokanecity.org	

ORDINANCE NO. C35057

AN ORDINANCE relating to the rates of the water and hydroelectric department for services, amending SMC sections 13.04.2002, 13.04.2004, 13.04.2005, 13.04.2008, 13.04.2010, 13.04.2012, 13.04.2014, 13.04.2015, 13.04.2016, 13.04.2019, 13.04.2022, 13.04.2024, 13.04.2025, 13.04.2026, and 13.04.2028 of the Spokane Municipal Code; and setting an effective date.

The City of Spokane does ordain:

Section 1: That SMC section 13.04.2002 is amended to read as follows:

13.04.2002 City Residence Rates

A. Single-family Residence – Basic Charge.

1. Within the City limits, the basic monthly service charge for each single-family residence where the water is being used or reflected as on in the records of the City of Spokane utilities billings office shall be:

~~((1. Ten dollars one cent.))~~

a. Fourteen dollars fifty cents.

b. ~~((2.))~~ Unless otherwise provided, for two or more single-family residences on one meter, the above service charge shall apply for each residence.

2. For purposes of this chapter, a "single-family residence" or "equivalent residential unit" designation applies to each self-contained, stand-alone living unit with at least one:

a. kitchen or cooking area room, which must include a sink; ~~((and))~~

b. bathroom, which must include a toilet, bathtub, and sink or a toilet, shower, and sink; and

c. a separate entrance that does not require residents to co-mingle.

B. Consumption Charge.

The following consumption charge rate schedule is adopted to encourage water conservation and promote environmental quality. Within the City limits, for each one hundred cubic feet, or major fraction (approximately seven hundred fifty gallons) of water used, there will be the following consumption charges:

1. Monthly Water Usage / Charge Rate Per Hundred Cubic Feet.
 - a. Zero cubic feet to six hundred cubic feet per month: (~~Twenty-six and ninety-one one-hundredths cents.~~) Twenty seven and sixty nine one-hundredths cents.
 - b. Greater than six hundred cubic feet to one thousand cubic feet per month: (~~Fifty-six and ninety-three one-hundredths cents.~~) Fifty eight and fifty eight one-hundredths cents.
 - c. Greater than one thousand cubic feet to four thousand five hundred cubic feet per month: (~~Seventy-six and fifty-nine one-hundredths cents.~~) Seventy eight and eighty one one-hundredths cents.
 - d. Greater than four thousand five hundred cubic feet per month: (~~Ninety-eight and thirty-three one-hundredths cents.~~) One dollar one and eighteen one-hundredths cents.
- C. No vacancy allowance will be made on any house in a group served by one meter unless all houses served by one meter are vacant and the water is shut off at the City valve by the water and hydroelectric services department upon proper request in writing.
- D. Family daycare homes shall be billed at the single-family rate. For purposes of this provision, "family daycare homes" shall mean a daycare facility:
 1. furnishing care, supervision, and guidance for persons twelve years of age or younger for more than four but less than twenty-four hours in a day;
 2. licensed as such by the state department of social and health services; and
 3. which regularly provides such care during part of a twenty-four hour day for no more than twelve children in the dwelling of the person(s) in charge.

Section 2: That SMC section 13.04.2004 is amended to read as follows:

13.04.2004 City Commercial and Industrial Rates

- A. These rates apply to commercial and industrial customers and to all other customer premises not specifically identified on City utilities billing records as single-family residences or PUDs. The rates are for service inside the city limits of the City of Spokane.

1. Size of Service / Meter Charge Per Month.
 - a. One-inch or less: (~~Fourteen dollars ninety-four cents.~~) Nineteen dollars eighty five cents.
 - b. One-and-one-half inch: (~~Twenty-four dollars thirty-seven cents.~~) Twenty nine dollars fifty six cents.
 - c. Two-inch: (~~Thirty-four dollars fifty-four cents.~~) Forty dollars two cents.
 - d. Three-inch: (~~Fifty-five dollars thirty-three cents.~~) Sixty one dollars forty one cents.
 - e. Four-inch: (~~Seventy-six dollars twenty cents.~~) Eighty two dollars eighty nine cents.
 - f. Six-inch: (~~One hundred seven dollars seventy-seven cents.~~) One hundred fifteen dollars thirty eight cents.
 - g. Eight-inch: (~~Two hundred twenty dollars eighty-four cents.~~) Two hundred thirty one dollars seventy two cents.
 - h. Ten-inch: (~~Three hundred twenty-two dollars fifty cents.~~) Three hundred thirty six dollars thirty three cents.

B. Consumption.

The following rate schedule is adopted to encourage water conservation and promote environmental quality. For each one hundred cubic feet, or major fraction (approximately seven hundred fifty gallons) of water used, there will be the following monthly consumption charges:

1. Monthly Water Use / Charge Rate Per Hundred Cubic Feet.
 - a. Zero cubic feet to six hundred cubic feet per month: (~~Twenty-seven and ninety-one one-hundredths~~) Twenty eight and seventy two one-hundredths cents for all use.
 - b. Greater than six hundred cubic feet up to one thousand cubic feet per month: (~~Fifty-seven and ninety-three one-hundredths cents~~) Fifty nine and sixty one one-hundredths cents for all use zero cubic feet to one thousand cubic feet.
 - c. Greater than one thousand cubic feet per month: (~~Seventy-seven and fifty-nine one-hundredths cents~~) Eighty six and twenty three

one-hundredths cents for all use zero cubic feet to the amount used.

Section 3: That SMC section 13.04.2005 is amended to read as follows:

13.04.2005 City Planned Unit Developments (PUD)

A. Basic Charge.

In general, a planned unit development (PUD) designation is one approved in accord with applicable PUD development standards and served by a master water meter. However, if a dwelling unit would otherwise be included within a PUD designation but has its own individual City water meter, it will be billed as a single family residence under SMC 13.04.2002 or other applicable rate section. Questions of applicability are determined by the director. [Cross Reference: SMC 17A.020.160(T)]

B. Consumption.

For billing water consumption, the PUD basic charge will include seventy units of service. ~~((will be charged the same as a single family residence within the City limits except the PUD's total consumption will be divided by the total number of dwelling units to determine the per dwelling consumption for purposes of applying the rate steps defined in SMC 13.04.2002(B).))~~ Consumption beyond seventy units of service will be assessed a rate of six and thirty-nine hundredths cents per unit.

C. Size of Service / Meter Charge Per Month.

1. One-inch or less: ~~((Fourteen dollars ninety-four cents.))~~ Fifteen dollars thirty seven cents.
2. One-and-one-half inch: ~~((Twenty-four dollars thirty-seven cents.))~~ Twenty five dollars eight cents.
3. Two-inch: ~~((Thirty-four dollars fifty-four cents.))~~ Thirty five dollars fifty four cents.
4. Three-inch: ~~((Fifty-five dollars thirty-three cents.))~~ Fifty six dollars ninety three cents.
5. Four-inch: ~~((Seventy-six dollars twenty cents.))~~ Seventy eight dollars forty one cents.
6. Six-inch: ~~((One hundred seven dollars seventy-seven cents.))~~ One hundred ten dollars ninety cents.

7. Eight-inch: (~~Two hundred twenty dollars eighty-four cents.~~) Two hundred twenty seven dollars twenty four cents.
 8. Ten-inch: (~~Three hundred twenty-two dollars fifty cents.~~) Three hundred thirty one dollars eighty five cents.
- D. (~~Rate Stabilization.~~) Water-Wastewater Integrated Capital
(~~Six and twenty-one one-hundredths cents per one hundred cubic feet used per month as read on individual service meters within the PUD and/or master meters for the PUD. The minimum charge will be four dollars thirty-five cents.~~) Rates for water-wastewater integrated capital are established and provided for in SMC 13.035.500.

Section 4: That SMC section 13.04.2008 is amended to read as follows:

13.04.2008 Construction Rates

- A. Rates for water used during construction will be charged per month, or fractional part thereof, in accord with the following rates, until the meter is set.
 1. Worksite will be inspected at least every ninety days to determine meter status.
 2. The meter installation will be made at the earliest possible date.
- B. Size of Service / Meter Charge Per Month.
 1. One-inch or less: (~~Fourteen dollars ninety-four cents.~~) Fifteen dollars thirty seven cents.
 2. One-and-one-half inch: (~~Twenty-four dollars thirty-seven cents.~~) Twenty five dollars eight cents.
 3. Two-inch: (~~Thirty-four dollars fifty-four cents.~~) Thirty five dollars fifty four cents.
 4. Three-inch: (~~Fifty-five dollars thirty-three cents.~~) Fifty six dollars ninety three cents.
 5. Four-inch: (~~Seventy-six dollars twenty cents.~~) Seventy eight dollars forty one cents.
 6. Six-inch: (~~One hundred seven dollars seventy-seven cents.~~) One hundred ten dollars ninety cents.

7. Eight-inch: ((~~Two hundred twenty dollars eighty four cents.~~)) Two hundred twenty seven dollars twenty four cents.
8. Ten-inch: ((~~Three hundred twenty two dollars fifty cents.~~)) Three hundred thirty one dollars eighty five cents.

Section 5: That SMC section 13.04.2010 is amended to read as follows:

13.04.2010 Water for Private Fire Protection

- A. For inside the City of Spokane metered and unmetered connection on the City's water mains supplying hydrants, standpipes, or automatic sprinklers for private fire protection to the premises, charges will be made in accord with the following rates:
 1. Size of Connection / Service Charge Per Month.
 - a. Three-inch or smaller: ((~~Fifteen dollars eighty two cents.~~)) Sixteen dollars twenty eight cents.
 - b. Four-inch: ((~~Twenty two dollars thirty one cents.~~)) Twenty two dollars ninety six cents.
 - c. Six-inch: ((~~Thirty one dollars three cents.~~)) Thirty one dollars ninety three cents.
 - d. Eight-inch: ((~~Thirty seven dollars fifty four cents.~~)) Thirty eight dollars sixty three cents.
 - e. Ten-inch: ((~~Forty four dollars ninety cents.~~))Forty six dollars twenty cents.
- B. For outside the City of Spokane metered and unmetered connection on the City's water mains supplying hydrants, standpipes, or automatic sprinklers for private fire protection to the premises, charges will be made in accord with the following rates:
 1. Size of Connection / Service Charge per Month.
 - a. Three-inch or smaller: ((~~Twenty three dollars seventy three cents.~~)) Twenty four dollars forty two cents.
 - b. Four-inch: ((~~Thirty three dollars forty seven cents.~~)) Thirty four dollars forty four cents.

- c. Six-inch: (~~Forty-six dollars fifty-five cents.~~) Forty seven dollars ninety cents.
- d. Eight-inch: (~~Fifty-six dollars thirty-one cents.~~) Fifty seven dollars ninety four cents.
- e. Ten-inch: (~~Sixty-seven dollars thirty-five cents.~~) Sixty nine dollars thirty cents.

Section 6: That SMC section 13.04.2012 is amended to read as follows:

13.04.2012 Outside City Residence Rates

A. Basic Charge: Single-family Residence.

- 1. Outside the City, for each single-family residence, the monthly service charge where the water is being used or reflected as on in the records of the City of Spokane utilities billings office shall be: (~~Fifteen dollars two cents.~~) Twenty one dollars seventy six cents.
- 2. For two or more single-family residences on one meter the above service charge shall apply for each residence. "Single-family residence" has the meaning in SMC 13.04.2002(A)(2).

B. Consumption.

The following rate schedule is adopted to encourage water conservation and promote environmental quality. Outside the City limits, for each one hundred cubic feet or major fraction (approximately seven hundred fifty gallons) of water used, there will be the following consumption charges:

- 1. Monthly Water Use / Charge Rate Per Hundred Cubic Feet.
 - a. Zero cubic feet to six hundred cubic feet per month: (~~Forty and thirty-seven one-hundredths cents.~~) Forty one and fifty four one-hundredths cents.
 - b. Greater than six hundred cubic feet up to one thousand cubic feet per month: (~~Eighty-five and forty one-hundredths cents.~~) Eighty seven and eighty nine one-hundredths cents.
 - c. Greater than one thousand cubic feet to four thousand five hundred cubic feet per month: (~~One dollar fourteen and eighty-nine one-hundredths cents.~~) One dollar eighteen and twenty two one-hundredths cents.

- d. Greater than four thousand five hundred cubic feet per month:
~~((One dollar forty seven and fifty one hundredths cents.))~~ One dollar fifty one and seventy nine one-hundredths cents.
- C. No vacancy allowance will be made on any house in a group served by one meter unless all houses served by one meter are vacant and the water is shut off at the City valve by the water and hydroelectric services department upon proper request in writing.
- D. Family daycare homes shall be billed at the single-family rate. For purposes of this provision, "family daycare homes" shall mean a day care facility:
 - 1. furnishing care, supervision, and guidance for persons twelve years of age or younger for more than four but less than twenty-four hours in a day;
 - 2. licensed as such by the state department of social and health services; and
 - 3. which regularly provides such care during part of a twenty-four hour day for no more than twelve children in the dwelling of the person(s) in charge.

Section 7: That SMC section 13.04.2014 is amended to read as follows:

13.04.2014 Outside City Rate to Other Purveyors

The charge to other purveyors for water use outside the City's service area shall be at the following rate per one hundred cubic feet of water used plus outside City commercial monthly service charge, unless modified by separate agreement: ~~((One dollar four and fifty four one-hundredths cents.))~~ One dollar seven and fifty seven one-hundredths cents.

Section 8: That SMC section 13.04.2015 is amended to read as follows:

13.04.2015 Outside City Planned Unit Developments (PUD)

- A. Basic Charge.
 In general, a planned unit development (PUD) designation is one approved in accord with applicable PUD development standards and served by a master water meter. However, if a dwelling unit would otherwise be included within a PUD designation but has its own individual city water meter, it will be billed as a single-family residence under SMC 13.04.2012 or other applicable rate section. Questions of applicability are determined by the director. [Cross Reference: SMC 17A.020.160(T)]

- B. Consumption.
For billing water consumption, the outside city PUD basic charge will include seventy units of service. ~~((will be charged the same as a single-family residence within the City limits except the PUD's total consumption will be divided by the total number of dwelling units to determine the per dwelling consumption for purposes of applying the rate steps defined in SMC 13.04.2002(B).))~~ Consumption beyond seventy units of service will be assessed a rate of nine and fifty nine one-hundredths cents per one hundred cubic feet used per month.
- C. Size of Service / Meter Charge Per Month.
1. One-inch or less: ~~((Twenty-two dollars forty-one cents.))~~ Twenty nine dollars seventy seven cents.
 2. One-and-one-half inch: ~~((Thirty-six dollars fifty-six cents.))~~ Forty four dollars thirty three cents.
 3. Two-inch: ~~((Fifty-one dollars eighty-one cents.))~~ Sixty dollars two cents.
 4. Three-inch: ~~((Eighty-three dollars.))~~ Ninety two dollars twelve cents.
 5. Four-inch: ~~((One hundred fourteen dollars thirty cents.))~~ One hundred twenty four dollars thirty two cents.
 6. Six-inch: ~~((One hundred sixty-one dollars sixty-six cents.))~~ One hundred seventy three dollars six cents.
 7. Eight-inch: ~~((Three hundred thirty-one dollars twenty-six cents.))~~ Three hundred forty seven dollars fifty eight cents.
 8. Ten-inch: ~~((Four hundred eighty-three dollars seventy-five cents.))~~ Five hundred four dollars forty nine cents.
- D. ~~((Rate Stabilization.))~~ Water-Wastewater Integrated Capital.
~~((Nine and thirty-two one-hundredths cents per one hundred cubic feet used per month as read on individual service meters within the PUD and/or master meters for the PUD with a minimum charge of six dollars fifty-two cents.))~~ Rates for water-wastewater integrated capital are established and provided for in SMC 13.035.500.

Section 9: That SMC section 13.04.2016 is amended to read as follows:

13.04.2016 Outside City Commercial and Industrial Rates

- A. These rates apply to commercial and industrial customers and to all other customer premises not specifically identified as single-family residences or PUDs. The rates are for service outside the city limits of the City of Spokane.
- B. Size of Service / Service Charge Per Month.
1. One-inch or less: (~~((Twenty-two dollars forty-one cents.))~~) Twenty nine dollars seventy seven cents.
 2. One-and-one-half-inch: (~~((Thirty-six dollars fifty-six cents.))~~) Forty four dollars thirty three cents.
 3. Two-inch: (~~((Fifty-one dollars eighty-one cents.))~~) Sixty dollars two cents.
 4. Three-inch: (~~((Eighty-three dollars.))~~) Ninety two dollars twelve cents.
 5. Four-inch: (~~((One hundred fourteen dollars thirty cents.))~~) One hundred twenty four dollars thirty two cents.
 6. Six-inch: (~~((One hundred sixty-one dollars sixty-six cents.))~~) One hundred seventy three dollars six cents.
 7. Eight-inch: (~~((Three hundred thirty-one dollars twenty-six cents.))~~) Three hundred forty seven dollars fifty eight cents.
 8. Ten-inch: (~~((Four hundred eighty three dollars seventy-five cents.))~~) Five hundred four dollars forty nine cents.
- C. The following rate schedule is adopted to encourage water conservation and promote environmental quality. Outside the City limits, for each one hundred cubic feet, or major fraction (approximately seven hundred fifty gallons) of water used, there will be the following consumption charges:
1. Monthly Water Use / Charge Rate Per Hundred Cubic Feet.
 - a. Zero cubic feet to six hundred cubic feet per month: (~~((Forty-one and eighty-seven one-hundredths cents.))~~) Forty three and eight one-hundredths cents for all use.
 - b. Greater than six hundred cubic feet up to one thousand cubic feet per month: (~~((Eighty-six and ninety-one one-hundredths cents.))~~) Eighty nine and forty three one-hundredths cents for all use zero cubic feet to one thousand cubic feet.
 - c. Greater than one thousand cubic feet per month: (~~((One dollar sixteen and thirty-nine one-hundredths cents.))~~) One dollar twenty

nine and thirty six one-hundredths cents for all use zero cubic feet to the amount used.

Section 10: That SMC section 13.04.2019 is amended to read as follows:

13.04.2019 ~~Rate Stabilization Fees~~ Water-Wastewater Integrated Capital

Rates for water-wastewater integrated capital are established and provided for in SMC 13.035.500.

~~((The following rate stabilization fee shall be included in monthly water bills within the entire water service and for the purpose of replacing/rehabilitating worn-out water infrastructure.~~

- ~~A. For non-PUD inside City equivalent residential units the charge per month shall be: Four dollars eight cents. [Cross Reference: SMC 13.04.2002(A)(2)]~~
- ~~B. For non-PUD outside City equivalent residential units, the charge per month shall be: Six dollars twelve cents.~~
- ~~C. For inside city commercial, the charge per month shall be: Six and twenty-one one-hundredths cents per one hundred cubic feet of water used per month with a minimum charge of four dollars thirty-five cents.~~
- ~~D. For outside city commercial, the charge per month shall be: Nine and thirty-two one-hundredths cents per one hundred cubic feet of water used per month with a minimum charge of six dollars fifty-two cents.))~~

Section 11: That SMC section 13.04.2022 is amended to read as follows:

13.04.2022 Turning Water On or Off – Other Charges

- A. The fee for valve replacement service for customer-owned meter valves two inches or less is ~~((one hundred twenty dollars))~~ one hundred twenty three dollars forty eight cents.
- B. The fees for frozen meter replacement are as follows:
 - 1. Size of Service / Frozen Meter Replacement Charge.
 - a. Five-eighths inch: ~~((Two hundred ten dollars.))~~ Two hundred sixteen dollars nine cents.

- b. Three-quarter inch: (~~((Two hundred sixty-five dollars.))~~) Two hundred seventy two dollars sixty nine cents.
 - c. One-inch: (~~((Three hundred thirty dollars.))~~) Three hundred thirty nine dollars fifty seven cents.
 - d. One-and-one-half inch: (~~((Three hundred sixty dollars.))~~) Three hundred seventy dollars forty four cents.
 - e. Two-inch: (~~((Three hundred ninety-five dollars.))~~) Four hundred six dollars forty six cents.
- C. The director assesses a reasonable charge for items not otherwise specifically encompassed herein.
- D. The fees in this section shall be adjusted as provided in SMC 13.04.2030.

Section 12: That SMC section 13.04.2024 is amended to read as follows:

13.04.2024 Hydrant Fees

Hydrant fees are as follows:

A .Hydrant Permit Fees.

- 1. Hydrant permit daily: (~~((Forty-five dollars.))~~) Forty six dollars thirty one cents.
- 2. Hydrant permit monthly: (~~((One hundred forty dollars.))~~) One hundred forty four dollars six cents.
- 3. Hydrant permit yearly: (~~((Three hundred fifty dollars.))~~) Three hundred sixty dollars fifteen cents.
- 4. Hydrant permit where meter is needed to measure water use: (~~((Five hundred dollar))~~) Five hundred fourteen dollars fifty cents meter deposit.
- 5. Valve rental fee daily: (~~((Twenty-five dollars.))~~) Twenty five dollars seventy three cents.
- 6. Valve rental fee monthly: (~~((Fifty dollars.))~~) Fifty one dollars forty five cents.

~~((Valves can be rented for a maximum of thirty calendar days. Failure to return the valve within thirty calendar days will result in forfeit of the deposit.))~~

- B. Hydrant Flow Tests: (~~((Two hundred twenty-five dollars.))~~) Two hundred thirty one dollars fifty three cents.
- C. Construction Estimates: (~~((Three hundred dollars.))~~) Three hundred eight dollars seventy cents.
- D. Other Charges.
 - 1. (~~((Three hundred dollars))~~) Three hundred eight dollars seventy cents for each hydrant disk that is not returned at the time the hydrant permit expires.
 - 2. (~~((Twenty-five dollar))~~) Twenty five dollars seventy three cents replacement charge for any lost or stolen hydrant disk.
 - 3. (~~((Fifty dollars))~~) Fifty one dollars forty five cents for any hydrant wrench not returned upon hydrant permit expiration.
 - 4. Hydrant gate valves may be rented from the water and hydroelectric services department for a maximum of thirty calendar days.
 - a. Daily rental fee is (~~((twenty dollars))~~) twenty dollars fifty eight cents.
 - b. Monthly rental fee is (~~((fifty dollars.))~~) fifty one dollars forty five cents.
 - 5. (~~((Two hundred dollar))~~) Two hundred five dollars eighty cents refundable deposit is required for all valve rentals. Failure to return the hydrant valve or failure to return it within the thirty-day time frame will result in forfeiture of the deposit.
 - 6. (~~((Three hundred dollar))~~) Three hundred eight dollars seventy cents fine for anyone using a hydrant, other than for fire protection, without purchasing a hydrant permit and without using the hydrant disk.

Section 13: That SMC section 13.04.2025 is amended to read as follows:

13.04.2025 Tap and Meter Requirements and Fees

- A. Outside City taps must sign a water annexation covenant approved by the City legal department.
- B. Local improvement district and future main extension waivers are required on all approved long services.

- C. Taps one inch and smaller: Pressure reducing valve (PRV) is required before meter if pressure is greater than eighty pounds.-D. Taps one-and-one-half inch and larger: Pressure reducing valve (PRV) is required after meter if pressure is greater than eighty pounds.
- D. Remote reader charges are included in meter fees.
- E. City taps that need to be installed at a time other than normal water department business hours must pay an additional ~~((five hundred dollars))~~ five hundred fourteen dollars fifty cents.
- F. Duplexes must have a minimum of one-inch tap and one-inch meter.
- G. Triplexes must have a minimum of two-inch tap and either a one-and-one-half inch or two-inch meter.
- H. Any taps two inches and smaller, installed on a main eighteen inches or larger must pay an additional ~~((one hundred fifty dollars))~~ one hundred fifty four dollars thirty five cents for a tapping saddle.
- I. Taps four inches and larger installed by private contractors during a main construction require an inspection fee of ~~((one hundred twenty-five dollars))~~ one hundred twenty eight dollars sixty three cents.

Section 13: That SMC section 13.04.2026 is amended to read as follows:

13.04.2026 Small Taps and Meters – Additional

The following fees apply to small taps and meters and are firm prices:

- A. Tap Fees: [Reserved].
- B. Street:
 - 1. One-inch tap – All: ~~((Six hundred ninety dollars.))~~ Seven hundred ten dollars one cent.
 - 2. Two-inch tap – All: ~~((Six hundred seventy dollars.))~~ Six hundred eighty nine dollars forty three cents.
- C. Meter Fees:
 - 1. Three-quarter inch – Domestic/Meter Box: ~~((Five hundred twenty dollars.))~~ Five hundred thirty five dollars eight cents.

2. Three-quarter inch – Domestic/Basement: (~~((Four hundred seventy-five dollars.))~~) Four hundred eighty eight dollars seventy eight cents.
 3. Three-quarter inch – Irrigation: (~~((Five hundred thirty-five dollars.))~~) Five hundred fifty dollars fifty two cents.
 4. One-inch – Domestic/Meter Box: (~~((Six hundred five dollars.))~~) Six hundred twenty two dollars fifty five cents.
 5. One-inch – Domestic/Basement: (~~((Five hundred forty-five dollars.))~~) Five hundred sixty dollars eighty one cents.
 6. One-inch – Irrigation: (~~((Six hundred twenty dollars.))~~) Six hundred thirty seven dollars ninety eight cents.
 7. One-and-one-half inch – Domestic: (~~((Nine hundred seventy-five dollars.))~~) One thousand three dollars twenty eight cents.
 8. One-and-one-half inch – Irrigation: (~~((One thousand one hundred forty dollars.))~~) One thousand one hundred seventy three dollars six cents.
 9. Two-inch – Domestic: (~~((One thousand one hundred seventy dollars.))~~) One thousand two hundred three dollars ninety three cents.
 10. Two-inch – Irrigation: (~~((One thousand two hundred thirty-five dollars.))~~) One thousand two hundred seventy dollars eighty two cents.
 11. Two-inch – Fire, with DCVA: (~~((One thousand four hundred fifteen dollars.))~~) One thousand four hundred fifty six dollars four cents.
 12. Two-inch – Fire, no DCVA: (~~((One thousand one hundred seventy dollars.))~~) One thousand two hundred three dollars ninety three cents.
 13. Twenty-four inch concrete box installation – No excavation: (~~((Nine hundred fifty-five dollars.))~~) Nine hundred eighty two dollars seventy cents.
- D. Prices do not include the (~~((forty dollar))~~) forty one dollars sixteen cents processing fee for staff costs.
- E. If a utility offset is needed, the fee will be (~~((one thousand three hundred fifty-five dollars.))~~) one thousand three hundred ninety four dollars thirty cents.
- F. Work performed outside of normal business hours will be charged an additional (~~((five hundred dollars.))~~) five hundred fourteen dollars fifty cents.
- G. The fees in this section shall be adjusted as provided in SMC 13.04.2030.

- H. Permit shall be valid for twelve months after which it will expire and a new permit will be required.))

Section 14: That SMC section 13.04.2028 is amended to read as follows:

13.04.2028 Large Taps and Meters

The following fees apply to large taps and meters and are firm prices.

A. Tap Fees:

1. Four-inch tap: (~~((Two thousand one hundred fifty-five dollars))~~) Two thousand two hundred seventeen dollars fifty cents.
2. Six-inch tap: (~~((Two thousand one hundred fifteen dollars))~~) Two thousand one hundred seventy six dollars thirty four cents.
3. Eight-inch tap: (~~((Two thousand five hundred thirty-five dollars.))~~) Two thousand six hundred eight dollars fifty two cents.
4. Ten-inch tap: (~~((Three thousand fifty dollars.))~~) Three thousand one hundred thirty eight dollars forty five cents.
5. Twelve-inch tap: (~~((Four thousand one hundred ninety-five dollars.))~~) Four thousand three hundred sixteen dollars sixty six cents.

B. Meter Fees:

1. Three-inch domestic – With DCVA (TruFlow): (~~((Five thousand seven hundred twenty dollars.))~~) Five thousand eight hundred eighty five dollars eighty eight cents.
2. Three-inch domestic – No DCVA (TruFlow): (~~((Four thousand nine hundred thirty-five dollars.))~~) Five thousand seventy eight dollars twelve cents.
3. Three-inch irrigation – With DCVA (Turbine): (~~((Four thousand two hundred seventy-five dollars.))~~) Four thousand three hundred ninety eight dollars ninety eight cents.
4. Three-inch irrigation – No DCVA (Turbine): (~~((Three thousand seventy dollars.))~~) Three thousand one hundred fifty nine dollars three cents.

5. Four-inch domestic – With DCVA (TruFlow): (~~Six thousand five hundred eighty dollars.~~) Six thousand seven hundred seventy dollars eighty two cents.
6. Four-inch domestic – No DCVA (TruFlow): (~~Five thousand seven hundred fifteen dollars.~~) Five thousand eight hundred eighty dollars seventy four cents.
7. Four-inch fire – With DCDVA: (~~Two thousand six hundred seventy-five dollars.~~) Two thousand seven hundred fifty two dollars fifty eight cents.
8. Four-inch fire – No DCDVA (vault): (~~One thousand two hundred fifty-five dollars.~~) One thousand two hundred ninety one dollars forty cents.
9. Four-inch fire – No DCDVA (building – bypass only): (~~Five hundred ten dollars.~~) Five hundred twenty four dollars seventy nine cents.
10. Four-inch fire/dom – With DCVA (Protectus): (~~Nine thousand two hundred ten dollars.~~) Nine thousand four hundred seventy seven dollars nine cents.
11. Four-inch fire/dom – No DCVA (Protectus): (~~Seven thousand eight hundred eighty-five dollars.~~) Eight thousand one hundred thirteen dollars sixty seven cents.
12. Four-inch irrigation – With DCVA (Turbine): (~~Four thousand eight hundred twenty-five dollars.~~) Four thousand nine hundred sixty four dollars ninety three cents.
13. Four-inch irrigation – No DCVA (Turbine): (~~Three thousand four hundred ninety-five dollars.~~) Three thousand five hundred ninety six dollars thirty six cents.
14. Six-inch domestic – With DCVA (TruFlow): (~~Nine thousand four hundred ninety-five dollars.~~) Nine thousand seven hundred seventy dollars thirty six cents.
15. Six-inch domestic – No DCVA (TruFlow): (~~Eight thousand two hundred seventy-five dollars.~~) Eight thousand five hundred fourteen dollars ninety eight cents.
16. Six-inch fire – With DCDVA: (~~Three thousand seventy dollars.~~) Three thousand one hundred fifty nine dollars three cents.
17. Six-inch fire – No DCDVA (vault): (~~One thousand two hundred fifty dollars.~~) One thousand two hundred eighty six dollars twenty five cents.

18. Six-inch fire – No DCDVA (building – bypass only): (~~Five hundred ten dollars.~~) Five hundred twenty four dollars seventy nine cents.
19. Six-inch fire/dom – With DCVA (Protectus): (~~Thirteen thousand one hundred eighty-five dollars.~~) Thirteen thousand five hundred sixty seven dollars thirty seven cents.
20. Six-inch fire/dom – No DCVA (Protectus): (~~Eleven thousand four hundred sixty-five dollars.~~) Eleven thousand seven hundred ninety seven dollars forty nine cents.
21. Six-inch irrigation – With DCVA (Turbine): (~~Eight thousand three hundred sixty-five dollars.~~) Eight thousand six hundred seven dollars fifty nine cents.
22. Six-inch irrigation – No DCVA (Turbine): (~~Six thousand six hundred five dollars.~~) Six thousand seven hundred ninety six dollars fifty five cents.
23. Eight-inch fire – With DCDVA: (~~Four thousand three hundred thirty-five dollars.~~) Four thousand four hundred sixty dollars seventy two cents.
24. Eight-inch fire – No DCDVA (vault): (~~One thousand five hundred forty dollars.~~) One thousand five hundred eighty four dollars sixty six cents.
25. Eight-inch fire – No DCDVA (building – bypass only): (~~Five hundred ten dollars.~~) Five hundred twenty four dollars seventy nine cents.
26. Eight-inch fire/dom – With DCVA (Protectus): (~~Seventeen thousand eight hundred eighty dollars.~~) Eighteen thousand three hundred ninety eight dollars fifty two cents.
27. Eight-inch fire/dom – No DCVA (Protectus): (~~Fifteen thousand two hundred thirty dollars.~~) Fifteen thousand six hundred seventy one dollars sixty seven cents.
28. Ten-inch fire – With DCDVA: (~~Five thousand one hundred five dollars.~~) Five thousand two hundred fifty three dollars five cents.
29. Ten-inch fire – No DCDVA (vault): (~~One thousand four hundred ninety dollars.~~) One thousand five hundred thirty three dollars twenty one cents.
30. Ten-inch fire – No DCDVA (building – bypass only): (~~Five hundred ten dollars.~~) Five hundred twenty four dollars seventy nine cents.
31. Ten-inch fire/dom – With DCVA (Protectus): Estimate required.

32. Ten-inch fire/dom – No DCVA: Estimate required.

- C. Prices do not include the (~~forty dollar~~) forty one dollars sixteen cents processing fee for staff costs.
- D. If a utility offset is needed, the fee will be (~~one thousand three hundred fifty-five dollars~~) one thousand three hundred ninety four dollars thirty cents.
- E. Work performed outside of normal business hours will be charged an additional (~~five hundred dollars~~) five hundred fourteen dollars fifty cents.
- F. The fees in this section shall be adjusted as provided in SMC 13.04.2030.
- G. Permit shall be valid for twelve months after which it will expire and a new permit will be required.

Section 15: Effective Date.

This ordinance shall take effect and be in force on January 1, 2014.

Passed by the City Council on _____.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date



Agenda Sheet for City Council Meeting of:
11/11/2013

Date Rec'd	10/30/2013
Clerk's File #	ORD C35058
Renews #	
Cross Ref #	
Project #	
Bid #	
Requisition #	

Submitting Dept	UTILITIES
Contact Name/Phone	RICK ROMERO 625-6361
Contact E-Mail	RROMERO@SPOKANECITY.ORG
Agenda Item Type	First Reading Ordinance
Agenda Item Name	4500 - SOLID WASTE RATE ORDINANCE

Agenda Wording

An ordinance relating to the solid waste rate; amending SMC sections.

Summary (Background)

The ordinance reflects an increase of 2.9% to solid waste rates for commercial and residential.

<u>Fiscal Impact</u>		<u>Budget Account</u>	
Select	\$		#
Select	\$		#
Select	\$		#
Select	\$		#
<u>Approvals</u>		<u>Council Notifications</u>	
<u>Dept Head</u>	ROMERO, RICK	<u>Study Session</u>	
<u>Division Director</u>	ROMERO, RICK	<u>Other</u>	PWC 10/28/2013
<u>Finance</u>	LESESNE, MICHELE	<u>Distribution List</u>	
<u>Legal</u>	BURNS, BARBARA	eschoedel@spokanecity.org	
<u>For the Mayor</u>	SANDERS, THERESA	acmarshall@spokanecity.org	
<u>Additional Approvals</u>		cmarchand@spokanecity.org	
<u>Purchasing</u>		bpatrick@spokanecity.org	

ORDINANCE NO. C35058

AN ORDINANCE relating to solid waste rates; amending SMC sections 13.02.0502, 13.02.0504, 13.02.0506, 13.02.0508, 13.02.0510, 13.02.0512, 13.02.0514, 13.02.0516, 13.02.0518, 13.02.0520, 13.02.0528, 13.02.0530, 13.02.0552, and 13.02.0554 ; and setting an effective date.

The City of Spokane does ordain:

Section 1. That SMC section 13.02.0502 is amended to read as follows:

13.02.0502 Residential Service Rates

- A. Service is billed monthly and is calculated by the size of the cart multiplied by the number of carts. There is an additional cost for service if cart is not placed at the curbside.
 - 1. Single-family residential premises or equivalent are presumed to require service of at least one thirty-two gallon automated cart.
 - 2. Thirty-two gallon automated cart service is available upon request.
- B. Rates include all taxes imposed on the department. Taxes imposed on the customer are not included in rates stated, but added on to the rates specified herein.
- C. Adjacent Service.

Container pickup location is up to six feet from vehicle access point for automated service or twelve feet from the collection vehicle access point for semi-automated service areas. For semi-automated service, automated carts more than twelve feet from the pickup location will be charged for rollout at rates specified hereafter.

 - 1. Twenty-gallon automated cart service.
 - a. New requests for twenty-gallon cart service will no longer be accepted after June 01, 2010. Existing twenty-gallon service will continue until May 31, 2015.
 - b. Thirteen dollars fifty nine (~~((twenty-one))~~) cents.
 - 2. Thirty-two gallon automated cart service: Fifteen dollars twenty five (~~((Fourteen dollars eighty-two))~~) cents.

3. Sixty-eight gallon automated cart service: Twenty seven dollars sixty two (~~Twenty-six dollars eighty-four~~) cents.
 4. Ninety-five gallon automated cart service: Forty dollars thirty two (~~Thirty-nine dollars eighteen~~) cents.
- D. Debris extending above the top of the automated cart such that the lid is at or above a forty-five degree angle will be charged at a rate of three dollars fifty seven (~~forty-seven~~) cents.
- E. Rollout Service from Six Feet (Automated) / Twelve Feet (Semi-automated) to Fifty Feet.
1. Container pickup location is from six feet for automated service or twelve feet for semi-automated service, up to and including fifty feet from collection vehicle access.
 2. Rollout is on a per automated cart basis.
 3. The fee for this service is Twelve dollars nineteen (~~eleven dollars eighty-five~~) cents per month.
- F. Rollout Service More Than Fifty to One Hundred Feet.
1. Container pickup location if more than fifty feet, up to and including one hundred feet from collection vehicle access.
 2. Pack-out is on a per automated cart basis.
 3. The fee for this service is twenty four dollars thirty seven (~~twenty-three dollars sixty-eight~~) cents per month.
- G. Rollout Service More than One Hundred to One Hundred Fifty Feet.
1. Container pickup location is more than one hundred feet, up to and including one hundred fifty feet from collection vehicle access.
 2. Pack-out is on a per automated cart basis.
 3. The fee for this service is thirty six dollars fifty four (~~thirty-five dollars fifty-one~~) cents per month.
- H. Rollout Service More Than One Hundred Fifty to Two Hundred Feet.

1. Container pickup location is more than one hundred fifty feet, up to and including two hundred feet from collection vehicle access.
 2. Pack-out rate is on a per automated cart basis.
 3. The fee for this service is forty eight dollars seventy one (~~((forty-seven dollars thirty-four))~~) cents per month.
- I. Occasional, infrequent extra waste material (boxes, bags, cans, carts, etc.) which can be readily loaded by hand and when placed at curb or alley will be taken and charged as additional items at:
1. Adjacent Service (per item): Three dollars fifty seven (~~((forty-seven))~~) cents.
 2. Rollout Service (per item): Four dollars fifty two (~~((thirty-nine))~~) cents.
 3. Regular extra waste will require service upgrade to a larger service category. Cart charges are based on actual cart size multiplied by the base per unit piece.
 4. Extra automated cart dumping charges are as follows:
 - a. Thirty-two gallon cart: Three dollars eighty two (~~((seventy-one))~~) cents.
 - b. Sixty-eight gallon cart: Six dollars ninety (~~((seventy-one))~~) cents.
 - c. Ninety-five gallon cart: Ten dollars eight (~~((Nine dollars eighty))~~) cents.
 - d. Contaminated recycling cart: Six dollars ninety (~~((seventy-one))~~) cents.
 - e. Contaminated yard cart: Ten dollars eight (~~((Nine dollars eighty))~~) cents.
- J. Overweight/Oversize Containers.
1. Overweight.
For residential service, those containers in excess of the maximum allowed weight, as referenced in [SMC 13.02.0354\(A\)](#), are subject to an overweight charge of three dollars fifty seven (~~((forty-seven))~~) cents per container, if accepted.
 - a. For purposes of assessing an overweight cart or container charge, the good faith estimation of the solid waste collector shall be

sufficient to support the charge, absent further information, considering that such employees handle a high volume of carts and containers with regularity and are familiar with standard cart and container weight limits prescribed herein.

- b. In practice, for an overweight container charge, the assessment generally arises where the solid waste collector requires assistance.
- 2. Oversize forty-five gallon or fifty-five gallon cans are billed as two items because of their size.

Section 2. That SMC section 13.02.0504 is amended to read as follows:

13.02.0504 Commercial Service Rates – Dumpsters

Rates are stated for monthly billing with once weekly collection for non-compacted solid waste.

- A. Dumpster service is provided through front-end or rear-load dumpsters. In addition to a flat container placement charge, the monthly service charge is based on a one-yard dumpster multiplied by the number of yards in the dumpster multiplied by the number of weekly pickups multiplied by the number of dumpsters.
- B. One cubic yard dumpster service: Eighty one dollars eighty seven (~~Seventy-nine dollars fifty-six~~) cents.
- C. Two cubic yard dumpster service: One hundred sixty three dollars seventy three (~~fifty-nine dollars twelve~~) cents.
- D. Three cubic yard dumpster service: Two hundred forty five dollars sixty (~~thirty-eight dollars sixty-eight~~) cents.
- E. Four cubic yard dumpster service: Three hundred twenty seven dollars forty seven (~~eighteen dollars twenty-four~~) cents.
- F. Six cubic yard dumpster service: Four hundred ninety one dollars twenty (~~seventy-seven dollars thirty-six~~) cents.
- G. Dumpster lockbar for front-load dumpsters: Eighty two dollars thirty two cents (~~Eighty-dollar~~) installation fee.

Section 3. That SMC section 13.02.0506 is amended to read as follows:

13.02.0506 Commercial Service Rates – Rolloffs

- A. Rolloff service is provided through twenty- or thirty-cubic-yard containers furnished by the department.
- B. In addition to the flat container placement charge, rolloff rates are computed as the sum of a pickup hauling fee plus a disposal fee computed by weight at the time of disposal.
 - 1. The pickup hauling fee is one hundred sixteen dollars sixty five (~~thirteen dollars thirty-six~~) cents for loose solid waste and one hundred thirty eight dollars three (~~four dollars fourteen~~) cents for compacted solid waste.
- C. Minimum charge is one haul per month unless the director determines weekly service is necessary because of inclusion of putrescible materials.

Section 4. That SMC section 13.02.0508 is amended to read as follows:

13.02.0508 Commercial Container Service, Placement

- A. For all commercial capacity containers, the following rules apply:
 - 1. To avoid container damage, location changes are to be made by the department.
 - 2. Where customer needs require the container be moved, an additional twenty-four dollars seventy cents (~~dollar~~) container placement charge is assessed.
 - 3. A delivery charge accrues for cancellation of a container delivery request on less than twenty-four hours notice.
- B. An additional service call charge is assessed if the collection vehicle must return to dump a container that had been scheduled and not dumped for any reason not of the department's responsibility.
 - 1. If the collection vehicle is required to move/pull out a front-load (one- to six-cubic-yard) container for the dump, a twenty-four dollars seventy cents (~~dollar~~) "pullout" fee is charged in addition to the disposal/dump charge.
 - 2. Accepting delivery of the dumpsters includes acceptance of these additional charges where the department determines necessary.

- C. If the driver must exit the truck to open an enclosure gate, a fee of twelve dollars eighty six (~~(fifty)~~) cents may be assessed.
- D. Once a container is placed, billing continues until the container is removed from the property by the department.

Section 5. That SMC section 13.02.0510 is amended to read as follows:

13.02.0510 Commercial Service Rates – Compactors

Rates are stated for monthly billing with once weekly collection for compacted solid waste.

- A. Where the customer supplies the compactor unit for disposal, the charge is per cubic yard of a container, provided that where the director determines an account should not be billed by cubic yard (e.g., as with rolloff boxes), an account will be billed for services in accord with the otherwise applicable rate schedule; e.g., the applicable tipping fee rate. Compactors with putrescible materials, as determined by the director, must be emptied weekly. The monthly service charge is based on a one-yard compactor multiplied by the number of yards in the compactor multiplied by the number of weekly pickups multiplied by the number of compactors.
- B. One cubic yard compactor service: One hundred fifty eight dollars twenty one (~~((fifty-three dollars seventy-five))~~) cents.
- C. Two cubic yard compactor service: Three hundred sixteen dollars forty two (~~((seven dollars fifty))~~) cents.
- D. Three cubic yard compactor service: Four hundred seventy four dollars sixty three (~~((sixty-one dollars twenty-five))~~) cents.
- E. Four cubic yard compactor service: Six hundred thirty two dollars eighty four cents (~~((fifteen dollars))~~).
- F. Five cubic yard compactor service: Seven hundred ninety one dollars four (~~((sixty-eight dollars seventy-five))~~) cents.
- G. Six cubic yard compactor service: Nine hundred forty nine dollars twenty five (~~((twenty-two dollars fifty))~~) cents.
- H. Preparation of a compaction unit in order to ready it for dumping is the responsibility of the customer. This includes any lines, latches, and handles, and wheeling it into position for dumping by City equipment.

1. A twenty-four dollars seventy cents (~~dollar~~) fee is assessed if any part of the container preparation is done by City personnel.
- I. Compacted waste is charged according to the time consumed and volume when placed in a customer-owned container. All other compacted solid waste, bales, etc., may be charged by volume, weight, or time to load at the department's discretion.
 - J. Special compactor services requiring extra loading time:
 1. Eight dollars twenty three cents per estimated ten-minute interval.
 2. Minimum charge: Eight dollars twenty three cents (~~Dollars~~).

Section 6. That SMC section 13.02.0512 is amended to read as follows:

13.02.0512 Return Trip Charges

- A. A return trip charge accrues where a collection vehicle (general solid waste or recycling) passes a premises and must return to collect materials for any reason except department fault or error. Reasons include failure to:
 1. have container properly prepared for pickup,
 2. have container at the required container pickup location,
 3. have container at the required location at the required time, or
 4. remove obstacles to department vehicle access

A return trip or service call charge is also assessed for customer-requested container deliveries, container retrievals or trips resulting from a customer's special handling needs, as determined by the City.

- B. The charges are:
 1. Automated solid waste cart service or recycling cart: Twelve dollars (~~Eleven dollars sixty-six cents~~) per stop.
 2. Commercial container dumpster/recycling dumpster service: Twenty-four dollars seventy cents per stop.
 3. Commercial container rolloff service: Twenty-four dollars seventy cents per stop.

4. Move cart for access: Six dollars twelve (~~((Five dollars ninety-five))~~) cents.
- C. Return trip charges are in addition to service call charges. Where collection does not occur for any reason not the fault or error of the department, the regular collection charges accrue to the premises. This does not include the tonnage or weight charge added to rollofs.

Section 7. That SMC section 13.02.0514 is amended to read as follows:

13.02.0514 Additional Charges for Commercial Containers

- A. Debris extending above the top of the container will be charged per cubic yard. Minimum fee is for one cubic yard.
 1. Twenty seven dollars one cent (~~((Twenty-six dollars twenty-five cents))~~).
- B. On-site labor charge (where collection crew is delayed by site conditions and/or must supply additional site clean-up labor or other services, e.g. where container contents are spilled due to overfill, loose lid, or other conditions, or where access is blocked by debris): Twenty-four dollars seventy cents per fifteen-minute increment, with a minimum charge of twenty-four dollars seventy cents.
- C. When City personnel are required to adjust the materials on an overloaded container, a labor or preparation fee is assessed based upon time needed. The minimum charge is twenty-four dollars seventy cents per fifteen-minute increment or part thereof, with a minimum charge of twenty-four dollars seventy cents.

Section 8. That SMC section 13.02.0516 is amended to read as follows:

13.02.0516 Container Replacement Charges

The first container supplied to a premises is furnished free of charge. The customer is responsible to replace lost, damaged, or missing containers, however, and replacement costs are:

- A. Automated Carts (for general solid waste).
 1. Thirty-two gallon automated cart: Thirty one dollars seventy seven (~~((eighty-seven))~~) cents.
 2. Sixty-eight gallon automated cart: Forty two dollars sixty two (~~((Forty-one dollars forty-two))~~) cents.

3. Ninety-five gallon automated cart: Forty nine dollars one cent (~~((Forty-seven dollars sixty-three cents))~~).
- B. Dumpster/Container Replacement (front- or rear-load).
1. Front-load.
 - a. One-cubic-yard: Five hundred twenty one dollars eighty six (~~((seven dollars fifteen))~~) cents.
 - b. Two-cubic yard: Five hundred forty three dollars sixteen (~~((twenty-seven dollars eighty-five))~~) cents.
 - c. Three-cubic-yard: Six hundred seventeen dollars seventy one (~~((thirty))~~) cents.
 - d. Four-cubic-yard: Seven hundred twenty nine (~~((eight))~~) dollars fifty four (~~((ninety-eight))~~) cents.
 - e. Six-cubic-yard: Eight hundred eighty nine (~~((sixty-four))~~) dollars twenty nine (~~((twenty-three))~~) cents.
 2. Rear-load.
 - a. One-cubic-yard: Four hundred fifteen (~~((three))~~) dollars thirty six (~~((sixty-five))~~) cents.
 - b. Two-cubic yard: Four hundred seventy nine (~~((sixty-five))~~) dollars twenty six (~~((seventy-five))~~) cents.
 - c. Three-cubic-yard: Nine hundred sixty nine (~~((forty-one))~~) dollars sixteen (~~((eighty-five))~~) cents.
 - d. Four-cubic-yard: One thousand two hundred forty (~~((five))~~) dollars seventy five (~~((seventy-eight))~~) cents.
 - e. Six-cubic-yard: One thousand four hundred sixty four (~~((twenty-three))~~) dollars forty (~~((thirteen))~~) cents.
- C. Rolloffs.
1. Twenty-cubic-yard: Five thousand nine (~~((seven))~~) hundred sixteen (~~((forty-nine))~~) dollars sixteen (~~((forty-three))~~) cents.
 2. Thirty-cubic-yard: Six thousand four (~~((two))~~) hundred sixteen dollars seventy two (~~((fifty three dollars thirty one))~~) cents.

3. Forty-cubic-yard standard: Seven thousand seven (~~((five))~~) hundred fifty three dollars thirty one (~~((thirty-four dollars eighty))~~) cents.

Section 9. That SMC section 13.02.0518 is amended to read as follows:

13.02.0518 Container Cleaning, Pressure Wash, Refurbishment Charge

A. Pressure Washing.

General container cleaning service may be provided on a time and materials basis whenever requested or ordered by the department. Pressure washing rates are fifty-two dollars seventy-one cents for a front-load container and seventy-three dollars twenty-six cents for a rolloff container. Residential cart cleaning fees are:

1. Thirty-two gallon: Ten dollars twenty nine cents.
2. Sixty-four or sixty-eight gallon: Fifteen dollars forty four cents.
3. Ninety-five gallon: Twenty dollars fifty eight cents.

B. Refurbishment.

When a customer discontinues service or a container otherwise needs a thorough cleanout because of customer request or departmental order, the department assesses a refurbishment fee. The department may use an independent contractor or assess a time and materials fee. Current charges by the contractor, subject to change, are:

1. Base Price – Rear-load Refuse Container.
 - a. One-cubic-yard container: One hundred fifty (~~((forty-six))~~) dollars twenty three cents.
 - b. Two-cubic-yard container: One hundred fifty nine (~~((fifty-five))~~) dollars fifty cents.
 - c. Three-cubic-yard container: One hundred ninety seven (~~((ninety-two))~~) dollars fifty seven cents.
 - d. Four-cubic-yard container: Two hundred five dollars eighty cents.
 - e. Six-cubic-yard container: Two hundred twenty five (~~((nineteen))~~) dollars thirty five cents.
2. Bottoms – Rear-load Refuse Container.

- a. One-cubic-yard container: One hundred thirty six (~~((thirty-three))~~) dollars eighty six cents.
 - b. Two-cubic-yard container: One hundred thirty eight (~~((thirty-five))~~) dollars ninety two cents.
 - c. Three-cubic-yard container: One hundred fifty two (~~((forty-eight))~~) dollars twenty nine cents.
 - d. Four-cubic-yard container: One hundred sixty six (~~((sixty-two))~~) dollars seventy cents.
 - e. Six-cubic-yard container: One hundred ninety nine (~~((ninety-four))~~) dollars sixty three cents.
3. Lids – Rear-load Refuse Container.
- a. One-cubic-yard container: Sixty seven (~~((Sixty-six))~~) dollars ninety one cents.
 - b. Two-cubic-yard container: Seventy three (~~((-one))~~) dollars six cents.
 - c. Three-cubic-yard container: One hundred twenty three dollars forty eight cents.
 - d. Four-cubic-yard container: One hundred forty six (~~((-two))~~) dollars twelve cents.
 - e. Six-cubic-yard container: One hundred sixty one (~~((fifty-seven))~~) dollars fifty five cents.
 - f. Swing lids for three-, four-, and six-cubic-yard: One hundred thirty eight (~~((thirty-five))~~) dollars ninety two cents.
4. Casters – Rear-load Refuse Container.
- a. One-, two-, three-, four-, and six-cubic-yard: Eleven dollars thirty two cents.
5. Base Price – Front-load Refuse Container.
- a. One-cubic-yard container: One hundred fifty five (~~((fifty-one))~~) dollars thirty eight cents.

- b. Two-cubic-yard container: One hundred seventy four dollars ninety three cents.
 - c. Three-cubic-yard container: One hundred eighty six (~~((one))~~) dollars twenty five cents.
 - d. Four-cubic-yard container: One hundred ninety seven (~~((two))~~) dollars fifty seven cents.
 - e. Six-cubic-yard container: Two hundred thirty two (~~((twenty-six))~~) dollars fifty five cents.
6. Bottoms – Front-load Refuse Container.
- a. One-cubic-yard container: One hundred thirteen (~~((ten))~~) dollars nineteen cents.
 - b. Two-cubic-yard container: One hundred twenty five (~~((two))~~) dollars fifty four cents.
 - c. Three-cubic-yard container: One hundred sixty three (~~((fifty-nine))~~) dollars sixty one cents.
 - d. Four-cubic-yard container: One hundred eighty (~~((seventy-five))~~) dollars eight cents.
 - e. Six-cubic-yard container: Two hundred ten (~~((five))~~) dollars ninety five cents.
7. Lids – Front-load Refuse Container.
- a. One-cubic-yard container: Seventy six (~~((four))~~) dollars fifteen cents.
 - b. Two-cubic-yard container: Eighty one (~~((Seventy-nine))~~) dollars twenty nine cents.
 - c. Three-cubic-yard container: Eighty one (~~((Seventy-nine))~~) dollars twenty nine cents.
 - d. Four-cubic-yard container: Eighty seven (~~((five))~~) dollars forty-seven cents.
 - e. Six-cubic-yard container: Eighty seven (~~((five))~~) dollars forty seven cents.

- f. Pocket covers for one-, two-, three-, four-, and six-cubic-yard: Fifty ~~six ((-five))~~ dollars sixty cents.
- 8. Base Price - Rolloff Containers.
 - a. Twenty-cubic-yard container: One thousand four hundred ninety seven ~~((fifty-five))~~ dollars twenty cents.
 - b. Thirty-cubic-yard container: One thousand six ~~((five))~~ hundred forty one ~~((ninety-five))~~ dollars twenty six cents.
 - c. Forty-cubic-yard container: One thousand nine ~~((eight))~~ hundred thirty four ~~((eighty))~~ dollars fifty two cents.
 - d. Screened dome lid for twenty- and thirty-cubic yard: One thousand three hundred seventy three ~~((thirty-five))~~ dollars seventy-two cents.
 - e. Solid dome lid for twenty-, thirty-, and forty-cubic yard: One thousand five hundred ninety four ~~((fifty))~~ dollars ninety five cents.
- C. Container hauling for refurbishment facility: One hundred sixteen ~~((thirteen))~~ dollars sixty five ~~((thirty-six))~~ cents round trip.

Section 10. That SMC section 13.02.0520 is amended to read as follows:

13.02.0520 Temporary Account

- A. Some premises needs may increase or arise on a temporary basis, such as construction, remodeling, demolition, or other short-term events.
 - 1. Customer requests for temporary accounts may not exceed one hundred eighty days continuously within any calendar year period. After that time, any temporary container may be removed from the premises after notice or attempt to notify the customer or owner by the department.
- B. Use of a temporary container does not displace regular solid waste service for ongoing premises needs, which must continue to be accepted. Regular solid waste generated by premises is not permitted in temporary containers. Where the director determines premises needs exceed one hundred eighty days, or it appears there may be putrescible materials accumulating, regular mandatory weekly service provisions apply.
- C. Rates for temporary service shall include a delivery charge of twenty-four dollars seventy cents, plus:

1. dumpster service (three- to six-cubic-yard containers):
 - a. Flat daily charge (rental fee): One dollar ninety seven (~~((ninety-one))~~) cents, plus appropriate disposal fee based on size of container.
 2. rolloff service (twenty- or thirty-cubic-yard containers):
 - a. Flat daily charge: Three dollars ninety three (~~((eighty-two))~~) cents.
 - b. Load haul fee (per load): One hundred sixteen dollars sixty five (~~((thirteen dollars thirty-six))~~) cents.
 - c. Weight fee: As provided in SMC 13.02.0560.
- D. Rental fee does not include eight and seven-tenths percent Washington State sales tax.

Section 11. That SMC section 13.02.0528 is amended to read as follows:

13.02.0528 Rates for Equipment and Labor – Packer and Nonpacker Trucks

- A. Department vehicle and labor service is supplied with two kinds of vehicles: Single-axle nonpacker trucks and tandem-axle packer trucks.
1. Disposal fees are charged in addition to equipment and labor charges.
 2. Regular garbage collection vehicles are also called “packer” trucks because they operate with a compaction facility that pushes or packs in waste. For some disposal needs, such as odd-shaped debris or materials, regular open bed trucks are more suitable. These vehicles are called “nonpacker” trucks.
 3. Department packer trucks are all larger tandem-axle design. Department nonpacker trucks are all smaller single-axle design.
 4. Distinguished from this service is rolloff service, where a rolloff box is loaded by the customer, rather than with department labor. (See SMC 13.02.0506)
- B. Rates.
Rates in this section are stated based on fifteen-minute increments. The minimum charge is fifteen minutes.

1. Nonpacker, single-axle, truck, and driver: Twenty two (~~((one))~~) dollars eleven (~~((forty-nine))~~) cents.
 - a. Each extra person: Eighteen (~~((Seventeen))~~) dollars forty one (~~((eighty-nine))~~) cents.
 2. Tandem-axle truck, driver, and loader: Thirty (~~((Twenty-nine))~~) dollars seventy-two (~~((eighty-five))~~) cents.
- C. In addition to the labor and equipment charges, there is added to subsection (B) of this section a charge for waste disposal, as shown in SMC 13.02.0560, except that the minimum charge for waste disposal shall be equal to one-quarter of the applicable tonnage fee.
- D. Overtime Periods.
When a customer requests service on holidays, Saturdays, or Sundays, or other overtime periods, an additional charge equal to the total labor paid plus the normal hauling fee shall apply.

Section 12. That SMC section 13.02.0530 is amended to read as follows:

13.02.0530 Small Animal Remains

The charge for picking up animal remains (up to twenty pounds) is forty four (~~((two))~~) dollars fourteen (~~((ninety))~~) cents. A six dollar eighty (~~((sixty-one))~~) cent billing fee is added for preparation of a bill.

Section 13. That SMC section 13.02.0552 is amended to read as follows:

13.02.0552 Recycling Rates- Nonresidential – Residential Premises with Multi-unit Dwellings Premises - Additional

- A. The following rates apply to premises with multi-unit dwellings where the director determines larger volume containers are needed. In addition to the residential recycling program, customers not otherwise participating may request recycling service of any and all materials accepted in the curbside program under the following rates. (See SMC 13.02.0122(B))
- B. Collection of single-stream recyclables is available weekly at the following monthly rates:
 1. Thirty-two, sixty-four, and ninety-five gallon cart service: Thirteen dollars eighty one (~~((forty-two))~~) cents.

2. One-yard dumpster: Twenty-eight dollars eighty one cents.
3. Two-yard dumpster: Forty four ~~((two))~~ dollars twenty one ~~((ninety-six))~~ cents.
4. Three-yard dumpster: Sixty six ~~((four))~~ dollars thirty one ~~((forty-four))~~ cents.
5. Four-yard dumpster: Eighty eight ~~((five))~~ dollars forty one ~~((ninety-two))~~ cents.
6. Six-yard dumpster: One hundred thirty two ~~((twenty-eight))~~ dollars sixty three ~~((eighty-nine))~~ cents.

C. Loose Yardage

1. One yard of material: Thirty nine ~~((eight))~~ dollars ten cents.
2. Two yards of material: Fifty four ~~((two))~~ dollars fifty ~~((ninety-six))~~ cents.
3. Three yards of material: Seventy six ~~((four))~~ dollars sixty ~~((forty-four))~~ cents.
4. Four yards of material: Ninety eight ~~((five))~~ dollars seventy ~~((ninety-two))~~ cents.
5. Six yards of material: One hundred forty two ~~((thirty-eight))~~ dollars ninety two ~~((eighty-nine))~~ cents.

D. Rollout rates, including packouts for recycling carts, are available at the same increment and percentage of increase as the general mixed solid waste rate (one-half of standard sixty-eight gallon refuse rate for each fifty feet for items not within six feet of pickup location).

E. Load Truck Loose Yardage Recyclables – Collection Rates/Hour (hand-loaded). Rates in this section are stated based on fifteen-minute increments. The minimum charge is thirty minutes.

1. Single-axle truck and driver: Twenty one dollars thirty seven ~~((seventy-seven))~~ cents.
2. Tandem-axle truck and driver: Twenty nine ~~((eight))~~ dollars seventy ~~((eighty-six))~~ cents.

The department also retains any proceeds from sale of recyclables.

- F. Loads including non-recyclable solid waste are charged as a regular solid waste load, in addition to return trip charges applicable.
- G. The director of solid waste management reserves the right to deny service to any generator that does not meet a minimum standard of recyclable quality as determined by the director's evaluation.

Section 14. That SMC section 13.02.0554 is amended to read as follows:

13.02.0554 Clean Green Yard Waste Collection

- A. Any customer may apply to the department for collection of "clean green" yard waste. Participation is voluntary.
 - 1. To be accepted as "clean green" yard waste, material must consist of grass, leaves, pine needles, pine cones, thatch, vines, weeds, and branches, or other such fresh yard waste type material, not putrefied. Food scraps and compostable paper products are acceptable.
 - 2. Woody material must be no more than three inches in diameter and not extend outside the approved collection container.
 - 3. Material may be bundled next to the container not to exceed six feet in length.
 - 4. Total gross cart weight may not exceed two hundred fifty pounds.
- B. In addition to subsection (A) of this section, customers are cautioned that "clean green" yard material may not contain any of the following:
 - 1. Sod (beyond small amounts).
 - 2. Rocks.
 - 3. Dirt.
 - 4. Gravel.
 - 5. Concrete.
 - 6. Glass.
 - 7. Metal.
 - 8. Plastic.

9. [Reserved].
10. Animal feces.
11. Paint residue.
12. Christmas or holiday decorations.
13. Non-compostable paper products.
14. Flocking.
15. Dimensional lumber.
16. Stumps/roots.

A load is further not considered clean green if it emanates a strong odor, detectable by an ordinary person at a distance of thirty feet. Loads submitted not acceptable as clean green will be left by clean green collection crews and must be handled as a category solid waste. The rate shall be as for a ninety-five gallon automated style container, as set in SMC 13.02.0502.

- C. The collection day for clean green yard waste shall be on a weekly basis, on the same day as the customer's regular solid waste collection. Service is provided only in ninety-five gallon carts supplied by the department.
- D. The service is billed and payable monthly, as follows:
 1. March through November: Fourteen dollars fifty seven (~~sixteen~~) cents.
 2. December through February: No charge.
 3. Extra dump: Three dollars sixty four (~~fifty-four~~) cents.
 4. Yard waste cart packout charged at same rate as refuse (one half of standard sixty-eight gallon refuse rate for each fifty feet for items not within the six feet of pickup location).
- E. There is no container delivery charge for the first delivery to a given customer. Thereafter, the redelivery charge is twenty-four dollars seventy cents.
 1. The container pickup fee is twenty-four dollars seventy cents if requested within twelve months of the initial delivery.

2. The customer is responsible for the cost of cart replacement in case of loss or damage.

Section 15. Effective Date. This ordinance shall take effect and be in full force on January 1, 2014.

Passed by the City Council on _____

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date



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

October 22, 2013

City Clerk File No.:
FIN 2013-0001

COUNCIL ACTION MEMORANDUM

RE: SETTING HEARING FOR REVIEW OF THE PROPOSED 2014 BUDGET

During its 3:30 p.m. Administrative Session held Monday, October 21, 2013, the Spokane City Council, upon consideration of the October 21 Current Consent Agenda items, unanimously (Council Members McLaughlin and Waldref absent) approved the setting of Public Hearings for review of the proposed 2014 Budget beginning Monday, November 11, 2013, and continuing thereafter at the regular council meetings and concluding on November 25, 2013.

Terri L. Pfister, MMC
Spokane City Clerk

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

10/21/2013

Date Rec'd

10/9/2013

Clerk's File #

FIN 2013-0001

Renews #**Submitting Dept**

FINANCE

Cross Ref #**Contact Name/Phone**

TIM DUNIVANT 625-6845

Project #**Contact E-Mail**

TDUNIVANT@SPOKANECITY.ORG

Bid #**Agenda Item Type**

Report Item

Requisition #**Agenda Item Name**

0410 - SET BUDGET HEARINGS

Agenda Wording

Setting the hearing for review of the 2014 proposed budget beginning Monday, November 11, 2013 and continuing thereafter at the regular council meetings and concluding on November 25, 2013.

Summary (Background)

As part of the annual budget process, the City Council will hold public hearings on the proposed 2014 budget for the City of Spokane. Public testimony is welcome on all sections of the budget at each hearing. The scheduled hearing dates are November 11, November 18, and November 25. The Council may continue the hearings up to the 25th day prior to the beginning of the next fiscal year (December 6th).

Fiscal Impact**Budget Account**

Select \$

#

Select \$

#

Select \$

#

Select \$

#

Approvals**Council Notifications****Dept Head**

DUNIVANT, TIMOTHY

Study Session**Division Director**

DUNIVANT, TIMOTHY

Other

None

Finance

LESESNE, MICHELE

Distribution List**Legal**

PICCOLO, MIKE

tdunivant@spokanecity.org

For the Mayor

SANDERS, THERESA

Additional Approvals**Purchasing**