

# THE CITY OF SPOKANE



## ADVANCE COUNCIL AGENDA

MEETING OF MONDAY, MARCH 24, 2014

### **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 CANDACE MUMM**

**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](http://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](mailto: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

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## ADMINISTRATIVE SESSION

Roll Call of Council

## CONSENT AGENDA

### REPORTS, CONTRACTS AND CLAIMS

### RECOMMENDATION

- |  |         |                              |
|--|---------|------------------------------|
| 1. Grants and Financial Assistance Guide to establish, implement and maintain meaningful oversight and coordination of grant and financial assistance awards throughout the entire award life cycle. <b>Jennifer Stapleton</b>   | Approve | LGL 2014-0010                |
| 2. Value Blanket Order with Western Systems (Everett, WA) for various types of traffic signal mounts—annual amount not to exceed \$85,214.39. <b>Gerald Okihara</b>  | Approve | OPR 2014-0210<br>BID 3988-14 |
| 3. Increase the administrative reserve on contract with MDM Construction, Inc. (Hayden, ID) for 3rd Avenue from Division Street to Arthur Street—increase of \$40,000, for a total administrative reserve of \$250,866.17 or 11.9% of the contract price. <b>Ken Brown</b> | Approve | PRO 2013-0006<br>ENG 2010121 |
| 4. Contract Amendment with Michael J. McMahon and the law firm of Etter, McMahon, Lamberson, Clary & Oreskovich, P.C. (Spokane, WA) in the Kevin Smathers matter—increase of \$100,000. Total contract amount: \$146,500. <b>Erin Jacobson</b>                             | Approve | OPR 2013-0744                |

- |  |                                    |                              |
|--|------------------------------------|------------------------------|
| 5. Right-of-way acquisition with Union Gospel Mission in conjunction with the Martin Luther King Jr. Way Phase II project not to exceed \$100,000 (incl. all closing costs). <b>Dave Steele</b>  | Approve                            | OPR 2014-0211<br>ENG 2005264 |
| <br>   |                                    |                              |
| 6. Contract with Infor Public Sector Inc. (Alpharetta, GA) to license, use and provide annual CAD maintenance for the proprietary EnRoute Emergency Systems software from May 1, 2014, to April 10, 2015—Estimated amount \$61,763.91. <b>Bobby Williams</b> | Approve                            | OPR 2014-0212                |
| <br>   |                                    |                              |
| 7. Report of the Mayor of pending:   | Approve &<br>Authorize<br>Payments |                              |
| a. Claims and payments of previously approved obligations, including those of Parks and Library, through _____, total \$_____, with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$_____.        |                                    | CPR 2014-0002                |
| b. Payroll claims of previously approved obligations through _____: \$_____.   |                                    | CPR 2014-0003                |

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## EXECUTIVE SESSION

(Closed Session of Council)

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

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## 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.

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## 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 APPOINTMENT**

(Includes Announcements of Boards and Commissions Vacancies)

**APPOINTMENT**

**RECOMMENDATION**

Salary Review Commission: 1 Appointment

Confirm

CPR 2007-0040

**CITY ADMINISTRATION REPORT**

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**COUNCIL COMMITTEE REPORTS**

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

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**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.

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**LEGISLATIVE AGENDA**

**EMERGENCY BUDGET ORDINANCES**

(Require Five Affirmative, Recorded Roll Call Votes)

Ordinances amending Ordinance No. C35062 passed the City Council November 25, 2013, and entitled, "An Ordinance adopting the Annual Budget of the City of Spokane for 2014, making appropriations to the various funds, departments and programs of the City of Spokane government for the fiscal year ending December 31, 2014, and providing it shall take effect immediately upon passage," and declaring an emergency and appropriating funds in:

- ORD C35089 (To be considered under Special Considerations Item S1.a.)
- ORD C35090 Police Department – General Fund  
FROM: Police Records Specialist (from 28 to 27 positions), \$40,500;  
TO: Police Records Specialist (Grade 24 to 26), same amount.

(This action provides for a salary grade adjustment for the classification of Police Records Specialist to compensate for higher technical requirements for this classification). **Tim Schwering**

## **NO EMERGENCY ORDINANCES**

## **RESOLUTIONS & FINAL READING ORDINANCES**

(Require Four Affirmative, Recorded Roll Call Votes)

- RES 2014-0030 (To be considered under Hearings Item H1.)
- RES 2014-0028 (To be considered under Special Considerations Item S1.b.)
- RES 2014-0029 Adopting the City of Spokane's 2013 CSO Plan Amendment and its NLT Engineering Report/Wastewater Facilities Plan Amendment No. 3.  
**Council Member Waldref**
- ORD C35083 Relating to the annual adoption of a City-Wide Six-Year Capital Improvement Program; amending SMC section 7.17.010 and repealing SMC section 7.17.030. **Council President Stuckart**
- ORD C35084 Relating to appointment of residents to boards and commissions; amending Spokane Municipal Code Section 4.01.030.  
**Council Member Snyder**
- ORD C35085 (To be considered under Hearings Item H2.)
- ORD C35086 (To be considered under Hearings Item H3.)
- ORD C35087 (To be considered under Hearings Item H4.)
- ORD C35088 (To be considered under Special Considerations Item S1.c.)

## **NO FIRST READING ORDINANCES**

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## **SPECIAL CONSIDERATIONS**

**S1. Items Relating to COPS Funding and Traffic Safety:**

- |   |  |   |               |
|---|--|---|---------------|
| a.  | Emergency Budget Ordinance C35089 amending Ordinance No. C35062 passed the City Council November 25, 2013, and entitled, "An Ordinance adopting the Annual Budget of the City of Spokane for 2014, making appropriations to the various funds, departments and programs of the City of Spokane government for the fiscal year ending December 31, 2014, and providing it shall take effect immediately upon passage," and declaring an emergency and appropriating funds in: | Pass<br>Upon<br>Roll Call<br>Vote<br>(Requires 5<br>affirmative<br>votes) | ORD C35089    |
| <p>General Fund</p> <p>FROM: Unappropriated Reserves, \$50,000;</p> <p>TO: Various Accounts, same amount</p> <p>(This action provides an additional \$50,000 to the C.O.P.S. program in addition to current City funding). <span style="color: red;">Council Member Snyder</span></p> |  |   |               |
| b.  | Resolution 2014-0028 regarding a pilot project for an automated traffic safety camera in a school speed zone.<br><span style="color: red;">Council Member Snyder</span>  | Adopt<br>Upon<br>Roll Call<br>Vote  | RES 2014-0028 |
| c.  | Final Reading Ordinance C35088 relating to the Traffic Calming Measures Fund; amending Spokane Municipal Code Section 7.08.148.<br><span style="color: red;">Council Member Snyder</span>  | Pass<br>Upon<br>Roll Call<br>Vote   | ORD C35088    |
- 

## HEARINGS

(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. | Resolution 2014-0030 setting forth the fair market value of certain surplus utility properties and authorizing sale of the properties. <span style="color: red;">Dave Steele</span>   | Adopt<br>Upon<br>Roll Call<br>Vote | RES 2014-0030 |
| H2. | Final Reading Ordinance C35085 relating to parking requirements establishing a No-Parking Required Overlay Zone for the Neighborhood Retail Zoned Area located at the intersection of | Pass<br>Upon<br>Roll Call<br>Vote  | ORD C35085    |

5<sup>th</sup> Avenue and Fiske Street; and amending SMC section 17C.230.120, Table 17C.230-1.

Ken Pelton

- |     |   |                                   |            |
|-----|---|-----------------------------------|------------|
| H3. | Final Reading Ordinance C35086 relating to a Market Garden Pilot Program; adopting a new Chapter 17C.380 to Title 17C of the Spokane Municipal Code. Council President Stuckart   | Pass<br>Upon<br>Roll Call<br>Vote | ORD C35086 |
| H4. | Final Reading Ordinance C35087 relating to small domestic animals, amending SMC Sections 17A.020.040, 17C.310.010, 17C.310.100 and 17C.310.120 and adopting new Sections 17C.310.115 and 17C.310.170 to Chapter 17C.310 of the Spokane Municipal Code. Council President Stuckart | Pass<br>Upon<br>Roll Call<br>Vote | ORD C35087 |

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**Motion to Approve Advance Agenda for March 24, 2014**  
(per Council Rule 2.1.2)

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### **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 March 24, 2014, Regular Legislative Session of the City Council is adjourned to Monday, March 31, 2014.

**NOTE:** The March 31, 2014, 3:30 p.m. Briefing will be held in City Council Chambers. The March 31, 2014, 6:00 p.m. Legislative Session will be a Town Hall Session held at the East Central Community Center, S. 500 Stone, Spokane, WA.

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## **NOTES**



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

03/24/2014

**Date Rec'd**

3/12/2014

**Clerk's File #**

LGL 2014-0010

**Renews #****Submitting Dept**

GRANTS MGMT &amp; FINANCIAL ASST

**Cross Ref #****Contact Name/Phone**

JENNIFER X6091

**Project #****Contact E-Mail**

JSTAPLETON@SPOKANECITY.ORG

**Bid #****Agenda Item Type**

Resolutions

**Requisition #****Agenda Item Name**

GRANTS AND FINANCIAL ASSISTANCE GUIDE POLICY

**Agenda Wording**

The purpose of the Grants and Financial Assistance Guide is to establish, implement and maintain meaningful oversight and coordination of grant and financial assistance awards throughout the entire award life cycle.

**Summary (Background)**

The purpose of the Grants and Financial Assistance Guide is to establish, implement and maintain meaningful oversight and coordination of grant and financial assistance awards throughout the entire award life cycle; thereby increasing award related revenue, limiting the City's exposure to grant related legal liability, and improving the efficiency and impact of programs and services funded and provided through awards of financial assistance.

**Fiscal Impact****Budget Account**

Neutral \$

#

Select \$

#

Select \$

#

Select \$

#

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

JENNIFER STAPLETON

**Study Session**

02/13/2014

**Division Director**

GAVIN COOLEY

**Other****Finance**

LESESNE, MICHELE

**Distribution List****Legal**

WHALEY, HUNT

jstapleton@spokanecity.org

**For the Mayor**

SANDERS, THERESA

kwatkins@spokanecity.org

**Additional Approvals****Purchasing**

CITY OF SPOKANE ADMINISTRATIVE POLICY AND PROCEDURE	ADMIN XXXX – 14 – 01 LGL 2014-0010
TITLE: <b>GRANTS AND FINANCIAL ASSISTANCE GUIDE</b> EFFECTIVE DATE: March 31, 2014 REVISION EFFECTIVE DATE: N/A	

## 1.0 GENERAL

1.1 The purpose of the Grants and Financial Assistance Guide is to establish, implement and maintain meaningful oversight and coordination of grant and financial assistance awards throughout the entire award life cycle; thereby increasing award related revenue, limiting the City's exposure to grant related legal liability, and improving the efficiency and impact of programs and services funded and provided through awards of financial assistance.

## 1.2 TABLE OF CONTENTS

- 1.0 GENERAL
- 2.0 DEPARTMENTS/DIVISIONS AFFECTED
- 3.0 REFERENCES
- 4.0 DEFINITIONS
- 5.0 POLICY
- 6.0 PROCEDURE
- 7.0 RESPONSIBILITIES
- 8.0 APPENDICES

## 2.0 DEPARTMENTS/DIVISIONS AFFECTED

This policy shall apply to all City departments and divisions.

## 3.0 REFERENCES

None

## 4.0 DEFINITIONS

4.1 "Financial Assistance" is comprised of federal, state and local / private formula and project grants, entitlements and cooperative agreements, as

well as federal and state loans and direct payments wherein the purpose is the transfer of money, property, services or anything of value to the City of Spokane for public benefit. It also includes federal and state contracts and any other contract/agreement being supported with federal or state funds. It does not include donations. City departments and offices should contact the Director of Grants Management & Financial Assistance for assistance in determining whether an award should be classified as a grant or donation.

## 5.0 POLICY

- 5.1 The City of Spokane pursues and obtains grants and other awards of financial assistance to provide and enhance services the City has determined to be beneficial to the citizens of Spokane and to reduce City taxpayer burden in supporting those services.
- 5.2 The City of Spokane Director of Grants Management & Financial Assistance oversees the Department of Grants Management and Financial Assistance and ensures fiscal and programmatic accountability and compliance for awards of financial assistance made to the City of Spokane. Specifically, this position is responsible for:
  - a. Establishing internal controls to safeguard federal, state and local / private grant assets and ensure their proper use;
  - b. Establishing written policies and procedures that clarify responsibilities for submitting applications, accepting and administering approved awards;
  - c. Developing and managing systems to coordinate the identification of funding resources and track the entire lifecycle of grants and other financial assistance awards;
  - d. Establishing written policies and procedures to ensure compliance with funding requirements as defined by funding agencies, the Code of Federal Regulations and the State of Washington;
  - e. Assisting City departments with interpretation and application of City, state, federal and other funder policies and requirements;
  - f. Providing regular compliance review of all financial assistance awards and award subrecipients to determine if they are in compliance with the requirements of federal, state and local laws, City policies and requirements of the award documents;

- g. Serving as a training and technical assistance resource for City elected officials, department heads and their staff;
- h. Serving as the Authorized Organization Representative for the City of Spokane relative to awards of financial assistance; and
- i. Maintaining the central DUNS and SAM registration for the City of Spokane which is used by all City departments and offices.

5.3 The department or division designated by the Mayor to receive and administer the financial assistance award is ultimately responsible for complying with all provisions, terms and conditions of the agreement.

5.4 The Mayor may make minor revisions, additions, or deletions to these procedures without City Council approval.

## 6.0 PROCEDURE

See Appendix

## 7.0 RESPONSIBILITIES

The Director of Grants Management and Financial Assistance is responsible for administering this policy and procedure.

## 8.0 APPENDICES

City of Spokane Grant and Financial Assistance Guide

APPROVED BY:

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Date

\_\_\_\_\_  
Director of Grants & Financial Assistance

\_\_\_\_\_  
Date

\_\_\_\_\_

\_\_\_\_\_

City Administrator

Date

CITY OF SPOKANE

# GRANTS AND FINANCIAL ASSISTANCE GUIDE

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EFFECTIVE MARCH 31, 2014

## TABLE OF CONTENTS

TOPIC	PAGE NO.
<b>SECTION ONE: ADMINISTRATIVE/PRE-AWARD PLANNING</b>	
Roles and Responsibilities	
Conflict of Interest	
Letter of Support Requests from External Organizations	
Award Management System	
Internally Competing Applications	
External Notifications	
Administration/Maintenance of Award System Registrations	
<b>SECTION TWO: RESEARCH AND APPLICATION</b>	
Strategic Pursuit of Outside Funding	
Pre-Application & Renewals	
Application Submission	
<b>SECTION THREE: AWARD ACCEPTANCE</b>	
Award Acceptance	
Award Management Team	
Budgeting & Financial Setup	
<b>SECTION FOUR: POST-AWARD ADMINISTRATION</b>	
Revenue and Receipts	
Program Income	
Drawdowns	
Expenditures and Disbursements	
Matching or Cash-Sharing Contributions	
Procurement	
Supplanting	
Amendments	
Property Management	
Monitoring & Compliance	
<b>SECTION FIVE: SUB-AWARD CONTRACTING &amp; MONITORING</b>	
Subawards	
Subrecipient Monitoring	
FFATA Reporting	

## **SECTION SIX: REPORTING**

Program Reports

Financial Reports

## **SECTION SEVEN: AUDITS & REVIEWS**

Audits

Reviews & Monitoring Visits

## **SECTION EIGHT: CLOSE-OUT & RECORDS RETENTION**

Close-Out

Records Retention



# SECTION ONE: ADMINISTRATIVE/PRE-AWARD PLANNING

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## ROLES AND RESPONSIBILITIES

### Purpose:

The purpose of this policy is to establish the roles and associated responsibilities of the various City of Spokane divisions, departments and their staff involved in the grant and financial assistance life cycle.

### Policy:

City of Spokane divisions and departments and their staff whom occupy positions of responsibility with respect to grant and financial assistance activity have specific roles and responsibilities that they are required to perform and uphold both ethically and in the best interests of the City.

### Procedures:

#### 1. Office of the Mayor

The Mayor has sole responsibility for final execution and acceptance of grant and financial assistance awards and approval of projects and programs that they support. As such, the Mayor or his/her designee is the Authorized Organization Representative for purposes of the execution of grant and financial assistance awards.

Proposals for funding often require the name and contact information for the senior authority for the City of Spokane. In these cases, the name and requested information of the Mayor shall be provided. If an electronic signature is required in lieu of a written signature, this should be coordinated and approved through the Department of Grants Management & Financial Assistance which department will also be responsible for maintaining any associated login and password information on behalf of the Mayor's Office.

#### 2. Department of Grants Management & Financial Assistance

The Department of Grants Management & Financial Assistance (hereinafter GMFA) provides centralized management, oversight and other support services to City-wide activities involving the application, administration, reporting and closeout of grants and financial assistance awards. Additionally, GMFA provides centralized consultation and coordination with City administration and the City Council, to strategically identify and manage the grants and financial assistance opportunities to be pursued by the City and region. Therefore, all grant and financial assistance activity must be routed through GMFA in accordance with this Grants and Financial Assistance Guide.

GMFA is responsible for maintaining the central DUNS, and System for Award Management (SAM) registration for the City of Spokane which is used by all City

## SECTION ONE: ADMINISTRATIVE/PRE-AWARD PLANNING

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departments and divisions. The Director of GMFA shall serve as the City's E-Business Point of Contact for this purpose.

Additional responsibilities of GMFA include strategic award planning, training of internal customers, promotion of funding opportunities, technical assistance, maintenance of informational web pages, identifying and investigating compliance issues that may arise with respect to the management of City grants and financial assistance awards, and mediation towards collaborative grant submittals between internal/external agencies, organizations and individuals. Other responsibilities are indicated throughout this guide.

### **3. Accounting Department**

The Accounting Department is responsible for establishing unique program numbers for each award in the accounting system to ensure that associated revenues and expenses are tracked appropriately and individual award funds are not commingled with other funds. This includes the establishment of proper revenue and expense accounts. Additionally, this department is responsible for processing accounting transactions, including drawdowns of award funds, preparation of financial reports and processing payments to subrecipients and vendors after approval of appropriate program management personnel in the recipient department and/or personnel of GMFA as provided in this Guide. Other responsibilities are indicated throughout this Guide.

### **4. Legal Department**

Grant and financial assistance agreements are different from many other contracts in that there is little or no negotiation involved. In the vast majority of circumstances, the City will either sign the agreement or decline the award. Despite the City's lack of bargaining power in this regard, it is nevertheless prudent to conduct a legal review of award agreements to ensure that all of the terms of the agreement are legally enforceable. The City's Legal Department shall review the terms and conditions of the award as an initial step in the award acceptance process in coordination with GMFA.

### **5. City Departments and Divisions Receiving Awards**

The City department or division that receives the award is responsible for all aspects of the award lifecycle including planning for award acquisition, preparation and submitting funding proposals, preparing ordinance requests to accept awards and budget funds, developing award implementation plans, managing award programs, preparing, reviewing and submitting reports to awarding agencies, and properly closing out award projects, as detailed throughout this guide and in compliance with all award terms, conditions and applicable regulations.

The department shall designate the individual who will serve as the Award Manager and in this capacity is the primary person responsible for the day-to-day award administration and compliance. This person may be the same, or in addition to, the overall Project Manager.

## SECTION ONE: ADMINISTRATIVE/PRE-AWARD PLANNING

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### CONFLICT OF INTEREST

#### Purpose:

Conflicts of interest can damage the reputation and credibility of the City. Further, the appearance of a conflict of interest can be just as damaging to the City's reputation and credibility as an actual conflict. The purpose of this policy is to avoid an appearance, or actual, conflict of interest or breach of trust by an official or employee of the City.

#### Policy:

No employee, officer or agent of the City of Spokane shall have any interest, financial or otherwise, direct or indirect, or have any arrangement concerning prospective employment that will, or may be reasonably expected to, bias the design, conduct or reporting of a grant or financial assistance funded project on which he or she is working.

In addition, no employee, officer or agent of the City of Spokane may participate in the selection, or in the award or administration of a contract supported by a grant or other award of financial assistance to the City of Spokane if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when any of the following parties has a financial or other interest in the firm selected for an award:

- An employee, officer, or agent of the subrecipient;
- Any member of an employee's, officer's, or agent's immediate family;
- An employee's, agent's or officer's partner; or
- An organization which employs, or is about to employ, any of the identified in the preceding section.

Officers, employees or agents will not solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to subawards. Any additional prohibitions relative to real, apparent, or potential conflicts of interests made by an awarding agency must be complied with.

In the case of grant or other financial assistance programs supported by the U.S. Department of Housing and Urban Development, refer to City of Spokane Admin Policy 0450-12-01.

#### Procedure:

The assigned Award Manager in the City department or division receiving the award shall ensure that in the use of award funds, officials or employees of the City and nongovernmental recipients or subrecipients shall avoid any action that might result in, or create the appearance of:

- a) Using his or her official position for private gain;
- b) Giving preferential treatment to any person or organization;
- c) Losing complete independence or impartiality;

## SECTION ONE: ADMINISTRATIVE/PRE-AWARD PLANNING

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- d) Making an official decision outside official channels;
- e) Affecting adversely public confidence in the program funded by the award in particular and the City in general;
- f) Any violation of this provision is governed by Spokane Municipal Code Chapter 01.04 Code of Ethics.

Any questions or concerns in this regard shall be referred to the division director or department head and the Director of GMFA.

## SECTION ONE: ADMINISTRATIVE/PRE-AWARD PLANNING

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### LETTER OF SUPPORT REQUESTS FROM EXTERNAL ORGANIZATIONS

#### Purpose:

External organizations frequently seek support from the City for applications they intend to submit to funding agencies. Requests for such support often are made to City staff, directors or officials who may be unaware of whether other City divisions or departments are competing for the same grant opportunity or supporting another external organization's application. Additionally, there may be other reasons why it would not be in the City's interests to provide support. The purpose of this policy is to establish a process and standards for providing a letter of support for a grant or financial assistance application to external organizations.

#### Policy:

Letters of support for a funding application prepared by an external entity, and for which the City is not a collaborating partner who will receive or contribute money, property, services or anything of value (including in-kind), if awarded, shall be forwarded to the Director of Grants & Financial Assistance for review and approval. Copies of all letters of support shall be maintained by the Department of Grants Management and Financial Assistance.

If the City is a collaborating partner, who will receive or contribute money, property, services or anything of value (including in-kind), the policy and procedures in Section 2, Pre-Application, of this Guide shall be followed.

#### Procedure:

1. Upon receiving a request from an external organization for a letter of support for a grant or other financial assistance application, the appropriate division director or department head must decide whether to support the request.
2. If the division director or department head determines not to support the request, the external organization should be notified in writing that the City will not provide a letter of support.
3. If the division director or department head supports the request, he/she must inform the Director of Grants Management & Financial Assistance. This notification should include a draft letter of support and a copy of the Notice of Funding Announcement (NOFA) or Request for Proposals/Qualifications (RFP/Q) the application is being submitted in response to, as well as a brief written summary of whether the mission and activities of the requesting organization, and the proposed project the letter would support, are consistent with City priorities, and whether the proposed project or the letter of support has the potential for future obligations by the City. This may all be submitted via email.
4. The Director of GMFA shall verify whether another City department or division is pursuing the funding in the Award Management Database, or if a supporting

## SECTION ONE: ADMINISTRATIVE/PRE-AWARD PLANNING

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letter may conflict with a known application or previous funding history of another community agency. This information shall be forwarded to the division director or department head.

5. A summary description of requested letters of support shall be included in the weekly Grants/Financial Assistance Report prepared by the Director of GMFA and submitted to the Cabinet and City Council.
6. Any potential conflicts, other significant concerns and feedback should be communicated to the division director or department head and the Director of GMFA.
7. If there are no unresolved conflicts or other significant concerns in the five (5) days subsequent to the release of the weekly report, the letter of support may be signed by the division director or department head the following week. The Director of GMFA should be provided a copy of the final letter of support for retention in the central grants and financial assistance files.

## SECTION ONE: ADMINISTRATIVE/PRE-AWARD PLANNING

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### AWARD MANAGEMENT SYSTEM

#### Purpose:

The Award Management System is a software tool to assist in the management of grant and financial assistance awards to the City throughout the entire award lifecycle; improve coordination; enhance oversight; identify and successfully acquire new funding sources; and provide a snapshot of the current Citywide grant and financial assistance landscape. The purpose of this policy is to describe the use of the Award Management System and to establish the responsibilities for entering the required award related data, along with requirements for maintaining and updating that data.

#### Policy:

An award record shall be created in the Award Management System for each funding opportunity a City employee identifies for application, or for each award received that may not have been applied for. This award record shall constitute the master award file and shall contain all documentation needed to demonstrate compliance and performance.

Each record shall include all information requested in the Award Management System as applicable to the associated award, including the application and supporting materials, all reports submitted and the associated supporting documentation, award documents and associated amendments, subawards and the associated invoices and supporting documentation as well as all subrecipient financial and program reports, the due dates of all required reporting, relevant information from the implementation plan, and completion dates of all tasks and deliverables.

The award record in this system shall serve as the master award file. Each award record shall be updated upon any change to the status of the award and/or the information previously entered.

#### Procedure:

1. Assigned members of the Award Management Team will ensure that the award documents and materials they are responsible for drafting or approving are uploaded into the Award Management System in the most recent or final version, as well as completion dates of all tasks and deliverables.
2. Upon any change to the status of an award and/or information previously entered into the Award Management System, the Award Manager shall ensure that the associated award record is updated.
3. The Department of Grants Management & Financial Assistance will be responsible for conducting a final review of the award record upon notification of closeout and ensuring that the award record is complete and accurate.

## SECTION ONE: ADMINISTRATIVE/PRE-AWARD PLANNING

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### INTERNALLY COMPETING APPLICATIONS

#### Purpose:

Funding agencies generally will not consider any proposal from an applicant if that applicant has submitted more than one proposal during the same funding round. This is especially true for federal and state grantors. Therefore, it is imperative that the potential for multiple submissions to the same funding agency during the same funding round is resolved. The purpose of this policy is to identify the procedure for resolving such conflicts.

#### Policy:

The City shall not submit multiple applications to the same funding agency during the same funding round unless explicitly allowed by the funder and approved by the Director of Grants Management & Financial Assistance. In the event that multiple departments or divisions intend to submit an application to the same funder during the same funding round, and the funder will not accept more than one (1) application from the City, the Director of Grants & Financial Assistance shall be the final arbiter of which department or division will submit the application.

#### Procedure:

1. Upon identifying the potential for the submission of multiple applications to the same grantor during the same funding cycle, the Director of Grants & Financial Assistance shall seek to determine whether the funding agency permits multiple submissions. If the grantor allows multiple submissions, the departments or divisions may continue the application process as provided in Section Two of this Guide.
2. If the funder does not allow for multiple submissions, the Director of Grants Management & Financial Assistance shall meet with the departments or divisions in question and seek to determine whether a collaborative approach is feasible. If a collaborative approach is feasible, a joint application can then be pursued as provided in Section Two of this Guide.
3. Should a collaborative approach prove infeasible, the Director of Grants Management & Financial Assistance shall notify the Chief Financial Officer and identify the scenario, including her/his analysis and recommendation in the Review/Consideration section of the Weekly Grants/Financial Assistance Report distributed to the Cabinet and City Council.
4. Upon receiving feedback from the Chief Financial Officer and/or Cabinet and City Council, the Director of Grants Management & Financial Assistance will notify the departments and divisions as to which application may be submitted.



## SECTION ONE: ADMINISTRATIVE/PRE-AWARD PLANNING

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### EXTERNAL NOTIFICATIONS

#### Purpose:

Many funding agencies, especially nationally competitive federal award programs, will not favorably consider multiple proposals from a single region as it is viewed as a demonstration of a lack of community coordination and collaboration. Therefore, it is important that the City coordinate with other local governments and community partners to ensure that the most competitive, strategic funding proposal is submitted to benefit the residents of the City of Spokane.

#### Policy:

The Director of Grants Management & Financial Assistance will notify and coordinate with Spokane County, other local municipalities and community partners, as appropriate, when a City department or division is pursuing a funding opportunity for which more than one (1) application submission for the region would likely result in funding declinations for all applicants and a potential loss of funding to the region.

#### Procedure:

1. The Director of Grants Management and Financial Assistance will send an email notification via the Award Management System when a City department or division has identified a funding opportunity it intends to apply for which has the potential to draw competing applications from other jurisdictions or partners.
2. Notification may also be sent when there is an opportunity to partner to strengthen an application being prepared.
3. The Director of Grants Management & Financial Assistance and the division director or department head of the City department seeking to apply for funding shall meet with any external entities also considering application to work towards an amicable resolution that identifies the most competitive, strategic applicant and potential opportunities for partnership.
4. Any external conflicts will be identified in the Weekly Grants/Financial Assistance Report distributed to the Cabinet via the Chief Financial Officer and City Council.

## SECTION ONE: ADMINISTRATIVE/PRE-AWARD PLANNING

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### ADMINISTRATION/MAINTENANCE OF AWARD SYSTEM REGISTRATIONS

#### Purpose:

Most award programs have requirements or options for submitting funding applications, applicant agency registrations, etc. through electronic systems. In order to submit the application or maintain the agency registration, the individual submitting the application or registration must be approved as an Authorized Organization Representative of the City of Spokane for this specific purpose.

#### Policy:

Federal grant applications submitted through grants.gov require the individual submitting the application to be an Authorized Organizational Representative of the City of Spokane for this purpose. Authorization can only be granted by City's E-Business Point of Contact for its DUNS/System for Award Management (SAM) registration.

The Director of Grants Management & Financial Assistance shall serve as the City's E-Business Point of Contact and shall be responsible for maintaining the central DUNS and System for Award Management (SAM) registration for the City of Spokane which shall be used by all City departments and offices.

#### Procedure:

1. The Director of Grants Management & Financial Assistance shall maintain the annual and any ongoing updates and registration requirements for the City of Spokane in the central DUNS and System for Award Management (SAM).
2. City departments and divisions submitting federal applications for funding or seeking to accept non-competitive awards shall ensure that the single DUNS number maintained by the Director of GMFA is used in all application and award documents. The Award Manager or person preparing the application should contact the Department of GMFA and confirm the correct DUNS number to use.
3. In order to submit a grant application through the Federal grants.gov system, the individual submitting the application must be an Authorized Organizational Representative (AOR). In order to be registered as an AOR for this purpose, go to [www.grants.gov](http://www.grants.gov) and follow the instructions describing how to prepare to apply for funding opportunities through grants.gov. The AOR registration process has three steps that must be taken in order as follows:
  - a. Registration with the Credential Provider
  - b. Registration with grants.gov
  - c. Authorization as an AOR by the City's E-Business Point of Contact
4. Once registration with the credential provider and with grants.gov has been completed, an email will be sent to the Director of GMFA as the E-Business Point of Contact. The Alternate E-Business Point of Contact is the Grants & Financial Assistance Administrator.
5. The E-Business Point of Contact will authorize the request.

## SECTION ONE: ADMINISTRATIVE/PRE-AWARD PLANNING

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6. All applications submitted through grants.gov must comply with the standard policies and procedures for application submission as described in Section 2 of this Guide.
7. Once authorized, the AOR has the authority to electronically sign applications and the required certifications and/or assurances that are necessary to fulfill the requirements of the application process so long as the application submission was approved by the Director of GMFA and the appropriate division director or department head..

## **STRATEGIC PURSUIT OF OUTSIDE FUNDING**

### **Purpose:**

In order to coordinate the City's grants and financial assistance activities effectively, the Department of Grants Management & Financial Assistance must have knowledge of prioritized department and division needs that potentially can be met through grants and other awards of financial assistance. This knowledge will allow the Department of GMFA to coordinate common needs among agencies and divisions, plan for submission of proposals to regular cyclical funding opportunities, and be pre-positioned to assist the departments and divisions in the submission of proposals to those opportunities when they arise. Finally, such knowledge allows the Department of GMFA to identify the potential for parallel or redundant submissions, as well as areas for potential collaboration. The purpose of this policy is to promote a strategic approach to the pursuit of outside funding and to enhance the City's ability to coordinate grant and financial assistance activity on a City-wide scale.

### **Policy:**

Applications for grant and financial assistance and their awards shall align with existing City strategic plans and processes. Awards typically support activities in three categories: 1) capital; 2) operating; and 3) program. Applications and awards for capital should align with the City's 6-Year Capital Strategic Plan. Applications and awards for operating and program support should align with other existing plans such as the Annual Action Plan (HUD) and the 6-Year Transportation Plan. In addition to these plans, each City department or division that seeks outside funding should undergo an annual strategic planning process for grant and financial assistance acquisition and produce a prioritized list of needs that can potentially be met through this funding. Budgets and brief narrative statements should be developed for each of the needs, as should goals and objectives that, once achieved, will address the identified need.

### **Procedure:**

1. Departments shall conduct an annual needs assessment during the budget process which identifies needs that can potentially be met through grant and financial assistance funding.
2. The identified needs should be prioritized and a timeframe assigned to them, indicating whether they are short-term or long-term priorities.
3. Goals and measurable objectives should be identified that, once met, will address each identified need.
1. Brief narratives should be developed, including a description of activities, personnel, equipment, facility and other resources that will be required.

2. Budgets should be developed to identify the overall cost, City funds available, and the existing funding gap that potentially could be met through outside funding. In addition, potential outside funding sources should be identified, if known.
3. This documentation should be submitted to the Director of Grants Management & Financial Assistance during the annual budget process.
4. The Director of GMFA will collate this information into an Annual Grants & Financial Assistance Strategic Plan that will be presented to the City Council in conjunction with a budget presentation at a study session.
5. The development of this Plan will assist City departments and divisions, including the Department of GFMA, to match identified needs and their solutions with funding opportunities that arise on a regular basis. In addition, this will pre-position the City to submit an application when Notices of Funding Availability are published.

## **PRE-APPLICATION & RENEWALS**

### **Purpose:**

The purpose of this policy is to ensure that applications or renewals for funding submitted by or on behalf of the City are aligned with an established City priority, are not in competition with other internally-prepared applications or external applications supported by the City, and the City is prepared and willing to meet all of the applicable terms and conditions.

### **Policy:**

The City of Spokane recognizes that grants and other financial assistance provide significant resources to enhance the quality and quantity of its public services, facilities and infrastructure. The City will seek financial assistance for activities that further core City functions or that fund programs which are in the best interests of its citizens. In most circumstances, the benefits and impact of financial assistance will be examined prior to application and the City will decline submitting applications for funding determined not to meet this criteria, or which comes with requirements that the City is unable or unwilling to fulfill. Funding applications and requests for renewals may be completed, signed, approved and submitted by department heads and division directors only after receiving authorization from the City's Director of Grants Management & Financial Assistance or her/his designee.

### **Procedure:**

1. Upon identification of a potential funding source under consideration, a City employee will create a record in the City's Award Management System indicating that the funding source is under consideration and assigning the award to a project. If there is a matching requirement, this should be noted in the narrative Notes section, including the potential sources of match.
2. A notification will automatically be generated by the system to the appropriate department and/or division head as well as to the Department of GMFA.
3. The Department of GMFA will review the funding announcement and proposed project to verify:
  - a. Alignment with existing, written strategic plans as provided under Section 2 of this Guide;
  - b. No other internal department is also considering the opportunity;
  - c. No known external agencies are also considering applying and whether the City has pledged to support these efforts;
  - d. No other concerns can be identified at this stage.
4. Any concerns identified through this initial vetting process will be discussed with the employee who has identified the funding opportunity and the department or division head, as appropriate.

5. The Director of GMFA will include a listing of awards under consideration in the Weekly Grants Management & Financial Assistance Report produced each Monday.
6. If the appropriate department or division head approves moving forward with the application, the employee responsible for preparing the application shall change the status in the Award Management System to reflect that he/she intends to apply for the award. All status fields should be completed, including the proposed source(s) of the match, if applicable, and whether any new positions will be added. In addition, any project team members should be added so they will receive notifications about the status.
7. A notification will automatically be generated by the system to the appropriate department and/or division head as well as to the Department of GMFA.
8. Upon receipt, the Department of GMFA will update the status in the Weekly Grants Management & Financial Assistance Report provided to the Cabinet via the Chief Financial Officer and City Council.
9. Any questions or concerns will be communicated to the Director of GMFA and the appropriate division or department head.
10. After a five (5) day review period, the Director of GMFA will approve or disprove the application based on feedback and discussion in response to the weekly report.

## **APPLICATION SUBMISSION**

### **Purpose:**

The Department of Grants Management & Financial Assistance is responsible for tracking and reporting on all grant and financial assistance activity for the City of Spokane and monitoring compliance. The purpose of this policy is to provide the Director of Grants Management & Financial Assistance with the information needed to ensure accurate tracking and reporting as well as compliance monitoring.

### **Policy:**

The Director of Grants Management & Financial Assistance shall have sole authority to approve the submission of grant applications, unless the funding agency specifically requires legislative approval, in which case, the Director of GMFA will recommend approval to the City Council who shall provide additional formal approval. All applications submitted should provide for full cost recovery to the extent possible and be signed by the authorized City personnel.

### **Procedure:**

1. Before submitting a funding application, City departments or divisions intending to submit an application should follow the policy and procedural requirements in Section One: Administrative/Maintenance of Award System Registrations, and Section Two: Pre-Application & Renewals, as specified in this Guide.
2. If granted AOR status for purposes of submission, the department or division employee preparing the application may electronically sign the application and required certifications and/or assurances. The application may also be signed by the department director or division head.
3. Once completed, a copy of the application must be uploaded into the Award Management System and the status of the award record changed to submitted.
4. Completion of applications is the responsibility of the applicant department or division. Staff in the Department of GMFA may provide technical assistance with the application, as needed.
5. Departments should coordinate with their assigned staff in the Accounting Department on the budget development and application budgets should be developed so as to ensure full cost recovery to the extent possible.



## **AWARD ACCEPTANCE**

### **Purpose:**

Award agreements are legal contracts. It is the City's responsibility to carry out the funded project and/or activities associated with an award to accomplish its objectives, while adhering to all of the terms and conditions prescribed by the funding agency. Failure to do so increases the City's exposure to legal liability and compromises current and future grant and financial assistance funding for all departments. The purpose of this policy is to ensure that all relevant City departments and divisions are made aware of award notices in a timely fashion and standardize the procedure for, and document the acceptance or decline of grant and financial assistance awards made to the City.

### **Policy:**

All grant and financial assistance awards made to the City of Spokane shall be reviewed and approved by the Director of Grants Management & Financial Assistance prior to formal acceptance, approval and signature by the City of Spokane.

The Department of Grants Management & Financial Assistance shall be provided a copy of any grant or financial assistance award documents within two days of receipt for review of all associated terms and conditions. Following the Department of GMFA review, the Legal and Accounting Departments shall be forwarded a copy from GMFA with a recommendation of acceptance or rejection. Upon concurrence of the Legal and Accounting Departments, the award must be formally accepted by the City Council unless subject to the City's Minor Contract Authorization Policy & Procedure.

### **Procedure:**

1. Upon receipt of an award notification, a copy of the award letter and/or contract must be uploaded into the Award Management System by the recipient department or division. If the contract is over the minor contract threshold as established in the City's Minor Contract Authorization Policy & Procedure, the original documents requiring signature shall also be forwarded to the Director of Grants Management & Financial Assistance. The assigned staff member in the recipient department or division shall complete an Agenda Sheet in OnBase. The agenda item type selected should be "Contract – Grant/FA." The submitting department will be Grants & Financial Assistance.
2. The person completing the Agenda Sheet must notify the Director of Grants Management & Financial Assistance when it is completed.
3. If the award is under the minor contract threshold as established in the City's Minor Contract Authorization Policy & Procedure, the original award letter and/or

contract and the completed Minor Contract Summary Sheet shall be forwarded to the Director of Grants Management & Financial Assistance.

4. The Director of Grants Management & Financial Assistance will identify any concerns or recommend acceptance.
5. Upon acceptance, The Department of GMFA will coordinate with the Legal Department for a legal review and approval, as well as the Accounting Department and obtain their signatures on the Summary Sheet and on the contract documents, if required.
6. In cases where a local or other match is required, or there are associated unrecovered costs, the Agenda Sheet shall also specify the source of funding by accounting name, program code, title or other identifying characteristics.
7. In those circumstances where local or other match commitments are made by an entity other than the City of Spokane, a formal written agreement whereby the outside entity commits to meet the match requirement shall also be executed unless the outside entity will also be receiving pass through funding under the award, in which case the match commitment shall be included in the formal written funding agreement between the City and the outside agency as a term and condition of funding.
8. If over the minor contract threshold, the Director of Grants Management & Financial Assistance will forward the contract or other award document to the City Clerk for consideration by the City Council and signature.
9. If under the minor contract threshold, the Department of Grants Management & Financial Assistance will forward the contract or other award document and the Minor Contract Summary Sheet back to the Award Manager for signature by the division head or department director.
10. The recipient department or division shall forward the documents onto the City Clerk.
11. The Director of Grants Management & Financial Assistance will attend the Advance City Council Briefing and the department director or division head receiving the award should be in attendance also.
12. The City Clerk shall assign an OPR number and file the documents and send electronic copies to Grants Management & Financial Assistance, Accounting and the recipient department or division.
13. The Department of Grants Management & Financial Assistance will upload the electronic copy into the Award Management System.
14. The City Clerk will forward the executed award document(s) to the funding agency, if provided. Otherwise, the recipient department or division shall forward the document or submit electronic acceptance. When a fully executed copy is returned, the Award Manager shall replace the award document in the Award Management System with a copy of the fully executed document(s) and ensure that the City Clerk has the final original signed document.

## **AWARD MANAGEMENT TEAM**

### **Purpose:**

To facilitate the successful implementation of an award project, an Award Management Team will be identified. The individual members and their associated responsibilities and deadlines will be tracked in the Award Management System and used as an oversight tool for the Department of Grants Management & Financial Assistance.

### **Policy:**

An Award Management Team will be established upon acceptance of an award. The individual members, their associated responsibilities and deadlines, will be established and the award implementation plan and award terms and conditions will be reviewed. This implementation plan will include, at a minimum, the goals and objectives to be achieved, the project timeline, milestone events, an anticipated expenditure schedule, as well as roles and responsibilities. This will be documented in the Award Management System and monitored by the Department of Grants Management & Financial Assistance.

### **Procedure:**

1. Upon notification of an award, staff in the Department of Grants Management & Financial Assistance shall convene an orientation meeting to include the Award Manager from the recipient department or division and any other assigned staff, and the Accounting Manager and any other assigned staff, as well as other key individuals.
2. The award implementation plan and terms and conditions will be reviewed at this meeting, as well as the approved budget. The goals and objectives will be identified, as well as the associated timelines; milestone events, anticipated expenditures schedule, and roles and responsibilities will be identified and documented in the Award Management System.
3. The Department of Grants Management & Financial Assistance will assign the project management team in the Award Management System and task out deadlines.

## **BUDGETING & FINANCIAL SETUP**

### **Purpose:**

To identify the process of establishing a budget associated with a grant or financial assistance funded project.

### **Policy:**

The Department of Grants Management & Financial Assistance determine whether an award made to the City of Spokane shall be classified as a federal, state, pass-through or other grant or contract, or other designation. The Accounting Department shall be responsible for assigning unique program numbers to each individual grant or financial assistance award to ensure that funds are not comingled with other funds and setting up the proper revenue and expense accounts in the City's financial system.

### **Procedure:**

Once an award has been approved by the Department of Grants Management & Financial Assistance and an award type determination has been made, the Accounting Manager in the Accounting Department will set up the proper revenue and expense accounts in the accounting system. A unique program number will be assigned to each award, which enables reports to be run on individual awards.

## REVENUE AND RECEIPTS

### Purpose:

The purpose of this policy is to identify the avenues through which award funds can be requested, accepted and received.

### Policy:

The default method of payment selected for all awards of financial assistance shall be reimbursement, unless the award is for an immediate, one-time expenditure or the only method of payment allowed by the funder is an advance payment. The basis for selecting another method of payment shall be discussed with the Director of Grants Management & Financial Assistance who must approve the alternate method of payment prior to selection or draw down. Cash reimbursement shall be made only after actual costs have been incurred and the expense recorded in the general ledger and all funds received shall be recorded as revenue in the grant program.

### Procedure:

1. The Accounting Department shall be responsible for preparing reimbursement or drawdown requests, including analyzing the expenditures versus income received for the period to determine the amount of cash needed. Interest earned and program income, when allowed, shall be reported and used before requesting additional funds. All requests shall have supporting reports and documentation attached.
2. The request shall be prepared using the procedure stipulated in the award agreement and an electronic copy uploaded into the Award Management System.
3. After the request has been uploaded, it shall be reviewed by the Award Manager in the recipient department and the Department of GMFA (dependent upon the risk status designated).
4. Approval for submission of the request shall be made in the Award Management System and following the approval, the Accounting Department will submit the request and change the status to submitted in the Award Management System.
5. The City of Spokane's preferred method of receipt is Electronic Fund Transfers (EFTs). EFTs are wired to the City Treasurer and automatically deposited into the appropriate account.

6. When a check is received rather than an EFT, the check should be taken to the Accounting Department for deposit within twenty four (24) hours of receipt.

## PROGRAM INCOME

### Purpose:

The purpose of this policy is to identify the treatment of program income associated with grant and financial assistance activity.

### Definition:

**Program income** is gross income earned by the City of Spokane or its subrecipients that is directly generated by a supported activity or earned as a result of a grant or other award of financial assistance during the period of performance. Program income includes, but is not limited to, income from fees for services performed, the use of rental or real or personal property acquired under grants and financial assistance, the sale of commodities or items fabricated under a grant or award of financial assistance, license fees and royalties on patents and copy rights and principal and interest on loans made with award funds. Interest earned on advances of Federal funds is not program income, nor are rebates, credits, discounts and interest earned on any of them unless specified in the agreement or associated program regulations.

### Policy:

Program income shall be recorded and used in accordance with program requirements, the Federal OMB Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards, Federal awarding agency laws, program regulations and the provisions of the contract or grant agreement pertaining to the program.

City departments/divisions may earn program income to defray program costs and any net proceeds (income received less the cost to generate the income) must be deducted from the allowable award expenditures before billing the funding agency for the net expenditures. Program income must be used for the purposes of and under the conditions applicable to the award. Unless specified by the awarding agency, program income must be used as earned and expended as soon as possible. With prior funding agency approval, program income may be used to meet any non-award matching funds requirements or for additional allowable and allocable award activities. This approval must be in writing and documented in the Award Management System.

### Procedure:

1. The designated Award Manager in the department or division receiving the award is responsible for contacting the Department of Grants Management & Financial Assistance to discuss the activity that will generate program income and its relationship to the grant or contract and how the program income shall be

recorded. If this is known at the time the award is received, this discussion should occur during the initial meeting of the Award Management Team.

2. Dependent upon the awarding agency requirements, program income may be used in one of three methods:
  - a. **Deduction** - deduct program income from total allowable costs to determine the net allowable cost on which the funder's share of costs is based. Program income shall be used for current cost.
    - i. **EXAMPLE:** The initial project budget was \$100,000. \$10,000 of program income is earned. The adjusted project budget amount from the sponsor is reduced to \$90,000 after gross program income is taken into account. Total project costs remain at \$100,000. (\$90,000 on the parent budget and \$10,000 on the program income sub-budget.)
  - b. **Addition** - add program income to the funds committed to the award agreement. Program income shall be used for the purposes and under the conditions of the award agreement.
    - i. **EXAMPLE:** the initial project budget was \$100,000. \$10,000 of program income is generated. The total project costs may now be \$110,000. (\$100,000 expensed on the parent budget and \$10,000 expensed on the program income sub-budget.)
  - c. **Cost Sharing** - Program income may be used to meet the cost sharing or matching requirement of the award agreement. The amount of the award remains the same.
    - i. **EXAMPLE:** The initial project budget was \$100,000 with cost sharing/match committed at \$20,000. \$10,000 of program income is generated. The expenditure of the program income may be used to account for \$10,000 of the committed cost sharing.

If the award is silent on the treatment of program income, the Addition Method generally applies and is the default method for applying program income. The Department of GMFA shall be the final arbiter as to how to record the program income. This shall be documented in the Award Management System and the Accounting Manager notified.

Regardless of the accounting method used, program income may be used only for allowable and allocable costs in accordance with the applicable cost principles and the terms and conditions of the award.

3. The Accounting Department shall be responsible for depositing program income and calculating net program expenditures after using program income when preparing drawdown requests and financial reports. Program income shall be recorded under a separate revenue code under the grant program number if using the Deduction or Addition method. It shall be coded under the match program number if using the Cost Sharing method.
4. The Award Manager in the recipient department or division shall monitor program income levels when approving drawdown requests and reviewing financial reports.



5. Unless otherwise allowed in writing by the awarding agency, program income funds remaining in the project or program income account after the project has terminated will be returned to the awarding agency. If the Award Manager in the department or division receiving the award wishes to use these funds to further project or program objectives, a no cost extension of the award should be requested. This request should be entered into the Award Management System and the Department of GMFA notified for approval prior to the funding termination date.
6. Unless funding regulations or award terms and conditions specify otherwise, there is no obligation to the funding agency for program income earned after the end of the award period. However, income earned during the award period but received up to sixty (60) days after the end of the award period must be treated as program income received during the award period.

## **DRAWDOWNS**

### **Purpose**

The purpose of this policy is to ensure that all drawdowns or other reimbursement requests made under grants or financial assistance awards are fully supported and reimbursements are only requested for necessary, reasonable, allowable and allocable costs.

### **Policy:**

Drawdown or other reimbursement requests shall be prepared by the Accounting Department with supporting documentation to verify the allowability and allocability of the expenses. The reports will be verified for accuracy and compliance and approved by the Award Manager in the City department or division receiving the award and/or the Director of Grants Management & Financial Assistance prior to the drawdown or reimbursement request being made or submitted. The Accounting Department shall submit the drawdown or other reimbursement request, unless the reimbursement is made in response to the filing of a financial report, in which case the Award Manager and/or Department of Grants Management & Financial Assistance shall be responsible for submittal.

### **Procedure:**

1. The assigned personnel in the Accounting Department as designated in the initial Award Management Team assignments shall prepare the drawdown or reimbursement request using the form or system designated in the award documents.
2. The request shall include an analysis and documentation of program income received as of the request date and supporting documentation shall be attached to the request. Program income shall be applied prior to calculating the drawdown amount.
3. A report printed from the City's accounting system documenting revenues, expenditures and program incomes received shall be attached to the drawdown or reimbursement request prepared on the form or printed out from the designated system.
4. The drawdown or reimbursement request shall be uploaded into the Award Management System for review and approval by the Award Manager and/or the Department of Grants Management & Financial Assistance.
5. The Award Manager and/or personnel in Grants Management & Financial Assistance shall review and approve the drawdown request in the Award Management System, and in hard copy, if required by the funder.
6. The drawdown or reimbursement request will be submitted by the Accounting Department after approval and a copy of the final submitted request and submission date shall be uploaded and noted in the Award Management System.

## **EXPENDITURES AND DISBURSEMENTS**

### **Purpose:**

The purpose of this policy is to ensure that all expenditures paid under grants or financial assistance awards are necessary, reasonable, allowable and allocable costs and supported by source documentation.

### **Policy:**

City departments/offices shall use applicable Federal OMB cost principles, agency program regulations and the terms of award and subaward agreements to determine the necessity, reasonableness, allowability, and allocability of costs. A cost is necessary if it is required to effectively carry out the funded program and activity and meet the associated goals and objectives. A cost is reasonable if it does not exceed what a prudent person would incur under similar circumstances. A cost is only allowable if adequately documented and supported by accounting records and source documentation, such as purchase orders, vouchers, invoices, payroll allocation reports, payroll summaries, timesheets, etc. A cost is allocable to the extent the goods or services benefit the program or activity.

The specific requirements for activities allowed or unallowed are unique to each program and are found in the laws, regulations and the provisions of the contract or grant agreement.

### **Procedure:**

1. The Award Manager in the department receiving the grant or financial assistance award shall review and approve in writing all invoices and expenditures charged to the award. All invoices submitted must be accompanied by supporting documentation sufficient so that the Award Manager may verify the necessity, reasonableness, allowability and allocability of the costs
2. The Award Manager's review shall include a determination that the costs are consistent with policies, regulations and procedures of the City of Spokane and verify that the expenses are not included as a cost or used to meet cost sharing or matching requirements of any other financial assistance program, unless specifically allowed.
3. The Award Manager shall sign the invoice or voucher and submit it to the Accounting Department for processing.
4. The Accounting Department is responsible for processing the payment in accordance with generally accepted accounting principles and City of Spokane policy and procedures.

5. The Department of Grants Management & Financial Assistance shall advise and assist the Award Managers in verifying the necessity, reasonableness, allowability and allocability of the costs, if needed.
6. If an award is deemed high risk by the Department of Grants Management & Financial Assistance, staff in this department may have final responsibility and sign-off on the necessity, reasonableness, allowability and allocability of the costs prior to processing by the Accounting Department.

## **MATCHING OR COST-SHARING CONTRIBUTIONS**

### **Purpose:**

The purpose of this policy is to ensure that any matching or cost-share contributions required and reported under grant and financial assistance awards meet the requirements of Federal OMB Circulars, award conditions and terms that are applicable.

### **Definition:**

Cost sharing or matching means the portion of project costs not paid by grant or other financial assistance funds.

### **Policy:**

All matching or cost-sharing contributions (including cash and third party in-kind) shall be fully documented and verifiable in City financial records to the extent possible and in the Award Management System. The contributions shall be tracked and monitored to ensure that they cannot be included as contributions toward, or paid under, any other grant or financial assistance project or program unless expressly allowed and verified by the Department of Grants Management & Financial Assistance. The contributions shall be necessary and reasonable for proper and efficient accomplishment of the project or program objectives and must be allowable and provided for in the approved award budget.

### **Procedure:**

Documentation of all matching and cost-sharing contributions shall be maintained in the award management system and will be included as supporting backup documentation for financial reports and/or drawdown of funds.

## PROCUREMENT

### Purpose:

The purpose of this policy is to clarify that all procurement activity associated with grant or other financial assistance funds must be consistent with City of Spokane Municipal Code Chapter 07.06, administrative policy and procedures, and all of the provisions, terms and conditions of the grant or financial assistance award.

### Policy:

The Award Manager in the City department or division receiving the grant is responsible for complying with all of the provisions, terms and conditions of the grant or financial assistance award, including all applicable terms and conditions of the funding requirements relating to the acquisition process used. The City of Spokane's Purchasing Policy and Procedures as codified under Spokane Municipal Code Chapter 07.06 as well as the administrative policy and procedures titled, Purchases of Goods and Services under the Public Bid Dollar Thresholds and Purchasing Cards, shall be followed, provided that they conform to applicable Federal, State and local law and regulations and standards identified. If there is a discrepancy between the City's policy and procedures and the award regulations and provisions, the most restrictive requirement must be followed.

### Procedure:

1. The Award Manager should plan on completing a competitive solicitation process.  
If the City is a grantee or subgrantee under a Federal grant or other award of financial assistance, all procurement of goods and services from both vendors and subrecipients is subject to a competitive process which must be documented. If the Award Manager in the recipient department or division determines that competitive procurement is infeasible, or otherwise deems that it is not required, he/she shall contact the Department of Grants Management & Financial Assistance for technical assistance and approval prior to submitting a requisition to the Purchasing Section and/or entering into a purchase contract or agreement.
2. The Award Manager must research all award provisions as related to the intended procurement and extract all applicable language (specifications, terms and conditions, grant requirements, etc.) which must be included in the competitive solicitation document (Invitation to Bid, RFP, RFQ or RFI) to ensure compliance. All relevant information, provisions, restrictions, terms and conditions of the award (including any pertinent reference numbers such as, but not limited to, the CFDA number – Catalog of Federal Domestic Assistance Number) must be included on the requisition and/or the Project Request Sheet (Project or Professional Services Request Form - Requisition) at the time that the

project is submitted to the Purchasing Section to initiate the procurement process.

3. If the purchase is being made under a Federal grant or award of financial assistance, the Award Manager shall check and verify suspension or debarment via the Federal System for Award Management ([www.sam.gov](http://www.sam.gov)) to determine if the vendor/contractor (including any subcontractors) is ineligible for the award of the contract and document the research and certification effort in the Award Management System. Verification of active CCR registration in [www.sam.gov](http://www.sam.gov) shall also be verified and documented for all subawardees.
4. Additionally, if the purchase is being made under a Federal grant or award of financial assistance, and the bid specifications provide for a specific brand name, or other requirements that limit competition, the specifications must be approved by the Department of Grants Management & Financial Assistance before being published or distributed.
5. If a sole source is declared under a grant or other award of financial assistance, this must be approved by the Department of Grants Management & Financial Assistance in writing prior to the contract or purchase being completed. Documentation of this approval will be maintained in the Award Management System.

## **SUPPLANTING**

### **Purpose:**

The purpose of this policy is to protect the City from the revocation of grant or other financial assistance funds and exposure to legal liability associated with improper use of funds.

### **Policy:**

Grant and other financial assistance funds awarded to the City of Spokane can only be used to supplement (augment) current funding and shall not be used to supplant (replace) an existing expense so that local funds can be used for another purpose unless explicitly identified as allowable in writing by the awarding entity and approved by the Department of Grants Management & Financial Assistance.

### **Procedure:**

Award Managers and Accounting staff preparing and establishing budgets for grants and financial assistance awards shall ensure that funds are used to support new program/project costs and not to support ongoing costs previously or currently supported with local funds. If any questions or concerns arise in this regard, the Department of Grants Management & Financial Assistance shall be contacted for final guidance.



## **AMENDMENTS**

### **Purpose:**

Amendments to awards, whether issued in the form of an official contract amendment or more informally in the form of a letter from the awarding agency, are legal contracts. As such, it is the City's responsibility to carry out the funded project and/or activities associated with an award in compliance with all revised or new terms and conditions contained in the amendment. The purpose of this policy is to ensure that all relevant City departments and divisions are made aware of award amendments notices in a timely fashion and standardize the procedure for, and document the acceptance or declination of amendments of awards made to the City.

### **Policy:**

Awards are often amended to shift allocated funds from one cost category to another, increase or decrease the budget, change the performance period or to alter the programmatic requirements. All award amendments are subject to approval by the recipient department or division director and Department of Grants Management & Financial Assistance. Furthermore, amendments must follow the City's Minor Contract Authorization Policy and Procedure or be approved by the City Council.

If additional funding is awarded, Award Managers should use caution to ensure that no award funds are expended prior to acceptance of the Amendment and budget approval and appropriation by the City Council.

### **Procedure:**

1. When requesting a programmatic amendment, rebudget, or an extension to the award period, the Award Manager, shall input the request into the Award Management System for approval by the Department or Division Director and the Department of Grants Management & Financial Assistance.
2. When an amendment is received, the Award Manager shall upload the document into the Award Management System within two days for approval/acceptance by the Department or Division Director, Accountant and the Department of Grants Management & Financial Assistance.
3. The Department of Grants Management & Financial Assistance will forward the document to the City's Legal Department for review with a recommendation of acceptance and rejection.
4. If the amendment meets the requirements of the minor contract process as defined City's Minor Contract Authorization Policy and Procedure, the amendment may be signed by the Department or Division Director after all of the approvals are received and a copy of the fully signed around document shall be provided to the City Clerk and uploaded into the Award Management System.

5. If the amendment does not meet the requirements of the minor contract process, the Award Manager shall prepare and file the City Council agenda sheet and route it for signature.
6. The Accounting Department shall prepare an EBO, if needed.
7. The agenda packet shall go before the City Council standing committee and the full City Council for approval.
8. The City Clerk's Office shall sign and attest the grant, obtain the Mayor's signature, scan and file the documents and distribute electronic copies to the recipient department, Accounting, and Grants Management & Financial Assistance.
9. The Award Manager shall submit the signed documents to the funding agency, and upon receipt of a fully signed around copy of the agreement, provide the original copy to the City Clerk and upload a copy into the Award Management System.

## PROPERTY MANAGEMENT

### Purpose:

The purpose of this policy is to properly identify, track, transfer and dispose of property acquired under a grant or other award of financial assistance. This policy applies to fixed assets (tangible, nonexpendable, personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit), as well as non-consumable supplies and materials such as furniture, computers, printers or other items that would be considered small and attractive assets

### Definitions:

**Fixed Assets:** Tangible or intangible, nonexpendable property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit. This includes land, buildings (facilities), equipment and intellectual property (including software) whether acquired by purchase, construction, manufacture, lease-purchase, exchange, or through capital leases; and additions, improvements, modifications, replacements, rearrangements, reinstallations, renovations or alternations to capital assets that materially increase their value or useful life (not ordinary repairs and maintenance).

**Non-Consumable Supplies and Materials/Small and Attractive Assets:** Items that fall below the City's capitalization level of \$5,000 and are particularly vulnerable to loss. These items include, at a minim, all sets with a unit cost of \$300 or more in the following commodity codes: (6651) - optical devices, binoculars, telescopes, infrared viewers and rangefinders; (6710-6730) - cameras and photographic projection equipment; (7012) - desktop computers; (7013) - laptops and notebook computers; (7014) - tablets and smart phones; (7730) - television sets, DVD players, Blue-ray players and video cameras; and (major group 10) – weapons, firearms, signal guns and accessories. This listing is not all-inclusive and additional items with a unit cost of \$300 or more that are vulnerable to loss as identified by the department or division receiving the award, Accounting Department and/or Department of Grants Management and Financial Assistance.

### Policy:

All property purchased under grants or other awards of financial assistance that meet the City's definition of fixed assets and all non-consumable supplies and materials/small and attractive assets shall be subject to the following:

1. **Property Records** – All property purchased or otherwise received under grants and awards of financial assistance should be tagged and must be entered into the Fixed Asset System maintained by the Accounting Department with a description of the property, serial number or other identification number, the

source of funding for the property (including the award identification number), who holds title, the acquisition date, and cost of the property, percentage of federal participation in the project costs (if acquired under a federal award), location, use and condition of the property, and any ultimate disposition data, including the date of disposal and sale price of the property.

2. **Physical Inventory** – A physical inventory of the property must be taken and the results reconciled with the Fixed Asset System annually and upon the closeout of the award. The inventory is subject to verification from the Department of Grants Management and Financial Assistance, other Finance staff, auditors and other third parties engaged by Finance.
3. **Control System** – Any loss, damage or theft to any of the property must be reported to the Accounting Department and Department of Grants Management & Financial Assistance within 48 hours of discovery. A follow-up investigation will be implemented by the department or division in control of the asset with the support of the Accounting Department and Department of Grants Management & Financial Assistance.
4. **Maintenance** – The department or division in control of the property shall ensure adequate maintenance procedures are implemented to keep the property in good condition.
5. **Disposition** – When original or replacement property acquired under a grant or award of financial assistance is no longer needed for the original project or program or for other activities currently or previously supported by the funding agency, the department or division seeking to dispose of the property shall contact the Department of Grants Management & Financial Assistance for guidance and approval. GMFA shall ensure that any property sold, passed through to another entity, or otherwise disposed of, is done in accordance with applicable awarding regulations and procedures, including the notification of the funding agency, when appropriate for approval or further direction. In addition, GMFA shall advise the department or division controlling the asset and the Accounting Department of any restrictions related to the income received from the sale.
6. **Replacement** – If property is damaged, no longer in working condition, or other circumstances arise and it is replaced by the manufacturer under warranty, the original property should be noted as disposed in the Fixed Asset System and the replacement property entered with all of the identifying award information used for the original asset. The Department of Grants Management & Financial Assistance and Accounting Manager shall be notified of these instances within 48 hours of occurrence.

### Procedure:

1. Upon paying an invoice for property purchased under grant and other financial assistance awards meeting the definition of fixed assets or Non-Consumable Supplies and Materials/Small and Attractive Assets above, the Accounting

Department will forward an asset tag to the department or division in control of the asset and verify all of the identifying information required to be entered into the Fixed Asset System.

2. If property is received that is passed through to the City by another entity under a grant or financial assistance award, if not previously provided, a copy of the award agreement or pass-through award information should be entered into the Award Management System as a new grant and the Department of Grants Management & Financial Assistance notified. The award will be processed as provided for under the Award Acceptance policy.
3. The entry into the Fixed Asset System should identify the status as GRA if the property is purchased or passed through under a federal or state grant and meets the definition of a fixed asset.
4. The entry into the Fixed Asset System should identify the status as SNA if the property is purchased or passed through under a federal or state grant and meets the definition of non-consumable supplies or small and attractive assets.
5. The Accountant assigned to the controlling department or division shall coordinate with the department or division to conduct an inventory of its property annually. This will include providing a list of all property that the department or division is responsible for as identified in the Fixed Asset System.
6. Any known loss, damage, theft or other material changes in the status of the property shall be made known to the Accounting Manager and Department of Grants Management and Financial Assistance by the controlling department. This includes changes in location and/or obsolescence.
7. If the controlling department or division intends to dispose of any property purchased under a grant or financial assistance award, the Department of Grants Management & Financial Assistance shall be notified as soon as possible for guidance and approval.
8. The Department of GMFA shall review the awarding regulations and procedures, including notifying the funding agency when appropriate, for approval or further direction.
9. The Department of GMFA shall approve the disposition in writing and document it in the Central Award System. GMFA will also advise the department or division controlling the asset and the Accounting Department of any restrictions related to the income received from the sale, including returning sale proceeds to the funding agency, and follow-up to ensure that appropriate internal controls are in place to comply with the provisions.
10. The Accounting Manager shall be responsible for ensuring that the ultimate disposition data, including the disposition date and sale price of the property is entered into the Fixed Asset System.

## **MONITORING & COMPLIANCE**

### **Purpose:**

The purpose of this policy is to ensure that all grant and financial assistance activities are managed according to the City's Grants Management & Financial Assistance Guide, to ensure full compliance and strategic management of current and future grant and financial assistance awards throughout the entire award lifecycle, and to reduce the City's exposure and legal liability with respect to mismanagement or lack of compliance with grant and financial assistance policies, requirements and associated regulations.

### **Policy:**

City departments and divisions that apply for, and receive, grant and other financial assistance awards are responsible for managing their funded projects and programs in compliance with all award terms and conditions as well as associated federal, state and City regulations and policies and procedures.

The City's Director of Grants Management and Financial Assistance oversees the Department of Grants Management and Financial Assistance and in this capacity oversees fiscal and programmatic accountability and compliance for any and all grant and financial assistance awards made to the City of Spokane and its respective divisions and departments.

The City has adopted a risk-based approach to grants and financial assistance monitoring and compliance which is developed and administered by, the Director and staff of Grants Management & Financial Assistance Department.

### **Procedure:**

1. The Director of Grants Management & Financial Assistance will review existing internal controls and establish new and/or strengthened controls when necessary to safeguard federal, state and local/private grant and financial assistance assets and ensure their proper use.
2. The Director of GMFA shall establish written policies and procedures that clarify responsibilities for researching funding opportunities, submitting applications and accepting and administering grants and financial assistance awards.
3. The Department of GMFA shall develop and manage systems to coordinate the identification of funding resources and track and manage the entire lifecycle of the grants and other financial assistance awards.
4. The Director of GMFA shall establish written policies and procedures for adoption by the Spokane City Council to ensure compliance with funding requirements as defined by funding agencies, the Code of Federal Regulations and the State of Washington.

5. The Director and staff in GMFA will assist Award Managers and their respective division and department directors with the interpretation and application of City, state, federal and other funder policies and requirements.
6. The Director and staff in GMFA will provide regular compliance reviews of all financial assistance and grant awards to determine if they are in compliance with applicable federal, state and local laws, City policies and award documents.
7. When conducting compliance reviews, the Department of GMFA will implement a risk-based approach and categorize awards in one of three statuses: 1) Full Compliance/Low Risk; 2) Under Review/Medium Risk; and 3) Out-of-Compliance/High Risk. Specific criteria is developed and used by GMFA and will be published on the City iShare site for reference. Based on the criteria developed, division or department heads or Award Managers may also recommend specific awards be classified in Medium Risk or High Risk Status.
8. Awards in Full Compliance/Low Risk Status require little involvement of the Department of Grants Management & Financial Assistance except as provided for in this Guidebook.

## **SUBAWARDS**

### **Purpose:**

The purpose of this policy is to ensure that subawards are correctly identified under grants and other awards of financial assistance and award and City requirements are appropriately included in the contracts.

### **Policy:**

City departments or divisions intending to enter into contracts for goods and services under grants and financial assistance awards shall determine whether the person or entity they intend to contract with is a vendor or a subrecipient and retain this written determination in the Award Management System. If technical assistance is needed in this regard, the Award Manager shall consult with the Department of Grants Management and Financial Assistance.

All subawards entered into under awards of federal financial assistance shall be made only after completion of a fully documented competitive selection process, unless otherwise approved by the Department of Grants Management and Financial Assistance and written approval obtained from the funder as determined by GMFA.

All subawards entered into under grants and other financial assistance awards, and any amendments thereto, shall be prepared on a template provided by the Grants Management and Financial Assistance Department and submitted to GMFA for approval. GMFA will coordinate with the Legal Department for a legal review and signature. The approval and signatures of GMFA and the Legal Department shall be obtained prior to the contract being sent to the subrecipient agent.

### **Procedure:**

1. The Award Manager is responsible for ensuring that a fully documented competitive selection process is implemented for any awards made under federal grants and financial assistance awards and any other awards that contain this requirement.
2. If a competitive process is not possible or will not be conducted, this must be approved by the Department of Grants Management & Financial Assistance and written approval must be obtained from the funder as determined by GMFA prior to a contract being developed. Simply identifying a subrecipient by name in an application does not constitute funding agency approval of a non-competitive process.
3. The Award Manager is responsible for determining whether the entity or person he/she intends to contract with is classified as a vendor or subrecipient. A Vendor/Subrecipient Determination Checklist form may be obtained from the



Department of Grants Management & Financial Assistance for this purpose. GMFA will also provide additional technical assistance upon request.

4. The Award Manager shall be responsible for preparing the subrecipient contract using the templates available through GMFA and ensuring that the contract includes any and all pass through requirements, including federal award information, if applicable, and audit requirements. The recipient department shall consult with the Department of Grants Management and Financial Assistance on the FFATA provisions and reporting requirements to be included in subaward agreements and use the subrecipient contract template available through the Department of Grants Management and Financial Assistance.
5. The subrecipient contract shall contain the source of the funds being awarded, including CFDA number if applicable and the DUNS number of the subrecipient.
6. The Award Manager shall verify the DUNS number and active SAM registration of the subrecipient if federal award dollars are involved.
7. A clear, well-defined scope of work, outcomes and performance measures, as well as reporting and billing timelines must be included in the agreement.
8. Reporting responsibilities for subrecipients that receive or purchase equipment or other capitalized items with federal funds, including providing a copy of their inventory annually. The inventory must include the CFDA number of the grant which purchased the equipment, if applicable, and other award identification information, description of the property, serial or other identification number, the source of funding, who holds title, the acquisition date, cost of the property, percentage of federal participation in the costs (if acquired under a federal award), location, use and condition of the property, and any ultimate disposition data, including the date of disposal and sale price of the property.
9. If the contract is below the Minor Contract Authorization Policy threshold , an electronic copy of the subrecipient contract shall be forwarded to the Department of Grants Management & Financial Assistance for review, along with the Minor Contract Summary Form.
10. GMFA will coordinate with the Legal Department for review as well as the Accounting Department and the approved contract and signed Minor Contract Summary Form will be returned to the recipient department or division.
11. The recipient department or division will forward the contract onto the subrecipient for signature and will also obtain the signature of the appropriate division or department head before filing the original signed document and Minor Contract Summary Form with the City Clerk.
12. If the contract exceeds the minor contract threshold, the recipient department or division will prepare the Agenda Sheet and route it for approval via OnBase upon receipt of the signed contract from the subrecipient.
13. Amendments to subawards may be approved by the department or division head so long as they do not change the overall amount of the award. The amendments and a Minor Contract Summary Form must be sent to the Department of GMFA for approval who will also obtain approval from the Legal and Accounting Departments.
14. The Award Manager shall ensure that final copies of fully signed around awards and all amendments are uploaded into the Award Management System.

## **FFATA REPORTING**

### **Purpose:**

The purpose of this policy is to ensure City compliance with the Federal Funding Accountability and Transparency Act.

### **Policy:**

The Award Manager or his/her designee shall be responsible for reporting all subawards supported with federal funding and which are greater than \$25,000 into the Federal Funding Accountability and Transparency Subaward Reporting System (FSRS) by the end of the month following the month in which a subaward or obligation was made and, for contracts, the month in which a modification was issued that changed any previously reported information or increased the threshold of the award to the \$25,000 reporting threshold under the Federal Funding Accountability and Transparency Act.

### **Procedure:**

1. The Award Manager and/or his/her designee shall report subawards and/or any amendments meeting the FFATA threshold of \$25,000 by the end of the month following the month in which the contract or amendment was signed by a designated City official as provided for under this Guide.
2. If more than one subaward contract is entered into with an agency or individual under a single federal award, the combined award amount should be taken into consideration when determining reporting requirements under FFATA. I.e. if a single agency is awarded two different subawards in the amount of \$15,000 each under a single federal grant, the contracts are subject to reporting under FFATA.
3. A pdf copy of the report shall be uploaded into the Award Management System by the person submitting the FFATA report.
4. Any questions regarding applicability or reporting requirements under FFATA should be referred to the Department of Grants Management & Financial Assistance for technical assistance.
5. The Department of Grants Management & Financial Assistance will provide oversight monitoring of FFATA reporting in the Award Management System.

## SUBRECIPIENT MONITORING

### Purpose:

The purpose of this policy is to ensure that the activities of all subrecipients are appropriately monitored in compliance with laws, regulations and the provisions of contracts or grant agreements and the identified performance goals are achieved.

### Policy:

At the outset of every subrecipient contract and for each fiscal year during the contract performance period, the recipient department or division shall perform a risk assessment and implement an appropriate monitoring plan to assess project performance, including program objectives, eligible activities and benchmarks, financial management, including allowability and allocability of costs. Monitoring of subrecipients may consist of on-site or remote techniques, or a combination thereof, based on results of the risk assessment.

The Department of Grants Management & Financial Assistance shall be notified of any concerns or weaknesses identified and will assist in the development and oversight of a corrective action plan. In addition, GMFA shall be responsible for conducting subrecipient audit reviews during the contract performance period.

All risk assessments and monitoring activities, including corrective action plans, will be documented in the Award Management System.

### Procedure:

1. Upon awarding a subrecipient contract and each fiscal year thereafter during the contract performance period, the Award Manager shall perform a risk assessment of the subrecipient and develop a monitoring schedule accordingly. The Award Manager shall consult any guidance materials provided by the funding agency in this regard and may also contact the Department of Grants Management & Financial Assistance for technical assistance.
2. Throughout the contract performance period, the Award Manager shall monitor his/her subrecipients by implementing the following oversight:
  - a. **Budget Control** – Compare actual expenditures/outlaws with budgeted amounts.
  - b. **Expenditure Verification** – Ensure that all expenditures billed are supported by source documentation to include, but not limited to, cancelled checks, invoices, time and effort records or certifications, payroll records, contract and subaward documents, etc.

- c. **Allowable Costs** – All subaward expenditures shall be reviewed to determine that the costs billed are in accordance with program requirements.
  - d. **Performance** – The Award Manager shall monitor regular performance reports and verify that subrecipient performance is adequate. When performance concerns arise, the department shall notify the Director of Grants Management & Financial Assistance his/her department or division head and develop and document an appropriate action plan. Actions that may take place in response to a deficiency include, but are not limited to:
    - i. Issuing a letter of warning and putting the subrecipient on notice that additional action will be taken if the deficiency is not corrected or is repeated;
    - ii. Recommend, or request the subrecipient to submit a corrective action plan; and
    - iii. Suspension of the disbursement of funds for the deficient activity.
  - e. **Cash Management** – Ensure subrecipients are paid on a reimbursement basis only unless specifically authorized by the Director of Grants Management and Financial Assistance.
  - f. **Property Management** – If property is purchased or passed-through under the subaward, verify fixed asset records on an annual basis during the period of performance and at award closeout, to ensure that the CFDA number of the grant which purchased the equipment, if applicable, and other award identification information, description of the property, serial or other identification number, the source of funding, who holds title, the acquisition date, cost of the property, percentage of federal participation in the costs (if acquired under a federal award), location, use and condition of the property, and any ultimate disposition data, including the date of disposal and sale price of the property is being tracked.
3. The Department of Grants Management & Financial Assistance shall monitor the **Audit Requirements** as specified in the subrecipient contract, including obtaining and reviewing all subrecipient's audit reports within 30 days after issuance, but no later than nine months after the end of the audit period and reviewing for compliance and verifying submission to the Federal Audit Clearinghouse (FAC) if federal money is involved. If an audit finding exists for noncompliance or a determination that a lack of internal controls may affect compliance, the City will require a corrective action plan and may perform additional monitoring tasks. A management decision will be issued in writing to resolve the issue within six months.
  4. The Award Manager will notify the Department of Grants Management & Financial Assistance and/ his/her department or division head of any non-compliance issues and concerns.
  5. The Department of Grants Management& Financial Assistance will assist the Award Manager in the development and oversight of a respective corrective action plan.
  6. All subrecipient monitoring activities and corrective actions plans will be documented by the responsible individual(s) in the Award Management System.



## **PROGRAM REPORTS**

### **Purpose:**

To ensure that the program results and associated reporting of grant and financial assistance supported activities are accurate, current, complete and made in accordance with the specific reporting requirements of the award or subaward and any and all associated regulations.

### **Policy:**

The Award Manager shall prepare program reports with supporting source documentation, including subrecipient reports. The reports will be reviewed by the department or division head and/or the Director of Grants Management & Financial Assistance and signed, if required. Copies of reports submitted will be retained in the Award Management System.

### **Procedures:**

1. All program reporting deadlines will be input in the Award Management System and tasked out to the Award Manager or other appropriate personnel in the recipient division or department as designated in the initial Award Management Team assignments.
2. The assigned personnel shall prepare the report in accordance with the reporting guidelines as uploaded to the Award Management System. The report should include supporting documentation as appropriate.
3. The Department of Grants Management & Financial Assistance shall provide technical assistance if requested.
4. The completed report, including supporting documentation shall be uploaded into the Award Management System for review and approval by the department director or division head. A hard copy shall also be forwarded if required for submission to the funding agency.
5. Dependent upon risk status, the report may also need approval of the Department of Grants Management & Financial Assistance.
6. The Award Manager shall obtain the signature of the division or department head on the report, if required, and submit it to the awarding agency as required and note the submission date in the Award Management System.
7. If the funding agency has designated the use of a separate reporting system, all reports may be maintained in that system rather than duplicated in the Award Management System upon at the discretion of the Department of Grants Management & Financial Assistance.

## **FINANCIAL REPORTS**

### **Purpose:**

To ensure that the financial results and associated reporting of grant and financial assistance supported activities are accurate, current, complete and made in accordance with the specific reporting requirements of the award or subaward and any and all associated regulations.

### **Policy:**

The Accounting Department shall prepare financial reports with supporting source documentation to verify the allowability and allocability of the expenses. The reports will be verified for accuracy and compliance by the Award Manager in the City department or division receiving the award and signed by the department or division head and/or the Director of Grants Management & Financial Assistance.

### **Procedures:**

1. All financial reporting deadlines will be input in the Award Management System and tasked out the appropriate personnel in the Accounting Department as designated in the initial Award Management Team assignments.
2. Prior to preparing the financial report, the assigned accounting personnel shall analyze the expenditures vs. income received for the reporting period, including any program income received.
3. The assigned accounting personnel shall prepare the report in accordance with the reporting guidelines as uploaded to the Award Management System. The report shall include supporting documentation to back up all of the revenue and expenses reported, including, but not limited to, drawdown requests, program income calculations, copies of invoices paid, payroll documentation and a report showing actual revenue and expenditures printed directly from the financial system. If match is reported, the associated supporting documentation shall also be included.
4. Expenses that have not posted to the general ledger at the time of the report preparation will not be reported except under exceptional circumstances (to be determined and approved by the Department of Grants Management & Financial Assistance on a case-by-case basis).
5. The Department of Grants Management & Financial Assistance shall provide technical assistance if requested.
6. The completed report, including supporting documentation shall be uploaded into the Award Management System for review and approval by the Award Manager and/or the Department of Grants Management & Financial Assistance. A hard copy shall also be forwarded if required for submission to the funding agency.

7. The Award Manager shall review the report and the supporting documentation to verify that all of the expenses reported are allowable and allocable and adequately supported.
8. Dependent upon risk status, the report may also need approval of the Department of Grants Management & Financial Assistance.
9. The Award Manager shall obtain the signature of the division or department head on the report and submit it to the awarding agency as required and note the submission date in the Award Management System.
10. If the award has been determined to be high risk by the Department of Grants Management & Financial Assistance, GMFA may assume responsibility for signing and submitting the report in coordination with the recipient division or department head.
11. A copy of the financial report, including appropriate approvals, shall be uploaded into the Award Management System.



## **REVIEWS & MONITORING VISITS**

### **Purpose:**

The purpose of this policy is to ensure that the City provides all needed documentation and verification of compliance to any funding agencies or their designees conducting reviews, monitoring or technical assistance support on City grants and other financial assistance awards.

### **Policy:**

Award Managers shall ensure that the Grants Management & Financial Assistance Department and the Accounting Department are made aware of any scheduled reviews, monitoring or technical assistance visits made by their funding agency or designees. The Award Manager shall forward to the Director of Grants Management & Financial Assistance any advance documentation requests, including risk assessments, compliance checklists, etc. and the Director of GMFA shall be responsible for coordinating the City's official response. The Director of GMFA shall also be responsible for developing and overseeing corrective action plans to any recommendations or weaknesses identified.

### **Procedure:**

1. Award Managers shall forward any notices of on-site or off-site reviews, monitoring or technical assistance events as soon as practical to the Department of Grants Management & Financial Assistance.
2. The Department of Grants Management & Financial Assistance will provide technical assistance in preparation for the visit, including reviewing the award file in the Award Management System, providing the reviewer audit access to the Award Management System and coordinating the official response to risk assessments, compliance checklists and other advance documentation requests.
3. The Department of Grants Management & Financial Assistance will provide technical assistance and overall compliance support to the Award Manager and the recipient City department or division during the review or visit.
4. The Award Manager shall upload any monitoring reports into the Award Management System and notifying the Director of Grants Management & Financial Assistance.
5. If any weaknesses or recommendations are identified, the Director of GMFA shall be responsible for developing and overseeing an improvement plan, as appropriate, in coordination with the Award Manager.

## **AUDITS**

### **Purpose:**

The purpose of this policy is to ensure that the City obtains an annual Single Audit and participates with any other audits conducted by funding agencies and their designated auditors to verify its compliance with all applicable rules, regulations and Circulars.

### **Policy:**

The City of Spokane is responsible for obtaining audits in accordance with the Single Audit Act of 1984 (31 U.S.C. 7501-7) and Federal agency implementing regulations. The Director of Grants Management & Financial Assistance shall serve as the primary point of contact with the state auditors for the Single Audit and shall be responsible for the developing and overseeing the implementation of any corrective action plans. The final Single Audit Report shall be submitted to the Federal Audit Clearinghouse within the earlier of 30 days after receipt or nine months after the City's fiscal year end. The Accounting Department shall be responsible for electronically submitting the Single Audit Report.

The Director of Grants Management & Financial Assistance shall also serve as the primary point of contact for any other audits conducted by funding agencies and their designated auditors on the City's awarded grants and other financial assistance and shall be responsible for developing and overseeing the implementation of corrective action plans.

The City of Spokane will make the master award file and any and all supporting documents available for review upon request by the awarding agency, its Inspector General, the Comptroller General of the United States or any other audit agencies designated by the funding agency.

### **Procedure:**

1. The Accounting Department will compile and prepare of the Schedule of Federal Financial Assistance (SEFA) and may coordinate with the Department of Grants Management & Financial Assistance for a secondary review.
2. The Director of Grants Management & Financial Assistance shall serve as the primary point of contact with the state auditors for the Single Audit and will assist City departments and divisions receiving grant and financial assistance funding with compliance oversight and technical assistance to comply with audit requirements in accordance with OMB Circular A-133.

3. The formal Single Audit Exit Conference shall be schedule to occur in conjunction with a Finance Committee meeting.
4. Within the earlier of 30 days after receipt or nine months after the City's fiscal year end, the Accounting Department will electronically submit the Single Audit Report to the Federal Audit Clearinghouse.
5. In addition, the Director of Grants Management & Financial Assistance shall serve as the primary point of contact for audits conducted by funding agencies and their designated auditors.
6. Auditors will be provided access to the Award Management System by the Department of Grants Management & Financial Assistance for purposes of reviewing master award files and verifying internal controls.
7. In instances of concerns identified, whether included in a formal management letter or only provided orally, and/or audit findings, the Director of Grants Management & Financial Assistance will assume primary responsibility for development of a corrective action plan in coordination with the affected departments or divisions and submitting the plan to the auditor, funder and any other appropriate reviewing agencies. In addition, the Director of GMFA will follow-up with the City departments or divisions to ensure that the appropriate corrective action has been implemented.

## **CLOSE-OUT**

### **Purpose:**

The purpose of this policy is to ensure that all required final documents are submitted and conditions met to ensure the proper close-out of grants and financial assistance awards.

### **Policy:**

After the expiration or termination of an award, the Department of Grants Management & Financial Assistance shall oversee the close-out process to ensure that all required reports are submitted, actions taken and conditions met to ensure proper compliance.

### **Procedure:**

1. The Department of Grants Management & Financial Assistance will monitor period of performance ending dates in the Award Management System and reconvene the designated Award Management Team within 90 days of the end of the period of performance to review close-out requirements.
2. If performance under an award will end at an earlier date or has been terminated for any reason by the recipient department or division or the funding agency, the Award Manager shall notify the Department of Grants Management & Financial Assistance as soon as possible to ensure proper close-out procedures are implemented.
3. At the Award Team meeting, close-out requirements shall be reviewed, roles, responsibilities and timelines established and the resulting deadlines and workflow input into the Award Management System. Examples of required actions including analyzing expenditures vs. income received during the award period; reconciling records to ensure that expenditures or equal to, or less than budget, and that cash received, appropriately adjusted, equals expenditures and verifying inventory records of subrecipients who received property under the award.
4. All close-out documents will be uploaded to the Award Management System and reviewed and approved by the Department of Grants Management & Financial Assistance prior to submission.
5. The Award Manager is responsible for submitting all final documents to the awarding agency after approval by the Department of Grants Management & Financial Assistance.

## **RECORDS RETENTION**

### **Purpose:**

The City of Spokane is responsible for ensuring that complete award records, including all supporting documents to prove the allocability and allowability of revenues, expenditures, obligations, program income, interest, assets, authorizations and unobligated balances must be retained for audit purposes in accordance with federal, state and specific award requirements.

### **Policy:**

The official award file, including but not limited to the contact and amendments, applications, statistical records, subawards, program and financial reports, income and expenditures, requests for reimbursement, and all associated supporting documentation, will be maintained in the Award Management System as designated by the Department of Grants Management & Financial Assistance. The Award Manager and designated members of the Award Management Team are responsible for establishing and maintaining this record and ensuring it is complete by uploading and updating all award documents. Records in the electronic Award Management System will be maintained indefinitely.

Supporting original documents such as original signed contracts will be maintained by the Award Manager for three (3) years or the required retention period specified in the award agreement, or the retention schedule prepared by the Secretary of State, whichever is longer.

Additional supporting records such as the fixed asset records for real property and equipment acquired with grant or financial assistance funds will be retained for three (3) years after disposition. Indirect cost rate proposals and cost allocation plans will be retained for three (3) years following the end of the fiscal year (or other accounting period) covered by the proposal, plan, or other computation.

The retention period begins following the submission date of the audit report covering the entire award period, or until all issues resulting from litigation, audit/audit resolution, or claims have been resolved, whichever is later.

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

03/24/2014

**Date Rec'd**

3/12/2014

**Clerk's File #**

OPR 2014-0210

**Renews #****Submitting Dept**

STREET

**Cross Ref #****Contact Name/Phone**

GERALD OKIHARA 232-8842

**Project #****Contact E-Mail**

GOKIHARA@SPOKANECITY.ORG

**Bid #**

3988-14

**Agenda Item Type**

Purchase w/o Contract

**Requisition #**

VBO

**Agenda Item Name**

1100 - VALUE BLANKET ORDER - WESTERN SYSTEMS

**Agenda Wording**

Value Blanket Order with Western Systems for various types of traffic signal mounts for an annual amount not to exceed \$85,214.39.

**Summary (Background)**

Sealed bids were received on February 24, 2014 under Bid #3988-14. The requests for bids was sent out to seventeen vendors and one response was received from Western Systems. Orders for the traffic signal mounts will be placed on an as-needed basis and will supply City maintenance projects. The term of the value blanket order is one year with four one-year renewal options subject to mutual agreement.

**Fiscal Impact****Budget Account**

Expense \$ 85,214.39

# Various

Select \$

#

Select \$

#

Select \$

#

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

SERBOUSEK, MARK

**Study Session****Division Director**

QUINTRALL, JAN

**Other**

PCED 3/17/14

**Finance**

LESESNE, MICHELE

**Distribution List****Legal**

WHALEY, HUNT

lhattenburg@spokanecity.org

**For the Mayor**

SANDERS, THERESA

mhalpin@spokanecity.org

**Additional Approvals**

gokihara@spokanecity.org

**Purchasing**

PRINCE, THEA

mhughes@spokanecity.org

hstickney@spokanecity.org

## PCED Agenda Item

### Consent/Informational Item

Bid 3988-14

Contract

Project Update

Title: 1-year Value Blanket Order for signal mounts, from Western Systems, using City of Spokane Bid #3988-14, not to exceed \$85,214.39 including tax.

Date: March 17, 2014

Prepared By: Melissa Halpin

Narrative: On February 24, 2014, a sealed bid was opened after seventeen (17) formal RFB's were sent out to provide the City of Spokane with various types of Traffic Signal Mounts. One response was received from Western Systems for the amount of \$85,214.39 including tax. Prices for most items were lower than previous years. Orders will be placed as needed during value blanket order term of one (1) year with four (4) one-year renewal options subject to mutual agreement. Total value blanket order time period is not to exceed five (5) years. The orders will supply City maintenance projects. We recommend awarding the Value Blanket Purchase Order to Western Systems.

Further Updates/Information:

# CITY OF SPOKANE BID TABULATION

**BID #3988-14**

**TRAFFIC SIGNAL MOUNTS**

**DUE: 2-24-2014**

COMPANIES SUBMITTING BIDS		Western Systems 909 S.E. Everett Mall Way Everett, WA 98208	
		Unit Price	Subtotal
10 EA	P1 Countdown signal mount with: One (1) pedestrian module, 16" x 18", &: One (1) white filled L.E.D. PERSON indication with L.E.D. light source (Dialight duraLED) and One (1) orange filled L.E.D. HAND indication with L.E.D. light source (Dialight duraLED) and One (1) orange L.E.D. COUNTDOWN indication with L.E.D. light source (Dialight duraLED) Pedestrian heads with a side mount vertical terminal compartment, 1.5 inch framework One (1) 16" x 18" pedestrian module housing with clevis pin hinge & mono-stud plug for one opening, with shurlock on both openings.	\$642.53	\$6,425.30
10 EA	P2 Countdown signal mount with: Two (2) pedestrian module, 16" x 18", EACH with: One (1) white filled L.E.D. PERSON indication with L.E.D. light source (Dialight duraLED) and One (1) orange filled L.E.D. HAND indication with L.E.D. light source (Dialight duraLED) and One (1) orange L.E.D. COUNTDOWN indication with L.E.D. light source (Dialight duraLED) Pedestrian heads with a side mount vertical terminal compartment, 1.5 inch framework Two (2) 16" x 18" pedestrian module housing with clevis pin hinge & mono-stud plug for one opening, with shurlock on both openings.	\$1,085.07	\$10,850.70
10 EA	One (1) pedestrian module, 16" x 18" &: One (1) white filled L.E.D. PERSON indication with L.E.D. light source (Dialight duraLED) and One (1) orange filled L.E.D. HAND indication with L.E.D. light source (Dialight duraLED) and One (1) orange L.E.D. COUNTDOWN indication with L.E.D. light source (Dialight duraLED)	\$180.26	\$1,802.60
10 EA	One (1) 16" x 18" pedestrian module housing with clevis pin hinge & mono-	\$213.75	\$2,137.50



	stud plug for one opening, with shurlock on both openings.		
10 EA	One (1) Pedestrian push buttons type Pelco SE-2000-08/ P36.	\$43.07	\$430.70
10 EA	B(3)1 signal mount with: One (1) vertical vehicle head, each with three (3) lenses, &: have one (1) each of the following: Green ball indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Amber ball indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Red ball indication, with 12" lens and L.E.D. light source (Dialight duraLED) Vehicle head with a bracket vertical terminal compartment, 1.5" framework.	\$597.79	\$5,977.90
10 EA	B(3)2 signal mount with: Two (2) vertical vehicle heads, each with three (3) lenses, &: have one (1) each of the following: Green ball indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Amber ball indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Red ball indication, with 12" lens and L.E.D. light source (Dialight duraLED) Vehicle heads with a bracket vertical terminal compartment, 1.5" framework.	\$821.68	\$8,216.80
10 EA	B(3)1 signal mount with: One (1) vertical vehicle head with three (3) lenses, &: have one (1) each of the following; Green ARROW indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Amber ARROW indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Red ARROW indication, with 12" lens and L.E.D. light source (Dialight duraLED) Vehicle heads with a bracket vertical terminal compartment, 1.5" framework.	\$586.63	\$5,866.30
10 EA	B(5)1 signal mount with: One (1) pentagon vehicle head with five (5) lenses, & have one (1) each of the following; Green ball indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Amber ball indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Red ball indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Green arrow indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Amber arrow indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Vehicle heads with a bracket vertical terminal compartment, 1.5 " framework	\$986.63	\$9,866.30

10 EA	D(3) signal mount with: One (1) vertical vehicle head with three (3) lenses, &: have one (1) each of the following; Green ball indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Amber ball indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Red ball indication, with 12" lens and L.E.D. light source (Dialight duraLED) Vehicle heads with a 5" back plate, band-on mounting bracket with mast arm clamp, 48" adjustable band, standard length arms Supply SkyBracket mount	\$543.99	\$5,439.90
10 EA	D(3) signal mount with: One (1) vertical vehicle head with three (3) lenses, &: have one (1) each of the following; Green ARROW indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Amber ARROW indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Red ARROW indication, with 12" lens and L.E.D. light source (Dialight duraLED) Vehicle heads with a 5" back plate, band-on mounting bracket with mast arm clamp, 48" adjustable band, standard length arms Supply SkyBracket mount	\$532.83	\$5,328.30
10 EA	D(4) signal mount with: One (1) vertical vehicle head with four (4) lenses, &: have one (1) each of the following; Green ARROW indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Green BALL indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Amber BALL indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Red BALL indication, with 12" lens and L.E.D. light source (Dialight duraLED) Vehicle heads with a 5" back plate, band-on mounting bracket with mast arm clamp, 48" adjustable band, standard length arms Supply SkyBracket mount	\$670.04	\$6,700.40
10 EA	D(5) signal mount with: One (1) pentagon vehicle head with five (5) lenses, & have one (1) each of the following; Green ball indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Amber ball indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Red ball indication, with 12" lens and L.E.D. light source (Dialight duraLED)	\$935.14	\$9,351.40

	Green arrow indication , with 12" lens, and L.E.D. light source (Dialight duraLED) Amber arrow indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Vehicle heads with a 5" back plate, band-on mounting bracket with mast arm clamp, 48" adjustable band, standard length arms Supply SkyBracket mount		
	SUBTOTAL		<b>\$78394.10</b>
	SALES TAX 8.7%		<b>\$6,820.29</b>
	<b>TOTAL BID</b>		<b>\$85,214.39</b>

**THIS REQUEST FOR BIDS WAS SENT TO 20 VENDORS WITH 1 BID RESPONSE**

**NOTE: THIS BID TABULATION IS NOT AN INDICATION OF AWARD RECOMMENDATION. BIDS ARE EVALUATED BASED ON PRICING AND OTHER CRITERIA TO DETERMINE LOW RESPONSIVE BID MEETING SPECIFICATIONS. AWARD OF BID IS MADE BY CITY COUNCIL.**

DAVID A. CONDON  
MAYOR



CITY OF SPOKANE - PURCHASING  
808 W. Spokane Falls Blvd.  
Spokane, Washington 99201-3316  
(509) 625-6400  
FAX (509) 625-6413

## REQUEST FOR BIDS

City of Spokane, Washington

**BID NUMBER:** #3988-14  
**DESCRIPTION:** TRAFFIC SIGNAL MOUNTS  
**DUE DATE:** MONDAY FEBRUARY 24, 2014  
No later than 1:00 p.m.

City of Spokane - Purchasing  
4<sup>TH</sup> Floor, City Hall  
808 W. Spokane Falls Blvd.  
Spokane WA 99201-3316

**BID SUBMITTED BY:**

**COMPANY** Western Systems


**MAILING ADDRESS** 1122 Industry Street  
Bldg. B, Everett, WA 98208

**PHYSICAL ADDRESS** 1122 Industry Street  
Bldg. B, Everett, WA 98208

**PHONE NUMBER** 425.438.1133

**FAX NUMBER** 425.438.1585

**E-MAIL ADDRESS** nims@westernsystems-inc.com

**SIGNATURE:**   
Signature here will confirm compliance with all instructions,  
terms, and conditions of this Request for Bids.



Connie Wahl, C.P.M., CPPB  
Purchasing

DAVID A. CONDON  
MAYOR



CITY OF SPOKANE - PURCHASING  
808 W. Spokane Falls Blvd.  
Spokane, Washington 99201-3316  
(509) 625-6400  
FAX (509) 625-6413

February 4, 2014

## ADDENDUM NO. 1

### REQUEST FOR BIDS #3988-14 TRAFFIC SIGNAL MOUNTS

This Addendum 1 to Request for Bids #3988-14 TRAFFIC SIGNAL MOUNTS is being issued to replace pages to revise descriptions and specifications..

1. Replace Page 2, 3, 4, 10, 11, 12, 13, and 14 of Request for Bids #3988-14 document with Page 2, 3, 4, 10, 11, 12, 13, and 14 attached to this Addendum. Descriptions and specifications have been revised.

Connie Wahl, C.P.M., CPPB  
Purchasing

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**PLEASE NOTE: A SIGNED COPY OF THIS ADDENDUM MUST BE SUBMITTED WITH YOUR BID,  
OR THE BID MAY BE CONSIDERED NON-RESPONSIVE.**

The undersigned acknowledges receipt of this Addendum.

Western Systems  
Company  
  
Authorized Signature

## PART I. PRICING AND BIDDER INFORMATION

### SECTION I. PRICING

TO: CITY OF SPOKANE - PURCHASING

BID NAME: TRAFFIC SIGNAL MOUNTS

BID NO: Bid #3988-14

The purpose of this Request for Bid is to invite sealed Bids to supply The City of Spokane with Traffic Signal Mounts for the Street Department – Signals and Lighting Division. Orders will be placed as needed for a one-year period.

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
10 EA	P1 Countdown signal mount with: One (1) pedestrian module, 16" x 18", &: One (1) white filled L.E.D. PERSON indication with L.E.D. light source (Dialight duraLED) and One (1) orange filled L.E.D. HAND indication with L.E.D. light source (Dialight duraLED) and One (1) orange L.E.D. COUNTDOWN indication with L.E.D. light source (Dialight duraLED) Pedestrian heads with a side mount vertical terminal compartment, 1.5 inch framework One (1) 16" x 18" pedestrian module housing with clevis pin hinge & mono-stud plug for one opening, with shurlock on both openings.	642.53	6,425.30
10 EA	P2 Countdown signal mount with: Two (2) pedestrian module, 16" x 18", EACH with: One (1) white filled L.E.D. PERSON indication with L.E.D. light source (Dialight duraLED) and One (1) orange filled L.E.D. HAND indication with L.E.D. light source (Dialight duraLED) and One (1) orange L.E.D. COUNTDOWN indication with L.E.D. light source (Dialight duraLED) Pedestrian heads with a side mount vertical terminal compartment, 1.5 inch framework Two (2) 16" x 18" pedestrian module housing with clevis pin hinge & mono-stud plug for one opening, with shurlock on both openings.	1085.07	10,850.70
10 EA	One (1) pedestrian module, 16" x 18" &: One (1) white filled L.E.D. PERSON indication with L.E.D. light source (Dialight duraLED) and One (1) orange filled L.E.D. HAND indication with L.E.D. light source (Dialight duraLED) and One (1) orange L.E.D. COUNTDOWN indication with L.E.D. light source (Dialight duraLED)	180.26	1,802.60
10 EA	One (1) 16" x 18" pedestrian module housing with clevis pin hinge & mono-stud plug for one opening, with shurlock on both openings.	213.15	2,131.50
10 EA	One (1) Pedestrian push buttons type Pelco SE-2000-08/ P36.	43.07	430.70

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
10 EA	B(3)1 signal mount with: One (1) vertical vehicle head, each with three (3) lenses, &: have one (1) each of the following: Green ball indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Amber ball indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Red ball indication, with 12" lens and L.E.D. light source (Dialight duraLED) Vehicle head with a bracket vertical terminal compartment, 1.5" framework.	597.79	5,977.90
10 EA	B(3)2 signal mount with: Two (2) vertical vehicle heads, each with three (3) lenses, &: have one (1) each of the following: Green ball indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Amber ball indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Red ball indication, with 12" lens and L.E.D. light source (Dialight duraLED) Vehicle heads with a bracket vertical terminal compartment, 1.5" framework.	821.68	8,216.80
10 EA	B(3)1 signal mount with: One (1) vertical vehicle head with three (3) lenses, &: have one (1) each of the following: Green ARROW indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Amber ARROW indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Red ARROW indication, with 12" lens and L.E.D. light source (Dialight duraLED) Vehicle heads with a bracket vertical terminal compartment, 1.5" framework.	586.63	5,866.30
10 EA	B(5)1 signal mount with: One (1) pentagon vehicle head with five (5) lenses, & have one (1) each of the following: Green ball indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Amber ball indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Red ball indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Green arrow indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Amber arrow indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Vehicle heads with a bracket vertical terminal compartment, 1.5 " framework	986.63	9,866.30

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
10 EA	D(3) signal mount with: One (1) vertical vehicle head with three (3) lenses, &: have one (1) each of the following; Green ball indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Amber ball indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Red ball indication, with 12" lens and L.E.D. light source (Dialight duraLED) Vehicle heads with a 5" back plate, band-on mounting bracket with mast arm clamp, 48" adjustable band, standard length arms Supply SkyBracket mount	543.99	5,439.90
10 EA	D(3) signal mount with: One (1) vertical vehicle head with three (3) lenses, &: have one (1) each of the following; Green ARROW indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Amber ARROW indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Red ARROW indication, with 12" lens and L.E.D. light source (Dialight duraLED) Vehicle heads with a 5" back plate, band-on mounting bracket with mast arm clamp, 48" adjustable band, standard length arms Supply SkyBracket mount	532.83	5,328.30
10 EA	D(4) signal mount with: One (1) vertical vehicle head with four (4) lenses, &: have one (1) each of the following; Green ARROW indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Green BALL indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Amber BALL indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Red BALL indication, with 12" lens and L.E.D. light source (Dialight duraLED) Vehicle heads with a 5" back plate, band-on mounting bracket with mast arm clamp, 48" adjustable band, standard length arms Supply SkyBracket mount	670.04	6,700.40
10 EA	D(5) signal mount with: One (1) pentagon vehicle head with five (5) lenses, & have one (1) each of the following; Green ball indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Amber ball indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Red ball indication, with 12" lens and L.E.D. light source (Dialight duraLED) Green arrow indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Amber arrow indication, with 12" lens, and L.E.D. light source (Dialight duraLED) Vehicle heads with a 5" back plate, band-on mounting bracket with mast arm clamp, 48" adjustable band, standard length arms Supply SkyBracket mount	935.14	9,351.40



	<b>NOTE: Model Number for Dialight duraLED red ball is 433-1210-003XL</b> <b>Model Number for Dialight duraLED red arrow is 432-1314-001XOD</b> <b>Model Number for Dialight duraLED green ball is 433-2220-001XL</b> <b>Model Number for Dialight duraLED green arrow is 432-2324-001XOD</b> <b>Model Number for Dialight duraLED amber ball is 433-3230-901XL</b> <b>Model Number for Dialight duraLED amber arrow is 431-3334-901XOD</b> <b>Model Number for Dialight duraLED Countdown Pedestrian Signal is 430-6479-001X</b>		
	<b>NOTE: All quantities are estimates only based on annual usage for evaluation purposes. Orders will be placed on "as needed" basis during the contract period.</b>		
	<b>TOTAL BID</b>		<b>78,394.10</b>
	<b>WA STATE SALES TAX (8.7%)</b>		<b>6,820.29</b>
	<b>GRAND TOTAL</b>		<b>85,214.39</b>

Percentage off retail price for additional Traffic Signal Mount items not identified: 30%

Payment Terms: Net 30 days

**Payment:** Supplier will accept credit card X YES      NO. If yes, state any additional charge or discount for credit card payments. 2% Additional Fee

**Delivery:** We (I) will deliver partial the above items within 30 days and complete within 45 days from receipt of order.

F.O.B. Delivery Point: City of Spokane Street Department – Signals and Lighting Division, 901 N. Nelson St., Spokane, WA 99202.

SIGNATURE ON COVER PAGE ACKNOWLEDGES AGREEMENT TO FURNISH THE ABOVE ITEMS AT THE PRICES STATED, SUBJECT TO THE CONDITIONS AND REQUIREMENTS OF THIS BID.

## SECTION II. BIDDER INFORMATION

Company Name: Western Systems  
(Type or Print)

By: Robert W. Nims Title: President  
(Type or Print)

Please indicate person to be contacted by the City concerning items(s) being bid:

Name: Robert Nims Phone: 425.438.1133

## BUSINESS REGISTRATION REQUIREMENT

Section 8.01.070 of the Spokane Municipal Code states that no person may engage in business with the City without first having obtained a valid annual business registration. The Bidder shall be responsible for contacting the State of Washington Business License Services at <http://bls.dor.wa.gov> or 1-800-451-7985 to obtain a business registration. If the Bidder does not believe it is required to obtain a business registration, it may contact the City's Taxes and Licenses Division at (509) 625-6070 to request an exemption status determination.

CITY OF SPOKANE BUSINESS REGISTRATION NUMBER: UBI # 602 090 725 001 0002

## ORGANIZATION

Proposal of an ( ) individual ( ) partnership (X) corporation organized and existing under the Laws of the State of Washington

T12047274BUS

## ADDITIONAL ITEMS

The City of Spokane reserves the right to purchase additional items at the Bid price. Vendor agrees to sell at the same price, terms and conditions.

YES X NO \_\_\_\_\_ If yes, prices are good until further notice

## ORIGINAL PRODUCT/EQUIPMENT MANUFACTURER

State name(s) and address(es) of Original Equipment Manufacturer (OEM) and distributors (if applicable) to be used in the production and delivery of your product.

NAME	ADDRESS	ZIP	
Western Systems	1122 Industrial Street Bldg B Everett, WA	98203	Also using
Eagle Traffic	8004 Cameron Road Austin, TX	78758	McCain &
Didymit	1501 Route 34 South Farmingdale, NY	07727	Sky-Bracket
Peko Products	320 West 18th Street Edmond, OK	73013	

## MINORITY BUSINESS ENTERPRISE

Vendor (is \_\_\_\_, is not X) a Minority Business Enterprise. A Minority Business Enterprise is defined as a "business, privately or publicly owned, at least 51% of which is owned by minority group members." For purpose of this definition, minority group members are Blacks, Hispanics, Asian Americans, American Indian or Alaskan Natives, or Women.

## SMALL BUSINESS

Vendor (is \_\_\_\_, is not X) a small business concern. (A small business concern for the purpose of government procurement is a concern, including its affiliates, which is independently owned and operated, is not dominant in the field of operations in which it is bidding on government contracts, and can further qualify under the criteria concerning number of employees, average annual receipts, or other criteria as prescribed by the Small Business Administration).

## PART II. SPECIFIC TERMS AND CONDITIONS

### 1. DEFINITIONS

- Bidder - one who submits a Bid.
- Vendor - Bidder to whom contract or purchase order is awarded.
- Purchaser - City of Spokane and other government agencies (Pursuant to RCW 39.34).
- Destination-Delivery - Delivery to the receiving dock or ground floor of building only; NOT to include uncrating and installation.

e. Until Further Notice - Any time in excess of sixty (60) days from date of opening.

f. Cost - Total cost of ownership based on the best available information.

## **2. NON-COLLUSION**

The Bidder certifies that his/her firm has not entered into any agreement of any nature whatsoever to fix, maintain, increase or reduce the prices or competition regarding the items covered by this Bid invitation.

## **3. INTERLOCAL PURCHASE AGREEMENTS**

The City of Spokane has entered into Interlocal Purchase Agreements with other public agencies pursuant to RCW 39.34. In submitting a response the Vendor agrees to sell additional items at the Bid price, terms and conditions to the City of Spokane and other public agencies contingent upon the seller's review and approval at the time of a requested sale. Any price de-escalation/escalation provisions of this Bid Proposal shall apply in the case of a sale of additional items. Seller's right to refuse to sell additional items at the time of request shall be absolute.

## **4. CONTRACT ITEMS**

This is an optional use contract with no guarantees that the City will order all items listed. **Quantities are an estimate only, based on a one-year period, for evaluation purposes.** The City reserves the right to add or delete items from contract as needed. **Items will be ordered on an "as needed" basis during the contract period.** Contract will be issued as a blanket order.

## **5. CONTRACT PERIOD**

The contract shall begin upon award by City Council, for a period of one year.

## **6. RENEWAL**

Contract renewals or extensions shall be initiated at the discretion of the City and subject to mutual agreement. The contract may be extended for four (4) additional one-year contract periods with the total contract period not to exceed five (5) years.

## **7. ACCEPTANCE PERIOD**

Bids must provide sixty (60) days for acceptance by the City from the due date for receipt of Bids.

## **8. FIRM PRICING/NON-ESCALATION**

The Vendor's prices shall be firm throughout the contract period with no provision for price increases unless specific provisions are proposed and agreed upon at time of contract renewal. Vendor must request pricing adjustment in writing with a minimum notice of thirty (30) days before renewal. Discount percentages offered will remain unchanged throughout the life of the contract and any renewals.

## **9. PRICE DECREASES**

During the contract period and any renewals thereof, price decreases at manufacturer's and wholesaler's levels shall be reflected in a contract price reduction to the Purchaser retroactive to the Vendor's effective date.

## **10. INVENTORY**

Sufficient inventory to supply the needs of the Purchaser shall be maintained by the Vendor. Use this sentence

## **11. GUARANTEE**

The Vendor guarantees all of the work or materials described in the specifications, including any authorized modifications thereto, for a period of One (1) year from the date of final acceptance of the work, as follows:

- a) Against all faulty or imperfect materials, and against all imperfect or careless and/or unskilled workmanship.

- b) Against all injury or undue deterioration from proper and usual use of the work.

The Vendor shall remove or restore, without cost to the Purchaser, any work which may be found to be improper, imperfect or defective or fails to perform as specified.

## 12. DELIVERY DEFAULT

- A. The acceptance of late performance by the Purchaser shall not waive the right to claim damage for such breach nor constitute a waiver of the requirements for the timely performance of any obligations remaining to be performed by Vendor.
- B. When items ordered are not delivered within the terms and time frame established by the contract, Purchaser may procure comparable units from another source and Vendor will be required to pay any differences in cost.

## PART III. INSTRUCTIONS AND SPECIFICATIONS

### SECTION I. GENERAL INSTRUCTIONS

These instructions and specifications will establish minimum acceptable requirements attempting to take advantage of latest developments.

1. The items to be furnished by the Bidder on this Bid must be of the latest possible design and production.
2. Time is of the essence in the performance of this contract.
3. Material Safety Data Sheets must be included with Bid Proposal forms if applicable.
4. All freight expenses shall be the responsibility of the winning Vendor.
5. References are to be included with Bid Proposal forms. Bidder shall furnish names, addresses, telephone numbers, and email addresses of representatives of at least five companies/municipalities which have been continually using the product being bid for at least two years. If no references are completely applicable, provide two references which most nearly apply. References must be located in similar climates. City reserves the right to contact other companies that are known to use Bidder's products.

<u>City of Spokane</u>	<u>Connie Wahl / Bob Horrocks</u>
<u>Montana DOT</u>	<u>Phil Balseby / Steve Keller</u>
<u>City of Seattle</u>	<u>Loren Reynolds</u>
<u>City of Tacoma</u>	<u>Joe Nelson</u>
<u>City of Renton</u>	<u>Eric Cutshall</u>

*we will furnish emails & phone numbers if required*

6. Successful Bidder will designate a representative who will be available during regular City business hours to serve as a primary contact for the City in the implementation of this supply agreement.
7. The City of Spokane reserves the right to accept or reject any variance from the published specifications and to award the Bid in a manner that is most advantageous to the continued efficient operation of the City.
8. The City reserves the right to accept or reject any part of or all Bids, and to accept the Bid deemed to be in the best interest of the City.

9. The City of Spokane reserves the option of awarding this purchase by item grouping or by any manner most advantageous for the City.
10. Bidder should be aware that Bids may be rejected if all questions are not completely and correctly answered.
11. Signature on the cover page of this Bid by the Bidder will confirm acknowledgment of receipt and understanding of all instructions, terms, and conditions of this Request for Bids.

## **SECTION II. SPECIAL INSTRUCTIONS**

1. **Any specification questions concerning this Bid should be directed to Bob Horrocks, Street Department at (509) 232-8814 or Melissa Halpin, Street Department at (509) 232-8843. Any administrative questions concerning this Bid should be directed to Connie Wahl, Purchasing – [cwahl@spokanecity.org](mailto:cwahl@spokanecity.org).**
2. **Supplier or freight line must give 24 hours notice before delivery to Bob Horrocks, (509) 232-8814 to arrange for unloading.**
3. The traffic signal mounts must be bid in accordance with the specifications following in Section III "Technical Specifications" of Part III "Instructions and Specifications" including all attached drawings.
4. More than one Make/Model may be bid if a separate technical is completed for each Make/Model.
5. If the product differs from the provisions contained herein, these differences must be explained in detail.
6. Vendors found to have "overstated" the true ability of their product shall reimburse the City for all costs incurred with remanufacturing or replacement of units until all criteria has been satisfied. These costs shall also include legal, rentals, travel, etc.
7. Any references herein to a particular make or model number are intended not to be restrictive, but to set forth an acceptable level of quality and design.
8. The omission of any standard feature described herein shall not void the Bidder's responsibility to furnish a complete unit with all standard equipment of the manufacturer's latest model and design. Equipment to be furnished shall be new and unused unless a demo unit is specified.
9. Successful Bidder shall furnish standard warranty as well as any other warranty required in the Bid specifications along with statement as to where and how such warranty work will be performed.
10. Federal and State laws governing this product and its final certification must be satisfied.
11. It shall be the Vendor's responsibility to conform to all Federal Standards for certification.
12. The items bid, with possible different options may either be leased or purchased by the City of Spokane or other governmental entity pursuant to RCW 39.34
13. The unit, as specified, and all equipment, standard and optional, shall be complete and ready for installation when delivered.
14. The following technical specifications are the minimum acceptable specifications and failure to comply may be used as a basis for rejection of the Bid.

**I ACKNOWLEDGE RECEIPT OF AND COMPLIANCE WITH THE ABOVE PART III INSTRUCTIONS AND SPECIFICATIONS**

*RWN*

INITIAL

**SECTION III. TECHNICAL SPECIFICATIONS**

It is the intent of these specifications to describe Traffic Signal Mounts for the City of Spokane Street Department – Signals and Lighting Division. Note attached Standard Plans: J-102, J-102A, J-103A, J-103B and J-103C. These attached plans are hereby included in this bid by reference.

**The City of Spokane will determine if items bid meet minimum specifications and are acceptable based on evaluation of items bid and, if requested, samples or pictures. Failure to comply may be used as a basis for rejection of the bid.**

Bidder must acknowledge each specification shown in Section III, Technical Specifications, as follows:

**A. "To Be Supplied" Column**

Bidder will initial when the product offered is equal to or better than the individual specification. State your exact capabilities if different from specification stated or a tolerance is given.

**B. "Exceptions" Column**

Explain all exceptions to specification as stated. **NOTE:** All equivalents (substitutes) require explanation. (Use additional paper with reference to item number and respective question (number)).

MINIMUM TECHNICAL SPECIFICATIONS	TO BE SUPPLIED	EXCEPTIONS
<b>I. TRAFFIC SIGNAL MOUNTS</b>		
1. Traffic signal mounts shall be fabricated from traffic signal heads, standard fittings, pipe and terminal compartments.	X	
2. All material required assembling the signal mount as shown on the Traffic Signal Standard Plans.	X	
<b>II. SIGNAL HEADS</b>		
1. Each signal head shall be of the adjustable single- face type.	X	
2. Unless otherwise indicated, each signal head shall have three (3) circular indications arranged as follows: red at the top, yellow at the center, green at the bottom.	X	
3. LED signal modules shall be Dialight with no substitute exceptions.	X	
<b>III. CONVENTIONAL 12-INCH TRAFFIC SIGNAL HOUSING</b>		
1. The signal head housing or case shall consist of separate sections, expandable type for vertical or horizontal mounting, substantially secured together in a watertight manner to present an appearance of a single straight continuous unit. Each section shall house an individual optical unit.	X	
2. Each section shall be complete with a one-piece hinged door mounting for the lens and other parts of the optical system, watertight gaskets, and a non-corroding door-locking device.	X	
3. The optical system shall be so mounted that the various parts may be swung open for ready access or removal.	X	

MINIMUM TECHNICAL SPECIFICATIONS	TO BE SUPPLIED	EXCEPTIONS
4. The sections shall be interchangeable and so constructed that sections can be removed or added.	X	
5. All parts of the housing, including the doors and end plates, shall be of die cast anodized aluminum conforming to the provisions of ASTM Designation B-85: and all parts shall be clean, smooth, and free from flaws, cracks, blowholes, or other imperfections.		NOT ANODIZED X
6. Each section shall be provided with drilled holes for attaching standard back plates without flanges or brackets.	X	
7. All parts such as hinge pins, locking devices, etc., shall be made of stainless steel.	X	
8. A terminal block of an approved type shall be mounted inside at the back of the housing.	X	
9. The terminal block shall have sufficient studs to terminate all field wires and lamp wires independently to the block, with separate screws.	X	
10. The terminals to which field wires are attached shall be permanently identified to facilitate field work.	X	
11. Each lens shall be protected with a removable sheet aluminum open bottom visor, unless otherwise specified and so designated as to prevent a false indication to traffic not intended to be controlled by that particular signal face.	X	
12. The inside surface of all visors shall have a flat black finish to prevent reflection.	X	
13. Visors shall be designed in such a manner as to dip downward approximately three (3) degrees from horizontal.	X	
14. Traffic signal housings shall be finished with two coats of factory applied baked enamel or be painted with a synthetic enamel electrolytically applied and oven cured.	X	
15. The color shall be dark green.	X	
<b>IV. PEDESTRIAN SIGNAL</b>		
1. Pedestrian signals shall be L.E.D. and Countdown type as defined herein.	X	
2. The nominal outside dimensions shall be 18.5 inches wide and 18.75 inches high, and 9 inches deep, including visor and hinges.	X	
3. The messages shall be the symbolic "HAND" and "WALKING PERSON" with a minimum of 12 inches in height and 7 inches in width and be the Countdown type.	X	
4. The messages shall be brightly and uniformly displayed in strong ambient light conditions when the appropriate control circuit is energized.	X	
5. The messages shall blank out under strong ambient light conditions, when not energized.	X	
6. The pedestrian signals shall be Dialight with no substitute exceptions.	X	
<b>A. Visor</b>		
1. Each signal shall be provided with a z-crate polycarbonate visor nominally 1.5 inches deep to eliminate sun phantom.	X	
2. The visor shall be enclosed in an aluminum-mounting frame.	X	
<b>B. Housing</b>		
1. The housing shall be a die cast aluminum alloy. The housing shall be free from defects such as heat check and sharp burrs. Four mounting lugs integrally cast into the top and bottom area at equal distances, permitting the door to hinge from either side.	X	(McCaig)

MINIMUM TECHNICAL SPECIFICATIONS	TO BE SUPPLIED	EXCEPTIONS
2. The housing design when properly mounted with other components and the mounting hardware shall provide a dustproof and weatherproof enclosure and provide vandal resistant access to and replacement of all components while mounted in the field.	X	
3. The housing shall provide a distance of 15.75 inches between upper, non-shurlock and the lower, shurlock mounting surfaces.	X?	MIGHT NOT BE POSSIBLE
4. The mounting surfaces shall have openings designed to accommodate standard 1.5-inch pipe brackets.	X	
<b>C. Door</b>		
1. The door frame shall be die cast aluminum alloy. The door shall be fitted with a protective crate type visor.	X	
2. All hinge pins, bolts, captive wing-nuts, and washers shall be stainless steel.	X	
3. Latching or unlatching of the door shall require no tools and be vandal resistant.	X	
<b>D. Painting</b>		
1. The door and housing shall be painted with a synthetic enamel electrolytically applied, oven cured, or shall be finished with two coats of factory applied baked enamel.	X	
2. The color shall be dark green.	X	
<b>V. SIGNAL HEAD MOUNTING BRACKETS AND FITTINGS</b>		
1. Signal head assemblies shall be fabricated from standard traffic signal fittings, brackets, terminal compartments and/or standard pipe of 1.5 inches size as shown in the Traffic Signal Standard Plans.	X	
2. All unused openings in signal heads and/or framework shall be plugged.	X	
3. Traffic signal fittings, brackets, terminal compartments and/or pipe shall be painted as shown on the Traffic Signal Standard Plans.	X	
4. Terminal compartments shall be provided as part of the signal mounts.	X	
5. Terminal compartments shall be bronze and shall be of adequate size to accommodate a terminal block containing not less than 12 termination points, each with two pressure type connectors.	X	
6. Each connector shall be capable of holding five or more No. 14 AWG conductors.	X	
7. Bracket mounted signals shall have suitable vertical terminal compartments to attach them to steel poles and to permit internal wiring.	X	
8. Brackets shall have a saddle of the proper size to be properly attached to the pole used. Cable chase to be nearly centered, vertically & horizontally.	X	
9. Stainless steel banding straps shall be provided and be 3/4 inch x 0.030 inch non-magnetic and of Band-It Type C206 or equal as shown in the Traffic Signal Standard Plans.		Not Supplied X
10. Stainless steel buckles shall be provided and be 3/4 inch and of Band-It Type C256 or equal as shown in the Traffic Signal Standard Plans.		Not Supplied X
11. Mast arm signal mounting brackets shall be the SkyBracket Standard Clamp Kit, Model SB29-SCK with no substitute exceptions.	X	
<b>VI. BACK PLATES</b>		
1. Back plates shall be furnished where shown on the Traffic Signal Standard Plans.	X	
2. One piece back plates shall be provided.	X	
3. All required mounting hardware shall be stainless steel and furnished. Back plates shall be constructed of anodized, 3-S half hard aluminum sheet 0.051-inch minimum thickness and of the dimensions shown in the standard details.		Not Anodized X



MINIMUM TECHNICAL SPECIFICATIONS	TO BE SUPPLIED	EXCEPTIONS
4. Back plates shall be color impregnated or finished with two coats of flat black enamel on both sides.	X	
<b>VII. PEDESTRIAN PUSH BUTTONS</b>		
1. The assembly shall meet the minimum current proposed standards/requirements of the American with Disabilities Act (ADA).		X Unknown
2. Pedestrian push buttons shall be of substantial tamper-proof construction. They shall consist of direct push-type button and a single momentary contact switch in a cast metal housing	X	
3. The switch shall be rated 10 amperes, 125 volts.	X	
4. The assembly shall be weatherproof and so constructed that it will not be possible to receive any electrical shock under severe weather conditions.	X	
5. The housing back shall be curved and readily attachable and form fitting to the pole.	X	
6. Saddles shall be provided to make a neat fit when required.	X	
7. The housing shall not have an integrated sign mount.	X	
8. The housing back shall have two nearly equal sized mounting holes such that two 12/24 machine screws can be set at 2&5/16 ((+) or (-) 1/32) inches on center.	X	
9. The housing back shall have a wiring hole, a minimum of 5/8 inches in diameter, which shall be centered between the two mounting holes.	X	
<b>VIII. QUOTE ATTACHMENTS</b>		
1. Acknowledge receipt and review of the following attached file: COS Standard Plan J-102.	X	
2. Acknowledge receipt and review of the following attached file: COS Standard Plan J-102A.	X	
3. Acknowledge receipt and review of the following attached file: COS Standard Plan J-103A.	X	
4. Acknowledge receipt and review of the following attached file: COS Standard Plan J-103B.	X	
5. Acknowledge receipt and review of the following attached file: COS Standard Plan J-103C.	X	

MINIMUM TECHNICAL SPECIFICATIONS	TO BE SUPPLIED	EXCEPTIONS
<p><b>BUY AMERICA:</b> The major quantities of steel and iron construction material that is permanently incorporated into the project shall consist of American-made materials only.</p> <p>American-made material is defined as material having all manufacturing processes occurring domestically. To further define the coverage, a domestic product is a manufactured steel material that was produced in one of the 50 States, the District of Columbia, Puerto Rico, or in the territories and possessions of the United States.</p> <p>If domestically produced steel billets or iron ingots are exported outside of the area of coverage, as defined above, for any manufacturing process then the resulting product does not conform to the Buy America requirements. Additionally, products manufactured domestically from foreign source steel billets or iron ingots do not conform to the Buy America requirements because the initial melting and mixing of alloys to create the material occurred in a foreign country.</p> <p>Manufacturing begins with the initial melting and mixing, and continues through the coating stage. Any process, which modifies the chemical content, the physical size or shape, or the final finish, is considered a manufacturing process. The processes include rolling, extruding, machining, bending, grinding, drilling, welding, and coating. The action of applying a coating to steel or iron is deemed a manufacturing process. Coating includes epoxy coating, galvanizing, aluminizing, painting, and any other coating that protects or enhances the value of steel or iron. Any process from the original reduction from ore to the finished product constitutes a manufacturing process for iron.</p> <p><b>INITIAL IN THIS TABLE TO ACKNOWLEDGE COMPLIANCE</b></p>	<p>X</p> <p><i>RAW</i></p>	

## **PART IV. BID SUBMISSION AND EVALUATION**

### **SECTION I. BID SUBMISSION**

#### **1. PREPARATION OF BIDS**

All Bids shall be typed or printed in ink, prepared on the document furnished by the Purchaser and signed by an authorized person of Bidder's firm. Use recycled paper and both sides of paper sheets whenever practicable. If errors are made, they may be crossed out. Corrections shall be printed in ink or typewritten adjacent and initialed in ink by the person signing the Bid. IF THE BIDS CONTAIN ANY OMISSION, ERASURES, ALTERATIONS, ADDITIONS, OR ITEMS NOT CALLED FOR IN THE PROPOSAL, OR CONTAIN IRREGULARITIES OF ANY KIND, IT MAY CONSTITUTE SUFFICIENT CAUSE FOR REJECTION.

#### **2. PREPARATION OF ENVELOPES**

Place each copy of the Bid in a separate sealed envelope. On the front of each envelope, clearly note if it contains the original or a copy and place the following information:

**"SEALED BID – IMPORTANT"**  
**"BID#3988-14 TRAFFIC SIGNAL MOUNTS"**  
**"DUE: MONDAY, FEBRUARY 24, 2014 – 1:00 P.M."**  
**YOUR COMPANY NAME, CITY, & STATE**

#### **3. SUBMISSION OF BIDS**

**Submit Two (2) copies of the Bid, as follows:**

**Original paper Bid and One (1) reproducible digital copy (CD or thumb drive) to:**

**City of Spokane – Purchasing**  
**4<sup>th</sup> Floor – City Hall**  
**808 West Spokane Falls Blvd.**  
**Spokane WA 99201**

**NOTE: Proposals will not be accepted by fax or email**

The Purchaser is not responsible for Bids delivered late. It is the responsibility of the Bidder to be sure the Bids are sent sufficiently ahead of time to be received **no later than 1:00 PM local time** on the opening date. City Hall is now a secured building. If the Proposer is hand delivering a Proposal, note that additional time is required to sign in, receive a visitor's pass, and gain entrance to the building.

Sealed Bids will be publicly opened at 1:15 p.m., Monday, February 24, 2014, here in the City of Spokane City Hall Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201.

#### **4. INTERPRETATION**

If the Bidder discovers any errors, discrepancies or omissions in the Bid specifications, or has any questions about the specifications, the Bidder must notify Purchasing in writing. Any addenda issued by the Purchaser will be incorporated into the contract or purchase order.

#### **5. WITHDRAWAL OF BIDS**

Bidders may make written request to Purchasing for withdrawal of a sealed Bid prior to the scheduled Bid opening. Unless otherwise specified, no Bids may be withdrawn for a minimum of sixty (60) calendar days after the opening date.

## **SECTION II. BID EVALUATION**

### **1. EVALUATION OF BIDS**

Evaluation of Bids shall be based upon the following criteria, where applicable:

- The price, including the effect of discounts. Price may be determined by life cycle costing or total cost bidding, when advantageous to the Purchaser.
- The quality of the items bid, their conformity to specifications and the purpose for which they are required.
- The Bidder's ability to provide prompt and efficient service and/or delivery.
- The character, integrity, reputation, judgment, experience and efficiency of the Bidder.
- The quality of performance of previous contracts or services.
- The previous and existing compliance by the Bidder with the laws relating to the contract or services.
- Uniformity or interchangeability.
- The energy efficiency of the product throughout its life.
- Any other information having a bearing on the decision to award the contract.

### **2. BIDDING ERRORS**

Unit pricing will prevail in the circumstance of unit and extension pricing discrepancies. When, after the opening and tabulation of Bids, a Bidder claims error, and requests to be relieved of award, he will be required to promptly present certified work sheets. The Purchaser will review the work sheets and if the Purchaser is convinced, by clear and convincing evidence, that an honest, mathematically excusable error or critical omission of costs has been made, the Bidder may be relieved of his Bid.

### **3. BIDDER PREQUALIFICATION**

Prior to award of contract or purchase, Bidders shall be required to submit evidence of sufficient facilities, equipment, experience and financial ability to insure completion of the work, unless waived by the Purchaser.

### **4. REJECTION OF BIDS**

The Purchaser reserves the right to reject any or all Bids; to waive minor deviations from the specifications, to waive any informality in Bids received, whenever it is in the Purchaser's best interest, and to accept or reject all or part of this Bid at prices shown.

### **5. AWARD OF CONTRACT**

Award of contract or purchase, when made, will be to the Bidder whose Bid is the most favorable to the Purchaser, taking into consideration price and the other evaluation factors. STATE CONTRACTS WHERE APPLICABLE WILL BE CONSIDERED AS A BID. The City Council shall make the award of contract or purchase. Unsuccessful Bidders will not automatically be notified of Bid results.

## **PART V. STANDARD TERMS AND CONDITIONS**

### **1. PATENTS, TRADEMARKS AND COPYRIGHTS**

The Vendor warrants the items to be furnished do not infringe any patent, registered trademark or copyright, and agrees to hold Purchaser harmless in the event of any infringement or claim thereof.

### **2. TITLE**

The Vendor warrants that the items to be furnished are free and clear of all liens and encumbrances and that the Vendor has good and marketable title to same.

### **3. COMPLIANCE WITH LAWS**

The Vendor shall comply with all applicable federal, state and local laws, rules, and regulations, affecting its performance and hold the Purchaser harmless against any claims arising from the violation thereof.

### **4. CONTRACT DISPUTES**

Any contract agreement shall be performed under the laws of the State of Washington. Any litigation to enforce such agreement or any of its provisions shall be brought in Spokane County, Washington.

### **5. OVERCHARGES**

The Vendor assigns to the Purchaser any claims for anti-trust violations or overcharges relating to items purchased in filling the Purchaser's orders. The Vendor warrants that its suppliers will also assign any such claims.

### **6. WARRANTIES**

The Vendor warrants that the items furnished will conform to its description and any applicable specifications, shall be of good merchantable quality and fit for the known purpose for which sold. This warranty is in addition to any standard warranty or service guarantee by Vendor to the Purchaser.

### **7. UNIFORM COMMERCIAL CODE**

The Uniform Commercial Code (UCC), as effective in Washington State, RCW Title 62A, shall determine the rights and duties of the Vendor and the Purchaser.

### **8. NON-DISCRIMINATION**

No individual shall be excluded from participation in, denied the benefit of, subjected to discrimination under, or denied employment in the administration of or in connection with this agreement because of age, sex, race, color, religion, creed, marital status, familial status, sexual orientation, national origin, honorably discharged veteran or military status, the presence of any sensory, mental or physical disability, or use of a service animal by a person with disabilities.

### **9. SAVE HARMLESS**

Vendor shall protect, indemnify and save the Purchaser harmless from and against any damage, cost or liability for any injuries to persons or property arising from acts or omissions of Vendor, his employees, agents or sub-contractors, howsoever caused.

### **10. TAXES**

- FEDERAL. The Purchaser is exempt from federal excise taxes. Exemption certificates will be furnished on request.
- SALES TAX. The City of Spokane is required to pay Washington State Sales/Use Tax on all purchases. All bidders whether inside or outside the State of Washington shall show the sales tax applicable to this bid. All taxes payable by the City of Spokane as a result of this contract are considered a part of the bid evaluation. Washington State Sales Tax is payable by the City of Spokane direct to the State of Washington on awards made to out-of-state vendors who do not have a Washington State Sales Tax Number. If you have any questions concerning sales tax, contact the Washington State Department of Revenue (509) 482-3800.

- Business, occupational and personal property taxes are the responsibility of the Vendor.

**11. BRAND NAME "OR EQUAL"**

Brand names and numbers, when used, are for the purpose of indicating the desired quality, performance or use. Vendors may offer other brands of comparable or better quality, performance and use. Descriptive literature shall also be submitted, when available. Any Bid containing a brand which is not of equal quality, performance or use, must be represented **as an alternate and not as an equal**.

**12. QUANTITIES**

Quantities, when used, are estimates only and are given for the purpose of comparing Bids on a uniform basis. Quantities shall be Bid on a more or less basis. Payment will be made only for quantities actually ordered, delivered and accepted, whether greater or less than the stated amounts.

**13. ASSIGNMENTS**

The provisions or monies due under the contract or purchase order shall be assignable only with the prior consent of Purchasing.

**14. CHANGES**

No alteration in any of the terms, conditions, delivery, price, quality or specifications of items ordered will be effective without the written consent of Purchasing.

**15. DEFAULT**

The Vendor agrees that if a law suit is instituted by the Purchaser for any default on the part of the Vendor, and the Vendor is adjudged to be in default, he/she shall pay to the Purchaser all costs and expenses, expended or incurred by the Purchaser in connection therewith, and reasonable attorney's fees. Venue shall be in the County of Spokane, Washington.

**16. REJECTION**

All items purchased herein are subject to approval by the Purchaser. Any rejection of items resulting because of non-conformity to the terms or specifications of this order whether held by the Purchaser or returned, will be at the Vendor's risk and expense.

**17. TERMINATION**

In event of a breach by Vendor of any of the provisions of this order, Purchaser reserves the right to terminate upon immediate oral or written notification to the Vendor. Vendor shall be liable for damages suffered by the Purchaser resulting from Vendor's breach of contract.

**18. NON-WAIVER**

No delay or waiver, by either party, to exercise any contractual right shall be considered as a waiver of such right or any other right.

**19. SEVERABILITY**

In the event any provision of this contract should become invalid, the rest of the contract shall remain in full force and effect.

**20. MINORITY BUSINESS OPPORTUNITIES**

Purchaser actively solicits the participation of certified minority business enterprises in the bidding of any and all goods or services.

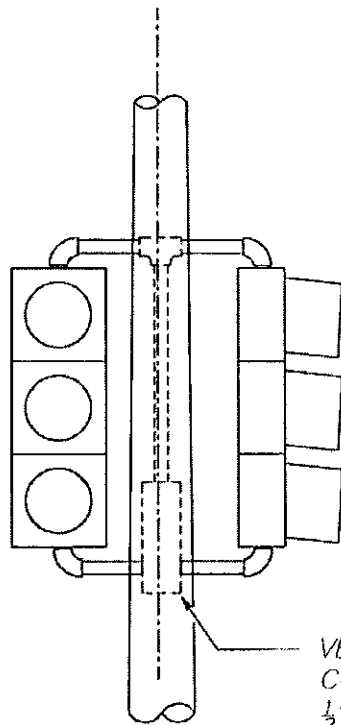
**21. FREIGHT TERMS**

- All freight charges included on an invoice must be supported by a freight bill.
- The Purchaser reserves the right to be advised of selection of method and type of carrier.

- No charges will be allowed for handling, including but not limited to packing, wrapping, bags, containers or reels, unless otherwise stated herein.
- All invoices, packing lists, packages, shipping notices, instruction manuals, and other written documents affecting this order shall contain the applicable purchase order number. Packing lists shall be enclosed in every box or package shipped pursuant to this order, indicating the contents therein. Invoices will not be processed for payment until all items invoiced are received.
- Risk of Loss. Regardless of F.O.B. point, Vendor agrees to bear all risks of loss, injury or destruction of items ordered herein which occur prior to delivery; such loss, injury or destruction shall not release Vendor from any obligation hereunder.

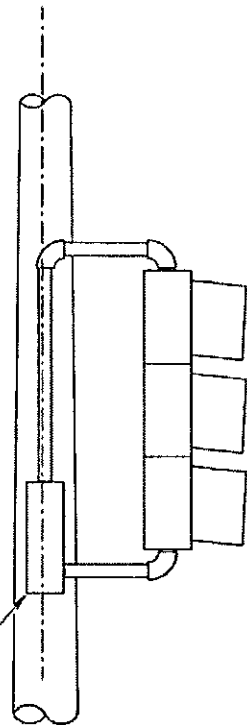
## **22. VENDOR'S COOPERATION**

The Vendor shall communicate with City of Spokane Purchasing and shall actively cooperate in all matters pertaining to this contract or purchase in any way Purchasing may direct to the end that the Purchaser shall receive efficient and satisfactory service.



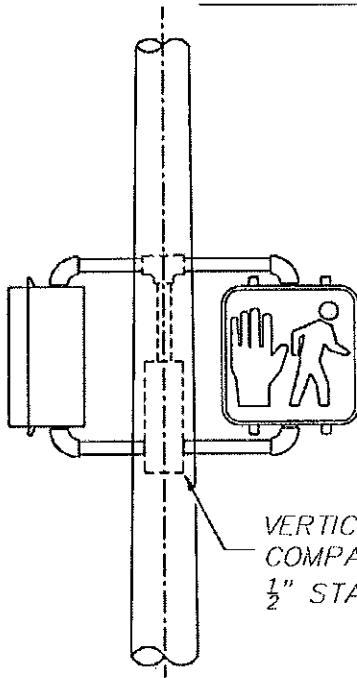
B2

VERTICAL TERMINAL  
COMPARTMENT. MOUNT WITH  
 $\frac{1}{2}$ " STAINLESS STEEL BOLTS.



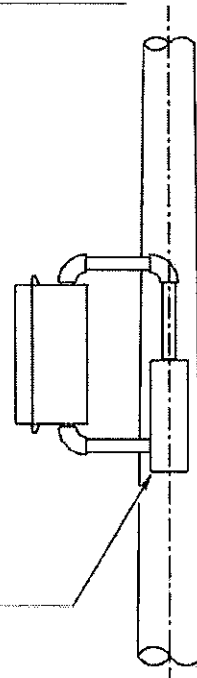
B1

SIGNAL MOUNT COLOR - DARK GREEN



P2

VERTICAL TERMINAL  
COMPARTMENT. MOUNT WITH  
 $\frac{1}{2}$ " STAINLESS STEEL BOLTS.



P1

APPROVED BY  
*[Signature]*  
DIRECTOR, ENGINEERING SERVICES TOM L. ARNOLD, P.E.  
*[Signature]*  
PRINCIPAL ENGINEER, DESIGN GARY S. NELSON, P.E.

ADOPTED: 05/1997  
REVISED: 05/2007  
SUPERSEDES: 05/1997  
CHECKED BY: GTO  
SCALE: NTS  
DWG/REV. BY: CVH

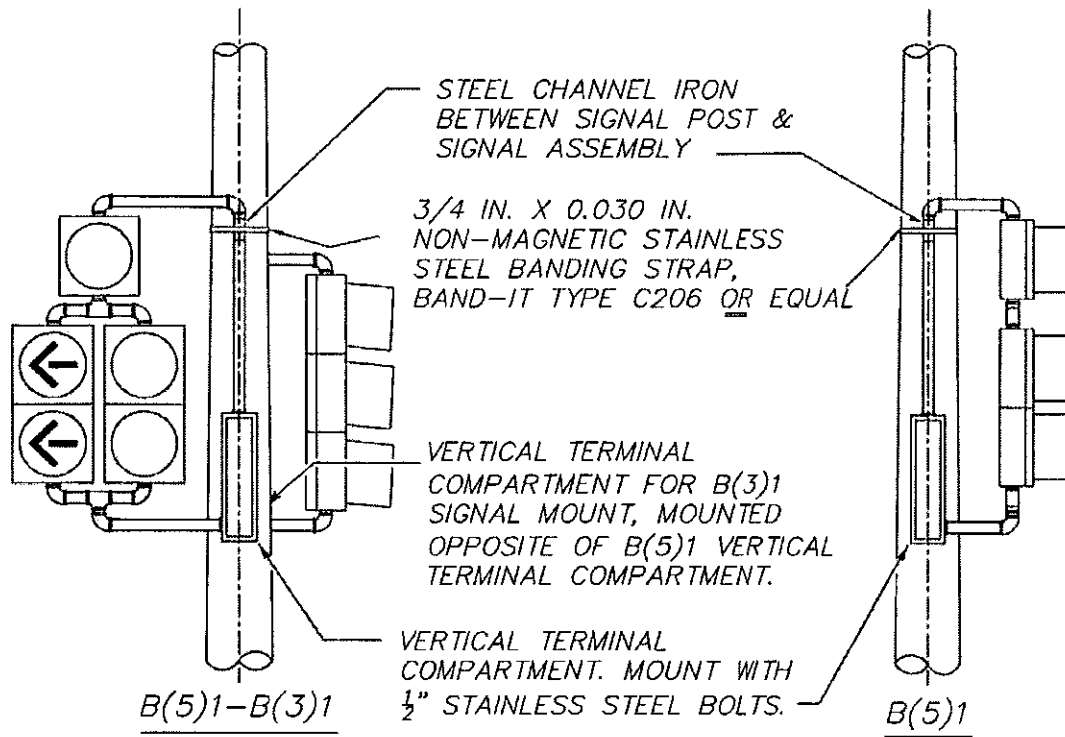


BRACKET SIGNAL MOUNTINGS  
TYPES B(5)1-B(3)1 & B(5)1

ENGINEERING SERVICES  
CITY OF SPOKANE, WASHINGTON

STANDARD  
PLAN No.  
J-102





3/4 IN. STAINLESS  
STEEL BUCKLE, BAND-IT  
C256 OR EQUAL

SIGNAL POST

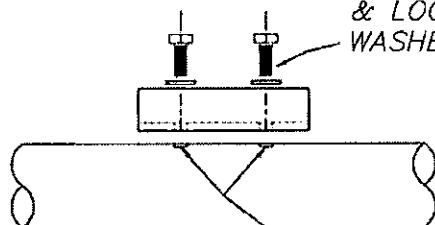
CHANNEL IRON  
BOLTED TO SIGNAL  
ASSEMBLY

SIGNAL ASSEMBLY

3/4 IN. X 0.030 IN.  
NON-MAGNETIC STAINLESS  
STEEL BANDING STRAP,  
BAND-IT TYPE C206 OR EQUAL

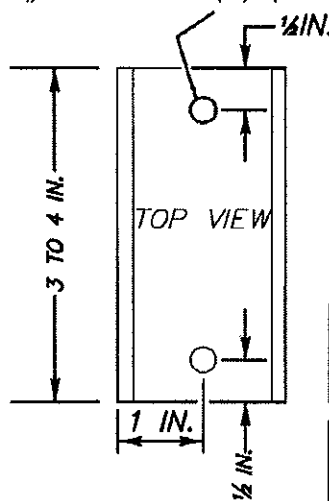
TOP VIEW

#12-24 BOLT  
& LOCK  
WASHER



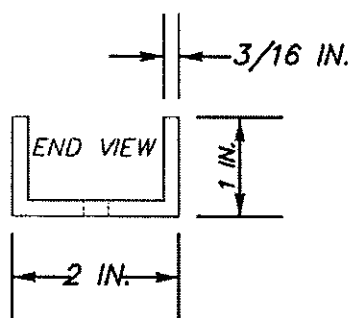
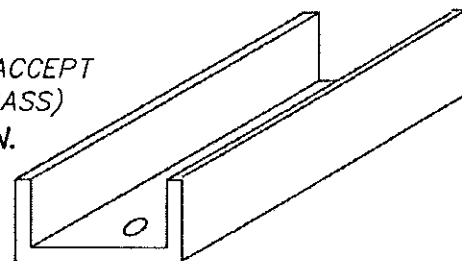
DRILL AND TAP HOLE(S) IN  
SIGNAL ASSEMBLY TO  
ACCEPT #12-24 BOLT(S)

DRILL HOLES(2) TO ACCEPT  
#12-24 BOLT(S) (BRASS)



TOP VIEW

\* STEEL CHANNEL IRON



END VIEW

\* STEEL CHANNEL IRON AND APPLICABLE APPURTENANCES  
SHALL BE SUPPLIED BY THE CONTRACTOR INSTALLING  
THESE TYPES OF SIGNAL MOUNTS.

SIGNAL MOUNT COLOR - DARK GREEN

APPROVED BY

*Thomas A. Arnold*  
DIRECTOR / ENGINEERING SERVICES  
TOM L. ARNOLD, P.E.  
*Gary S. Nelson*  
PRINCIPAL ENGINEER, DESIGN  
GARY S. NELSON, P.E.

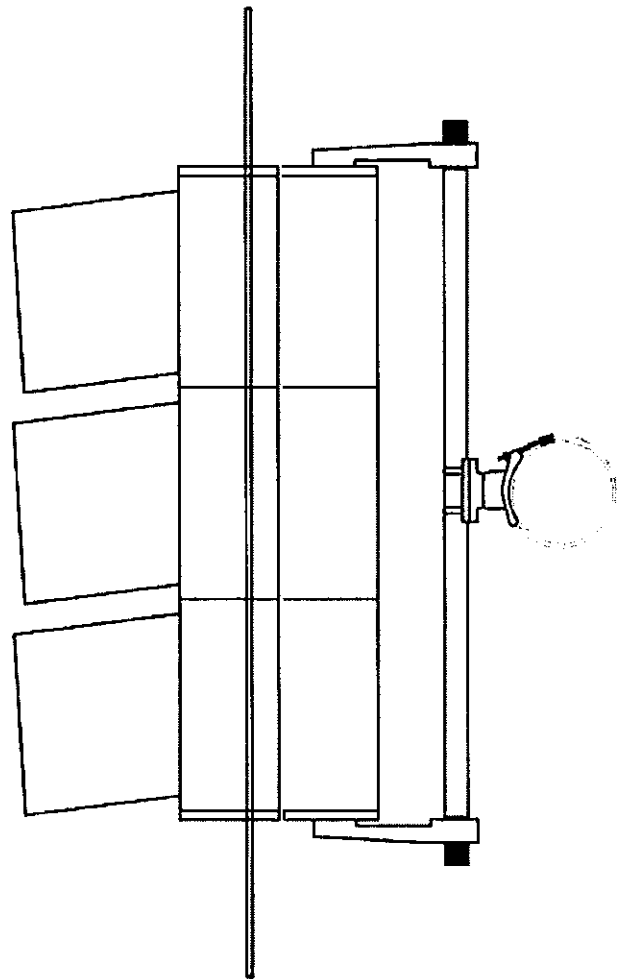
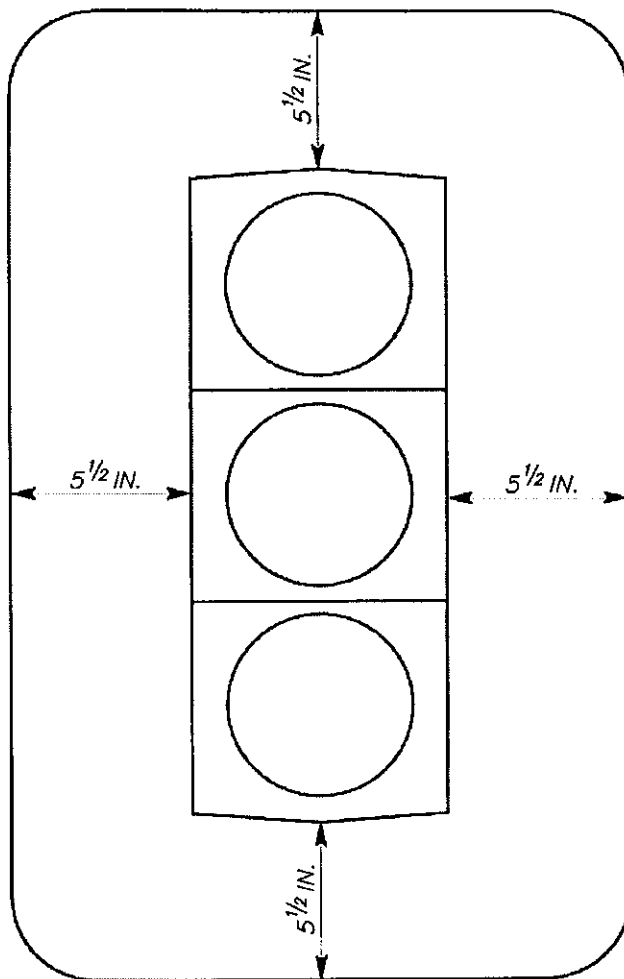
ADOPTED: 05/1997  
REVISED: 05/2007  
SUPERSEDES: 05/1997  
CHECKED BY: GTO  
SCALE: NTS  
DWG/REV. BY: CVH



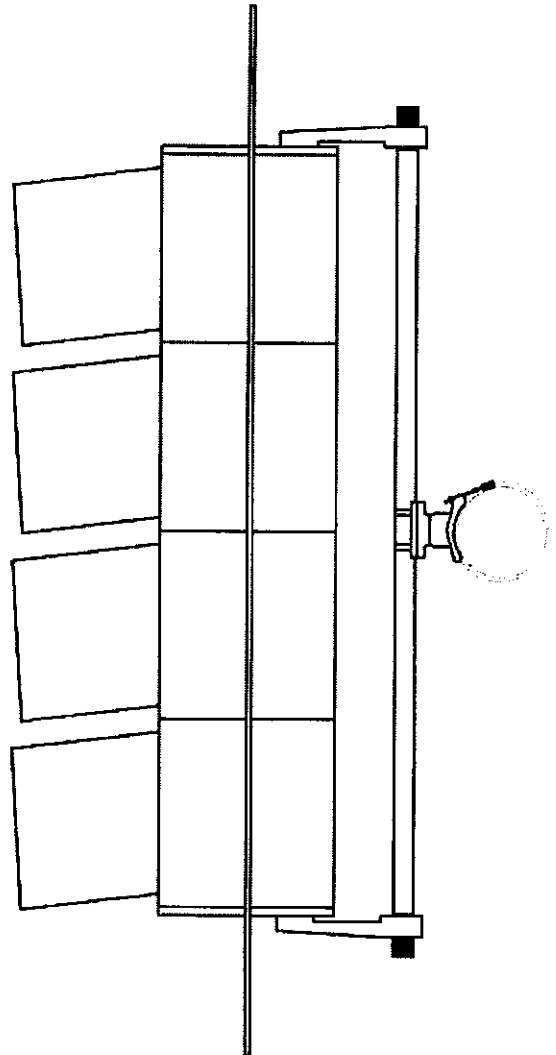
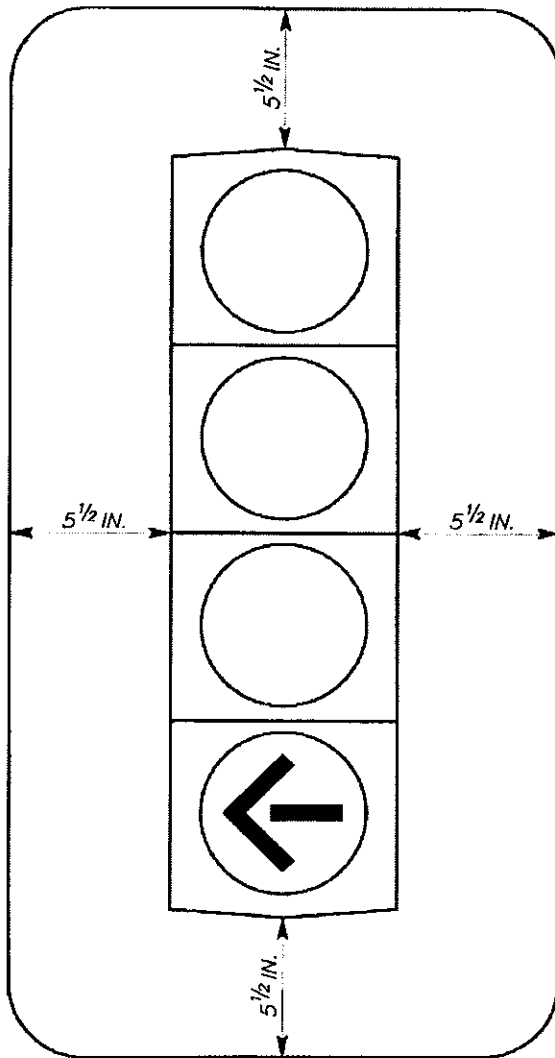
BRACKET SIGNAL MOUNTS  
TYPES B(5)1-B(3)1 & B(5)1

ENGINEERING SERVICES  
CITY OF SPOKANE, WASHINGTON

STANDARD  
PLAN No.  
J-102A



<p>APPROVED BY</p> <p><i>Thomas L. Arnold</i></p> <p>DIRECTOR, ENGINEERING SERVICES TOM L. ARNOLD, P.E.</p> <p><i>K. Brown</i></p> <p>PRINCIPAL ENGINEER, DESIGN KEN M. BROWN, P.E.</p>	<p>ADOPTED: 3/88</p> <p>REVISED: 4/2004</p> <p>SUPERSEDES: 3/99</p> <p>SCALE: NTS</p> <p>DWG/REV. BY: SRM</p>	<p>SIGNAL MOUNT, MAST ARM</p> <p>TYPE D</p> <p>ENGINEERING SERVICES</p> <p>CITY OF SPOKANE, WASHINGTON</p> <p>STANDARD PLAN No. J-103A</p>
---	---	--



APPROVED BY

*Tom L. Arnold*  
DIRECTOR, ENGINEERING SERVICES TOM L. ARNOLD, P.E.

*Ken M. Brown*  
PRINCIPAL ENGINEER, DESIGN KEN M. BROWN, P.E.

ADOPTED: 4/2004

REVISED:

SUPERSEDES:

SCALE: NTS

DWG/REV. BY: SRM

SIGNAL MOUNT, MAST-ARM  
TYPE D(4)



ENGINEERING SERVICES  
CITY OF SPOKANE, WASHINGTON

STANDARD  
PLAN No.  
J-103B

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

03/24/2014

**Date Rec'd**

3/12/2014

**Clerk's File #**

PRO 2013-0006

**Renews #****Submitting Dept**

ENGINEERING SERVICES

**Cross Ref #****Contact Name/Phone**

KEN BROWN 625-7727

**Project #**

2010121

**Contact E-Mail**

KBROWN@SPOKANECITY.ORG

**Bid #****Agenda Item Type**

Contract Item

**Requisition #**

CR 14312

**Agenda Item Name**

0370-ADMIN RESERVE INCREASE-MDM CONSTRUCTION

**Agenda Wording**

Authorization to increase the admin reserve on the contract with MDM Construction, Inc., for 3rd Avenue from Division Street to Arthur Street-for an increase of \$40,000.00 for a total admin reserve of \$250,866.17 or 11.9% of the contract price.

**Summary (Background)**

Conflicts with existing utilities resulted in additional costs and time to either relocate or re-route the proposed new work. In addition, the poor condition of existing curb and sidewalk, along with ADA requirements, required that more concrete work be performed. Additional arrow board hours were required to ensure motorist safety, and additional rock excavation was encountered. Therefore, it will be necessary to increase the administrative reserve an additional \$40,000.00 or 1.9%.

**Fiscal Impact****Budget Account**

Expense \$ 28,665.15

# 3404 49725 95300 56501

Expense \$ 2,980.23

# 4370 49461 94000 56501

Expense \$ 8,354.62

# 4100 42490 94000 56501

Select \$

#

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

TWOHIG, KYLE

**Study Session****Division Director**

QUINTRALL, JAN

**Other**

PCED 3/17/14

**Finance**

LESESNE, MICHELE

**Distribution List****Legal**

WHALEY, HUNT

lhattenburg@spokanecity.org

**For the Mayor**

SANDERS, THERESA

rdykes@spokanecity.org

**Additional Approvals**

mhughes@spokanecity.org

**Purchasing**

pdolan@spokanecity.org

mlesesne@spokanecity.org

kbrooks@spokanecity.org

acline@spokanecity.org

**BRIEFING PAPER**  
**Department of Public Works & Utilities**  
**Date March 6, 2014**

---

**Subject:**

3rd Avenue from Division Street to Arthur Street - City project #2010121, request for additional administrative reserve.

**Background:**

Conflicts with existing utilities including sewer, phone, gas and electric resulted in additional costs and time to either relocate the existing utility or re-route the proposed new work. In addition the poor condition of existing curb and sidewalk along with ADA requirements required that more concrete work be performed. Additional arrow board hours were required to ensure motorist safety. Additional rock excavation was encountered.

The cost of this work:

- \$105,000 for unforeseen utility conflicts
- \$90,000 for additional concrete work
- \$25,000 for additional arrow board hours
- \$20,000 for additional rock excavation

The original administrative reserve is sufficient to cover most of these costs. Additional administrative reserve of \$40,000 will be sufficient to cover the remaining costs allowing project closeout.

Original Contract Amount	\$ 2,108,661.70
Original Administrative Reserve	\$ 210,866.17
This Request	\$ 40,000.00

**Impact:**

The aggregate contract amount will exceed the original contract amount plus administrative reserve. The funding sources are Water, Sewer and the Street Bond Fund.

**Action:**

Authorize additional administrative reserve to allow for the additional work. Prepare a council agenda item to increase the Administrative Reserve from \$210,866.17 to \$250,866.17 to complete the work.

---

For further information on this subject contact Kyle Twohig, Engineering Operations Manager at 625-6152.

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

03/24/2014

**Date Rec'd**

3/12/2014

**Clerk's File #**

OPR 2013-0744

**Renews #****Submitting Dept**

CITY ATTORNEY

**Cross Ref #****Contact Name/Phone**

ERIN JACOBSON EXT. 6225

**Project #****Contact E-Mail**

EJACOBSON@SPOKANECITY.ORG

**Bid #****Agenda Item Type**

Contract Item

**Requisition #**

CLAIMS

**Agenda Item Name**

0500 AN AMENDMENT TO CONTRACT WITH ETTER, MCMAHON, LAMBERSON...

**Agenda Wording**

An amendment adding funds to the City's Contract with Michael J. McMahon and the law firm of Etter, McMahon, Lamberson, Clary & Oreskovich, P.C. who now are preparing for trial in the Kevin Smathers matter.

**Summary (Background)**

Outside Counsel, Michael J. McMahon and the law firm of Etter, McMahon, Lamberson, Clary & Oreskovich, P.C., have been providing legal service and advice to the City and individual officers and employees regarding the Kevin Smathers matter. Additional funds are required to prepare for trial.

**Fiscal Impact****Budget Account**

Expense \$ 100,000.00

# 0000 00000 00000 00000

Select \$

#

Select \$

#

Select \$

#

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

BURNS, BARBARA

**Study Session****Division Director****Other****Finance**

LESESNE, MICHELE

**Distribution List****Legal**

BURNS, BARBARA

mjm13@ettermcmahon.com

**For the Mayor**

SANDERS, THERESA

rimus@spokanecity.org

**Additional Approvals**

rkokot@spokanecity.org

**Purchasing**

tdunivant@spokanecity.org

james.scott@ascrisk.com

shansen@spokanecity.org

**CONTRACT AMENDMENT**

THIS CONTRACT is between the CITY OF SPOKANE, a Washington State municipal corporation, as "City", and MICHAEL J. MCMAHON and the law firm of ETTER, MCMAHON, LAMBERSON, CLARY & ORESKOVICH, P.C., whose address is 618 West Riverside Avenue, Suite 210, Spokane, Washington 99201, as "Firm".

WHEREAS, the parties entered into a Contract wherein the Firm agreed to act as OUTSIDE COUNSEL providing legal services and advice to the City and individual officers and employees regarding the Kevin Smathers matter; and

WHEREAS, additional funds are required to prepare for trial – Now, Therefore,

The parties agree as follows:

1. **DOCUMENTS.** The Contract dated October 11, 2013 and October 15, 2013, any previous amendments and/or extensions/renewals thereto are incorporated by reference into this document as though written in full and shall remain in full force and effect except as provided herein.
2. **EFFECTIVE DATE.** This Contract Amendment shall become effective upon signature of both parties.
3. **AMENDMENT.** Section 3 of the contract documents is amended to read as follows:
  3. **COMPENSATION.** The City shall pay the hourly fees and other charges as stated in the attached exhibit, up to a maximum amount of ~~FORTY SIX THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$46,500.00)~~ ONE HUNDRED FORTY SIX THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$146,500.00), that may not be exceeded without the written approval of the City Attorney or city council, where appropriate.
4. **COMPENSATION.** The City shall pay a maximum of ONE HUNDRED THOUSAND AND NO/100 DOLLARS (\$100,000.00) for everything furnished and done under this Contract Amendment.

Dated: 3-12-14

CITY OF SPOKANE

By:

**Title:**

**Attest:**

Approved as to form:

**City Clerk**

**Assistant City Attorney**

Dated: 3.3.2014

**ETTER, MCMAHON, LAMBERSON,  
CLARY & ORESKOVICH, P.C.**

**E-Mail address, if available:**

**By:**

Title: PRINCIPAL / MEMBER

14-068



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

03/24/2014

<b><u>Date Rec'd</u></b>	3/12/2014
<b><u>Clerk's File #</u></b>	OPR 2014-0211
<b><u>Renews #</u></b>	
<b><u>Cross Ref #</u></b>	
<b><u>Project #</u></b>	2005264
<b><u>Bid #</u></b>	
<b><u>Requisition #</u></b>	CR 14313

<b><u>Submitting Dept</u></b>	ASSET MANAGEMENT
<b><u>Contact Name/Phone</u></b>	DAVE STEELE 625-6064
<b><u>Contact E-Mail</u></b>	DSTEELE@SPOKANECITY.ORG
<b><u>Agenda Item Type</u></b>	Contract Item
<b><u>Agenda Item Name</u></b>	5900 - ROW ACQUISITION - UNION GOSPEL MISSION

**Agenda Wording**

Right-of-way acquisition between the City of Spokane and the Union Gospel Mission in conjunction with the Martin Luther King Jr. Way Phase II project for an amount not to exceed \$100,000.00 including all closing costs. Remit to First American Title.

**Summary (Background)**

In conjunction with the Martin Luther King Jr. Way - Phase II project, the City will be acquiring all or portions of properties from approximately ten ownerships. We have come to terms with the Union Gospel Mission for several small pieces of their property and for temporary construction access. This right-of-way acquisition will be completed with Federal grant funds.

<b><u>Fiscal Impact</u></b>		<b><u>Budget Account</u></b>	
Expense	\$ 100,000.00	#	3200 94997 95200 56102
Select	\$	#	
Select	\$	#	
Select	\$	#	
<b><u>Approvals</u></b>		<b><u>Council Notifications</u></b>	
<b><u>Dept Head</u></b>	WERNER, MICHAEL	<b><u>Study Session</u></b>	
<b><u>Division Director</u></b>	QUINTRALL, JAN	<b><u>Other</u></b>	PCED 3/17/14
<b><u>Finance</u></b>	LESESNE, MICHELE	<b><u>Distribution List</u></b>	
<b><u>Legal</u></b>	RICHMAN, JAMES	lhattenburg@spokanecity.org	
<b><u>For the Mayor</u></b>	SANDERS, THERESA	dsteele@spokanecity.org	
<b><u>Additional Approvals</u></b>		mhughes@spokanecity.org	
<b><u>Purchasing</u></b>		pdolan@spokanecity.org	
		mlesesne@spokanecity.org	
		jstapleton@spokanecity.org	

**BRIEFING PAPER**  
**Asset Management Group**  
**Tuesday, March 11, 2014**

---

**Subject:**

Right-of-way acquisition for Martin Luther King Way Phase II Project - 2005264

**Background:**

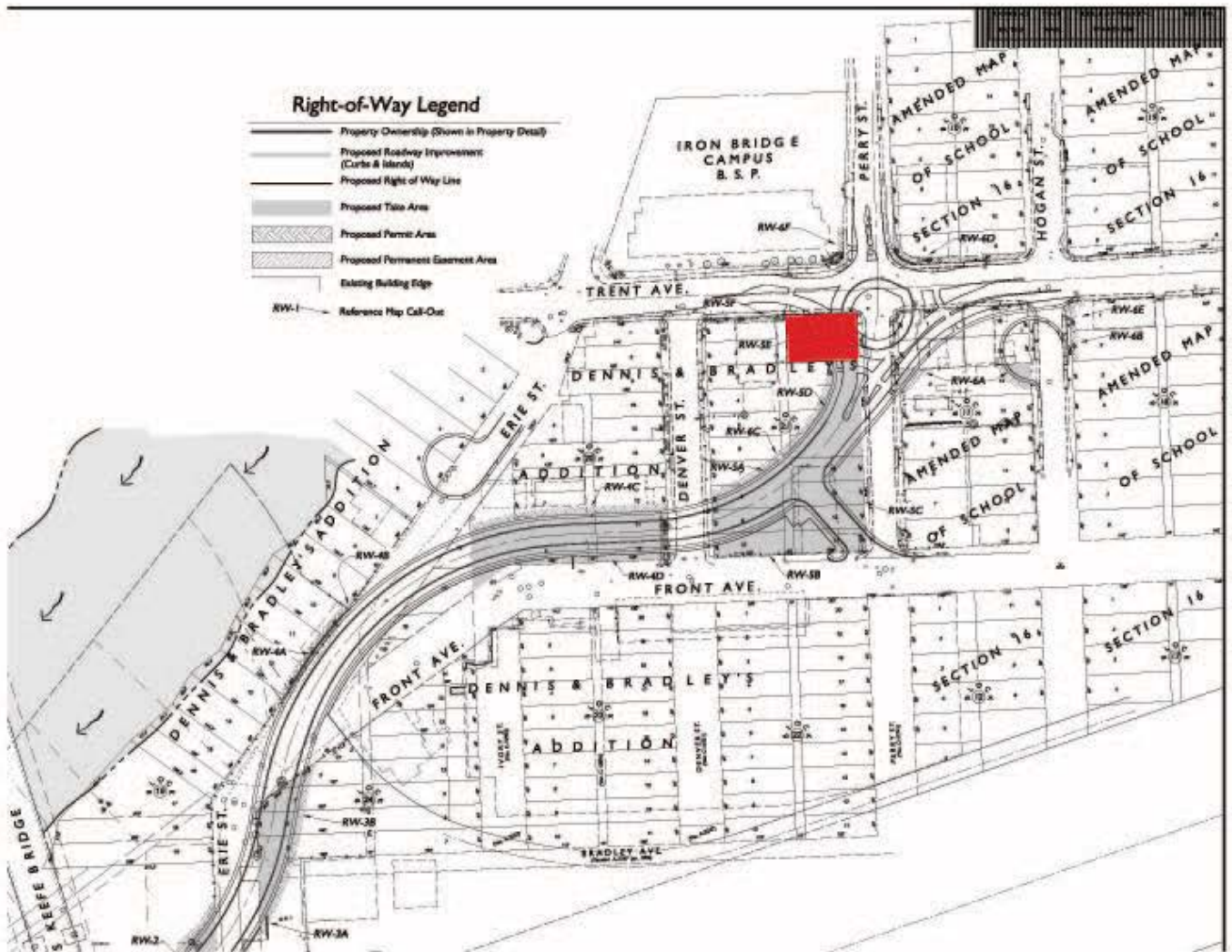
In conjunction with the Martin Luther King Way Phase II Project, the City will be acquiring all or portions of properties from approximately ten ownerships. We have come to terms with the Union Gospel Mission for several small pieces of their property and for temporary construction access. This right-of-way acquisition will be completed with Federal grant funds.

**Impacts:**

The Union Gospel Mission property lies near the east end of the project and is directly adjacent to the roundabout. Per FWA requirements, the City has completed the necessary appraisals and presented an offer to the owner. The City has come to terms with the property owner and will also be completing relocation as necessary.

**Action:**

Approval of the property acquisition.



## REAL PROPERTY VOUCHER

<b>AGENCY NAME</b> City of Spokane Department of Engineering Services 808 West Spokane Falls Blvd. Spokane WA 99201				I hereby certify under penalty of perjury that the items and amounts listed herein are proper charges against the City of Spokane, that the same or any part thereof has not been paid, and that I am authorized to sign for the claimant.																																																			
<b>GRANTOR OR CLAIMANT (NAME, ADDRESS)</b> First American Title Company 40 East Spokane Falls Boulevard Spokane WA 99202				<b>SIGNATURE (IN INK) FOR EACH CLAIMANT</b>		<b>DATED</b>																																																	
<b>PROJECT NO. AND TITLE</b> Riverside Extension Phase 2				X		2/7/14																																																	
<b>FEDERAL AID NO.</b>		<b>PARCEL NO.</b> 35174 0573																																																					
In full, complete and final payment and settlement for the title or interest conveyed or released, as fully set forth in:				<b>DATED</b>		<b>\$ AMOUNT</b>																																																	
<b>LAND:</b> 12,624 sq. ft. of land in fee 3,322 sq. ft. temporary construction easement for 12 months				+		\$88,368.00 \$2,325.40																																																	
<b>IMPROVEMENTS:</b>				+																																																			
<b>DAMAGES:</b> Cost to Cure Proximity Other				+ + +																																																			
<b>SPECIAL BENEFITS</b>				+																																																			
<b>JC (Just Compensation) Amount</b>				+		\$91,000.00 rd																																																	
<b>REMAINDER:</b> Uneconomic Remnant Excess Acquisition				+ +																																																			
<b>DEDUCTIONS:</b> Amount Previously Paid Performance Bond Salvage Amount Pre Paid Rent Other				+																																																			
<b>ADMINISTRATIVE SETTLEMENT</b>				+																																																			
<b>STATUTORY EVALUATION ALLOWANCE</b>				+																																																			
<b>ESCROW FEE</b>				+		\$739.00																																																	
<b>REAL ESTATE EXCISE TAX</b>				+		\$10.00																																																	
<b>OTHER:</b> Recording fee				+		\$152.00																																																	
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 10%;">PARCEL NO.</th> <th style="width: 15%;">JOB NUMBER</th> <th style="width: 10%;">WORK OP.</th> <th style="width: 10%;">ACCOUNT</th> <th style="width: 10%;">CONTROL</th> <th style="width: 10%;">ORG. NO.</th> <th style="width: 10%;">NON-PART.</th> <th style="width: 15%;">TOTAL DOLLARS</th> </tr> <tr> <th></th> <th>WORK ORDER</th> <th>GROUP</th> <th>OBJ / SUB</th> <th>SECTION</th> <th></th> <th></th> <th></th> </tr> <tr> <td>35174 0573</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>\$91,901.00</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="2">Performance Bond</td> <td colspan="2">B/S Account-A592</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="4"></td> <td colspan="2"><b>TOTAL -----&gt;</b></td> <td colspan="2"><b>\$91,901.00</b></td> </tr> </table>				PARCEL NO.	JOB NUMBER	WORK OP.	ACCOUNT	CONTROL	ORG. NO.	NON-PART.	TOTAL DOLLARS		WORK ORDER	GROUP	OBJ / SUB	SECTION				35174 0573							\$91,901.00									Performance Bond		B/S Account-A592										<b>TOTAL -----&gt;</b>		<b>\$91,901.00</b>		+			
PARCEL NO.	JOB NUMBER	WORK OP.	ACCOUNT	CONTROL	ORG. NO.	NON-PART.	TOTAL DOLLARS																																																
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35174 0573							\$91,901.00																																																
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				<b>TOTAL -----&gt;</b>		<b>\$91,901.00</b>																																																	
<b>ACQUISITION AGENT</b> 				<b>DATE</b> 2/7/14		<b>Voucher No.</b>																																																	
<b>AUTHORIZED AGENT FOR CITY OF SPOKANE</b>				<b>DATE</b>		<b>TOTAL AMOUNT PAID</b> \$91,901.00																																																	

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

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

**Document Title: Warranty Deed**  
**Reference Number of Related Documents:**  
**Grantor(s): Union Gospel Mission Association of Spokane**  
**Grantee(s): City of Spokane**  
**Legal Description: Lots 5-8 & 12-15 & Ptn Lot 9, Blk 20, Dennis and Bradley's Add.**  
**Additional Legal Description is on Pages 4 and 5 of Document.**  
**Assessor's Tax Parcel Number: 35174.0573**

## **WARRANTY DEED**

### **RIVERSIDE EXTENSION PHASE 2**

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

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

Also, the undersigned hereby requests the Assessor and Treasurer of said County to set-over to the remainder of the herein described Parcel "A" the lien of all unpaid taxes, if any, affecting the property hereby conveyed, as provided by RCW 84.60.070.

It is understood and agreed that delivery of this deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Spokane unless and until accepted and approved hereon in writing for the City of Spokane-, by and through its Department of Engineering Service, by its authorized agent.

**WARRANTY DEED**

Date: 2-7, 2014

UNION GOSPEL MISSION ASSOCIATION OF SPOKANE

By:   
Philip Altmeyer, Executive Director

Accepted and Approved

CITY OF SPOKANE

By: \_\_\_\_\_

\_\_\_\_\_  
Authorized agent

Date: \_\_\_\_\_

## WARRANTY DEED

STATE OF WASHINGTON )

: SS

County of Spokane )

On this 7<sup>th</sup> day of FEBRUARY, 2014 before me personally appeared Philip Altmeyer, to me known to be the Executive Director of the corporation that executed the foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

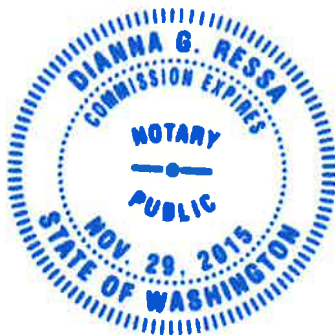
GIVEN under my hand and official seal the day and year last above written.

(SEAL)



Notary Public in and for the State of  
Washington, residing at SPOKANE

My commission expires 11/29/15



**WARRANTY DEED**

**EXHIBIT "A"**

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" MORE PARTICULARLY SPECIFIED AS FOLLOWS:

PORTIONS OF LOTS 7, 8, 9 AND 12, BLOCK 20, PORTIONS OF THE VACATED ALLEY IN BLOCK 20, AND PORTIONS OF VACATED IVORY STREET LYING EAST OF AND ADJOINING LOTS 17 AND 18 IN BLOCK 24, IN DENNIS AND BRADLEY'S ADDITION, ACCORDING TO PLAT RECORDED IN VOLUME "A" OF PLATS, PAGES 160 AND 161, IN THE CITY OF SPOKANE, SPOKANE COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 12; THENCE ALONG THE SOUTH LINE OF SAID LOT 12, SOUTH  $87^{\circ}46'51''$  WEST 119.99 FEET TO THE SOUTHWEST CORNER OF SAID LOT 12; THENCE CONTINUING ALONG THE WESTERLY EXTENSION OF SAID SOUTH LINE, SOUTH  $87^{\circ}46'51''$  WEST 7.50 FEET TO A POINT ON THE CENTERLINE OF SAID VACATED ALLEY; THENCE ALONG SAID CENTERLINE, SOUTH  $02^{\circ}12'18''$  EAST 39.99 FEET TO A POINT ON THE EASTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 8; THENCE ALONG SAID EASTERLY EXTENSION, SOUTH  $87^{\circ}46'51''$  WEST 7.50 FEET TO THE SOUTHEAST CORNER OF SAID LOT 8; THENCE ALONG THE SOUTH LINE OF SAID LOT 8, SOUTH  $87^{\circ}46'51''$  WEST 75.45 FEET TO A POINT ON A LINE DRAWN PARALLEL WITH AND 50 FEET SOUTHERLY, MEASURED AT RIGHT ANGLES FROM THE CENTERLINE BETWEEN THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC COMPANY'S FORMER MAIN LINE TRACKS; THENCE ALONG SAID PARALLEL LINE THE FOLLOWING TWO (2) CALLS:

- 1) SOUTH  $53^{\circ}46'51''$  WEST 53.74 FEET TO A POINT ON THE WEST LINE OF SAID LOT 9;
- 2) CONTINUING SOUTH  $53^{\circ}46'51''$  WEST 90.48 FEET TO A POINT ON THE WEST LINE OF SAID VACATED IVORY STREET; THENCE ALONG SAID WEST LINE, NORTH  $02^{\circ}12'26''$  WEST 99.86 FEET TO A POINT ON A 534.50 FOOT RADIUS NONTANGENT CURVE, THE CENTER OF CIRCLE OF WHICH BEARS SOUTH  $19^{\circ}09'56''$  EAST; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF  $16^{\circ}37'54''$ , 155.15 FEET TO THE POINT OF TANGENT; THENCE NORTH  $87^{\circ}27'58''$  EAST 146.88 FEET TO THE POINT OF CURVE OF A 357.30 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF  $4^{\circ}51'25''$ , 30.31 FEET TO A POINT ON THE EAST LINE OF SAID LOT 12; THENCE ALONG SAID EAST LINE, SOUTH  $02^{\circ}12'26''$  EAST 4.68 FEET TO THE POINT OF BEGINNING;



## **WARRANTY DEED**

### **PARCEL "A"**

LOTS 5, 6, 7, 8, 12, 13, 14, AND 15, BLOCK 20; DENNIS AND BRADLEY'S ADDITION, ACCORDING TO PLAT RECORDED IN VOLUME "A" OF PLATS, PAGE 160, IN THE CITY OF SPOKANE, SPOKANE COUNTY, WASHINGTON;

ALSO TOGETHER WITH ALL THAT PORTION OF THE VACATED ALLEY LYING SOUTH OF THE EASTERLY EXTENSION OF LOT 5, BLOCK 20 AND LYING NORTH OF THE EASTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 7 IN SAID BLOCK 20;

ALSO TOGETHER WITH THE WEST HALF OF VACATED ALLEY ADJOINING LOT 8 ON THE EAST;

ALSO TOGETHER WITH THAT PORTION OF LOT 9 IN SAID BLOCK 20, LYING NORTHERLY OF A LINE DRAWN PARALLEL TO AND 50 FEET SOUTHERLY, MEASURED AT RIGHT ANGLES FROM THE CENTERLINE BETWEEN THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY'S FORMER MAIN LINE TRACKS;

ALSO TOGETHER WITH THAT PORTION OF VACATED IVORY STREET, IN THE CITY OF SPOKANE, LYING SOUTHERLY OF THE EASTERLY LINE OF ERIE STREET AND NORTHERLY OF A LINE DRAWN ACROSS IVORY STREET PARALLEL TO AND 50 FEET SOUTHEASTERLY, MEASURED AT RIGHT ANGLES, FROM THE CENTER LINE BETWEEN THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY'S FORMER MAIN LINE TRACKS.

The lands herein described contain an area of 12,624 square feet, more or less, the specific details concerning all of which are to be found on sheet 4 of that certain plan entitled Riverside Extension Phase 2, now of record and on file in the Engineering Services office at the City of Spokane, Washington bearing revision date July 10, 2013.

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

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

**Document Title: Temporary Construction Easement**  
**Reference Number of Related Documents:**  
**Grantor(s): Union Gospel Mission Association of Spokane**  
**Grantee(s): City Of Spokane**  
**Legal Description: Lots 5-8 and 12-15, Ptn. Lot 9, Block 20, Dennis & Bradley's Addition**  
**Additional Legal Description is on Pages 4 and 5 of Document.**  
**Assessor's Tax Parcel Number: 35174.0573**

## **TEMPORARY CONSTRUCTION EASEMENT**

### **RIVERSIDE EXTENSION PHASE 2**

The Grantor(s), **UNION GOSPEL MISSION ASSOCIATION OF SPOKANE, a non-profit corporation**, for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, convey(s) and grant(s) unto the **CITY OF SPOKANE, a Washington municipal corporation** and its assigns under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and temporary easement over, upon, and across the hereinafter described lands for the purpose of slope grading.

The temporary rights herein granted shall terminate on March 1, 2015.

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

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

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

**TEMPORARY CONSTRUCTION EASEMENT**

Dated: 2-7, 2014

UNION GOSPEL MISSION ASSOCIATION OF SPOKANE

By:   
Philip Altmeyer, Executive Director

Accepted and Approved

CITY OF SPOKANE

By: \_\_\_\_\_

Date: \_\_\_\_\_

## TEMPORARY CONSTRUCTION EASEMENT

STATE OF WASHINGTON )

: SS

County of Spokane )

On this 7<sup>th</sup> day of February, 2014 before me personally appeared Philip Altmeyer, to me known to be the Executive Director of the corporation that executed the foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

GIVEN under my hand and official seal the day and year last above written.

(SEAL)



Notary Public in and for the State of

Washington, residing at Spokane

My commission expires 11/29/15



## TEMPORARY CONSTRUCTION EASEMENT

### EXHIBIT A

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" MORE PARTICULARLY SPECIFIED AS FOLLOWS:

A STRIP OF LAND, TEN FEET (10') WIDE, ACROSS PORTIONS OF LOTS 7, 8 AND 12, BLOCK 20, ACROSS PORTIONS OF THE VACATED ALLEY IN BLOCK 20, AND ACROSS PORTIONS OF VACATED IVORY STREET LYING EAST OF LOT 18, BLOCK 24 OF DENNIS AND BRADLEY'S ADDITION, ACCORDING TO PLAT RECORDED IN VOLUME "A" OF PLATS, PAGES 160 AND 161, IN THE CITY OF SPOKANE, SPOKANE COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 12; THENCE ALONG THE SOUTH LINE OF SAID LOT 12, SOUTH 87°46'51" WEST 119.99 FEET TO THE SOUTHWEST CORNER OF SAID LOT 12; THENCE CONTINUING ALONG THE WESTERLY EXTENSION OF SAID SOUTH LINE, SOUTH 87°46'51" WEST 7.50 FEET TO A POINT ON THE CENTERLINE OF SAID VACATED ALLEY; THENCE ALONG SAID CENTERLINE, SOUTH 02°12'18" EAST 39.99 FEET TO A POINT ON THE EASTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 8; THENCE ALONG SAID EASTERLY EXTENSION, SOUTH 87°46'51" WEST 7.50 FEET TO THE SOUTHEAST CORNER OF SAID LOT 8; THENCE ALONG THE SOUTH LINE OF SAID LOT 8, SOUTH 87°46'51" WEST 75.45 FEET TO A POINT ON A LINE DRAWN PARALLEL WITH AND 50 FEET SOUTHERLY, MEASURED AT RIGHT ANGLES FROM THE CENTERLINE BETWEEN THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC COMPANY'S FORMER MAIN LINE TRACKS; THENCE ALONG SAID PARALLEL LINE THE FOLLOWING TWO (2) CALLS:

- 1) SOUTH 53°46'51" WEST 53.74 FEET TO A POINT ON THE WEST LINE OF SAID LOT 9;
- 2) CONTINUING SOUTH 53°46'51" WEST 90.48 FEET TO A POINT ON THE WEST LINE OF SAID VACATED IVORY STREET; THENCE ALONG SAID WEST LINE, NORTH 02°12'26" WEST 99.86 FEET TO THE **TRUE POINT OF BEGINNING**, A POINT ON A 534.50 FOOT RADIUS NONTANGENT CURVE, THE CENTER OF CIRCLE OF WHICH BEARS SOUTH 19°09'56" EAST; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 16°37'54", 155.15 FEET TO THE POINT OF TANGENT; THENCE NORTH 87°27'58" EAST 146.88 FEET TO THE POINT OF CURVE OF A 357.30 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 4°51'25", 30.31 FEET TO A POINT ON THE EAST LINE OF SAID LOT 12; THENCE ALONG SAID EAST LINE, NORTH 02°12'26" WEST 10.04 FEET TO A POINT ON A

**TEMPORARY CONSTRUCTION EASEMENT**

RADIUS CURVE, THE CENTER OF CIRCLE OF WHICH BEARS NORTH 07°32'25" WEST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 5°00'23", 30.36 FEET TO THE POINT OF TANGENT; THENCE SOUTH 87°27'58" WEST 146.88 FEET TO THE POINT OF CURVE OF A 544.50 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 16°18'39", 155.01 FEET TO A POINT ON SAID WEST LINE OF VACATED IVORY STREET; THENCE ALONG SAID WEST LINE, SOUTH 02°12'26" EAST 10.45 FEET TO THE **TRUE POINT OF BEGINNING**;

**PARCEL "A"**

LOTS 5, 6, 7, 8, 12, 13, 14, AND 15, BLOCK 20; DENNIS AND BRADLEY'S ADDITION, ACCORDING TO PLAT RECORDED IN VOLUME "A" OF PLATS, PAGE 160, IN THE CITY OF SPOKANE, SPOKANE COUNTY, WASHINGTON;

ALSO TOGETHER WITH ALL THAT PORTION OF THE VACATED ALLEY LYING SOUTH OF THE EASTERLY EXTENSION OF LOT 5, BLOCK 20 AND LYING NORTH OF THE EASTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 7 IN SAID BLOCK 20;

ALSO TOGETHER WITH THE WEST HALF OF VACATED ALLEY ADJOINING LOT 8 ON THE EAST;

ALSO TOGETHER WITH THAT PORTION OF LOT 9 IN SAID BLOCK 20, LYING NORTHERLY OF A LINE DRAWN PARALLEL TO AND 50 FEET SOUTHERLY, MEASURED AT RIGHT ANGLES FROM THE CENTERLINE BETWEEN THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY'S FORMER MAIN LINE TRACKS;

ALSO TOGETHER WITH THAT PORTION OF VACATED IVORY STREET, IN THE CITY OF SPOKANE, LYING SOUTHERLY OF THE EASTERLY LINE OF ERIE STREET AND NORTHERLY OF A LINE DRAWN ACROSS IVORY STREET PARALLEL TO AND 50 FEET SOUTHEASTERLY, MEASURED AT RIGHT ANGLES, FROM THE CENTER LINE BETWEEN THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY'S FORMER MAIN LINE TRACKS.

The lands herein described contain an area of 3,322 square feet, more or less, the specific details concerning all of which are to be found on sheet 4 of that certain plan entitled Riverside Extension Phase 2, now of record and on file in the Engineering Services office at the City of Spokane, Washington bearing revision date July 10, 2013.

## ESCROW AGREEMENT

**TO:**

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

**Your Reference: 4259-1487930**

**CUSTOMER REFERENCE:**

City of Spokane – Riverside Extension – Phase 2

**Parcel No.: 35174.0573**

Union Gospel Mission Association of Spokane, (Seller) and the City of Spokane, (Purchaser), mutually agree and direct you to close this escrow in accordance with the following instructions:

1. The Seller(s) hereby authorize(s) the issuance of payment to the above Escrow Agent, for our benefit.
2. Receive herewith a Warranty Deed from the Seller to the City of Spokane, Purchaser, conveying the lands described in your above-referenced preliminary commitment. Please prepare the Excise Tax Affidavit showing the City of Spokane as exempt per WAC 458-61A-206. Please also record the Temporary Construction Easement attached.
3. Receive the sum of \$91,901.00 which includes the acquisition price of \$88,500.00, the temporary construction easement price of \$2,500.00 and \$901.00 for payment of the escrow fee, excise processing fee and recording fees
4. The following is a summarized required disposition of all exceptions shown on your preliminary commitment (third report) dated November 14, 2013:
  - 1: Delete: City exempt
  - 2: Delete: City exempt
  - 3: Subject to – show on policy
  - 4: Subject to - show on policy
  - 5-9: Deleted
  - 10: Subject to – show on policy
  - 11: Subject to – show on policy
  - 12: Subject to – show on policy
  - 13: Subject to – show on policy
  - 14-20: Deleted
  - 21: See attached

Pay the following:

- Escrow Fee of \$680.00 plus sales tax \$59.00
- Excise processing fee of \$10.00
- Recording fees of \$152.00

Please do not withhold any sums to assure payment of any utility service charges. Any closing costs, including those fees listed as title charges, recording and transfer charges, and/or additional settlement charges, are to be charged to the Purchaser and shown as such on the settlement statement. No recording fee

or excise tax is to be charged to the Seller. Fees are to be billed directly to our office at City of Spokane, Engineering Services, 2<sup>nd</sup> Floor, City Hall, 808 West Spokane Falls Blvd., Spokane WA 99201. Please note that the initial preliminary commitment premium may have been previously paid.

5. When ready to vest title in the City of Spokane, record the instruments shown in Instruction 2 above and prepare CLOSING DETAIL STATEMENT as explained on page 3 hereof.
6. Remit the balance by check to Seller as follows:  
Union Gospel Mission Association of Spokane  
POB 4066  
Spokane WA 99220
7. Issue standard form Owner's policy of title insurance in the sum of \$88,500.00 insuring the City of Spokane as owner of the appropriate interest conveyed.
8. Upon completion of closing, mail recorded instruments, copy of closing detail statement, and title policy to City of Spokane, Engineering Services, 2<sup>nd</sup> Floor, City Hall, 808 West Spokane Falls Blvd., Spokane WA 99201.
9. Upon recording – please also email [dressa@epicland.com](mailto:dressa@epicland.com) with recording information.

Purchaser:

CITY OF SPOKANE

By: \_\_\_\_\_

Title: \_\_\_\_\_

Seller:

  
Date 2-10-14

Phone No. 509-532-380P



## CLOSING DETAIL STATEMENT

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

- (a) The total amount of escrowed funds.
- (b) The fee for escrow services and a statement that the entire escrow fee has been paid solely by the City of Spokane;
- (c) The date on which the Escrow Agent disburses funds to the Seller(s);
- (d) Date of closing of the escrow;
- (e) Sums, if any, withheld from distribution to Seller(s) at time of closing, and for what reason;\*
- (f) Endorsements to the effect that
  1. The statement has been read by the Seller(s), is approved, and acknowledgment of receipt of the funds indicated as the net balance due from the Escrow Agent.
  2. The closing officer certifies that the statement is true and correct.

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

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

Parcel Number: 35174.0573  
Preliminary Commitment Number: 4259-1487930

Attached is the information requested per the Escrow Agreement

Document: \_\_\_\_\_

Date Recorded \_\_\_\_\_ Recording No. \_\_\_\_\_

Document: \_\_\_\_\_

Date Recorded \_\_\_\_\_ Recording No. \_\_\_\_\_

DATE OF DISBURSEMENT OF FUNDS: \_\_\_\_\_

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

Union Gospel Mission  
POB 4066  
Spokane WA 99220

RE: Tax Parcel No. 35174.0573

***RIVERSIDE EXTENSION - PHASE 2***

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

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

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



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

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

Sincerely,

Epic Land Solutions, Inc.

# REAL PROPERTY VOUCHER

<b>AGENCY NAME</b>  City of Spokane Department of Engineering Services 808 West Spokane Falls Blvd. Spokane WA 99201				I hereby certify under penalty of perjury that the items and amounts listed herein are proper charges against the City of Spokane, that the same or any part thereof has not been paid, and that I am authorized to sign for the claimant.					
				SIGNATURE (IN INK) FOR EACH CLAIMANT			DATED		
<b>GRANTOR OR CLAIMANT (NAME, ADDRESS)</b> Union Gospel Mission Association of Spokane POB 4066 Spokane WA 99220									
<b>PROJECT NO. AND TITLE</b>  Riverside Extension Phase 2				X  Philip Altmeyer, Executive Director			2/2/14		
FEDERAL AID NO.		PARCEL NO. 35174 0525							
In full, complete and final payment and settlement for the title or interest conveyed or released, as fully set forth in:				DATED		\$ AMOUNT			
<b>LAND:</b> 1220 sq. ft. temporary construction easement for 12 months				+		\$1,200.00 rd			
<b>IMPROVEMENTS:</b>									
<b>DAMAGES:</b> Cost to Cure Proximity Other				+					
<b>SPECIAL BENEFITS</b>									
<b>JC (Just Compensation) Amount</b>						\$1,200.00			
<b>REMAINDER:</b> Uneconomic Remnant Excess Acquisition				+					
<b>DEDUCTIONS:</b> Amount Previously Paid Performance Bond Salvage Amount Pre Paid Rent Other									
<b>ADMINISTRATIVE SETTLEMENT</b>				+					
<b>STATUTORY EVALUATION ALLOWANCE</b>				+					
<b>ESCROW FEE</b>				+					
<b>REAL ESTATE EXCISE TAX</b>				+					
<b>OTHER:</b> Recording fee									
				+					
PARCEL NO. 35174 0525		JOB NUMBER WORK ORDER    GROUP		WORK OP. 	ACCOUNT OBJ / SUB	CONTROL SECTION	ORG. NO.	NON-PART.	TOTAL DOLLARS
									\$1,200.00
Performance Bond				B/S Account-A592					
TOTAL ----->								\$1,200.00	
ACQUISITION AGENT 				DATE 2/2/14		Voucher No.		TOTAL AMOUNT PAID \$1,200.00	
AUTHORIZED AGENT FOR CITY OF SPOKANE				DATE					

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

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

**Document Title: Temporary Construction Easement**  
**Reference Number of Related Documents:**  
**Grantor(s): Union Gospel Mission Association of Spokane**  
**Grantee(s): City Of Spokane**  
**Legal Description: Lots 1 and 2, Ptn. Lot 3, Block 21, Dennis & Bradley's Addition**  
**Additional Legal Description is on Page 4 of Document.**  
**Assessor's Tax Parcel Number: 35174.0525**

## **TEMPORARY CONSTRUCTION EASEMENT**

### **RIVERSIDE EXTENSION PHASE 2**

The Grantor(s), **UNION GOSPEL MISSION ASSOCIATION OF SPOKANE, a Washington non-profit corporation**, for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, convey(s) and grant(s) unto the **CITY OF SPOKANE, a Washington municipal corporation** and its assigns under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and temporary easement over, upon, and across the hereinafter described lands for the purpose of slope grading.

The temporary rights herein granted shall terminate on March 1, 2015.

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

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

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

## TEMPORARY CONSTRUCTION EASEMENT

Dated: 2 - 7, 2014

UNION GOSPEL MISSION ASSOCIATION OF SPOKANE

By:   
Philip Almeyer, Executive Director

Accepted and Approved

CITY OF SPOKANE

By: \_\_\_\_\_

Date: \_\_\_\_\_

**TEMPORARY CONSTRUCTION EASEMENT**

STATE OF WASHINGTON )

: SS

County of Spokane )

On this 7<sup>th</sup> day of FEBRUARY, 2014 before me personally appeared Philip Altmeyer, to me known to be the Executive Director of the corporation that executed the foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

GIVEN under my hand and official seal the day and year last above written.

(SEAL)



Notary Public in and for the State of

Washington, residing at Spokane

My commission expires 11/29/15



## TEMPORARY CONSTRUCTION EASEMENT

### EXHIBIT A

ALL THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" BEGINNING AT THE NORTHWEST CORNER OF LOT 1, BLOCK 21, DENNIS & BRADLEY'S ADDITION, AS PER PLAT RECORDED IN VOLUME "A" OF PLATS, PAGES 160 AND 161, SITUATE IN THE CITY OF SPOKANE, COUNTY OF SPOKANE, STATE OF WASHINGTON; THENCE ALONG THE NORTH LINE OF SAID LOT 1, NORTH 87°48'27" EAST 119.97 FEET TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE ALONG THE EAST LINE OF SAID LOT 1, SOUTH 02°12'11" EAST 10.00 FEET; THENCE LEAVING SAID EAST LINE, SOUTH 87°48'27" WEST 113.52 FEET; THENCE SOUTH 44°41'59" WEST 8.84 FEET TO A POINT ON THE WEST LINE OF SAID LOT 1; THENCE ALONG SAID WEST LINE, NORTH 02°12'26" WEST 16.04 FEET TO THE POINT OF BEGINNING;

#### PARCEL "A"

LOTS 1, 2 AND THE NORTHERLY 30.40 FEET OF LOT 3, BLOCK 21, DENNIS & BRADLEY'S ADDITION, AS PER PLAT RECORDED IN VOLUME "A" OF PLATS, PAGE 160;



ALSO KNOWN AS PARCEL A ON SURVEY RECORDED MARCH 05, 1999 UNDER AUDITOR'S FILE NO. 4338651;

SITUATE IN THE CITY OF SPOKANE, COUNTY OF SPOKANE, STATE OF WASHINGTON.

The lands herein described contain an area of 1,220 square feet, more or less, the specific details concerning all of which are to be found on sheet 5 of that certain plan entitled Riverside Extension Phase 2, now of record and on file in the Engineering Services office at the City of Spokane, Washington bearing revision date July 10, 2013.



# REAL PROPERTY VOUCHER

<b>AGENCY NAME</b>  City of Spokane Department of Engineering Services 808 West Spokane Falls Blvd. Spokane WA 99201				I hereby certify under penalty of perjury that the items and amounts listed herein are proper charges against the City of Spokane, that the same or any part thereof has not been paid, and that I am authorized to sign for the claimant.				SIGNATURE (IN INK) FOR EACH CLAIMANT		DATED	
				<b>GRANTOR OR CLAIMANT (NAME, ADDRESS)</b> U.G.M. Foundation, Inc. POB 4066 Spokane WA 99220							
<b>PROJECT NO. AND TITLE</b>  Riverside Extension Phase 2				X  Philip Altmeyer, Executive Director				2/2/14			
<b>FEDERAL AID NO.</b>		<b>PARCEL NO.</b> 35174 0598									
In full, complete and final payment and settlement for the title or interest conveyed or released, as fully set forth in:						DATED		\$ AMOUNT			
<b>LAND:</b> 277 sq ft temporary construction easement for 12 months						+		\$500.00 rd			
<b>IMPROVEMENTS:</b>											
						+					
<b>DAMAGES:</b> Cost to Cure Proximity Other						+					
						+					
<b>SPECIAL BENEFITS</b>											
<b>JC (Just Compensation) Amount</b>								\$500.00			
<b>REMAINDER:</b> Uneconomic Remnant Excess Acquisition						+					
						+					
<b>DEDUCTIONS:</b> Amount Previously Paid Performance Bond Salvage Amount Pre Paid Rent Other											
<b>ADMINISTRATIVE SETTLEMENT</b>						+					
<b>STATUTORY EVALUATION ALLOWANCE</b>						+					
<b>ESCROW FEE</b>						+					
<b>REAL ESTATE EXCISE TAX</b>						+					
<b>OTHER:</b>											
						+					
<b>PARCEL NO.</b> 35174 0598		<b>JOB NUMBER</b> WORK ORDER    GROUP		<b>WORK OP.</b>	<b>ACCOUNT</b> OBJ / SUB	<b>CONTROL SECTION</b>	<b>ORG. NO.</b>	<b>NON-PART.</b>	<b>TOTAL DOLLARS</b> \$500.00		
Performance Bond				B/S Account-A592							
						<b>TOTAL -----&gt;</b>		<b>\$500.00</b>			
<b>ACQUISITION AGENT</b> 				<b>DATE</b> 2/2/14	<b>Voucher No.</b>			<b>TOTAL AMOUNT PAID</b> \$500.00			
<b>AUTHORIZED AGENT FOR CITY OF SPOKANE</b>				<b>DATE</b>							

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

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

**Document Title: Temporary Construction Easement**

**Reference Number of Related Documents:**

**Grantor(s): U.G.M. Foundation, Inc.**

**Grantee(s): City Of Spokane**

**Legal Description: Ptn. of Lot 6, all of Lots 7, 8, 9, Block 19, Dennis & Bradley's Addition**

**Additional Legal Description is on Page 4 of Document.**

**Assessor's Tax Parcel Number: 35174.0598**

## **TEMPORARY CONSTRUCTION EASEMENT**

### **RIVERSIDE EXTENSION PHASE 2**

The Grantor(s), **U.G.M. FOUNDATION, INC., a corporation**, for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, convey(s) and grant(s) unto the **CITY OF SPOKANE, a Washington municipal corporation** and its assigns under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and temporary easement over, upon, and across the hereinafter described lands for the purpose of slope grading.

The temporary rights herein granted shall terminate on March 1, 2015.

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

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

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

## TEMPORARY CONSTRUCTION EASEMENT

Dated: 2-7, 2014

U.G.M. Foundation, Inc.

By:   
Philip Altmeier, Executive Director

Accepted and Approved

CITY OF SPOKANE

By: \_\_\_\_\_

Date: \_\_\_\_\_



**TEMPORARY CONSTRUCTION EASEMENT**

**EXHIBIT "A"**

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" BEGINNING AT THE SOUTHERLY MOST CORNER OF LOT 9, BLOCK 19, DENNIS AND BRADLEY'S ADDITION, ACCORDING TO THE PLAT RECORDED IN VOLUME "A" OF PLATS, PAGES 160 AND 161, IN THE CITY OF SPOKANE, SPOKANE COUNTY, WASHINGTON ; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID LOT 9, NORTH 35°55'33" EAST 50.61 FEET TO A POINT ON A 544.50 FOOT RADIUS NONTANGENT CURVE, THE CENTER OF CIRCLE OF WHICH BEARS SOUTH 40°03'51" EAST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 5°25'45", 51.60 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF SAID LOT 9; THENCE ALONG SAID SOUTHWESTERLY LINE OF LOT 9, SOUTH 53°51'33" EAST 10.10 FEET TO THE POINT OF BEGINNING;

PARCEL "A"

THE SOUTHWESTERLY 5 FEET OF LOT 6 AND ALL OF LOTS 7, 8 AND 9, BLOCK 19, DENNIS AND BRADLEY'S ADDITION, ACCORDING TO PLAT RECORDED IN VOLUME "A" OF PLATS, PAGE 160, IN SPOKANE, SPOKANE COUNTY, WASHINGTON;

EXCEPT THAT PORTION OF LOT 9 LYING WITHIN BINDING SITE PLAN Z2006-30-FBSP, RECORDED OCTOBER 17, 2012, BOOK 3, PAGES 57 AND 58;

EXCEPTING THEREFROM ANY PORTION CONVEYED TO SPOKANE TERMINAL COMPANY BY DEED RECORDED NOVEMBER 114, 1905, UNDER AUDITOR'S FILE NO. 131511;

AND EXCEPT ANY PORTION CONVEYED TO SPOKANE AND EASTERN RAILWAY AND POWER COMPANY, A CORPORATION, BY DEED RECORDED FEBRUARY 2, 1920, UNDER AUDITOR'S FILE NO. 579418.

The lands herein described contain an area of 277 square feet, more or less, the specific details concerning all of which are to be found on sheet 4 of that certain plan entitled Riverside Extension Phase 2, now of record and on file in the Engineering Services office at the City of Spokane, Washington bearing revision date July 10, 2013.

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

03/24/2014

**Date Rec'd**

3/13/2014

**Clerk's File #**

OPR 2014-0212

**Renews #****Submitting Dept**

FIRE

**Cross Ref #****Contact Name/Phone**

BOBBY WILLIAMS 625-7001

**Project #****Contact E-Mail**

BWILLIAMS@SPOKANECITY.ORG

**Bid #****Agenda Item Type**

Contract Item

**Requisition #**

CR14297

**Agenda Item Name**

1970 EMS/FIRE DEPARTMENT - ANNUAL CAD SOFTWARE MAINTENANCE

**Agenda Wording**

Contract with INFOR PUBLIC SECTOR INC. (Alpharetta, GA) to license, use and provide annual CAD maintenance for the proprietary EnRoute Emergency Systems software from May 1, 2014 to April 30, 2015. Estimated contract cost is \$61,763.91.

**Summary (Background)**

This is a contract renewal of ongoing annual software maintenance to the Fire Department's CAD systems. An upgrade to the CAD system in 2010 required interfacing with the EnRoute software. Maintenance of the system is necessary for compliance with the Fire Department's contracts to provide Fire/EMS dispatch services for 14 Fire Agencies in Spokane County. Enroute Emergency Systems, Inc. merged with Infor Public Sector Inc. in December 2012.

**Fiscal Impact****Budget Account**

Expense \$ 61,763.91

# 1630-35210-22551-54820

Select \$

#

Select \$

#

Select \$

#

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

WILLIAMS, BOBBY

**Study Session**

Public Safety 3/17/14

**Division Director**

WILLIAMS, BOBBY

**Other****Finance**

LESESNE, MICHELE

**Distribution List****Legal**

DALTON, PAT

mdoval, korlob, kripely

**For the Mayor**

SANDERS, THERESA

bschaeffer, aschmidt

**Additional Approvals**

Contract Accounting - mlesesne

**Purchasing**

Taxes &amp; Licenses

Briefing for Fire Department  
Infor Public Sector Yearly Maintenance Renewal  
for EnRoute Computer Aided Dispatch (CAD) system  
Public Safety Committee Meeting  
March 17, 2014

**Yearly Maintenance Contract** – CAD (Computer Aided Dispatch) Maintenance Agreement – This contract is with Infor Public Sector of Alpharetta, GA, for the annual maintenance contract of the Fire CAD system. This contract covers maintenance fees and non-Microsoft software licenses.

Contract period is for May 1, 2014 through April 30, 2015. Annual cost will be approximately \$61,763.91 (including tax) which is an increase from last year of approximately \$1,798.91. This increase is due the addition of several notification service interfaces added to the core CAD product.

System maintenance is necessary to ensure continued operation of the system and compliance with our contracts to provide Fire/EMS dispatch services for 14 Fire Agencies in Spokane County. The majority of this agreement is paid by CCC funds.



Invoice Invoice Date Due Date  
P - 2265-US06A 01/16/2014 04/30/2014

## Invoice

**Bill to:** Spokane Fire Department  
44 West Riverside  
Spokane, WA 99201-0189  
USA  
Attn: Ariane Schmidt

**Deliver To:** Spokane Fire Department  
44 West Riverside  
Spokane, WA 99201  
USA  
Attn: License Site

*OK to pay  
I will get a  
1) Site Service  
2) Ins. Justification  
3) City Bus. Use Copy.*

Customer No. Tax Reg. No. Customer PO No. Currency  
103 USD Maintenance Renewal

Description	Location	QTY	Users	Maintenance Begin Date	Maintenance End Date	Amount
911-Parameter Driven	103	1	1	05/01/2014	04/30/2015	2,580.59
A/N Paging	103	1	1	05/01/2014	04/30/2015	3,009.96
Zetron Encoder	103	1	1	05/01/2014	04/30/2015	3,038.65
ProQA Interface	103	1	1	05/01/2014	04/30/2015	3,612.61
DF/AD to AMR Spokane	103	1	1	05/01/2014	04/30/2015	2,293.61
Message Switch Package	103	1	1	05/01/2014	04/30/2015	8,715.29
Fire Mobile Overlay	103	1	1	05/01/2014	04/30/2015	2,867.57
EnRoute Fire Mobile Data	103	1	40	05/01/2014	04/30/2015	6,193.19
wIntegrate SN10056240	103	1	5	05/01/2014	04/30/2015	204.20
AVL w/Unit Recommendation	103	1	1	05/01/2014	04/30/2015	8,944.87
Location Interface	103	1	1	05/01/2014	04/30/2015	1,136.22
UniData-Server-Primary for Message Switch	103	1	4	05/01/2014	04/30/2015	437.09
UniData-Server-Backup for Message Switch	103	1	4	05/01/2014	04/30/2015	110.37
NFA-Server-Primary for Message Switch	103	1	1	05/01/2014	04/30/2015	608.17
NFA-Server-Backup for Message Switch	103	1	1	05/01/2014	04/30/2015	608.17
FireHouse	103	1	1	05/01/2014	04/30/2015	779.76

Carry Forward

45,140.32

*2013-0694*





Invoice	Invoice Date	Due Date
P - 2265-US06A	01/16/2014	04/30/2014

## Invoice

Description	Location	QTY	Users	Carry Forward		Amount
				Maintenance Begin Date	Maintenance End Date	
EnRoute CAD (COF # 103-1108180737)	103	1	1	05/01/2014	04/30/2015	6,489.00
EnRoute CAD Seats	103	1	8	05/01/2014	04/30/2015	5,191.20
TAX(Type RE - WA)						4,320.54
TAX(Type RP - WA)						622.85

For renewal questions, please contact Shawwna Wagner, Maintenance Business Manager  
Phone: +1 (916) 474-5041  
Email: Shawwna.Wagner@infor.com

### Remit to:

Infor Public Sector, Inc.  
4213 Solutions Center  
Lockbox 774213  
Chicago, IL 60677-4002  
USA  
Cash.Applications@infor.com  
EFT: Wells Fargo Bank  
ABA #: 121000248  
Account #: 4121484505

### Payment Terms:

See Due Date.

### Special Instructions:

For questions, please contact at 678-319-8000 or email Infor.Collections@Infor.com

Please pay invoice by due date to avoid interruptions in support.

Net	Tax	Total:
56,820.52	4,943.39	61,763.91

This is a computer generated document, no signature required.

Invoice Total: USD 61,763.91

13560 Morris Rd - Ste 4100 Alpharetta, GA 30004 USA  
678-319-8000 Federal Tax ID. # 94-2913642

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

03/24/2014

**Date Rec'd**

3/12/2014

**Clerk's File #**

CPR 2007-0040

**Renews #****Submitting Dept**

MAYOR

**Cross Ref #****Contact Name/Phone**

RAE-LYNN 625-6774

**Project #****Contact E-Mail**

RBARDEN@SPOKANECITY.ORG

**Bid #****Agenda Item Type**

Boards and Commissions

**Requisition #****Agenda Item Name**

0520 APPOINTMENT TO SALARY REVIEW COMMISSION

**Agenda Wording**

Appoint Robert Beaumier to serve a four-year term to begin January 1, 2014 and expire December 31, 2017.

**Summary (Background)**

Appoint Robert Beaumier to serve a four-year term to begin January 1, 2014 and expire December 31, 2017.

**Fiscal Impact****Budget Account**

Select \$

#

Select \$

#

Select \$

#

Select \$

#

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

WESTFALL, JENNIFER

**Study Session****Division Director****Other****Finance****Distribution List****Legal**

rbarden@spokanecity.org

**For the Mayor**

SANDERS, THERESA

drobole@spokanecity.org

**Additional Approvals****Purchasing**



**Agenda Sheet for City Council Meeting of:**  
03/24/2014

<b><u>Date Rec'd</u></b>	3/13/2014
<b><u>Clerk's File #</u></b>	ORD C35090
<b><u>Renews #</u></b>	
<b><u>Cross Ref #</u></b>	
<b><u>Project #</u></b>	
<b><u>Bid #</u></b>	
<b><u>Requisition #</u></b>	

<b><u>Submitting Dept</u></b>	POLICE
<b><u>Contact Name/Phone</u></b>	TIM SCHWERING 625-4109
<b><u>Contact E-Mail</u></b>	TSCHWERING@SPOKANECITY.ORG
<b><u>Agenda Item Type</u></b>	Emergency Budget Ordinance
<b><u>Agenda Item Name</u></b>	0680-RECORD SPECIALIST PAY GRADE ADJUSTMENT

**Agenda Wording**

Amending Ordinance No. C-35062 and appropriating funds in the Police Department, FROM: Police Records Specialist; \$40,500 to Police Record Specialist, \$40,500 effective March 24, 2014.

**Summary (Background)**

This action provides for a salary grade adjustment for the classification of Police Records Specialist. This increase is being recommended to compensate for higher technical requirements for this classification that were not factored in when the current pay grade was established. A vacant Records Specialist position is being eliminated to fund the increase for the remaining positions.

<b><u>Fiscal Impact</u></b>	<b><u>Budget Account</u></b>
Neutral \$ 40,500	# Various Accounts-See Ordinance
Select \$	#
Select \$	#
Select \$	#

<b><u>Approvals</u></b>		<b><u>Council Notifications</u></b>	
<b><u>Dept Head</u></b>	WADE, ERIKA	<b><u>Study Session</u></b>	March 17, 2014
<b><u>Division Director</u></b>	FRANK STRAUB	<b><u>Other</u></b>	
<b><u>Finance</u></b>	LESESNE, MICHELE	<b><u>Distribution List</u></b>	
<b><u>Legal</u></b>	DALTON, PAT	ewade	
<b><u>For the Mayor</u></b>	SANDERS, THERESA	korlob	
<b><u>Additional Approvals</u></b>		mbutler	
<b><u>Purchasing</u></b>			

ORDINANCE NO C35090

An ordinance amending Ordinance No. C-35062, passed the City Council November 25, 2013, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2014, making appropriations to the various funds, departments, and programs of the City of Spokane government for the fiscal year ending December 31, 2014, and providing it shall take effect immediately upon passage", and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2014 budget Ordinance No. C-35062, as above entitled, and which passed the City Council November 25, 2013, it is necessary to make changes in the appropriations of the General Fund, which changes could not have been anticipated or known at the time of making such budget ordinance; and

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

The City of Spokane does ordain:

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

FROM:	0680-11500 21930-00160	General Fund Police Records Specialist <b>(from 28 to 27 positions)</b>	\$ 40,500
TO:	0680-11500 21930-00160	General Fund Police Records Specialist <b>(Grade 24 to Grade 26)</b>	\$ 40,500

Section 2. It is, therefore, by the City Council declared that an urgency and emergency exists for making the changes set forth herein, such urgency and emergency arising from the need to budget for a salary grade adjustment, and because of such need, an urgency and emergency exists for the passage of this ordinance, and also, because the same makes an appropriation, it shall take effect and be in force immediately upon its passage.

Passed the City Council \_\_\_\_\_

\_\_\_\_\_  
Council President

Attest: \_\_\_\_\_  
City Clerk

Approved as to form: \_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Effective Date

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

03/24/2014

**Date Rec'd**

3/12/2014

**Clerk's File #**

RES 2014-0029

**Renews #****Submitting Dept**

CITY COUNCIL

**Cross Ref #****Contact Name/Phone**

CM AMBER (509) 625-6255

**Project #****Contact E-Mail**

MFEIST@SPOKANECITY.ORG

**Bid #****Agenda Item Type**

Resolutions

**Requisition #****Agenda Item Name**

4500-ADOPTING CSO PLAN AMENDMENT &amp; WASTEWATER FACILITIES PLAN

**Agenda Wording**

A resolution adopting the City of Spokane's 2013 CSO Plan Amendment and its NLT Engineering Report/Wastewater Facilities Plan Amendment No. 3.

**Summary (Background)**

The City of Spokane Utilities Division has completed a new amendment to the City's plan to reduce CSOs (combined sewer overflows) and another that identifies its plans to add tertiary treatment at the Riverside Park Water Reclamation Facility (RPWRF). These plans represent significant savings for City utility ratepayers and will serve as building blocks for the City's Integrated Clean Water Plan. With this action, the Council is adopting these plans and promoting their implementation.

**Fiscal Impact**

Neutral \$

**Budget Account**

#

Select \$

#

Select \$

#

Select \$

#

**Approvals****Dept Head**

MCDANIEL, ADAM

**Council Notifications****Study Session****Division Director****Other**

PW Comm 3/10/2014

**Finance**

LESESNE, MICHELE

**Distribution List****Legal**

BURNS, BARBARA

awaldref@spokanecity.org

**For the Mayor**

SANDERS, THERESA

rromero@spokanecity.org

**Additional Approvals**

mfeist@spokanecity.org

**Purchasing**

mdavis@spokanecity.org

pmtaylor@spokanecity.org

bpatrick@spokanecity.org

## RESOLUTION NO. 2014-0029

A resolution adopting the City of Spokane's 2013 CSO Plan Amendment and its NLT Engineering Report/Wastewater Facilities Plan Amendment No. 3.

WHEREAS, the City of Spokane is required under its NPDES (National Pollutant Discharge Elimination System) permits to reduce CSOs (combined sewer overflows) to the Spokane River and to implement tertiary treatment at its Riverside Park Water Reclamation Facility (RPWRF); and

WHEREAS, the City must implement projects to meet a standard of no more than one overflow per year per CSO outfall on a rolling 20-year average by the end of 2017; and

WHEREAS, the City must construct tertiary treatment at the RPWRF and comply with effluent standards related to phosphorus by March 2021; and

WHEREAS, the City spent the last year reworking its plans for managing CSOs and developing its preferred option for tertiary treatment at the RPWRF; and

WHEREAS, taking a systemwide approach to planning and using actual rainfall, overflow, and flow monitoring data, construction projects were optimized and right-sized; and

WHEREAS, these projects are memorialized in the CSO Plan Amendment and the NLT Engineering Report and reflect a savings to ratepayers of about \$150 million over previous plans; and

WHEREAS, the City has engaged the public, stakeholders, and regulators as these amendments have developed; and

WHEREAS, the City collaborated with the Eastern Region of the Washington State Department of Ecology throughout this work and already has provided draft documents to Ecology that were well received; and

WHEREAS, these amendments will be significant building blocks for the City's Integrated Clean Water Plan, which is designed to meet the City's goal of a Cleaner River Faster; - - Now, Therefore,

BE IT RESOLVED that the Spokane City Council adopts the City's 2013 CSO Plan Amendment and the NLT Engineering Report/Wastewater Facilities Plan Amendment No. 3, supports finalization of the plans with Ecology, and encourages staff to embark on their implementation.

ADOPTED BY THE CITY COUNCIL ON \_\_\_\_\_.

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Assistant City Attorney



**Agenda Sheet for City Council Meeting of:**  
03/17/2014

<b>Date Rec'd</b>	3/5/2014
<b>Clerk's File #</b>	ORD C35083
<b>Renews #</b>	

<b>Submitting Dept</b>	CITY COUNCIL	<b>Cross Ref #</b>	
<b>Contact Name/Phone</b>	BEN STUCKART 625-6269	<b>Project #</b>	
<b>Contact E-Mail</b>	AMCDANIEL@SPOKANECITY.ORG	<b>Bid #</b>	
<b>Agenda Item Type</b>	First Reading Ordinance	<b>Requisition #</b>	
<b>Agenda Item Name</b>	0320 AMENDMENT TO CITY-WIDE SIX-YEAR CAPITAL IMPROVEMENT		

**Agenda Wording**

An ordinance relating to the annual adoption of a City-Wide Six-Year Capital Improvement Program; amending SMC section 7.017.010 and repealing SMC section 7.17.030.

**Summary (Background)**

In July of 2011, the City Council adopted Chapter 7.17 SMC regarding the annual adoption of a City-Wide Capital Improvement Program. The new chapter specified that a draft Program would be presented to Council by June of each year.

<b>Fiscal Impact</b>		<b>Budget Account</b>	
Select	\$	#	
Select	\$	#	
Select	\$	#	
Select	\$	#	
<b>Approvals</b>		<b>Council Notifications</b>	
<b><u>Dept Head</u></b>	MCDANIEL, ADAM	<b><u>Study Session</u></b>	
<b><u>Division Director</u></b>		<b><u>Other</u></b>	PCED
<b><u>Finance</u></b>	LESESNE, MICHELE	<b><u>Distribution List</u></b>	
<b><u>Legal</u></b>	BURNS, BARBARA		
<b><u>For the Mayor</u></b>	SANDERS, THERESA		
<b><u>Additional Approvals</u></b>			
<b><u>Purchasing</u></b>			





## Continuation of Wording, Summary, Budget, and Distribution

### **Agenda Wording**

### **Summary (Background)**

After completing two cycles of developing an annual Program it became clear that timing the release of the draft Program with the release of the City's draft budget would better serve one of the main purposes and intent of the Program--to provide a realistic funding outlook that will achieve the City's goals. The original language in the Chapter indicates the Plan Commission will "review" the Program. This statement in actuality means the Plan Commission will hold a hearing and provide Council with a recommendation. Additional language is recommended to remove any ambiguity regarding the intent of the Plan Commission's role. There are three proposed changes: 1) To present the Draft Program at the same time the draft budget is released (typically in August of each year); 2) To clearly convey that before Council approves a final Program, the Plan Commission will hold a hearing and provide Council with a recommendation; 3) Removal of section 7.17.030 which related to the first two years the chapter was in effect.

<b>Fiscal Impact</b>		<b>Budget Account</b>
Select	\$	#
Select	\$	#
AmtType7	\$ Amount7	# Budget7
AmtType8	\$ Amount8	# Budget8
<b><u>Distribution List</u></b>		
		Email16
		Email17
		Email18
		Email19
		Email20
		Email21
		Email22
		Email23

## Ordinance No. C-35083

AN ORDINANCE relating to the annual adoption of a City-Wide Six-Year Capital Improvement Program; amending SMC section 7.017.010 and repealing SMC section 7.17.030.

The City of Spokane does ordain:

Section 1. That SMC section 7.17.010 is amended to read as follows:

### **7.17.010                    Annual Adoption of a City-Wide Six-Year Capital Improvement Program**

- A. The city council shall adopt on an annual basis a City-wide Six-Year Capital Improvement Program.
- B. The City-wide Six-Year Capital Improvement Program shall be developed by City staff ~~((, reviewed by))~~ with the City plan commission reviewing the program and making a recommendation regarding ((for)) consistency with the City's Comprehensive Plan as described in SMC 17G.020.060 (L) and (M) ((, and presented to the city council by June 30th of each year so that the city council can incorporate the planning and financing of capital facilities in the adoption of the annual budget)).
- C. A draft of the City-wide Six-Year Capital Improvement Program shall be presented to the city council each year with the City's draft budget (typically in August of each year) so that the city council can incorporate the planning and financing of capital facilities in the adoption of the annual budget and the program.

Section 2. That SMC section 7.17.030 is repealed.

### **~~((SMC 7.17.030 — Effective Date~~**

~~In order to allow City staff ample opportunity to generate a thorough and robust City-wide Six-Year Capital Improvement Program, the first program will at a minimum include the transportation component, the water component and the wastewater component and as many other components as possible by June 30, 2012. By June 30, 2013 all City departments with capital facilities needs for subsequent six years shall be included in a City Wide Six-Year Capital Improvement Program.))~~

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:**

03/17/2014

**Date Rec'd**

3/5/2014

**Clerk's File #**

ORD C35084

**Renews #****Submitting Dept**

CITY COUNCIL

**Cross Ref #****Contact Name/Phone**

JON SNYDER 6254

**Project #****Contact E-Mail**

JSNYDER@SPOKANECITY.ORG

**Bid #****Agenda Item Type**

First Reading Ordinance

**Requisition #****Agenda Item Name**

0320 ORD RE BOARDS AND COMMISSIONS APPOINTMENTS

**Agenda Wording**

An ordinance amending SMC Section 4.01.030 regarding appointment terms on boards and commissions.

**Summary (Background)**

This ordinance amends SMC 4.01.030 to state that unless otherwise specifically prohibited by the board or commission by-laws, incumbent members appointed by city council shall continue to serve and remain a voting member beyond expiration of his or her term until a replacement member has been appointed and assumed the position.

**Fiscal Impact****Budget Account**

Select \$

#

Select \$

#

Select \$

#

Select \$

#

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

MCDANIEL, ADAM

**Study Session****Division Director****Other****Finance**

LESESNE, MICHELE

**Distribution List****Legal**

BURNS, BARBARA

**For the Mayor**

SANDERS, THERESA

**Additional Approvals****Purchasing**

ORDINANCE NO. C-35084

An ordinance relating to appointment of residents to boards and commissions; amending SMC section 4.01.030.

The City of Spokane does ordain:

Section 1. That SMC section 4.01.030 is amended to read as follows:

**4.01.030 Appointment**

- A. Appointments to City boards, commissions or agencies made by the City Council are to be made from residents of the City, unless the provision establishing the requirement for the appointment specifically permits or requires the appointment of a nonresident. Any current member of a board, commission or agency who is not a resident of the City shall be permitted to complete his or her term and any subsequent reappointment.
- B. Appointees shall be at least eighteen years of age unless the state law or City ordinance creating the board, commission or agency provides for appointees under the age of eighteen.
- C. Appointees shall have indicated a willingness to serve in such capacity in response to efforts by the mayor to extend the opportunity for service to all concerned citizens and groups so as to achieve the greatest degree of public confidence and expertise.
- D. Unless otherwise specifically prohibited by the document creating the appointment to a City board, commission or agency, the incumbent members appointed by the city council shall continue to serve and remain a voting member beyond the expiration of his or her term until a replacement member has been appointed and assumed the position.

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:**

03/24/2014

**Date Rec'd**

3/12/2014

**Clerk's File #**

ORD C35089

**Renews #****Submitting Dept**

CITY COUNCIL

**Cross Ref #****Contact Name/Phone**

JON SNYDER 6254

**Project #****Contact E-Mail**

JSNYDER@SPOKANECITY.ORG

**Bid #****Agenda Item Type**

Emergency Budget Ordinance

**Requisition #****Agenda Item Name**

0320 COPS PROGRAM EBO

**Agenda Wording**

Amending Ordinance No. C-35062 and appropriating funds in the General Fund, FROM Unappropriated Reserves, \$50,000; TO: Various Accounts, same amount.

**Summary (Background)**

This action provides an additional \$50,000 to the C.O.P.S. program in addition to the current City Funding.

**Fiscal Impact****Budget Account**

Neutral \$ 50,000

# Multiple accounts - see ordinance

Select \$

#

Select \$

#

Select \$

#

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

MCDANIEL, ADAM

**Study Session****Division Director****Other****Finance**

LESESNE, MICHELE

**Distribution List****Legal**

BURNS, BARBARA

**For the Mayor**

SANDERS, THERESA

**Additional Approvals****Purchasing**

ORDINANCE NO. C35089

An ordinance amending Ordinance No. C-35062, passed by the City Council November 25, 2013, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2014, making appropriations to the various funds, departments, and programs of the City of Spokane government for the fiscal year ending December 31, 2014, and providing it shall take effect immediately upon passage", and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2014 budget Ordinance No. C-35062, as above entitled, and which passed the City Council November 25, 2013, it is necessary to make changes in the appropriations of the General Fund, which changes could not have been anticipated or known at the time of making such budget ordinance;

Now, Therefore, the City of Spokane does ordain:

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

FROM:	0100-99999	General Fund	
	99999-	Unappropriated Reserves	<u>\$ 50,000</u>
TO:	0680-18200	General Fund	
	21223-54201	Contractual Services	<u>\$ 50,000</u>

Section 2. It is, therefore, by the City Council declared that an urgency and emergency exists for making the changes set forth herein, such urgency and emergency arising from the need to provide funding for the COPS program, and because of such need, an urgency and emergency exists for the passage of this ordinance, and also, because the same makes an appropriation, it shall take effect and be in force immediately upon its passage.

Passed the City Council \_\_\_\_\_

\_\_\_\_\_  
Council President

Attest: \_\_\_\_\_  
City Clerk

Approved as to form: \_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Effective Date



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

03/24/2014

**Date Rec'd**

3/12/2014

**Clerk's File #**

RES 2014-0028

**Renews #****Submitting Dept**

CITY COUNCIL

**Contact Name/Phone**

JON SNYDER 6254

**Contact E-Mail**

JSNYDER@SPOKANECITY.ORG

**Agenda Item Type**

Resolutions

**Agenda Item Name**

0320 RESOLUTION REGARDING PILOT PROJECT FOR SCHOOL SPEED ZONE

**Agenda Wording**

A resolution regarding a pilot project for an automated traffic safety camera in a school speed zone.

**Summary (Background)**

RCW 46.63.170 specifically allows automated traffic safety cameras to be used in a school speed zone. Cities such as Seattle and Tacoma have begun utilizing these automated traffic safety cameras in school speed zones for positive results as reported to the state legislature. The City is always looking for means to increase safety around school zones.

**Fiscal Impact**

Select \$

Select \$

Select \$

Select \$

**Budget Account**

#

#

#

#

**Approvals****Dept Head**

MCDANIEL, ADAM

**Division Director****Finance**

LESESNE, MICHELE

**Legal**

BURNS, BARBARA

**For the Mayor**

SANDERS, THERESA

**Council Notifications****Study Session****Other****Distribution List****Additional Approvals****Purchasing**



**Continuation of Wording, Summary, Budget, and Distribution**

**Agenda Wording**

**Summary (Background)**

This resolution request the City Administration to bring forward a proposal for a pilot project to place an automated traffic safety camera in one school speed zone in the City of Spokane.

**Fiscal Impact**

Select      \$

Select      \$

AmtType7    \$ Amount7

AmtType8    \$ Amount8

**Budget Account**

#

#

# Budget7

# Budget8

**Distribution List**

Email16

Email17

Email18

Email19

Email20

Email21

Email22

Email23

RESOLUTION NO. 2014-0028

A resolution regarding a pilot project for an automated traffic safety camera in a school speed zone.

WHEREAS, the Revised Code of Washington specifically allows automated traffic safety cameras in a school speed zone per RCW 46.63.170; and

WHEREAS, cities such as Seattle and Tacoma have begun utilizing these automated traffic safety cameras in school speed zones to for positive results as reported to the state legislature; and

WHEREAS, the City of Spokane is always looking for means to increase safety around school zones; - - Now, therefore,

BE RESOLVED BY THE SPOKANE CITY COUNCIL that the Spokane City Council requests that Administration staff to bring forward a proposal for a pilot project to place an automated traffic safety camera in one school speed zone in the City of Spokane.

ADOPTED BY THE CITY COUNCIL ON \_\_\_\_\_, 2014.

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Assistant City Attorney



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

March 13, 2014

City Clerk File Nos.:  
ORD C35088

COUNCIL ACTION MEMORANDUM

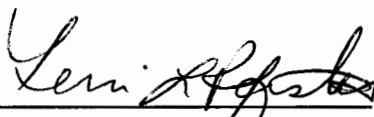
RE: FIRST READING ORDINANCE C35088 RELATING TO TRAFFIC CALMING MEASURES

During the Spokane City Council's 3:30 p.m. Briefing Session held Monday, March 10, 2014, upon review of the March 17, 2014, Advance Agenda, Council Member Snyder reported on First Reading Ordinance C35088. He advised there is one text mistake in the proposed ordinance. He noted the new proposed text (currently) says: "The fund will be used to pay for traffic safety measures and one Spokane Police traffic enforcement officer." He noted the intent was to not eliminate the word "traffic calming," and stated it should say: "The fund will be used to pay for traffic calming measures and one Spokane Police traffic safety enforcement officer."

Council Member Snyder noted that on the night Ordinance C35088 is considered (on March 24), there will be a number of things being brought forward: (1) the emergency budget ordinance for the COPS funding, (2) a change in the resolution that was passed last year to reflect the change in the ordinance that we're making here (under Ordinance C35088), and (3) a request for staff to bring us forward one pilot project on school zone safety cameras. He further noted the graffiti emergency budget ordinance that was previously talked about will not be coming forward because it's understood that it is not needed now. Subsequently, the following action was taken:

**Motion** by Council Member Snyder, seconded by Council Member Salvatori, to change the word "traffic safety" to "traffic calming;" **carried unanimously (Council Member Mumm absent).**

(Clerical Note: When Council Member Snyder explained the text mistake, he indicated the proposed ordinance should say: "The fund will be used to pay for traffic calming measures and one Spokane Police traffic safety enforcement officer." The previously filed version of the ordinance read: "...one Spokane Police traffic enforcement officer." Since Council Member Snyder is the sponsor of this ordinance and based on Mr. Snyder's above comments, the City Clerk has treated this as a clerical oversight and has added in the word "safety" between "traffic" and "enforcement," so it reads "...and one Spokane Police traffic safety enforcement officer.")

  
Terri L. Pfister, MMC  
City Clerk



**Agenda Sheet for City Council Meeting of:**  
03/17/2014

<b>Date Rec'd</b>	3/5/2014
<b>Clerk's File #</b>	ORD C35088
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	

<b>Submitting Dept</b>	CITY COUNCIL
<b>Contact Name/Phone</b>	JON SNYDER 6254
<b>Contact E-Mail</b>	JSNYDER@SPOKANECITY.ORG
<b>Agenda Item Type</b>	First Reading Ordinance
<b>Agenda Item Name</b>	0320 ORDINANCE RE PHOTO RED FUNDING

**Agenda Wording**

An ordinance amending SMC section 7.08.148 regarding the use of funds collected via traffic safety cameras.

**Summary (Background)**

This ordinance amends SMC section 7.08.148 to read that the traffic calming measures funding will be used to pay for traffic safety measures and one Spokane Police traffic enforcement officer.

<b>Fiscal Impact</b>		<b>Budget Account</b>	
Select	\$	#	
Select	\$	#	
Select	\$	#	
Select	\$	#	
<b>Approvals</b>		<b>Council Notifications</b>	
<b>Dept Head</b>	MCDANIEL, ADAM	<b>Study Session</b>	
<b>Division Director</b>		<b>Other</b>	
<b>Finance</b>	LESESNE, MICHELE	<b>Distribution List</b>	
<b>Legal</b>	BURNS, BARBARA		
<b>For the Mayor</b>	SANDERS, THERESA		
<b>Additional Approvals</b>			
<b>Purchasing</b>			

ORDINANCE NO. C35088

An ordinance relating to the Traffic Calming Measures Fund; amending SMC section 7.08.148.

The City of Spokane does ordain:

Section 1. That SMC section 7.08.148 is amended to read as follows:

**7.08.148                      Traffic Calming Measures Fund**

There is established a special revenue fund to be known as the "Traffic Calming Measures Fund" into which shall be deposited funds from automated traffic safety camera infractions in excess of the direct administrative costs of the automated traffic safety camera program. The fund will be used to pay for traffic calming ~~((projects))~~ measures and one Spokane Police traffic safety enforcement officer.

PASSED by the City Council on \_\_\_\_\_

\_\_\_\_\_  
Council President

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Effective Date

As Amended on 3/10/2014

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

03/24/2014

**Date Rec'd**

3/12/2014

**Clerk's File #**

RES 2014-0030

**Renews #****Submitting Dept**

ASSET MANAGEMENT

**Cross Ref #****Contact Name/Phone**

DAVE STEELE 625-6064

**Project #****Contact E-Mail**

DSTEELE@SPOKANECITY.ORG

**Bid #****Agenda Item Type**

Hearings

**Requisition #****Agenda Item Name**

5900-RESOLUTION - SURPLUS PROPERTY - ELK CHATTAROY

**Agenda Wording**

A Resolution setting forth the fair market value of certain surplus utility properties and authorizing sale of the properties.

**Summary (Background)**

Development of the former Solid Waste "Composting Facility" at the Elk Chattaroy property resulted in the acquisition and aggregation of residential and vacant properties due to composting odor problems. The facility was eventually shut down and a substantial portion of the vacant property has sat idle for many years with the existing residential properties leased. This resolution would declare these properties surplus and set the fair market value, allowing for the sale of the property.

**Fiscal Impact****Budget Account**

Select \$

#

Select \$

#

Select \$

#

Select \$

#

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

WERNER, MICHAEL

**Study Session****Division Director**

QUINTRALL, JAN

**Other**

PCED 3/17/14

**Finance**

LESESNE, MICHELE

**Distribution List****Legal**

RICHMAN, JAMES

lhattenburg@spokanecity.org

**For the Mayor**

SANDERS, THERESA

dsteele@spokanecity.org

**Additional Approvals**

mhughes@spokanecity.org

**Purchasing**

pdolan@spokanecity.org

mlesesne@spokanecity.org

cmarchand@spokanecity.org

**BRIEFING PAPER**  
**Asset Management Group**  
**Tuesday, March 11, 2014**

---

**Subject:**

Surplus property resolution for Solid Waste Property located @ 22200 Elk Chattaroy Road, commonly known as the Elk Chattaroy Composting Facility.

**Background:**

Development of the former Solid Waste “Composting Facility” at the Elk Chattaroy property resulted in the acquisition and aggregation of several residential and vacant properties by Solid Waste due to composting odor problems. The composting facility was eventually shut down and a substantial portion of the vacant property has sat idle for many years with the existing residential properties leased. This resolution would declare these properties surplus and set the fair market value, allowing for the sale of the property.

**Impact:**

The combined Elk Chattaroy properties are valued at approximately \$755,000 and have been listed under separate agreements with K&H. The individual residential properties are listed ‘as is’ with existing structures and the larger vacant property listed as vacant developable property.

**Action:**

Approval of the Surplus Resolution



## RESOLUTION 2014-0030

A RESOLUTION SETTING FORTH THE FAIR MARKET VALUE OF CERTAIN SURPLUS UTILITY PROPERTIES AND AUTHORIZING SALE OF THE PROPERTIES.

WHEREAS, the City of Spokane is the owner of certain properties originally acquired for public utility purposes, which properties are located in the City of Spokane, County of Spokane, State of Washington, and described in Exhibit 'A' hereto ("Properties"); and

WHEREAS, the Properties are surplus to the City's needs and are not required for providing continued public utility service; and

WHEREAS, RCW 35.94.040 authorizes the City to dispose of surplus property originally acquired for public utility purposes; and

WHEREAS, the City of Spokane must attempt to obtain fair market value in the sale of the Properties.

WHEREAS, the City Asset Management Department has determined the fair market value of the Properties.

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

1. The Properties are hereby declared to be surplus to the City's needs and are not required for providing continued public utility service.

2. The City of Spokane, Asset Management Department, has determined the fair market value of the Properties, as set forth in the attached Exhibit "A".

3. The City's Director of Asset Management is authorized to negotiate for fair market value the sale or exchange of the Properties to interested buyers pursuant to a Real Estate Purchase and Sale Agreement, and the Mayor is hereby authorized to execute such documents as are reasonably necessary to consummate such sale or exchange without further approval by the Council.

ADOPTED by the Spokane City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney

## **EXHIBIT "A"**

Parcel: 37101.9091

Value: \$160,000

Parcel: 37101.9004

Value: \$132,500

Parcel: 37101.9061

Value: \$115,000

Parcel: 37101.9062

Value: \$12,500

Parcel: 37101.9063

Value: \$27,500

Parcel: 37101.9052

Value: \$67,500

Parcel: 37101.9010

Value: \$137,500

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

03/17/2014

**Date Rec'd**

3/5/2014

**Clerk's File #**

ORD C35085

**Renews #****Submitting Dept**

PLANNING &amp; DEVELOPMENT

**Cross Ref #****Contact Name/Phone**

KEN PELTON 625-6063

**Project #****Contact E-Mail**

KPELTON@SPOKANECITY.ORG

**Bid #****Agenda Item Type**

First Reading Ordinance

**Requisition #****Agenda Item Name**

0650-ORDINANCE-5TH AVENUE AND FISKE STREET

**Agenda Wording**

An Ordinance relating to parking requirements establishing a No-Parking Required Overlay Zone for the Neighborhood Retail Zoned Area located at the intersection of 5th Avenue and Fiske Street; and amending SMC section 17C.230.120, Table 17C.230-1.

**Summary (Background)**

Community CAFÉ (Community Action and Family Engagement) is a group of residents that were convened by the Health District to address health and safety issues in the East Central Neighborhood in 2011. This group recognized that the underutilized business district was contributing to the perception of safety in the neighborhood. The off-street parking requirements of the zoning code were seen as a regulatory barrier to new investment in this business district.

**Fiscal Impact****Budget Account**

Neutral \$

#

Select \$

#

Select \$

#

Select \$

#

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

CHESNEY, SCOTT

**Study Session****Division Director**

CHESNEY, SCOTT

**Other**

PCED 9/16/13

**Finance**

LESESNE, MICHELE

**Distribution List****Legal**

BURNS, BARBARA

lhattenburg@spokanecity.org

**For the Mayor**

SANDERS, THERESA

kpelton@spokanecity.org

**Additional Approvals**

jrichman@spokanecity.org

**Purchasing**

bburns@spokanecity.org

cbrazington@spokanecity.org

## ORDINANCE NO. C-35085

AN ORDINANCE relating to parking requirements establishing a No-Parking Required Overlay Zone for the Neighborhood Retail Zoned Area located at the intersection of 5th Avenue and Fiske Street; and amending SMC section 17C.230.120, Table 17C.230-1

The City of Spokane does ordain:

Section 1. That SMC section 17C.230.120 is amended as follows:

### **17C.230.120            Maximum Allowed Parking Spaces**

- A.    Purpose.  
Limiting the number of spaces allowed promotes efficient use of land, enhances urban form, encourages use of alternative modes of transportation, provides for better pedestrian movement, and protects air and water quality. The maximum ratios in this section vary with the use the parking it is accessory to. These maximums will accommodate most auto trips to a site based on typical peak parking demand for each use.
- B.    Maximum Number of Parking Spaces Allowed.  
Standards in a plan district or overlay zone may supersede the standards in this subsection.
  - 1.    Surface Parking.  
The maximum number of parking spaces allowed is stated in Table 17C.230-1 and Table 17C.230-2, except as specified in subsection (B)(2) of this section.
  - 2.    Structure Parking.  
Parking provided within a building or parking structure is not counted when calculating the maximum parking allowed.

<p style="text-align: center;">TABLE 17C.230-1 PARKING SPACES BY ZONE [1] (Refer to Table 17C.230-2 for Parking Spaces Standards by Use)</p>		
ZONE	SPECIFIC USES	REQUIREMENT
RA, RSF, RTF, RMF, RHD	All Land Uses	Minimum and maximum standards are shown in Table 17C.230-2.
O, OR, NR, NMU, CB, GC, Industrial		
CC1, CC2, CC3 [2]	Nonresidential	Minimum ratio is 1 stall per 1,000 gross square feet of floor area. Maximum ratio is 4 stalls per 1,000 gross square feet of floor area.
	Residential	Minimum ratio is 1 stall per 1,000 gross square feet of floor area or a minimum of 1 stall per dwelling unit, whichever is less. Maximum ratio is the same as for nonresidential uses.
CC4 [2]	Nonresidential	Minimum ratio is 2 stalls per 1,000 gross square feet of floor area. Maximum ratio is 4 stalls per 1,000 gross square feet of floor area.
	Residential	Minimum ratio is 1 stall per 1,000 gross square feet of floor area or a minimum of 1 stall per dwelling unit, whichever is less. Maximum ratio is the same as for nonresidential uses.
Downtown [2]	All Land Uses	See the Downtown Parking Requirement Map 17C.230-M1 to determine if parking is required. Minimum ratio for areas shown on the map that require parking is 1 stall per 1,000 gross square feet of floor area or a minimum of 1 stall per dwelling unit, whichever is less. Maximum ratio is 3 stalls per 1,000 gross square feet of floor area.
Overlay	All Land Uses	No off-street parking is required. See the No Off-Street Parking Required Overlay Zone Map 17C.230-M2 <u>and No Off-Street Parking Required Overlay Zone Map 17C.230-M3.</u>
<p>[1] Standards in a plan district or overlay zone may supersede the standards of this table.</p> <p>[2] See exceptions in SMC 17C.230.130, CC and Downtown Zone Parking Exceptions.</p>		

PASSED BY THE CITY COUNCIL on \_\_\_\_\_, 2014.

\_\_\_\_\_  
Council President

Attest:

Approved as to form:

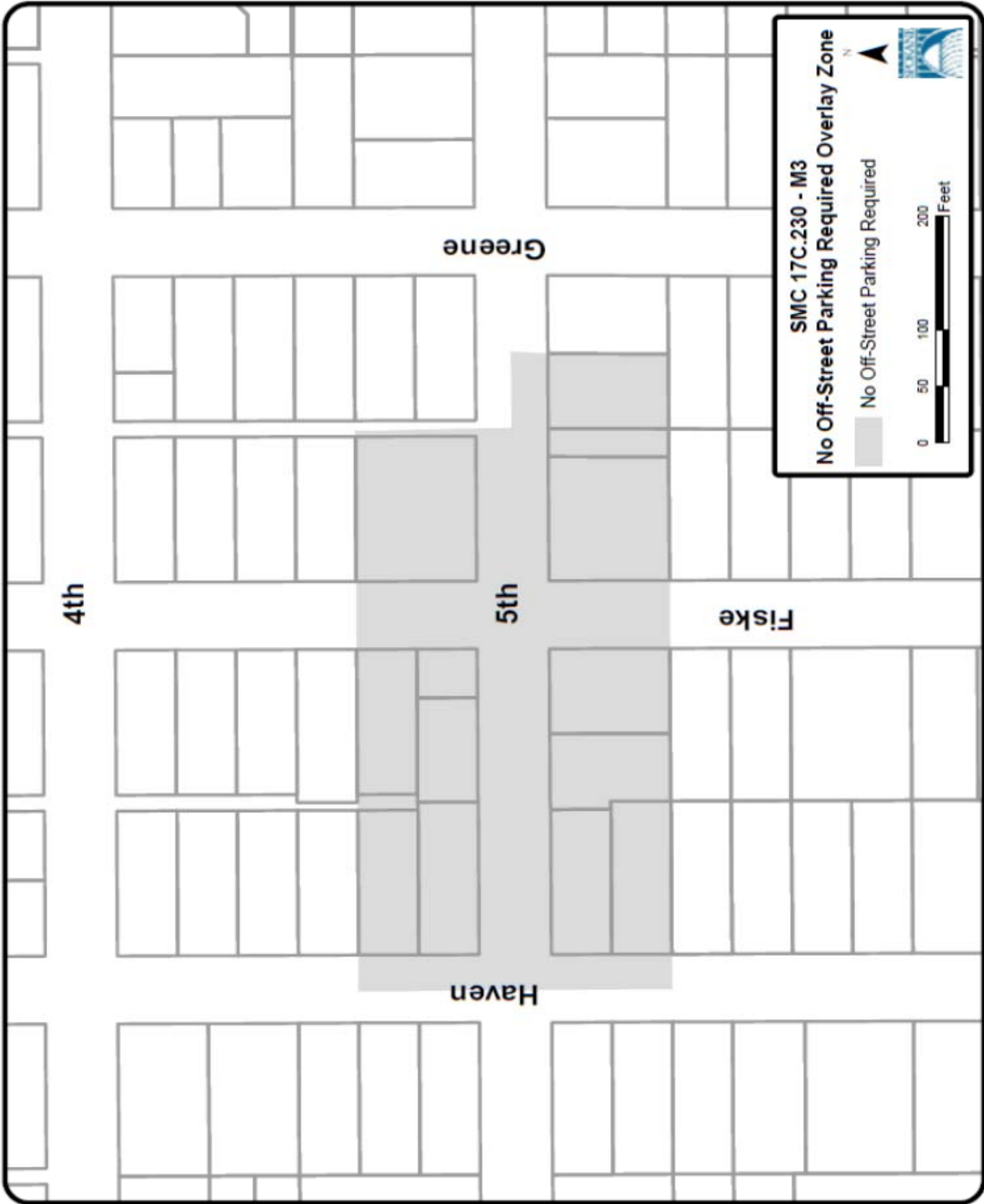
\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

Effective Date: \_\_\_\_\_



**Draft Spokane City Plan Commission  
Findings of Fact, Conclusions, and Recommendations  
Proposed Amendments to the Spokane Municipal Code  
Chapter 17C.230-Parking and Loading**

**A recommendation from the City Plan Commission to the City Council to approve an amendment to the Spokane Municipal Code Chapter 17C.230-Parking and Loading establishing a No-Parking Required Overlay Zone for the Neighborhood Retail Zoned Area located at the intersection of 5<sup>th</sup> and Fiske.**

**Findings of Fact:**

- A.** The Washington State Legislature passed the Growth Management Act (GMA) in 1990, requiring among other things, the development of a Comprehensive Plan (RCW 36.70A).
- B.** The City of Spokane adopted a Comprehensive Plan in May of 2001 that complies with the requirements of the Growth Management Act.
- C.** The Spokane Municipal Code, Title 17G, Administration and Procedures, Chapter 17G.025 Unified Development Code Amendment Procedures were used to prepare this proposed amendment to the Unified Development Code.
- D.** City of Spokane Comprehensive Plan, Land Use Chapter, Policy LU2.2, Performance Standards states: *Employ performance and design standards with sufficient flexibility and appropriate incentives to ensure that development is compatible with surrounding land uses.*
- E.** City of Spokane Comprehensive Plan, Economic Development, Chapter Policy ED 7.6, Development Standards and Permitting Process states: *Periodically evaluate and improve the City of Spokane's development standards and permitting process to ensure that they are equitable, cost-effective, timely, and meet community needs and goals.*
- F.** City of Spokane Comprehensive Plan, Transportation, Chapter Policy TR 2.4, Parking Requirements states: *Develop and maintain parking requirements for vehicles that adequately meet the demand for parking yet discourages dependence on driving.*
- G.** The Spokane City Plan Commission held workshops to study the proposed amendments on October 17, 2013 and January 22, 2014.
- H.** City of Spokane Planning and Development staff attended the January 21, 2014, East Central Neighborhood meeting held at the East Central Community Center to present the proposal to adopt the no off-street parking required overlay zoning for the commercial properties at 5th Ave and Fiske St. Staff informed those attending that the proposed overlay zone would exempt development within the zone from the requirement to provide off-street parking typically required. In advance of this meeting, a postcard notice regarding the proposal was sent to property owners within 400 feet of the properties involved in the overlay zone.
- I.** Notice of the proposed amendments to Chapter 17C.230 and announcement of the Plan Commission's February 26, 2014 hearing was published in the Spokesman Review on February 12, 2014 and February 19, 2014.
- J.** Fourteen days prior the Plan Commission public hearing a postcard notice regarding the proposal was sent to property owners within 400 feet of the properties involved in the overlay zone.



**K.** A State Environmental Policy Act (SEPA) Checklist and Determination of Non-Significance were issued on February 10, 2014. The public comment period for the SEPA determination ended on February 26, 2014.

**L.** On February 10, 2014 the Washington State Department of Commerce and appropriate state agencies were given the required notice before adoption of proposed changes to the Unified Development Code.

**M.** The City Plan Commission held a Public Hearing on February 26, 2014 to obtain public comments on the proposed amendments; deliberations followed.

**Conclusions:**

**A.** The Plan Commission has reviewed all public testimony received during the public hearing and has made changes to the draft documents during deliberations to address the testimony as considered appropriate.

**B.** The Plan Commission has found that the proposed amendments meet the approval criteria for text amendments to the Unified Development Code:

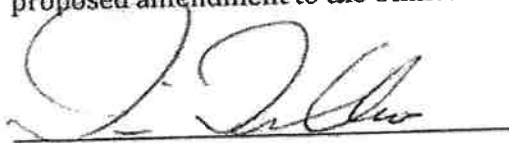
**SMC 17G.025.010 (F) Approval Criteria:**

1. The proposed amendment is consistent with the applicable provisions of the comprehensive plan; and
2. The proposed amendment bears a substantial relation to public health, safety, welfare, and protection of the environment.

**C.** The proposed amendments have been reviewed by the City Plan Commission and found to be in conformance with the goals and policies of the City's 2001 Comprehensive Plan, as well as the Spokane Municipal Code Chapter 17G.025.

**Recommendations:**

By a vote of 6 to 0 the Plan Commission recommends to the City Council the approval of the proposed amendment to the Unified Development Code, with changes as deliberated.



**Dennis Dellwo, President  
Spokane Plan Commission**

2/26/14  
**Date**

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

03/17/2014

**Date Rec'd**

3/5/2014

**Clerk's File #**

ORD C35086

**Renews #****Submitting Dept**

CITY COUNCIL

**Cross Ref #****Contact Name/Phone**

BEN STUCKART 625-6269

**Project #****Contact E-Mail**

AMCDANIEL@SPOKANECITY.ORG

**Bid #****Agenda Item Type**

First Reading Ordinance

**Requisition #****Agenda Item Name**

0320 MARKET GARDEN PILOT PROGRAM

**Agenda Wording**

An ordinance relating to a Market Garden Pilot Program; adopting a new chapter 17C.380 to title 17C of the Spokane Municipal Code.

**Summary (Background)**

The ordinance will create market garden pilot program regulations to facilitate the establishment and operation of market gardens residential zones within CDBG neighborhoods. The goal of the program is to introduce market gardens to the public for the benefit of the operators of the gardens as well as the residents. The program will enable small-scale businesses that grow agricultural products to sell those products on the same property where the products are grown.

**Fiscal Impact****Budget Account**

Select \$

#

Select \$

#

Select \$

#

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

MCDANIEL, ADAM

**Study Session**

February 13

**Division Director****Other****Finance**

LESESNE, MICHELE

**Distribution List****Legal**

BURNS, BARBARA

**For the Mayor**

SANDERS, THERESA

**Additional Approvals****Purchasing**



**Continuation of Wording, Summary, Budget, and Distribution**

**Agenda Wording**

**Summary (Background)**

The area of a market garden used to produce the agricultural product may not exceed 4,000 square feet for the first 21,780 square feet of the residential lot where the garden is located and may be increased by 2,000 square feet for each 21,780 square feet of the residential lot. A market garden may exceed this square footage limitation by 10% of the maximum area if the operator obtains a Type II conditional use permit. The Market Garden Pilot Program shall continue for a period twenty four months from the effective date of this ordinance. Unless the city council takes legislative action to discontinue the pilot program at the end of the twenty four month period, the provisions of this chapter shall become permanent.

<b>Fiscal Impact</b>		<b>Budget Account</b>
Select	\$	#
Select	\$	#
AmtType7	\$ Amount7	# Budget7
AmtType8	\$ Amount8	# Budget8

**Distribution List**

	Email16
	Email17
	Email18
	Email19
	Email20
	Email21
	Email22
	Email23

## Ordinance No. C-35086

AN ORDINANCE relating to a Market Garden Pilot Program; adopting a new chapter 17C.380 to title 17C of the Spokane Municipal Code.

WHEREAS, the City desires to encourage the development of a neighborhood market garden pilot program whereby residents may sell from residential lots agricultural products that are grown on site; and

WHEREAS, the zoning code currently does not permit the commercial sale of agricultural products in residential zones; and

WHEREAS, this ordinance is intended to create a pilot program to allow the sale of agricultural products from residential lots when the products are grown; - - Now, Therefore,

The City of Spokane does ordain:

Section 1. That there is adopted a new chapter 17C.380 to title 17C of the Spokane Municipal Code to read as follows:

### **Chapter 17C.380 Market Garden Pilot Program**

#### Sections:

17C.380.010            Market Garden Pilot Program

#### **17C.380.010            Market Garden Pilot Program**

##### A.     Purpose.

The purpose of the market garden pilot program regulations is to facilitate the establishment and operation of market gardens in residential zones. The goal of the program is to introduce market gardens to the public for the benefit of the operators of the garden as well as the residents. The program will be operated initially as a pilot program but may become permanent.

##### B.     Definition.

For the purpose of this section, the following words are defined as follows:

2.     “Agricultural products” shall mean fruits, vegetables, and horticultural, viticultural, floricultural products but shall exclude animals and animal products with the exception of eggs. Marijuana and marijuana related products are specifically excluded for purposes of this chapter from the definition of agricultural products and may not be grown or sold as part of a market garden.

2. "Market garden" shall mean a small-scale business that grows agricultural products that are sold by the operator of the garden on the same property where the agricultural products are grown.
- C. The City's zoning requirements for residential zones shall provide as an outright use market garden activities as part of the market garden pilot program as set forth below.
1. Market gardens shall be permitted only on residential lots city-wide where the agricultural products to be sold are also grown. The residential lot must contain a residential dwelling unit occupied by the operator of the market garden.
  2. Market gardens may sell agricultural products during daylight hours.
  3. Each market garden shall be limited to one vehicle delivery per day.
  4. Each operator of a market garden shall be required to obtain a City Business Registration.
  5. Operators shall be required to comply with all federal, state, municipal and health district regulations related to the production and sale of agricultural products including, but not limited to, the use of pesticides and chemicals used for agricultural production and the protection of well heads .
  6. The area of a market garden used to produce the agricultural product may not exceed six thousand square feet for the first twenty one thousand seven hundred eighty square feet of the residential lot where the garden is located and may be increased by two thousand square feet for each twenty one thousand seven hundred eighty square feet of the residential lot. A market garden may exceed this square footage limitation by ten percent of the maximum area if the operator obtains a Type II conditional use permit.
- D. The market garden pilot program shall continue for a period twenty four months from the effective date of this ordinance. Unless the city council takes legislative action to discontinue the pilot program at the end of the twenty four month period, the provisions of this chapter shall become permanent.

PASSED by the City Council on \_\_\_\_\_

\_\_\_\_\_  
Council President

As amended on 03.10.2014

Received 03.11.2014

Attest:

Approved as to form:

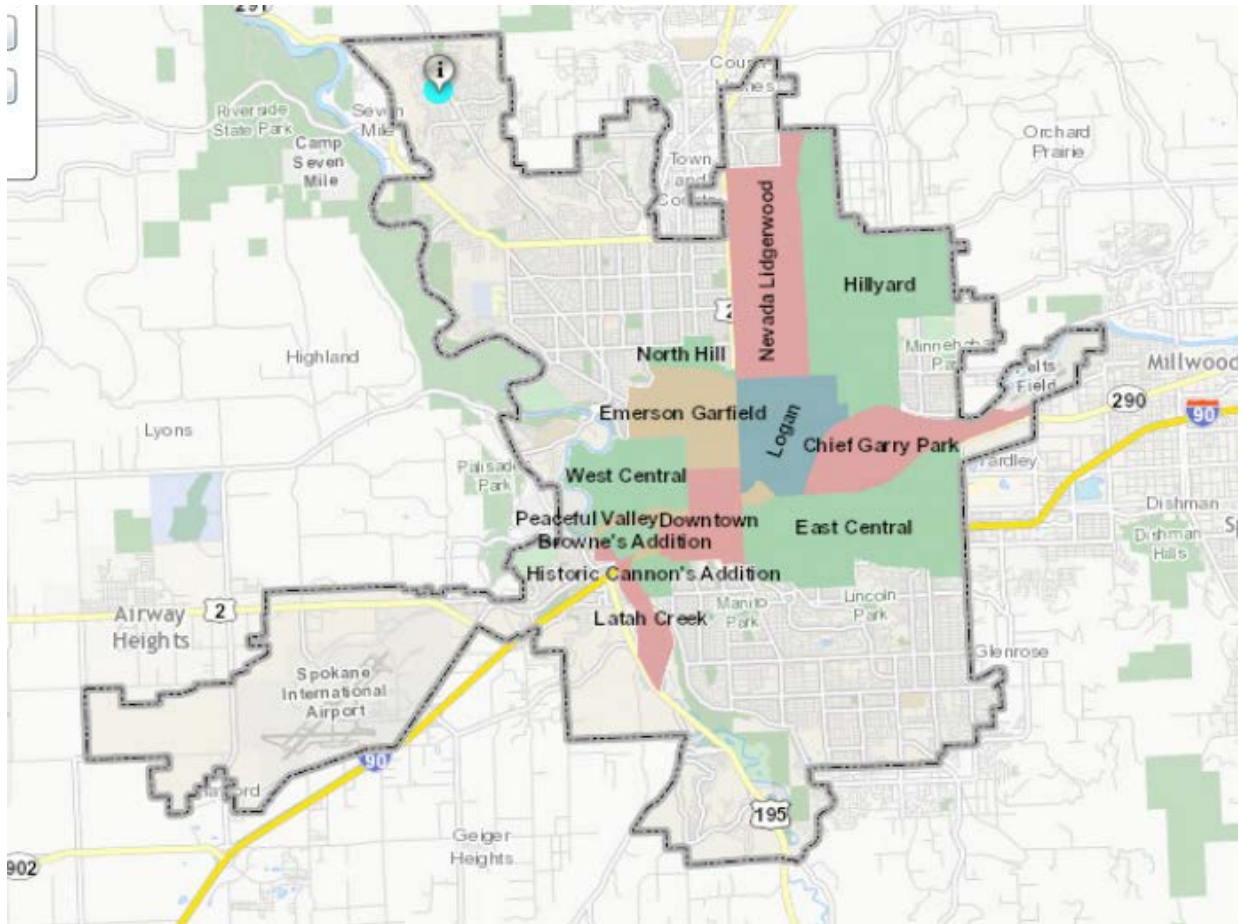
\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Effective Date



As amended on 03.10.2014

Received 03.11.2014

**SPOKANE ENVIRONMENTAL ORDINANCE**  
**REVISED NONPROJECT DETERMINATION OF NONSIGNIFICANCE**

**FILE NO(S):** *Proposed amendments to the Spokane Municipal Code adopting a new chapter 17C.380 to title 17C of the Spokane Municipal Code to encourage the development of a residential market garden pilot program ~~within CBDG neighborhoods~~ citywide. (no ordinance number yet assigned) This revision is to address the possibility that the market garden pilot program may be adopted citywide.*

**PROPONENT:** City of Spokane Council President

**DESCRIPTION OF PROPOSAL:** *The proposal is to add a new chapter to the Spokane Municipal Code to encourage the development of a market garden pilot program whereby residents may sell from residential lots agricultural products that are grown on site.*

**LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY:** *This is a non-project action that would be applied ~~in the area of all Community Development Block Grant (CDBG) neighborhoods~~ in the City of Spokane limits. ~~Map attached.~~*

**LEAD AGENCY:** CITY OF SPOKANE, Planning and Development

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

☒ [ X ] There is no comment period for this revision to the DNS.

☐ [ ] This DNS is issued after using the optional DNS process in section 197-11-355 WAC. There is no further comment period on the DNS.

☐ [ ] This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for At least 14 days from the date of issuance (below). Comments regarding this DNS must be submitted no later than \_\_\_\_ if they are intended to alter the DNS.

\*\*\*\*\*

**Responsible Official:** Scott Chesney, AICP

**Position/Title:** Director, Planning and Development      **Phone:** (509) 625-6300

**Address:** 808 W. Spokane Falls Blvd., Spokane, WA 99201

**Date Issued: revision:** March 4, 2014; DNS February 10, 2014 **Signature:** \_\_\_\_\_



\*\*\*\*\*

**APPEAL OF THIS DETERMINATION**, after it becomes final, may be made to the City of Spokane Hearing Examiner, 808 West Spokane Falls Blvd., Spokane, WA 99201. The appeal deadline is fourteen (14) calendar days after the signing of the DNS. This appeal must be on forms provided by the Responsible Official, make specific factual objections and be accompanied by the appeal fee. Contact the Responsible Official for assistance with the specifics of a SEPA appeal.

\*\*\*\*\*

## Environmental Checklist

File No.

amended  
3/4/2014  
to  
urban farming  
market garden  
ordinance

### Purpose of Checklist:

The State Environmental Policy Act (SEPA) chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An Environmental Impact Statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

delete  
reference  
to

### Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

CBDG  
neighborhood  
only.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

JTB

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

### Use of checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply."

IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (Part D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

RECEIVED

JAN 29 2014



## A. BACKGROUND

1. Name of proposed project, if applicable: An ordinance relating to a Market Garden Pilot Program, adopting a new chapter to 17C.380 to title 17C of the Spokane Municipal Code
2. Name of applicant: Spokane City Council.
3. Address and phone number of applicant or contact person: Ben Stuckart, 7<sup>th</sup> Floor Municipal Building, W. 808 Spokane Falls Blvd. Spokane, WA 99201 (509)625-6258
4. Date checklist prepared: January 27, 2014
5. Agency requesting checklist: City of Spokane Planning Dept.
6. Proposed timing or schedule (including phasing, if applicable): January 22, 2014 – first public workshop with City Plan Commission; February 12, 2014 – proposed second public workshop with City Plan Commission; February 26, 2014 – proposed third public workshop with City Plan Commission; March 12, 2014 – proposed public hearing before City Plan Commission; First and Second Reading before City Council with pending adoption by the end of March. Ordinance would become effective by first of April pursuant to City Charter.
7.
  - a. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. This is a non-project SEPA checklist. The activity proposed in the ordinance would create a two year pilot program for urban farming in CDBG neighborhoods. The program could become permanent and expanded beyond CDBG neighborhoods. ✓
  - b. Do you own or have options on land nearby or adjacent to this proposal? If yes, explain. No.
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. No environmental information has been prepared. The gardening/farming activity the ordinance would permit is currently permitted. The ordinance would allow the agricultural products to be sold on the site where the products are produced.
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. There are no pending applications for governmental approval. This is a non-project SEPA checklist.
10. List any government approvals or permits that will be needed for your proposal, if known. No other governmental approvals or permits will be needed for the City Council to pass this ordinance. The participants in the market garden pilot program will need to obtain any necessary permits to process and sell their products just as they currently have to do.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. The ordinance will create market garden pilot program regulations to facilitate the establishment and operation of market gardens in residential zones. The goal of the program is to introduce market gardens to the public for the benefit of the operators of the gardens as well as the residents. The program will enable small-scale businesses that grow agricultural products to sell those products on the same property where the products are grown.
12. Location of the proposal. Give sufficient information to a person to understand the precise location of your proposed project, including a street address, if any, and section, township and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit application related to this checklist. This is a non-project SEPA checklist. The ordinance would permit urban farming on residential lots in CDBG neighborhoods.
13. Does the proposed action lie within the Aquifer Sensitive Area (ASA)? The General Sewer Service Area? The Priority Sewer Service Area? The City of Spokane? (See: Spokane County's ASA Overlay Zone Atlas for boundaries.) The ordinance would permit urban farming in CDBG neighborhoods, which are all located within the City of Spokane. As such, it appears that the ordinance would permit activities that would be located over or within the zones listed above.
14. The following questions supplement Part A.
- a. Critical Aquifer Recharge Area (CARA) / Aquifer Sensitive Area (ASA)
- (1) Describe any systems, other than those designed for the disposal of sanitary waste, installed for the purpose of discharging fluids below the ground surface (includes systems such as those for the disposal of stormwater or drainage from floor drains). Describe the type of system, the amount of material to be disposed of through the system and the types of material likely to be disposed of (including materials which may enter the system inadvertently through spills or as a result of firefighting activities). N/A – This ordinance involves agricultural activities of the nature that is already permitted.
- (2) Will any chemicals (especially organic solvents or petroleum fuels) be stored in aboveground or underground storage tanks? If so, what types and quantities of material will be stored? This ordinance will not authorize the storage of chemicals in either above or below ground storage tanks.

- (3) What protective measures will be taken to insure that leaks or spills of any chemicals stored or used on site will not be allowed to percolate to groundwater. This includes measures to keep chemicals out of disposal systems.

Not applicable, this is a non-project action.

- (4) Will any chemicals be stored, handled or used on the site in a location where a spill or leak will drain to surface or groundwater or to a stormwater disposal system discharging to surface or groundwater?

This is a non-project SEPA checklist. The activities permitted under the ordinance relate to urban farming. The agricultural activities allowed in urban farming are currently permitted.

b. Stormwater

- (1) What are the depths on the site to groundwater and to bedrock (if known)?

Unknown.

- (2) Will stormwater be discharged into the ground? If so, describe any potential impacts?

Not applicable, this is a non-project action.

**TO BE COMPLETED BY APPLICANT**

**B. ENVIRONMENTAL ELEMENTS**

Evaluation for  
Agency Use  
Only

**1. Earth**

- a. General description of the site (circle one): *flat, rolling, hilly, steep slopes, mountains, other.* This ordinance is applicable to residential zones in CDBG neighborhoods where all types of terrain are present. ✓

- b. What is the steepest slope on the site (approximate percent slope)? Unknown. This is a non-project SEPA checklist. This ordinance is applicable to residential zones in CDBG neighborhoods, which may have varied slopes. ✓

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland. This is a non-project SEPA checklist. This ordinance is applicable to residential zones in GDBG neighborhoods with various types of soil. ✓
- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. This is a non-project SEPA checklist. This ordinance is applicable to residential zones in GDBG neighborhoods with various types of soil. ✓
- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill: This is a non-project SEPA checklist. This ordinance is applicable to residential zones in GDBG neighborhoods. The ordinance relates to agricultural activities related to urban farming. Grading and filling is not anticipated and would only occur under separate permits. ✓
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. This is a non-project SEPA checklist. This ordinance is applicable to residential zones in GDBG neighborhoods. Construction and development activities are not involved. The amount of filling or grading would be related to agricultural activities and would depend on the existing site conditions. ✓
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? This is a non-project SEPA checklist. Construction activities are not directly related to the ordinance authorizing urban farming.
- h. Proposed measures to reduce or control erosion or other impacts to the earth, if any: This is a non-project SEPA checklist and does not involve construction or development activities. Established policies and regulations that limit the potential of erosion would not be changed by the ordinance. The urban farming activities could increase the level of erosion protection by increasing the amount of ground vegetation cover associated with agricultural activities.

## 2. Air

- a. What type of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial, wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known. This is a non-project SEPA checklist and does not involve

construction or development. No changes to existing emissions or air quality standards will occur.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. No. This is a non-project SEPA checklist. Off-site sources of emissions are not anticipated to be an issue with on-site agricultural activities.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:  
Participants in the market gardening pilot program will have to comply with all clear air regulations enforced by the Spokane Regional Clean Air Agency.

Evaluation for  
Agency Use  
Only

### 3. Water

a. SURFACE:

- (1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

This is a non-project SEPA checklist so there is no specific site or development. Portions of the Spokane River, Latah Creek and the Little Spokane River run through the City.

- (2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

This is a non-project SEPA checklist. Any participate in the market garden pilot program would have to comply with the City's Shoreline Master Program.

- (3) Estimate the amount of fill and dredge material that would be placed in or removed from the surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

This is a non-project SEPA checklist and does not involve construction or development activities. Any participate in the market garden pilot program would have to comply with city and state wetland requirements.

- (4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

This is a non-project SEPA checklist and does not involve construction or development activities. Individual urban farm lots may use some surface water for agricultural purposes, however, such use is unlikely to result in significant surface water withdrawal.

- (5) Does the proposal lie within a 100-year floodplain? \_\_\_\_ If so, note location on the site plan.

This is a non-project SEPA checklist and does not involve construction or development activities. Any participant in the market garden pilot program would have to comply with all applicable floodplain regulations.

- (6) Does the proposal involve any discharge of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.  
The proposed ordinance does not call for any direct discharge of water.

Evaluation for  
Agency Use  
Only

b. GROUND:

- (1) Will groundwater be withdrawn, or will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

This is a non-project SEPA checklist and does not involve construction or development activities. Participate in the market garden pilot program could potentially use ground water for crop irrigation. Participants would be required to comply with applicable storm water control standards.

- (2) Describe waste material that will be discharged into the ground from septic tanks or other sanitary waste treatment facility. Describe the general size of the system, the number of houses to be served (if applicable) or the number of persons the system(s) are expected to serve.

This is a non-project SEPA checklist and does not involve construction or development activities. Residential areas within the CDBG neighborhoods eligible to participate in the pilot program are served by the City's sewer system. The market garden pilot program does not permit the discharge of waste material from septic tanks or other sanitary waste treatment facilities.

c. WATER RUNOFF (INCLUDING STORMWATER):

- (1) Describe the source of runoff (including stormwater) and method of collection and disposal if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

This is a non-project SEPA checklist and does not involve construction or development activities.

- (2) Could waste materials enter ground or surface waters? If so, generally describe.

This is a non-project SEPA checklist and does not involve construction or development activities. The City has existing policies regulations regarding water runoff.

- d. PROPOSED MEASURES to reduce or control surface, ground, and runoff water impacts, if any.

This is a non-project SEPA checklist and does not involve construction or development activities. The City has existing policies regulations regarding water runoff.

Evaluation for  
Agency Use  
Only

4. Plants

- a. Check or circle type of vegetation found on the site:

☒ \_\_\_\_\_ Deciduous tree: *alder, maple, aspen, other.*

☒ \_\_\_\_\_ Evergreen tree: *fir, cedar, pine, other.*

☒ \_\_\_\_\_ Shrubs

☒ \_\_\_\_\_ Grass

☒ \_\_\_\_\_ Pasture

☒ \_\_\_\_\_ Crop or grain

☒ \_\_\_\_\_ Wet soil plants, *cattail, buttercup, bullrush, skunk cabbage, other.*

☒ \_\_\_\_\_ Water plants: *water lily, eelgrass, milfoil, other.*

\_\_\_\_\_ Other types of vegetation.

- b. What kind and amount of vegetation will be removed or altered? This is a non-project SEPA checklist and does not involve construction or development activities. Whether vegetation is removed will depend upon existing site conditions and individual urban farms.

- c. List threatened or endangered species known to be on or near the site. This is a non-project SEPA checklist and does not involve construction or development activities. There are no known threatened or endangered species impacted by this ordinance.
- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: This is a non-project SEPA checklist and does not involve construction or development activities. Individual urban farms shall develop their own landscaping if desired.

## 5. Animals

- a. Circle any birds and animals which have been observed on or near the site are known to be on or near the site:  
birds: *hawk, heron, eagle, songbirds, other.* \_\_\_\_\_  
mammals: *deer, bear, elk, beaver, other.* \_\_\_\_\_  
fish: *bass, salmon, trout, herring, shellfish, other.* \_\_\_\_\_  
other: This ordinance involves residential property in GDBG neighborhoods. It is anticipated that birds and animals typical for residential neighborhoods in Spokane would be observed.

✓



- b. List any threatened or endangered species known to be on or near the site.

This is a non-project SEPA checklist and does not involve construction or development activities. There are no known threatened or endangered species impacted by this ordinance.

- c. Is the site part of a migration route? If so, explain.

This is a non-project SEPA checklist and does not involve construction or development activities. It is not anticipated that this ordinance will impact migration routes.

- d. Proposed measures to preserve or enhance wildlife, if any:

This is a non-project SEPA checklist and does not involve construction or development activities. This ordinance does not alter any of the City's existing wildlife management plans.

#### **6. Energy and natural resources**

- a. What kinds of energy (electric, natural gas, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Not applicable, this is a non-project action.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

Not applicable, this is a non-project action.

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

Not applicable, this is a non-project action.

## 7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe.

No, this is a non-project action. The proposed urban farming ordinance does not directly increase the risk of any of these hazards.

Evaluation for  
Agency Use  
Only

- (1) Describe special emergency services that might be required.

Not applicable, this is a non-project action.

- (2) Proposed measures to reduce or control environmental health hazards, if any:

Not applicable, this is a non-project action.

### b. NOISE:

- (1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Not applicable, this is a non-project action.

- (2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

This is a non-project SEPA checklist and does not involve construction or development activities. The operators of an urban farm under this ordinance will still have to apply to applicable noise ordinances.

- (3) Proposed measure to reduce or control noise impacts, if any:

Not applicable, this is a non-project action.

## 8. Land and shoreline use

- a. What is the current use of the site and adjacent properties?

Not applicable, this is a non-project action. The ordinance would amend the City's zoning requirements for residential zones to provide market gardens as an outright use.

- b. Has the site been used for agriculture? If so, describe.

Not applicable, this is a non-project action. The ordinances does allow for urban farming as an agricultural use.

Evaluation for  
Agency Use  
Only

- c. Describe any structures on the site.

Not applicable, this is a non-project action.

- d. Will any structures be demolished? If so, which?

Not applicable, this is a non-project action.

- e. What is the current zoning classification of the site?

Not applicable, this is a non-project action.

- f. What is the current comprehensive plan designation of the site?

Not applicable, this is a non-project action.

- g. If applicable, what is the current shoreline master program designation of the site?

Not applicable, this is a non-project action.

- h. Has any part of the site been classified as a critical area? If so, specify.

Not applicable, this is a non-project action.

- i. Approximately how many people would reside or work in the completed project?

Not applicable, this is a non-project action.

- j. Approximately how many people would the completed project displace?

Not applicable, this is a non-project action.

- k. Proposed measures to avoid or reduce displacement impacts, if any:

Not applicable, this is a non-project action.

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

Not applicable, this is a non-project action. All existing land uses and plans still apply.

Evaluation for  
Agency Use  
Only

#### 9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle or low-income housing.

Not applicable, this is a non-project action.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high-, middle- or low-income housing.

Not applicable, this is a non-project action.

- c. Proposed measures to reduce or control housing impacts, if any:

Not applicable, this is a non-project action.

#### 10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

Not applicable, this is a non-project action.

- b. What views in the immediate vicinity would be altered or obstructed?

Not applicable, this is a non-project action.

- c. Proposed measures to reduce or control aesthetic impacts, if any:

Not applicable, this is a non-project action.

#### 11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Not applicable, this is a non-project action.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

Not applicable, this is a non-project action.

- c. What existing off-site sources of light or glare may affect your proposal?

Not applicable, this is a non-project action.

- d. Proposed measures to reduce or control light and glare impacts, if any:

Not applicable, this is a non-project action.

## **12. Recreation**

- a. What designated and informal recreational opportunities are in the immediate vicinity?

Not applicable, this is a non-project action.

- b. Would the proposed project displace any existing recreational uses? If so, describe.

Not applicable, this is a non-project action.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

Not applicable, this is a non-project action.

## **13. Historic and cultural preservation**

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

Not applicable, this is a non-project action.

- b. Generally describe any landmarks or evidence of historic archaeological, scientific or cultural importance known to be on or next to the site.

Not applicable, this is a non-project action.

- c. Proposed measures to reduce or control impacts, if any:

RECORDS

JAN 29 2008

PLANNING & DEVELOPMENT

#### 14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

Not applicable, this is a non-project action.

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

Not applicable, this is a non-project action.

- c. How many parking spaces would the completed project have? How many would the project eliminate?

Not applicable, this is a non-project action.

- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets not including driveways? If so, generally describe (indicate whether public or private).

Not applicable, this is a non-project action.

- e. Will the project use (or occur in the immediate vicinity of) water, rail or air transportation? If so, generally describe.

Not applicable, this is a non-project action.

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak would occur.

Not applicable, this is a non-project action. The ordinance provides that only one truck trip per day will be permitted to service an urban farm.

*(Note: to assist in review and if known indicate vehicle trips during PM peak, AM Peak and Weekday (24 hours).)*

- g. Proposed measures to reduce or control transportation impacts, if any:

Not applicable, this is a non-project action.

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**15. Public services**

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

Not applicable, this is a non-project action.

- c. Proposed measures to reduce or control direct impacts on public services, if any:

Not applicable, this is a non-project action.

**16. Utilities**

- a. Circle utilities currently available at the site: *electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.*

Not applicable, this is a non-project action. Existing utilities will be used

- b. Describe the utilities that are proposed for the project, the utility providing the service and the general construction activities on the site or in the immediate vicinity which might be needed.

Not applicable, this is a non-project action. Existing utilities will be used.

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**C. SIGNATURE**

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the agency must withdraw any determination of Nonsignificance that it might issue in reliance upon this checklist.

Date: 1/29/14 Signature: Ben Stuckart

**Please Print or Type:**

Proponent: Council President Ben Stuckart Address: 7<sup>th</sup> Floor Municipal Bld., W. 808  
Spokane Falls Blvd., Spokane, WA  
99201

Phone: (509)625-6258

Person completing  
form (if different  
from proponent): \_\_\_\_\_ Address: \_\_\_\_\_

Phone: \_\_\_\_\_

**FOR STAFF USE ONLY**

Staff member(s) reviewing checklist: \_\_\_\_\_

Based on this staff review of the environmental checklist and other pertinent information, the staff concludes that:

- ☐ A. there are no probable significant adverse impacts and recommends a Determination of Nonsignificance.
- ☐ B. probable significant adverse environmental impacts do exist for the current proposal and recommends a Mitigated Determination of Nonsignificance with conditions.
- ☐ C. there are probable significant adverse environmental impacts and recommends a Determination of Significance.

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**D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS**  
**(Do not use this sheet for project actions)**

Because these questions are very general, it may be helpful to read them in conjunction with the list of elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage or release of toxic or hazardous substances; or production of noise?

The ordinance provides for low-intensity urban farming practices scattered citywide which are similar to activities that currently take place in the city's residential neighborhoods.. Regulations in place which control discharge to water, emissions, toxic substances and noise are not affected by this proposal.

Proposed measures to avoid or reduce such increases are:

The ordinance provides mitigation measures including limiting the number of vehicle trips servicing the urban farm to one per day.

2. How would the proposal be likely to affect plants, animals, fish or marine life?

The ordinance would benefit plant life by increasing green spaces associated with urban farming.

Proposed measures to protect or conserve plants, animals, fish or marine life are:

The ordinance protects and conserves plant life by increasing the amount of agricultural activity in the urban farms.

3. How would the proposal be likely to deplete energy or natural resources?

The ordinance would not deplete energy or natural resources but would add to the natural environment by increasing farming activities at a local level in urban settings.

Proposed measures to protect or conserve energy and natural resources are:

Not applicable.

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**JAN 29 2014**

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, flood plains or prime farmlands?

The proposed ordinance does not change any of these designations. Protections for these areas are not affected by this proposal.

Proposed measures to protect such resources or to avoid or reduce impacts are:

Not Applicable.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The ordinance does not propose any changes to the City's shoreline regulations.

Proposed measures to avoid or reduce shoreline and land use impacts are:

Not applicable.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The ordinance is unlikely to have an impact on transportation, public services or utilities.

Proposed measures to reduce or respond to such demand(s) are:

Not applicable.

7. Identify, if possible, whether the proposal may conflict with local, state or federal laws or requirements for the protection of the environment.

The ordinance has no known conflicts with local, state or federal environmental laws.

C. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the agency may withdraw any Determination of Nonsignificance that it might issue in reliance upon this checklist.

Date: 1/29/14

Signature: 

**Please Print or Type:**

**RECEIVED**

**JAN 29 2014**

**PLANNING & DEVELOPMENT**

Proponent: Ben Stuckart

Address: 7<sup>TH</sup> Floor Municipal Bldg. W.  
808 Spokane Falls Blvd., Spokane,  
WA 99201

Phone: (509)625-6258

Person completing form (if different from proponent): \_\_\_\_\_

\_\_\_\_\_ Address: \_\_\_\_\_

Phone: \_\_\_\_\_

**FOR STAFF USE ONLY**

Staff member(s) reviewing checklist: \_\_\_\_\_

Based on this staff review of the environmental checklist and other pertinent information, the staff concludes that:

- A. ☐ there are no probable significant adverse impacts and recommends a Determination of Nonsignificance.
- B. ☐ probable significant adverse impacts do exist for the current proposal and recommends a Mitigated Determination of Nonsignificance with conditions.
- C. ☐ there are probable significant adverse environmental impacts and recommends a Determination of Significance.

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**JAN 29 2014**

**Spokane City Plan Commission**  
**Findings of Fact, Conclusions, and Recommendations**  
**Proposed Adoption of Chapter 17C.380, Market Garden Pilot Program to**  
**Spokane Municipal Code**

**A recommendation from the City Plan Commission to the City Council to approve a new chapter to the Spokane Municipal Code (SMC) Title 17 Land Use Standards, adding *Chapter 17C.380, Market Garden Pilot Program*.**

**Findings of Fact:**

- A.** The Washington State Legislature passed the Growth Management Act (GMA) in 1990, requiring among other things, the development of a Comprehensive Plan (RCW 36.70A).
- B.** The City of Spokane adopted a Comprehensive Plan in May of 2001 that complies with the requirements of the Growth Management Act.
- C.** Under the Growth Management Act, comprehensive plans may be amended no more frequently than once a year. However, pursuant to SMC 17G.020.040 Amendment Exceptions, subsection G, “Changes to development regulations that are consistent with the comprehensive plan or are necessary to implement the comprehensive plan” may be considered more frequently than once a year.
- D.** Spokane Municipal Code, Title 17G, Administration and Procedures, Chapter 17G.025 Unified Development Code Amendment Procedures were used to prepare this proposed amendment to the Unified Development Code.
- E.** City of Spokane Comprehensive Plan, Economic Development Chapter, Goal ED3, Strong and Diverse Economy states: *Stimulate economic growth by supporting the formation, retention, expansion, and recruitment of businesses.* Policy ED3.3 Enterprise Opportunities states: *Create economic development opportunities utilizing tools available to the city which will foster the growth of Spokane’s economy;* additionally Policy ED3.7 Home Businesses states *Encourage opportunities for teleworking and home businesses that are compatible with residential neighborhoods.*
- F.** City of Spokane Comprehensive Plan, Natural Environment Chapter, Goal NE8, Agricultural Lands states: *Preserve land and provide opportunities for farming that generates produce for local markets and supports the farming economy* Policy NE8.3, Compatible Agricultural Activities states: *Allow agricultural activities adjacent to urban uses without compromising farmers’ rights to farm their land.*
- G.** The Spokane City Plan Commission held workshops to study the proposed amendment on January 22, 2014 and February 12, 2014.
- H.** A Public Open House was held on July 20, 2013, in the Public Meeting Room of the Downtown Spokane Public Library, to receive public feedback on the concept of urban farming. Seventy-five people signed in attendance at the open house. The City provided notice of the open house meeting by advertising on Planning Services website.

**I.** Notice of the proposed adoption of Chapter 17C.370 and announcement of the Plan Commission's February 26, 2014 hearing was published in the Spokesman Review on February 12, 2014 and February 19, 2014.

**J.** A State Environmental Policy Act (SEPA) Checklist and Determination of Non-Significance were released on February 10, 2014 for the Market Garden Pilot. The public comment period for the SEPA determination ended on February 26, 2014 at 4pm.

**K.** On January 26, 2014, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice before adoption of proposed changes to the Spokane Municipal Code. An acknowledgement letter from the Department of Commerce was received by the City on January 27, 2014.

**L.** The City Plan Commission held a Public Hearing on February 26, 2014 to obtain public comments on the proposed amendments; deliberations followed.

### **Conclusions:**

**A.** The Plan Commission has reviewed all public testimony received during the public hearings and has made changes to the draft documents during deliberations to address the testimony as considered appropriate.

**B.** The Plan Commission has found that the proposed amendments meet the approval criteria for text amendments to the Unified Development Code:

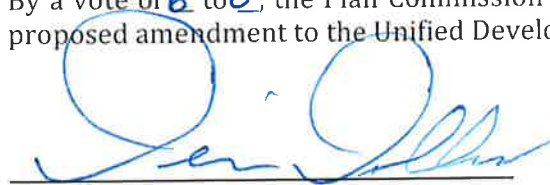
#### SMC 17G.025.010 (F) Approval Criteria:

1. The proposed amendment is consistent with the applicable provisions of the comprehensive plan; and
2. The proposed amendment bears a substantial relation to public health, safety, welfare, and protection of the environment.

**C.** The proposed amendments have been reviewed by the City Plan Commission and found to be in conformance with the goals and policies of the City's 2001 Comprehensive Plan, as well as the Spokane Municipal Code Chapter 17G.025.

### **Recommendations:**

By a vote of 6 to 0, the Plan Commission recommends to the City Council the approval of the proposed amendment to the Unified Development Code, with changes as deliberated.



**Dennis Dellwo, President  
Spokane Plan Commission  
February 26, 2014**

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

03/17/2014

Date Rec'd

3/5/2014

Clerk's File #

ORD C35087

Renews #Submitting Dept

CITY COUNCIL

Cross Ref #Contact Name/Phone

BEN STUCKART 625-6269

Project #Contact E-Mail

AMCDANIEL@SPOKANECITY.ORG

Bid #Agenda Item Type

First Reading Ordinance

Requisition #Agenda Item Name

0320 SMALL DOMESTIC ANIMALS

Agenda Wording

An ordinance relating to small domestic animals, amending SMC sections 17A.020.040, 17C.310.010, 17C.310.100 and 17C.310.120 and adopting new sections 17C.310.115 and 17C.310.170 to chapter 17C.310 of the Spokane Municipal Code.

Summary (Background)

The ordinance will authorize the keeping of small livestock as small domestic animals in RA, RSF, RTF, RMF, and RHD zones and any zone that permits dwelling units. The ordinance established specific regulations for the keeping of small livestock, including the number of animals per square footage of land available. For example, one animal may be kept per one thousand square feet of lot area for certain types of small livestock.

Fiscal ImpactBudget Account

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ApprovalsCouncil NotificationsDept Head

MCDANIEL, ADAM

Study Session

February 13

Division DirectorOtherFinance

LESESNE, MICHELE

Distribution ListLegal

BURNS, BARBARA

For the Mayor

SANDERS, THERESA

Additional ApprovalsPurchasing



Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

Summary (Background)

The calculation of the number of small domestic animals is cumulative and the aggregate of total number of animals shall not exceed the number permitted in the ordinance. Owners of small domestic animals shall be required to obtain an animal keeping certification from Washington State University prior to keeping the animal demonstrating that the owner has completed training relating to the safe and proper care of a small domestic animal, including appropriate shelter, food, and veterinarian care (including rabies and other vaccinations when appropriate), breeding, animal waste disposal and noise and odor control. The certification shall be specific to the species of small domestic animal.

<u>Fiscal Impact</u>	<u>Budget Account</u>
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AmtType7   \$ Amount7	# Budget7
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AmtType8   \$ Amount8	# Budget8
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Distribution List

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## ORDINANCE NO. C-35087

AN ORDINANCE relating to small domestic animals, amending SMC sections 17A.020.040, 17C.310.010, 17C.310.100 and 17C.310.120; and adopting new sections 17C.310.115 and 17C.310.170 to chapter 17C.310 of the Spokane Municipal Code.

The City of Spokane does ordain:

Section 1. That SMC section 17C.310.010 is amended to read as follows:

### **17C.310.010 Purpose**

#### **A. Animal Keeping.**

The purpose of this chapter is to make provisions for and set limits on the keeping of animals within the City limits. This section recognizes the commercial and sport animal keeping activities as well as the desire of citizens to keep pets. The provisions of this section strive to provide the broadest personal discretion in animal keeping. However, since the City is characterized as an intense urban environment with people living in close proximity, this section also emphasizes the significant responsibility of animal owners and keepers to protect the rights and lifestyles of their neighbors. Animal owners and keepers are expected to meet the following requirements as a reflection of their responsibility.

##### **1. Unrestrained Animals.**

Owners and keepers are to keep all animals contained within a structure or fenced yard or on a leash or other appropriate harness or retraining device capable of safely controlling the animal. As provided in chapter ~~((10.24 SMC))~~ 5.04 of the Spokane County Code, no ~~((animal))~~ dog may be permitted to run at large. Racing/homing pigeons are allowed to fly unrestrained during periods of exercise, training and racing.

##### **2. Noisy Animals.**

Owners and keepers are to prevent their animals from making unnecessary or unusual noises to the extent that ~~((either))~~ reasonable persons are annoyed. Chapter ~~((10.03 SMC))~~ 5.04 of the Spokane County Code and chapter 10.08D SMC relate to noisy animals.

##### **3. ~~((Potentially Vicious Animals.))~~ Dangerous Dog, Potentially Dangerous Dog and Inherently Dangerous Animals.**

~~((Chapter 10.03 SMC requires owners and keepers of potentially vicious animals to confine and control such animals at all times so as to prevent them from endangering any person or property.))~~

The keeping of dangerous or potentially dangerous dogs shall be regulated pursuant to chapter 10.03 SMC. The keeping of inherently



dangerous animals is prohibited in all zones pursuant to SMC 17C.310.150, except as provided in Chapter 5.12 of the Spokane County Code.

4. Potentially Rabid Animals.  
Chapter ~~((10.24-SMG))~~ 5.04 of the Spokane County Code prohibits the keeping of any dog over age six months that has not been properly inoculated against rabies. It also specifies that any animal afflicted with rabies or that has been bitten by a rabid animal be either destroyed or detained and treated in a manner directed by the health officer, license officer or licensed veterinarian.
5. Nuisance Related to Odors.  
Owners and keepers are to maintain their animals in a clean and sanitary condition so as not to create offensive odors or other nuisances to the extent that a reasonable person is annoyed. SMC 10.08.030 relates to the creation of a nuisance, including nuisance conditions related to odor.

Section 2. That SMC section 17C.310.100 is amended to read as follows:

**17C.310.100 Keeping of Large ~~(or Small))~~ Domestic Animals**

- A. Where Permitted.  
The keeping of large domestic animals is permitted outright only in the RA zone. ~~((The keeping of small domestic animals is permitted outright in the RA, RSF, RTF, RMF, and RHD zones and any zone that permits dwelling units.))~~  
The definition~~((s))~~ of large domestic animal ~~((and small domestic animal are))~~ is stated in ~~((chapter))~~ SMC 17A.020.040(AI)(1). ~~((SMG)), Definitions.~~
- B. Standards Applicable to Keeping of Large Domestic Animals.
  1. The following ratios of area to animals apply:
    - a. Large Domestic Animals.
      - i. Three animals per gross acre on irrigated land.
      - ii. One animal per gross acre on non-irrigated land.
  2. Animal Enclosure Setbacks.  
A structure or enclosure for animals ~~((or poultry))~~ shall meet the setback requirements for accessory structures. A side yard waiver may be used to reduce the side yard setback for covered accessory structures.

3. Animal Enclosure.  
Animal enclosures must follow the development standards for accessory structures in residential zones as stated in SMC 17C.110.225 Accessory Structures.
4. The owner or keeper of a large domestic animals shall keep the animal in a secure structure, enclosure or fenced lot or otherwise control the animal with an appropriate harness or retraining device capable of safely controlling the animal.
5. Breeding of large domestic animals shall comply with SMC 17C.190.500.

Section 3. That there is adopted a new section 17C.310.115 to chapter 17C.310 of the Spokane Municipal Code to read as follows:

**17C.310.115 Keeping of Small Domestic Animals**

- A. Where Permitted.  
The keeping of small domestic animals is permitted outright in the RA, RSF, RTF, RMF, and R HD zones and any zone that permits dwelling units. The definition of small domestic animal is stated in chapter 17A.020.040 AI 2 SMC, Definitions.
- B. Standards Applicable to Keeping of Small Domestic Animals
  1. The following ratios of area to animals apply:
    - a. Small Domestic Animals
      - i. One animal or fowl, other than small livestock, per one thousand square feet of lot area.
      - ii. One small livestock per two thousand five hundred square feet of lot area.
    - b. The calculation of the number of small domestic animals shall be cumulative and the aggregate of total number of small domestic animals shall not exceed the number permitted in this section. For example, a ten thousand square foot lot may be permitted for ten chickens (ten times one thousand) or four miniature goats (four times two thousand five hundred) but not both.
  2. Owners of small domestic animals, including small livestock as defined in SMC 17A.020.040(AI)(2)(c)., shall obtain animal keeping certification from

Washington State University prior to keeping the animal demonstrating that the owner has completed training relating to the safe and proper care of a small domestic animal, including appropriate shelter, food, and veterinarian care (including rabies and other vaccinations when appropriate), breeding, animal waste disposal and noise and odor control. Owners of small domestic animals whose ownership pre-date the requirement of the certification shall have six months from the effective date of this section to obtain the certification. The certification shall be specific to the species of small domestic animal. Maintaining the animal under conditions that do not satisfy the standards set forth in the certification shall be a violation of this subsection and may require the owner to complete additional training through WSU as a condition to maintaining the certification.

3. Roosters and peacocks are only allowed in RA zone within the City.
4. Male small livestock must be de-scented and/or neutered using humane standards.
5. Animal Enclosure.  
An animal enclosure in a zone other than RA shall only be allowed to be constructed on a lot that contains a primary residential structure or on an adjacent lot when the two lots are occupied by the same owner or tenant. Animal enclosures must follow the development standards for accessory structures in residential zones as stated in SMC 17C.110.225, Accessory Structures.
6. Animal Enclosure Setbacks.  
A structure or enclosure for animals or fowl shall meet the setback requirements for accessory structures. A side yard waiver may be used to reduce the side yard setback for covered accessory structures.
7. The owner or keeper of a small livestock shall keep the animal in secure a structure, enclosure or fenced lot or otherwise control the animal with an appropriate harness or retraining device capable of safely controlling the animal.
8. The slaughter and processing of such an animal is subject to all city, state and federal regulations regarding processing and sale of animals for human consumption.

Section 4. That SMC section 17C.310.120 is amended to read as follows:

**17C.310.120 Keeping Household Pets**

In all zones where dwelling units are allowed outright or by Type II or III permit applications, small domestic animals are allowed to be kept as household pets consistent with the standards set forth in SMC 17C.310.115. ~~An additional ((Up to an))~~ aggregate of four ~~((animals))~~ dogs and cats per dwelling unit is permitted. (Five or more dogs or cats constitute a kennel, and any number of large or small domestic animals that exceeds the allowed limits constitutes a zoo.) Small birds (canary, parakeet, etc.); small amphibian/reptile (turtle, lizard, etc.); rodent (rat, hamster, gerbil, etc.); ~~((and))~~ tropical fish and species of animals that are always housed entirely within the dwelling unit are excluded from the numerical limitations.

Section 5. That SMC section 17A.020.040 is amended to read as follows:

**17A.020.040 “D” Definitions**

**AI. Domestic Animal.**

**1. Large Domestic Animals.**

- a. Animals including, but not limited to, horses, donkeys, burros, llamas, alpacas, bovines, goats, sheep, swine, and other animals or livestock of similar size and type.
- b. Young of horses, mules, donkeys, burros, and llamas under one year in age.
- c. Bovines under ten months in age.
- d. Sheep, goats, and swine under three months in age are not included when counting large animals.

~~((e. Miniature large animals are considered large animals.))~~

**2. Small Domestic Animals.**

- a. ~~((Animals or f))~~ Fowl including, but not limited to, chickens, guinea hens, geese, ducks, turkeys, pigeons, and other fowl not listed or otherwise defined.
- b. Mink, chinchilla, nutria, gnawing animals in general, and other animals of similar size and type.

**c. Small livestock are defined as:**

- 1) swine- breeds include miniature Vietnamese, Chinese or oriental pot-bellied pigs (sus scrofa vittatus).**

- 2) other small pig breeds such as Kunekune, Choctaw, and Guinea hogs.
- 3) all breeds of goats excluding mature large meat breeds such as Boers, and
- 4) all breeds of sheep excluding mature large meat breeds such as Suffolk or Hampshire sheep.
- 5) No horned rams shall be permitted as a small livestock.
- 6) Under no circumstance shall a small livestock exceed thirty-six inches shoulder height or one hundred and fifty pounds in weight.

d. Young small animals, livestock or fowl under three months in age are not included when counting small animal, livestock or fowl.

Section 6. That there is adopted a new section 17C.310.170 to chapter 17C.310 of the Spokane Municipal Code to read as follows:

**17C.310.170          Penalty**

A violation of SMC 17C.310.110 and 17C.310.115 is a criminal misdemeanor.

Section 7. The City Council shall review the effectiveness of this ordinance during the first year of implementation to determine if any modifications need to be made.

PASSED BY THE CITY COUNCIL ON \_\_\_\_\_, 2014.

\_\_\_\_\_  
Council President

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney

---

Mayor

---

Date

---

Effective Date

**SPOKANE ENVIRONMENTAL ORDINANCE  
NONPROJECT DETERMINATION OF NONSIGNIFICANCE**

**FILE NO(S):** *Proposed amendments to the Spokane Municipal Code relating to small domestic animals, amending SMC sections 17A.020.040, 17C.310.010, 17C.310.100 and 17C.310.120. (No ordinance number yet assigned)*

**PROPONENT:** City of Spokane Council President

**DESCRIPTION OF PROPOSAL:** *The proposal is to make provisions for and set limits on the keeping of animals within the City limits; specifically to add clarification definition language and standards for the keeping of small domestic animals and small livestock within the City of Spokane.*

**LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY:** *This is a non-project action that would be applied in the City of Spokane limits.*

**LEAD AGENCY:** CITY OF SPOKANE, Planning and Development

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

[ ] There is no comment period for this DNS.

[ ] This DNS is issued after using the optional DNS process in section 197-11-355 WAC. There is no further comment period on the DNS.

[ X ] This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for At least 14 days from the date of issuance (below). Comments regarding this DNS must be submitted no later than 4:00 p.m. February 26, 2014 if they are intended to alter the DNS.

\*\*\*\*\*

**Responsible Official:** Scott Chesney, AICP

**Position/Title:** Director, Planning and Development      **Phone:** (509) 625-6300

**Address:** 808 W. Spokane Falls Blvd., Spokane, WA 99201

**Date Issued:** February 10, 2014

**Signature:** 

\*\*\*\*\*

**APPEAL OF THIS DETERMINATION**, after it becomes final, may be made to the City of Spokane Hearing Examiner, 808 West Spokane Falls Blvd., Spokane, WA 99201. The appeal deadline is fourteen (14) calendar days after the signing of the DNS. This appeal must be on forms provided by the Responsible Official, make specific factual objections and be accompanied by the appeal fee. Contact the Responsible Official for assistance with the specifics of a SEPA appeal.

\*\*\*\*\*





## Environmental Checklist

Urban farming  
File No. Small livestock ordinance

### Purpose of Checklist:

The State Environmental Policy Act (SEPA) chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An Environmental Impact Statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

### Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

### Use of checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply."

IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (Part D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

RECEIVED

JAN 29 2014

## **A. BACKGROUND**

1. Name of proposed project, if applicable: An ordinance relating to small domestic animals, amending SMC sections 17A.020.040, 17C.310.010, 17C.310.100 and 17C.310.120.
2. Name of applicant: Spokane City Council.
3. Address and phone number of applicant or contact person: Ben Stuckart, 7<sup>th</sup> Floor Municipal Building, W. 808 Spokane Falls Blvd, Spokane, WA 99201 (509)625-6258
4. Date checklist prepared: January 28, 2014
5. Agency requesting checklist: City of Spokane Planning Dept.
6. Proposed timing or schedule (including phasing, if applicable): January 22, 2014 – first public workshop with City Plan Commission; February 26, 2014 – proposed second public workshop with City Plan Commission; March 12, 2014 - proposed public hearing before City Plan Commission; First and Second Reading before City Council with pending adoption by the end of March. Ordinance would become effective by first of April pursuant to City Charter.
7.
  - a. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. This is a non-project SEPA checklist. The activity proposed in the ordinance would permit the keeping of small livestock as small domestic animals.
  - b. Do you own or have options on land nearby or adjacent to this proposal? If yes, explain. No.
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to his proposal. No environmental information has been prepared. The ordinance would permit the keeping of small livestock as domestic animals on a small scale.
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. There are no pending applications for governmental approval. This is a non-project SEPA checklist involving the local regulation of small livestock being kept as domestic animals. This ordinance does not affect any specific property.
10. List any government approvals or permits that will be needed for your proposal, if known. No other governmental approvals or permits will be needed for the City Council to pass this ordinance. A person seeking to keep a small domestic animal would have to obtain an animal keeping certification from Washington State University, which will be providing training to the individual on the safe and proper care of a small domestic animal.
11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this

checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. The ordinance will authorize the keeping of small livestock as small domestic animals. The ordinance established specific regulations for the keeping of small livestock, including the number of animals per square footage of land available. For example, one animal may be kept per one thousand square feet of lot area for certain types of small livestock. The calculation of the number of small domestic animals is cumulative and the aggregate of total number of animals shall not exceed the number permitted in the ordinance.

12. Location of the proposal. Give sufficient information to a person to understand the precise location of your proposed project, including a street address, if any, and section, township and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit application related to this checklist. This is a non-project SEPA checklist. The ordinance would permit the keeping of small livestock anywhere small domestic animals are permitted.

13. Does the proposed action lie within the Aquifer Sensitive Area (ASA)? The General Sewer Service Area? The Priority Sewer Service Area? The City of Spokane? (See: Spokane County's ASA Overlay Zone Atlas for boundaries.) The ordinance is effective city-wide, which includes the types of sensitive areas listed above.

14. The following questions supplement Part A.

a. Critical Aquifer Recharge Area (CARA) / Aquifer Sensitive Area (ASA)

(1) Describe any systems, other than those designed for the disposal of sanitary waste, installed for the purpose of discharging fluids below the ground surface (includes systems such as those for the disposal of stormwater or drainage from floor drains). Describe the type of system, the amount of material to be disposed of through the system and the types of material likely to be disposed of (including materials which may enter the system inadvertently through spills or as a result of firefighting activities).

Not applicable, this is a non-project action.

(2) Will any chemicals (especially organic solvents or petroleum fuels) be stored in aboveground or underground storage tanks? If so, what types and quantities of material will be stored?

This ordinance will not authorize the storage of chemicals in either above or below ground storage tanks.

(3) What protective measures will be taken to insure that leaks or spills of any chemicals stored or used on site will not be allowed to percolate to

groundwater. This includes measures to keep chemicals out of disposal systems.

Not applicable, this is a non-project action.

- (4) Will any chemicals be stored, handled or used on the site in a location where a spill or leak will drain to surface or groundwater or to a stormwater disposal system discharging to surface or groundwater?

Not applicable, this is a non-project action. The ordinance does not authorize the storage of chemicals.

b. Stormwater

- (1) What are the depths on the site to groundwater and to bedrock (if known)?

Not applicable, this is a non-project action. Unknown.

- (2) Will stormwater be discharged into the ground? If so, describe any potential impacts?

Not applicable, this is a non-project action.

**TO BE COMPLETED BY APPLICANT**

**B. ENVIRONMENTAL ELEMENTS**

Evaluation for  
Agency Use  
Only

**1. Earth**

- a. General description of the site (circle one): *flat, rolling, hilly, steep slopes, mountains, other.*

Not applicable, this is a non-project action.

- b. What is the steepest slope on the site (approximate percent slope)?

Not applicable, this is a non-project action.

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

Not applicable, this is a non-project action.

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

Not applicable, this is a non-project action.

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill:

Not applicable, this is a non-project action.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Not applicable, this is a non-project action.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Not applicable, this is a non-project action and does not involve impervious surfaces.

- h. Proposed measures to reduce or control erosion or other impacts to the earth, if any:

Not applicable, this is a non-project action.

## **2. Air**

- a. What type of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial, wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.  
Not applicable, this is a non-project action.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

The ordinance addresses issues related or odor by requiring the owner to obtain certification from Washington State University regarding the safe and proper care of small domestic animals, including the control of odor.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

Not applicable, this is a non-project action.

### 3. Water

a. SURFACE:

- (1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Not applicable, this is a non-project action.

- (2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

Not applicable, this is a non-project action.

- (3) Estimate the amount of fill and dredge material that would be placed in or removed from the surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Not applicable, this is a non-project action.

- (4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

Not applicable, this is a non-project action.

- (5) Does the proposal lie within a 100-year floodplain? \_\_\_\_ If so, note location on the site plan.

Not applicable, this is a non-project action.

- (6) Does the proposal involve any discharge of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

Not applicable, this is a non-project action. This proposal requires that owner must receive certification from Washington State University regarding the proper care of

small domestic animals, which includes the proper disposal of animal waste.

b. GROUND:

- (1) Will groundwater be withdrawn, or will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

Not applicable, this is a non-project action.

- (2) Describe waste material that will be discharged into the ground from septic tanks or other sanitary waste treatment facility. Describe the general size of the system, the number of houses to be served (if applicable) or the number of persons the system(s) are expected to serve.

Not applicable, this is a non-project action. This proposal requires that the animal owners must receive certification from Washington State University regarding the proper care of small domestic animals, which includes the proper disposal of animal waste.

c. WATER RUNOFF (INCLUDING STORMWATER):

- (1) Describe the source of runoff (including stormwater) and method of collection and disposal if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Not applicable, non-project action.

- (2) Could waste materials enter ground or surface waters? If so, generally describe.

Not applicable, this is a non-project action. This proposal requires that the animal owners must receive certification from Washington State University regarding the proper care of small domestic animals, which includes the proper disposal of animal waste.

d. PROPOSED MEASURES to reduce or control surface, ground, and runoff water impacts, if any.

Not applicable, this is a non-project action. This proposal requires that the animal owners must receive certification from Washington State University regarding the proper

care of small domestic animals, which includes the proper disposal of animal waste.

Evaluation for  
Agency Use  
Only

#### 4. Plants

- a. Check or circle type of vegetation found on the site:

X \_\_\_\_\_ Deciduous tree: *alder, maple, aspen, other.*

X \_\_\_\_\_ Evergreen tree: *fir, cedar, pine, other.*

X \_\_\_\_\_ Shrubs

X \_\_\_\_\_ Grass

X \_\_\_\_\_ Pasture

X \_\_\_\_\_ Crop or grain

X \_\_\_\_\_ Wet soil plants, *cattail, buttercup, bullrush, skunk cabbage, other.*

X \_\_\_\_\_ Water plants: *water lilly, eelgrass, milfoil, other.*

\_\_\_\_\_ Other types of vegetation.

- b. What kind and amount of vegetation will be removed or altered?

Not applicable, this is a non-project action.

- c. List threatened or endangered species known to be on or near the site.

Not applicable, this is a non-project action.

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

Not applicable, this is a non-project action.

#### 5. Animals

- a. Circle any birds and animals which have been observed on or near the site are known to be on or near the site:

birds: *hawk, heron, eagle, songbirds, other.* \_\_\_\_\_

mammals: *deer, bear, elk, beaver, other.* \_\_\_\_\_

fish: *bass, salmon, trout, herring, shellfish, other.* \_\_\_\_\_

other: This ordinance is applicable city-wide. It is



anticipated that birds and animals typical for Spokane  
would be observed.

- b. List any threatened or endangered species known to be on or near the site.

This is a non-project SEPA checklist. There are no known threatened or endangered species impacted by this ordinance.

- c. Is the site part of a migration route? If so, explain.

This is a non-project SEPA checklist and is applicable city-wide. This ordinance will not impact migration routes.

- d. Proposed measures to preserve or enhance wildlife, if any:

This ordinance will enhance to preservation of small domestic animals, which generally are not typical of wildlife in the Spokane area.

## **6. Energy and natural resources**

- a. What kinds of energy (electric, natural gas, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Not applicable, this is a non-project action.

- d. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

Not applicable, this is a non-project action.

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

Not applicable, this is a non-project action.

## **7. Environmental health**

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe.

Not applicable, this is a non-project action.

Evaluation for  
Agency Use  
Only

- (1) Describe special emergency services that might be required.

Not applicable, this is a non-project action.

- (2) Proposed measures to reduce or control environmental health hazards, if any:

Not applicable, this is a non-project action.

**b. NOISE:**

- (1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Not applicable, this is a non-project action.

- (2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

The ordinance permits the keeping on residential lots of small livestock as small domestic animals citywide. Intermittent noise such as currently occurs with the keeping of dogs and cats may occur. Owners will receive training through Washington State University regarding safe and proper care of small livestock, including control of noise. Regulations in place which control discharge to water, emissions, toxic substances and noise are not affected by this proposal and will apply.

- (3) Proposed measure to reduce or control noise impacts, if any:

The ordinance will permit the keeping of small livestock as small domestic animals. The owners will have to obtain certification from Washington State University regarding the proper and safe care of small livestock, which includes the control of noise. The ordinance also subjects the owner to the City's existing noise control ordinance.

**8. Land and shoreline use**

- a. What is the current use of the site and adjacent properties?

Not applicable, this is a non-project action.

- b. Has the site been used for agriculture? If so, describe.

Not applicable, this is a non-project action.

- c. Describe any structures on the site.

Not applicable, this is a non-project action.

- d. Will any structures be demolished? If so, which?

Not applicable, this is a non-project action.

Evaluation for  
Agency Use  
Only

- e. What is the current zoning classification of the site?

Not applicable, this is a non-project action.

- f. What is the current comprehensive plan designation of the site?

Not applicable, this is a non-project action.

- g. If applicable, what is the current shoreline master program designation of the site?

Not applicable, this is a non-project action.

- h. Has any part of the site been classified as a critical area? If so, specify.

Not applicable, this is a non-project action.

- i. Approximately how many people would reside or work in the completed project?

Not applicable, this is a non-project action.

- j. Approximately how many people would the completed project displace?

Not applicable, this is a non-project action.

- k. Proposed measures to avoid or reduce displacement impacts, if any:

Not applicable, this is a non-project action.

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

Not applicable, this is a non-project action. All existing land uses and plans still apply.

Evaluation for  
Agency Use  
Only

## 9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle or low-income housing.

Not applicable, this is a non-project action.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high-, middle- or low-income housing.

Not applicable, this is a non-project action.

- c. Proposed measures to reduce or control housing impacts, if any:

Not applicable, this is a non-project action.

#### **10. Aesthetics**

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

Not applicable, this is a non-project action.

- b. What views in the immediate vicinity would be altered or obstructed?

Not applicable, this is a non-project action.

- c. Proposed measures to reduce or control aesthetic impacts, if any:

Not applicable, this is a non-project action.

#### **11. Light and Glare**

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Not applicable, this is a non-project action.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

Not applicable, this is a non-project action.

- c. What existing off-site sources of light or glare may affect your proposal?

Not applicable, this is a non-project action.

- d. Proposed measures to reduce or control light and glare impacts, if any:

Not applicable, this is a non-project action.

## **12. Recreation**

- a. What designated and informal recreational opportunities are in the immediate vicinity?

Not applicable, this is a non-project action.

- b. Would the proposed project displace any existing recreational uses? If so, describe.

Not applicable, this is a non-project action.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

Not applicable, this is a non-project action.

## **13. Historic and cultural preservation**

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

Not applicable, this is a non-project action.

- b. Generally describe any landmarks or evidence of historic archaeological, scientific or cultural importance known to be on or next to the site.

Not applicable, this is a non-project action.

- c. Proposed measures to reduce or control impacts, if any:

#### **14. Transportation**

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

Not applicable, this is a non-project action.

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

Not applicable, this is a non-project action.

- c. How many parking spaces would the completed project have? How many would the project eliminate?

Not applicable, this is a non-project action.

- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets not including driveways? If so, generally describe (Indicate whether public or private).

Not applicable, this is a non-project action.

- e. Will the project use (or occur in the immediate vicinity of) water, rail or air transportation? If so, generally describe.

Not applicable, this is a non-project action.

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak would occur.

Not applicable, this is a non-project action.

*(Note: to assist in review and if known indicate vehicle trips during PM peak, AM Peak and Weekday (24 hours).)*

- g. Proposed measures to reduce or control transportation impacts, if any:

Not applicable, this is a non-project action.

**15. Public services**

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

Not applicable, this is a non-project action.

- e. Proposed measures to reduce or control direct impacts on public services, if any:

Not applicable, this is a non-project action.

**16. Utilities**

- a. Circle utilities currently available at the site: *electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.*

Not applicable, this is a non-project action.

- b. Describe the utilities that are proposed for the project, the utility providing the service and the general construction activities on the site or in the immediate vicinity which might be needed.

Not applicable, this is a non-project action.



**C. SIGNATURE**

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the agency must withdraw any determination of Nonsignificance that it might issue in reliance upon this checklist.

Date: 1/29/14

Signature: Ben Stuckart

**Please Print or Type:**

Proponent: Ben Stuckart

Address: 7<sup>th</sup> Floor Municipal Bld., W. 808  
Spokane Falls Blvd., Spokane, WA  
99201

Phone: (509)625-6258

Person completing  
form (if different  
from proponent): \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

**FOR STAFF USE ONLY**

Staff member(s) reviewing checklist: \_\_\_\_\_

Based on this staff review of the environmental checklist and other pertinent information, the staff concludes that:

- ☐ A. there are no probable significant adverse impacts and recommends a Determination of Nonsignificance.
- ☐ B. probable significant adverse environmental impacts do exist for the current proposal and recommends a Mitigated Determination of Nonsignificance with conditions.
- ☐ C. there are probable significant adverse environmental impacts and recommends a Determination of Significance.

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**JAN 29 2014**

**PLANNING & DEVELOPMENT**

**D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS**  
***(Do not use this sheet for project actions)***

Because these questions are very general, it may be helpful to read them in conjunction with the list of elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage or release of toxic or hazardous substances; or production of noise?

The ordinance permits the keeping on residential lots of small livestock as small domestic animals and will permit these uses citywide so as to avoid clustering of animals in specific neighborhoods. Regulations in place which control discharge to water, emissions, toxic substances and noise are not affected by this proposal.

Proposed measures to avoid or reduce such increases are:

The proposed ordinance requires that owners will have to obtain certification from Washington State University regarding the proper and safe care of small livestock, which includes the control of noise. Regulations in place which control discharge to water, emissions, toxic substances and noise are not affected by this proposal.

2. How would the proposal be likely to affect plants, animals, fish or marine life?

The ordinance would benefit animal life by increasing the number of small domestic animals, including small livestock, maintained in an urban area.

Proposed measures to protect or conserve plants, animals, fish or marine life are:

The ordinance protects and conserves animal life by increasing the number of small domestic animals, including small livestock, maintained in an urban area.

3. How would the proposal be likely to deplete energy or natural resources?

The ordinance is unlikely to deplete energy or natural resources.

Proposed measures to protect or conserve energy and natural resources are:

Not applicable.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, flood plains or prime farmlands?

The ordinance would not alter or amend the existing regulations regarding protection of environmentally sensitive areas.

Proposed measures to protect such resources or to avoid or reduce impacts are:

Not Applicable.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The ordinance does not propose any changes to the City's shoreline regulations.

Proposed measures to avoid or reduce shoreline and land use impacts are:

Not applicable.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The ordinance is unlikely to have an impact on transportation, public services or utilities.

Proposed measures to reduce or respond to such demand(s) are:

Not applicable.

7. Identify, if possible, whether the proposal may conflict with local, state or federal laws or requirements for the protection of the environment.

The ordinance has no known conflicts with local, state or federal environmental laws.

**RECEIVED**

**JAN 29 2014**

**PLANNING & DEVELOPMENT**

**C. SIGNATURE**

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the agency may withdraw any Determination of Nonsignificance that it might issue in reliance upon this checklist.

Date: 1/29/14

Signature: Ben Stuchlik

**Please Print or Type:**

Proponent: Ben Stuckart

Address: 7<sup>TH</sup> Floor Municipal Bldg. W.  
808 Spokane Falls Blvd., Spokane,  
WA 99201

Phone: (509)625-6258

Person completing form (if different from proponent): \_\_\_\_\_

\_\_\_\_\_ Address: \_\_\_\_\_

Phone: \_\_\_\_\_

**FOR STAFF USE ONLY**

Staff member(s) reviewing checklist: \_\_\_\_\_

Based on this staff review of the environmental checklist and other pertinent information, the staff concludes that:

- A. ☐ there are no probable significant adverse impacts and recommends a Determination of Nonsignificance.
- B. ☐ probable significant adverse impacts do exist for the current proposal and recommends a Mitigated Determination of Nonsignificance with conditions.
- C. ☐ there are probable significant adverse environmental impacts and recommends a Determination of Significance.

**RECEIVED**

**JAN 29 2014**

**Spokane City Plan Commission**  
**Findings of Fact, Conclusions, and Recommendations**  
**An ordinance amending the Spokane Municipal Code, relating to small domestic animals, amending SMC sections 17A.020.040, 17C.310.010, 17C.310.100 and 17C.310.120.**

**A recommendation from the City Plan Commission to the City Council to approve an ordinance relating to small domestic animals, amending SMC sections 17A.020.040, 17C.310.010, 17C.310.100 and 17C.310.120.**

**Findings of Fact:**

- A.** The Washington State Legislature passed the Growth Management Act (GMA) in 1990, requiring among other things, the development of a Comprehensive Plan (RCW 36.70A).
- B.** The City of Spokane adopted a Comprehensive Plan in May of 2001 that complies with the requirements of the Growth Management Act.
- C.** Under the Growth Management Act, comprehensive plans may be amended no more frequently than once a year. However, pursuant to SMC 17G.020.040 Amendment Exceptions, subsection G, "Changes to development regulations that are consistent with the comprehensive plan or are necessary to implement the comprehensive plan" may be considered more frequently than once a year.
- D.** Spokane Municipal Code, Title 17G, Administration and Procedures, Chapter 17G.025 Unified Development Code Amendment Procedures were used to prepare this proposed amendment to the Unified Development Code.
- E.** City of Spokane Comprehensive Plan, Economic Development Chapter, Goal ED3, Strong and Diverse Economy states: *Stimulate economic growth by supporting the formation, retention, expansion, and recruitment of businesses.* Policy ED3.3 Enterprise Opportunities states: *Create economic development opportunities utilizing tools available to the city which will foster the growth of Spokane's economy;* additionally Policy ED3.7 Home Businesses states *Encourage opportunities for teleworking and home businesses that are compatible with residential neighborhoods.*
- F.** City of Spokane Comprehensive Plan, Natural Environment Chapter, Goal NE8, Agricultural Lands states: *Preserve land and provide opportunities for farming that generates produce for local markets and supports the farming economy;* Policy NE8.3, Compatible Agricultural Activities states: *Allow agricultural activities adjacent to urban uses without compromising farmers' rights to farm their land.*
- G.** The Spokane City Plan Commission held workshops to study the proposed amendment on January 22, 2014 and February 12, 2014.
- H.** A Public Open House was held on July 20, 2013, in the Public Meeting Room of the Downtown Spokane Public Library, to receive public feedback on the concept of urban farming. Seventy-five people signed in attendance at the open house. The City provided notice of the open house meeting by advertising on Planning Services website.

I. Notice of the proposed adoption of an ordinance relating to small domestic animals, amending SMC sections 17A.020.040, 17C.310.010, 17C.310.100 and 17C.310.120 and announcement of the Plan Commission's February 26, 2014 hearing was published in the Spokesman Review on February 12, 2014 and February 19, 2014.

J. A State Environmental Policy Act (SEPA) Checklist and Determination of Non-Significance were released on February 10, 2014 for the Small Livestock Ordinance. The public comment period for the SEPA determination ended on February 26, 2014 at 4pm.

K. On January 26, 2014, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice before adoption of proposed changes to the Spokane Municipal Code. An acknowledgement letter from the Department of Commerce was received by the City on January 27, 2014.

L. The City Plan Commission held a Public Hearing on February 26, 2014 to obtain public comments on the proposed amendments; deliberations followed.

### **Conclusions:**

A. The Plan Commission has reviewed all public testimony received during the public hearings and has made changes to the draft documents during deliberations to address the testimony as considered appropriate.

B. The Plan Commission has found that the proposed amendments meet the approval criteria for text amendments to the Unified Development Code:

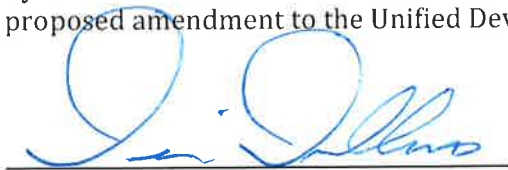
#### SMC 17G.025.010 (F) Approval Criteria:

1. The proposed amendment is consistent with the applicable provisions of the comprehensive plan; and
2. The proposed amendment bears a substantial relation to public health, safety, welfare, and protection of the environment.

C. The proposed amendments have been reviewed by the City Plan Commission and found to be in conformance with the goals and policies of the City's 2001 Comprehensive Plan, as well as the Spokane Municipal Code Chapter 17G.025.

### **Recommendations:**

By a vote of 6 to 0, the Plan Commission recommends to the City Council the approval of the proposed amendment to the Unified Development Code, with changes as deliberated.



**Dennis Dellwo, President  
Spokane Plan Commission  
February 26, 2014**