

# THE CITY OF SPOKANE



## ADVANCE COUNCIL AGENDA

MEETING OF MONDAY, JULY 21, 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**

**VACANT - COUNCIL DISTRICT 3, POSITION 1**

**COUNCIL MEMBER AMBER WALDREF**

COUNCIL CHAMBER  
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

**ADMINISTRATIVE SESSION**

Roll Call of Council

**CONSENT AGENDA****REPORTS, CONTRACTS AND CLAIMS****RECOMMENDATION**

- |   |         |                              |
|---|---------|------------------------------|
| 1. Second of two one-year extensions to Value Blanket Order with Allied Envelope Co., Griffin Publishing, Inc. and Lawton Printing, Inc. (Spokane, WA) for printing services. Annual estimated expenditure—\$270,000 (incl. tax). <span style="color: red;">Brian Coddington</span> | Approve | OPR 2010-0649<br>RFP 3714-10 |
| 2. Second of two one-year extensions to Value Blanket Order with Standard Digital Print Co. and Abadan Reprographics (Spokane, WA) for quick copy services. Annual estimated expenditure—\$140,000.00 (incl. tax). <span style="color: red;">Brian Coddington</span>                | Approve | OPR 2010-0650<br>RFP 3713-10 |
| 3. Purchase of Cisco Hardware and Software from Cerium Networks, Inc. (Spokane, WA) utilizing Washington State Contract No. T12-MST-642 from July 1, 2014, through December 31, 2014—\$332,000 (plus tax and shipping). <span style="color: red;">Michael Sloon</span>              | Approve | OPR 2014-0500                |
| 4. One-year extension to contract with XO Communications (Sandy, UT) for Dial Tone, Off-Premise Extensions and Long Distance Services from July 1, 2014, through June 30, 2015—\$134,000 (incl. tax). <span style="color: red;">Michael Sloon</span>                                | Approve | OPR 2012-0011<br>RFP 3819-11 |

- |  |                                   |                              |
|--|-----------------------------------|------------------------------|
| 5. Contract with Kershaws, Inc. (Spokane, WA) for office supplies for all City departments, from August 1, 2014, through July 31, 2019. Estimated annual expenditure—\$250,000. <i>Thea Prince</i>   | Approve                           | OPR 2014-0501<br>RFP 4026-14 |
| <br>   |                                   |                              |
| 6. Relocation Assistance Vouchers for Nolan's Carburetor (Spokane, WA) in conjunction with the University District Pedestrian / Bicycle Bridge project for an amount not to exceed—\$68,810. <i>Dave Steele</i>  | Approve                           | OPR 2014-0502<br>ENG 2013119 |
| <br>   |                                   |                              |
| 7. Report of the Mayor of pending claims and payments of previously approved obligations, including those of Parks and Library, through _____, 2014, total \$_____, with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$_____. | Approve &<br>Authorize<br>Payment | CPR 2014-0002                |

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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 APPOINTMENTS**

(Includes Announcements of Boards and Commissions Vacancies)

## **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**

## **NO EMERGENCY BUDGET ORDINANCES**

## **NO EMERGENCY ORDINANCES**

## **RESOLUTIONS**

(Require Four Affirmative, Recorded Roll Call Votes)

- RES 2014-0078      Requesting the Plan Commission to establish a Transportation Subcommittee. (Deferred from July 14, 2014 Agenda).  
Council Member Mumm
- RES 2014-0083      Joint Resolution with Spokane County in the matter of authorizing the Airport Board to acquire property identified as Spokane County Assessor Parcel 14013.9006, comprising of approximately 34.25 acres of land which is adjacent to Spokane International Airport property.  
Larry Krauter
- RES 2014-0084      Of the City of Spokane, Washington, providing for the form of the ballot proposition and specifying certain other details concerning submission to the qualified electors of the City at a special election to be held therein on November 4, 2014, of a proposition for the issuance of its general obligation bonds in the aggregate principal amount of

not to exceed \$64,300,000, or so much thereof as may be issued under the laws governing the indebtedness of the City for the purpose of providing funds to finance capital improvements to Riverfront Park and the Parks system. **Leroy Eadie**

- RES 2014-0085 Regarding a sustainable, 20-year levy lid lift for improved and integrated streets, terminating the existing \$0.57 property tax assessment for repayment of the 2004 Street Bond, and resulting in no increase in the 2015 tax rate for property owners. **Rick Romero**

## FINAL READING ORDINANCES

(Require Four Affirmative, Recorded Roll Call Votes)

- ORD C35119 Relating to the establishment of purchasing and procurement preference for recycled products; and adopting a new Section 7.06.174 to Chapter 7.06 of the Spokane Municipal Code.  
**Council President Stuckart**
- ORD C35125 Renaming and updating the Law Enforcement Information Systems Special Revenue Fund; amending Spokane Municipal Code Section 7.08.128. **Pam Dolan**
- ORD C35126 (To be considered under Hearings Item H1.)

## FIRST READING ORDINANCES

(No Public Testimony Will Be Taken)

- ORD C35127 Authorizing the removal of a skywalk stairway previously constructed pursuant to an easement authorized by Ordinance No. C18290.  
**Tami Palmquist**
- ORD C35128 Relating to the Spokane Employees' Retirement System; amending Spokane Municipal Code Sections 3.05.010, 3.05.020, 3.05.025, 3.05.030, 3.05.040, 3.05.050, 3.05.060, 3.05.070, 3.05.080, 3.05.110, 3.05.120, 3.05.130, 3.05.160, 3.05.165, 3.05.167, 3.05.170 3.05.180, 3.05.190, 3.05.200, 3.05.210, 3.05.250, 3.05.260, 3.05.270, 3.05.275 and 3.05.290; and adopting a new Section 3.05.166 to Chapter 3.05 of the Spokane Municipal Code. **Tim Dunivant**
- ORD C35129 Relating to the City of Spokane Retirement and Pension Board; amending Spokane Municipal Code Sections 4.14.030, 4.14.040, 4.14.050, 4.14.060, 4.14.070 and 4.14.080. **Tim Dunivant**

## FURTHER ACTION DEFERRED

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## NO SPECIAL CONSIDERATIONS

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## HEARINGS

- H1. Final Reading Ordinance C35126 re-naming a segment of Bridge Avenue for one block, between Lincoln and Monroe streets to “Summit Parkway.” **Pass** **ORD C35126**  
**Upon Roll**  
**Call Vote**  
**Scott Chesney**

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### Motion to Approve Advance Agenda for July 21, 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 July 21, 2014, Regular Legislative Session of the City Council is adjourned to July 28, 2014.

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## NOTES

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

07/21/2014

**Date Rec'd**

7/9/2014

**Clerk's File #**

OPR 2010-0649

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

PUBLIC AFFAIRS/COMMUNICATIONS

**Cross Ref #****Contact Name/Phone**BRIAN EXT 6740  
CODDINGTON**Project #****Contact E-Mail**

BCODDINGTON@SPOKANECITY.ORG

**Bid #**

RFP 3714-10

**Agenda Item Type**

Purchase w/o Contract

**Requisition #**

VALUE BLANKET

**Agenda Item Name**

0330 VALUE BLANKET GRAPHICS/OFFSET PRINTING 2ND YR EXT (2014)

**Agenda Wording**

Second of two one-year extensions to Value Blanket Order OPR 2010-0649 with Allied Envelope Co., Griffin Publishing, Inc., and Lawton Printing, Inc. (Spokane, WA) for printing services-annual estimated expenditure \$270,000.00 (including tax).

**Summary (Background)**

Request for Proposal #3714-10 had five responses that were evaluated by a citywide committee. This RFP was for a value blanket order for a wide range of printing and graphics services which includes design and finishing. Annual estimated expenditure of \$70,000.00 (inc tax) is to be awarded to Allied Envelope Co., \$100,000.00 (inc tax) is to be awarded to each company Griffin Publishing, Inc., and Lawton Printing, Inc. These companies best meet the City's reprographics requirements.

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

Expense \$ 270,000.00

# Various Accounts

Select \$

#

Select \$

#

Select \$

#

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

CODDINGTON, BRIAN

**Study Session**

None

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

LESESNE, MICHELE

**Distribution List****Legal**

WHALEY, HUNT

Communications - bcoddington@spokanecity.org

**For the Mayor**

CODDINGTON, BRIAN

IT - jhamilton@spokanecity.org

**Additional Approvals**

Allied Envelope Co. - dpierce@allied-envelope.com

**Purchasing**

WAHL, CONNIE

Griffin Publishing - print@griffinpublishinginc.com

Lawton Printing - lariw@lawtonprinting.com

cwahl@spokanecity.org



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

07/21/2014

**Date Rec'd**

7/9/2014

**Clerk's File #**

OPR 2010-0650

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

PUBLIC AFFAIRS/COMMUNICATIONS

**Cross Ref #****Contact Name/Phone**BRIAN EXT 6740  
CODDINGTON**Project #****Contact E-Mail**

BCODDINGTON@SPOKANECITY.ORG

**Bid #**

RFP 3713-10

**Agenda Item Type**

Purchase w/o Contract

**Requisition #**

VALUE BLANKET

**Agenda Item Name**

0330 VALUE BLANKET QUICK COPY SVCS 2ND YR EXT (2014)

**Agenda Wording**

Second of two one-year extensions to Value Blanket Order OPR 2010-0650 with Standard Digital Print Co. and Abadan Reprographics (Spokane, WA) for quick copy services-annual estimated expenditure \$140,000.00 (including tax).

**Summary (Background)**

Request for Proposal #3713-10 had six responses that were evaluated by a citywide committee. This RFP was for a value blanket order for quick copy services and large format copying with bindery services. Annual estimated expenditure of \$70,000.00 (including tax) is to be awarded to each company. Standard Digital Print Co. and Abadan Reprographics best meets the City's reprographics requirements.

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

Expense \$ 140,000.00

# Various Accounts

Select \$

#

Select \$

#

Select \$

#

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

CODDINGTON, BRIAN

**Study Session**

None

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

LESESNE, MICHELE

**Distribution List****Legal**

WHALEY, HUNT

Communications - bcoddington@spokanecity.org

**For the Mayor**

CODDINGTON, BRIAN

IT - jhamilton@spokanecity.org

**Additional Approvals**

Standard Digital Print Co. - ldavis@sbprint.com

**Purchasing**

WAHL, CONNIE

Abadan Reprographics - repro@abadanspokane.com

cwahl@spokanecity.org

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

07/21/2014

**Date Rec'd**

7/9/2014

**Clerk's File #**

OPR 2014-0500

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

INFORMATION TECHNOLOGY

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

MICHAEL SLOON 625-6468

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

MSLOON@SPOKANECITY.ORG

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

Purchase w/o Contract

**Requisition #**

VB MASTER

**Agenda Item Name**

5300 CERIUM PURCHASE MASTER (2014)

**Agenda Wording**

Approval to Purchase Cisco Hardware and Software from Cerium Networks, Inc. (Spokane, WA) for the City of Spokane utilizing Washington State Contract #T12-MST-642. July 1, 2014 through December 31, 2014 for \$332,000.00 plus tax and shipping.

**Summary (Background)**

Acquisition is needed to replace EOS (End of Service) network equipment and to purchase new network equipment compatible with our voice and data application requirements, and network security for all City departments. Including established standards for supporting the following departments: Water, Wastewater Management and Traffic.

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

Expense \$ 332,000.00 plus tax &amp; shipping

# Various Accounts

Select \$

#

Select \$

#

Select \$

#

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

SLOON, MICHAEL

**Study Session**

Finance, July 7

**Division Director**

DOLAN, PAM

**Other****Finance**

LESESNE, MICHELE

**Distribution List****Legal**

WHALEY, HUNT

Accounting - pdolan@spokanecity.org

**For the Mayor**

CODDINGTON, BRIAN

Contract Accounting - mlesense@spokanecity.org

**Additional Approvals**

Legal - hwhaley@spokanecity.org

**Purchasing**

PRINCE, THEA

Taxes &amp; Licenses

Purchasing - cwahl@spokanecity.org

IT - jhamilton@spokanecity.org

Cerium Networks - jlynch@ceriumnetworks.com

**CERIUM PROJECTS  
2014**

<b>Project Estimate</b>	<b>Project Description</b>
\$101,233.18	RPWRF SCADA network switch upgrade
\$39,527.50	Access Control System (ACS) upgrade Identity Secure Engine (ISE)
\$58,583.15	Combined Communication Training (CCT) network switch upgrade
\$48,276.50	Phone upgrades - Call Center licenses
\$29,141.63	Prime Infrastructure - network management software license upgrade
\$54,048.70	Voice systems upgrades (UCCX, CM & Unity)
<u>\$1,319.17</u>	Skate Park IE3000 switch upgrade
<u><b>\$332,129.83</b></u>	<b>Total Value Blanket Estimates</b>

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

07/21/2014

**Date Rec'd**

7/9/2014

**Clerk's File #**

OPR 2012-0011

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

INFORMATION TECHNOLOGY

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

MICHAEL SLOON 625-6468

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

MSLOON@SPOKANECITY.ORG

**Bid #**

RFP 3819-11

**Agenda Item Type**

Contract Item

**Requisition #**

CR14603000

**Agenda Item Name**

5300 XO COMMUNICATIONS EXTENSION (2014)

**Agenda Wording**

One Year Extension to Contract OPR 2012-0011 with XO Communications (Sandy, UT) for Dial Tone, Off-Premise Extensions and Long Distance Services. July 1, 2014 through June 30, 2015 for \$134,000.00 including tax.

**Summary (Background)**

Voice services at all City locations are provided by Cisco VoIP systems and are connected via a combination of City owned fiber and telephone carrier circuits. The City sought a reputable telephone carrier in RFP 3819-11 to deliver local dial tone, standard analog central office lines, and long distance services. Some lines would include transmission of data as well as voice.

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

Expense \$ 134,000.00 inc tax

# 5300-73200-18880-54301

Select \$

#

Select \$

#

Select \$

#

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

SLOON, MICHAEL

**Study Session**

Finance, July 7

**Division Director**

DOLAN, PAM

**Other****Finance**

LESESNE, MICHELE

**Distribution List****Legal**

WHALEY, HUNT

Accounting - pdolan@spokanecity.org

**For the Mayor**

CODDINGTON, BRIAN

Contract Accounting - mlesense@spokanecity.org

**Additional Approvals**

Legal - hwhaley@spokanecity.org

**Purchasing**

PRINCE, THEA

Taxes &amp; Licenses

Purchasing - cwahl@spokanecity.org

IT - jhamilton@spokancity.org

XO Communications - stacy.standy@xo.com

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

07/21/2014

**Date Rec'd**

7/9/2014

**Clerk's File #**

OPR 2014-0501

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

ACCOUNTING

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

THEA PRINCE 625-6403

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

TPRINCE@SPOKANECITY.ORG

**Bid #**

RFP #4026-14

**Agenda Item Type**

Contract Item

**Requisition #**MASTER  
CONTRACT**Agenda Item Name**

5600 - OFFICE SUPPLY DELIVERY SYSTEM - CITY WIDE

**Agenda Wording**

Award contract to Kershaws, Inc. (Spokane, WA) for OFFICE SUPPLIES for all City Departments, through August 2019. Estimated annual expenditure \$250,000.00.

**Summary (Background)**

On June 23, 2014, proposals were received to supply the City of Spokane with consumable office supplies. City departments will place office supply orders directly with the contractor, take next day delivery and use the Purchasing Card as the primary payment tool. Proposals were received from three (3) vendors. An evaluation committee was formed and it is the recommendation of the committee to award this contract to Kershaws, Inc.

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

Expense \$ 250,000.00

# various

Select \$

#

Select \$

#

Select \$

#

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

DOLAN, PAM

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

DOLAN, PAM

**Other**Finance Committee:  
7/7/14**Finance**

LESESNE, MICHELE

**Distribution List****Legal**

WHALEY, HUNT

Purchasing: tprince

**For the Mayor**

CODDINGTON, BRIAN

Taxes &amp; Licenses

**Additional Approvals****Purchasing**

PRINCE, THEA

LAUNDRY SERVICES REQUEST FOR PROPOSAL  
EVALUATION CRITERIA:

			Company A	Company B	Company C
1	<b>PRICE</b> Proposal with lowest cost factor receives highest rating. Each proposal that has a higher cost factor than lowest must have a lower rating for cost. (lowest proposal price multiplied by maximum points available for price divided by the higher price proposal) $a = 50,000 \times 30 / 50,000$ ; $b = 50,000 \times 30 / 55,000$ ; $c = 50,000 \times 30 / 60,000$	30 POINTS	30%		
		total points	total poin		
	<b>2 GENERAL CONTENT &amp; RESPONSIVENESS OF PROPOSAL</b>	40 POINTS	40%		
	Rate approach & methodology of proposal (comprehesiveness)	10			
	Rate suitability/adequacy of proposal to meet department needs: promptly and efficiently: garment/item quality, fitting, ordering, standard garment life replacement, etc.	10			
	Rate suitability/adequacy of proposal to meet department needs promptly and efficiently: inventory tracking, pick-ups, deliveries, billing, product changes, lost garments, contract changes	10			
	Rate the proposers problem resolution/customer service plan	5			
	Rate the proposers "value added" services offered	5			
	Choose your important issues regarding service		total poin		
3	<b>EXPERIENCE &amp; REPUTATION OF SUPPLIER</b>	30 POINTS	30%		
	Rate the proposer service team, internal systems, staff qualifications and experience	5			
	Rate the proposer experience in similar contracts based on previous contracts, services, and references	10			
	Rate the reputation based on previous contracts, services, and references	10			
	Rate the Oral Presentation related to ability to provide all-inclusive contract satisfaction	5			
			total poin		
TOTAL POINTS POSSIBLE		100 POINTS			

# BRIEFING PAPER

## City of Spokane

-----  
July 7, 2014

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### Subject

Contract with Kershaws, Inc. (Spokane, WA) for an Office Supply Delivery System.  
August 1, 2014 through July 31, 2019 for \$250,000 annually.

### Background

The City of Spokane issued a Request For Proposals for an Office Supply Delivery System for all City Departments. Three (3) responses were received and evaluated by an Evaluation Committee consisting of five (5) city employees from various departments and is unanimously recommending Kershaws, Inc. for a contract.

### Impact

This contract facilitates the ordering and delivery of office supplies for the City of Spokane departments.

### Action

Purchasing is seeking City Council approval of Contract

### Funding

Funding will be through various City Departmental funds.

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

07/21/2014

**Date Rec'd**

7/9/2014

**Clerk's File #**

OPR 2014-0502

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

ASSET MANAGEMENT

**Cross Ref #**

OPR 2014-0042

**Contact Name/Phone**

DAVE STEELE 625-6064

**Project #**

2012119

**Contact E-Mail**

DSTEELE@SPOKANECITY.ORG

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

Contract Item

**Requisition #**

CR 14606

**Agenda Item Name**

5900 - RELOCATION ASSISTANCE - NOWLAN'S - U DISTRICT

**Agenda Wording**

Relocation Assistance Vouchers for Nowlan's Carburetor (Spokane, WA) in conjunction with the University District Pedestrian/Bicycle Bridge project for an amount not to exceed \$68,810.00.

**Summary (Background)**

Related to the acquisition of real property located at 433 East Sprague Avenue utilizing Federal Right-of-Way dollars and the required relocation of the seller. The relocation of the business has been completed and reviewed, and the expenses related to the move have been approved by the City's relocation specialist.

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

Expense \$ 68,810.00

# 3200 95023 95200 56102

Select \$

#

Select \$

#

Select \$

#

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

WERNER, MICHAEL

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

QUINTRALL, JAN

**Other**

PCED 1/27/14

**Finance**

LESESNE, MICHELE

**Distribution List****Legal**

RICHMAN, JAMES

lhattenburg@spokanecity.org

**For the Mayor**

CODDINGTON, BRIAN

pdolan@spokanecity.org

**Additional Approvals**

dsteele@spokanecity.org

**Purchasing**

mhughes@spokanecity.org

mlesesne@spokanecity.org



# MOVE BID RECOMMENDATION NOWLAN'S CARBURETOR

Date: April 24, 2014

To: City of Spokane

From: De Ressa, Epic Land Solutions, Inc.

Subject: University District Pedestrian/Bike Bridge  
Parcel No. 35173.1216/1218  
Nowlan's Carburetor; Displacee 01  
Recommendation of Move Costs

## Introduction

The City of Spokane (Agency) has offered to purchase the land and improvements owned by Wilfred Nowlan for the above entitled project. Mr. Nowlan's sons operate the business known as Nowlan's Carburetor, Inc. at the site. The Company sells and rebuilds carburetors for all types of vehicles and has a worldwide customer base.

The personal property includes approximately 8,000 carburetors and cores, parts for the carburetors, hand tools, power tools, office furniture and office equipment. The Company plans to purchase a replacement site in the Spokane area.

In addition, three parts cleaners will require relocation by a hazardous waste specialist due to the chemicals used in the process.

Three companies agreed to supply estimates to perform the actual move of this displacee. I supplied each with an RFP asking them to provide the number of days for the move, personnel for each phase of the move, personnel hours, number of vehicles, vehicle hours, cost of packing materials, cost of any 3<sup>rd</sup> party charges, a separate line cost for any cleanup, cost for replacement value insurance, and the total amount of the estimate. A synopsis of the bids received is as follows:

<b>Lile International</b>	<b>Devries</b>	<b>Speerstra Constuction</b>
21 Men @ 5 days	8 Men @ 21 days	6 men @ 10 days
5- Trucks @ 200 hours	2 Trucks @ 168 hours	3 trucks @ 240 hrs
Labor \$61,210.00	Labor \$77,280.00	Labor \$43,200.00
Packing materials 3,100.00	Packing materials 5,000.00	Packing materials 2,500.00
3 <sup>rd</sup> party equipment 0.00	3 <sup>rd</sup> party equipment 0.00	3 <sup>rd</sup> party equipment 1,950.00
Debris removal 0.00	Debris removal 1,500.00	Debris removal 1,150.00
Insurance 850.00	Insurance 0.00	Insurance 5,000.00
Addt'l equipment 4,500.00		Addt'l gear 4,500.00
Total \$69,660.00	Total \$83,780.00	Total \$58,300.00

### **Bid Analysis**

All three companies are capable and qualified to perform the services requested. Each submitted bids including number of personnel, number of days to perform the move, vehicles needed, packing materials, and any additional equipment required. All bidders were notified of the value of the personal property in order to quote adequate replacement value insurance coverage during the move.

#### *Lile International*

The bid submitted by Lile estimates it will take five days with twenty one men to complete this move. This move will take the least amount of time and cause the least disruption to the business.

#### *Devries*

The bid received from Devries estimates utilizing eight personnel for twenty one days to complete the move. The bid did not include an amount for replacement value insurance or 3<sup>rd</sup> party equipment. The Company is large enough to own the equipment necessary to move the storage buses, so no third party equipment may be needed. The estimated move time of twenty one days may create a financial hardship for the business.

#### *Speerstra Construction*

This Company submitted the lowest bid for the relocation of Nowlan's Carburetor. However, they estimate it will take six workers and ten days to move the personal property. Asking the displacee to close the business for this amount of time may result in an undue hardship.

### **Recommendation**

After careful analysis and consideration, I recommend selecting Lile International as the successful bidder of the move in the amount of \$69,660.00. They will utilize the most personnel and perform the move in the least amount of time in order to cause minimal disruption to the business. These are eligible expenses per WAC 468-100-301(4)(a).

In the event the displacee chooses a Negotiated Cost Self Move, I recommend they be offered the sum of \$68,810.00. The amount recommended is less replacement value insurance. If the displacee arranges for replacement value insurance, the City of Spokane would reimburse these additional costs based on paid receipts.

# Relocation Assistance Voucher

Agency Name: City of Spokane 808 West Spokane Falls Boulevard 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. I further certify that I am a citizen of the United States of America or am an alien lawfully present in the United States of America.	
Displaced Person(s) or Claimant (Name, address with zip + 4 to which payment will be sent) Nowlan's Carburetor 433 East Sprague Avenue Spokane WA 99202		Signature (Blue ink) for each claimant	
		Date 4-28-14	
		Date 4-28-14	
Project Title: University District Pedestrian Bike/Bridge			

Parcel No.: 35173.1216/1218	Displacee No.: 005	Displacee Name: Nowlan's Carburetor	Date Parcel Vacated:
--------------------------------	--------------------	-------------------------------------	----------------------

Replacement Housing Payments	\$ Amounts
Price Differential – 180 day owner	\$
MIDP - Increased Mortgage Interest Payment	\$
Incidentals	\$
Last Resort Housing – owner	\$
Rental Supplement– 90 day tenants and certain others	\$
Down Payment Assistance – 90 day tenants and certain others	\$
Last Resort Housing – tenants	\$
Comments / other (describe):	\$

Moving Expense Payments	\$ Amounts
Schedule / Dislocation Allowance – residential	\$
Actual Expenses / Commercial – residential	\$
Fixed Payment (in lieu of all other moving expenses) - Non-Residential	\$
Actual Costs / Commercial / Negotiated Cost - Non-Residential one-quarter move costs	\$17,202.50
Reestablishment Costs - Non-Residential	\$
Personal Property Only	\$
Comments / Other (describe):	\$

Deductions:	- \$
-------------	------

<b>TOTAL →</b>	<b>\$17,202.50</b>
----------------	--------------------

Invoice No.:	Date:	Amount: \$
--------------	-------	------------

ACCOUNT CLASSIFICATION									
PARCEL	JOB NUMBER		WORK OP	ACCOUNT		CONTROL	ORG. NO.	NON-PART	TOTALS
	WORK ORDER	GRP		OBJ	SUB	SECTION			DOLLARS
35173.1216/1218									\$17,202.50
									\$
									\$
									\$


RELOCATION SPECIALIST:	DATE:	<b>TOTAL → \$ 17,202.50</b>
RELOCATION SUPERVISOR:	DATE:	

AGENCY REAL ESTATE MANAGER:	DATE:
-----------------------------	-------


I, the undersigned, certify that the above are correct, that the payment is necessary for the above relocation assistance, that it has been performed in accordance with prescribed procedures, and that this payment is not considered income or resources to a "DISPLACED PERSON" pursuant to Section 216 of Public Law 91-646 and RCW 8.26.140.

By:	Agency Authorization	Date	Warrant Register No.:	Voucher No.:
-----	----------------------	------	-----------------------	--------------

# Relocation Assistance Voucher

Agency Name: City of Spokane 808 West Spokane Falls Boulevard 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. I further certify that I am a citizen of the United States of America or am an alien lawfully present in the United States of America.	
Displaced Person(s) or Claimant (Name, address with zip + 4 to which payment will be sent) Nowlan's Carburetor 6509 North Market Street Spokane WA 99208		Signature (Blue ink) for each claimant 	Date 7-2-14 7-2-14
Project Title: University District Pedestrian/Bike Bridge			

Parcel No.: 35173.1216/1218	Displacee No.: 005	Displacee Name: Nowlan's Carburetor	Date Parcel Vacated: 7/1/14
<b>Replacement Housing Payments</b>			<b>\$ Amounts</b>
Price Differential – 180 day owner			\$
MIDP - Increased Mortgage Interest Payment			\$
Incidentals			\$
Last Resort Housing – owner			\$
Rental Supplement– 90 day tenants and certain others			\$
Down Payment Assistance – 90 day tenants and certain others			\$
Last Resort Housing – tenants			\$
Comments / other (describe):			\$
<b>Moving Expense Payments</b>			<b>\$ Amounts</b>
Schedule / Dislocation Allowance – residential			\$
Actual Expenses / Commercial – residential			\$
Fixed Payment (in lieu of all other moving expenses) - Non-Residential			\$
Actual Costs / Commercial / Negotiated Cost - Non-Residential balance of move costs			\$51,607.50
Reestablishment Costs - Non-Residential			\$
Personal Property Only			\$
Comments / Other (describe):			\$
Deductions:			- \$
<b>TOTAL →</b>			<b>\$51,607.50</b>

Invoice No.:		Date:		Amount: \$					
<b>ACCOUNT CLASSIFICATION</b>									
PARCEL	JOB NUMBER		WORK OP	ACCOUNT		CONTROL SECTION	ORG. NO.	NON-PART	TOTALS DOLLARS
	WORK ORDER	GRP		OBJ	SUB				
35173.1216/1218									\$51,607.50
									\$
									\$
									\$
RELOCATION SPECIALIST:				DATE:		<b>TOTAL → \$ 51,607.50</b>			
				7/2/14					
RELOCATION SUPERVISOR:			DATE:		AGENCY REAL ESTATE MANAGER:			DATE:	
I, the undersigned, certify that the above are correct, that the payment is necessary for the above relocation assistance, that it has been performed in accordance with prescribed procedures, and that this payment is not considered income or resources to a "DISPLACED PERSON" pursuant to Section 216 of Public Law 91-646 and RCW 8.26.140.									
By:						Warrant Register No.:		Voucher No.:	
Agency Authorization						Date			

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

07/14/2014

**Date Rec'd**

7/2/2014

**Clerk's File #**

RES 2014-0078

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

CITY COUNCIL

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

CANDACE MUMM 625-6256

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

CMUMM@SPOKANECITY.ORG

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

Resolutions

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

0320 PLAN COMMISSION TRANSPORTATION SUB-COMMITTEE

**Agenda Wording**

A resolution regard formation of a Traffic Sub-Committee to the Plan Commission for the purpose of vetting the Six-Year Street Program and projects funded by any new street revenue such as anticipated by the proposed street levy.

**Summary (Background)**

The City Council is considering formation of a new funding mechanism for the maintenance and preservation of streets. The Plan Commission is responsible for vetting and making recommendations on the annually adopted Six-Year Street Plan. A broad spectrum of citizen representation is desired by the City Council to inform the Plan Commission's work.

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

Select \$

#

Select \$

#

Select \$

#

Select \$

#

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

MCDANIEL, ADAM

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

PCED 7/7/2014

**Finance**

LESESNE, MICHELE

**Distribution List****Legal**

RICHMAN, JAMES

**For the Mayor**

SANDERS, THERESA

**Additional Approvals****Purchasing**

Resolution No. 2014-0078

A resolution requesting the Plan Commission to establish a Transportation Subcommittee.

WHEREAS, the Section 126 of the City Charter established the City Plan Commission; and

WHEREAS, Section 128 of the City Charter provides in part that the Plan Commission shall have the power to investigate and make recommendations to the City Council in relation to all matters pertaining to the living conditions of the City; and generally, all things tending to promote the health, convenience, safety, and well being of the City's population, and to further its growth along consistent, comprehensive and permanent plans; and

WHEREAS, the Plan Commission's work, including its review of the Comprehensive Plan and the Six-Year Comprehensive Street Program, directly impacts the City's planning for streets and transportation infrastructure; and

WHEREAS, the City's transportation planning involves multiple departments and agencies; and

WHEREAS, the City Council desires the Plan Commission to assist in the review and recommendation of street improvements through the creation of a transportation subcommittee.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPOKANE that the City Council calls upon the Plan Commission to create a Transportation Subcommittee to review and prioritize proposed street improvements as part of the Six-Year Comprehensive Street Program and other street funding the City Council will be considering as part of its integrated planning model.

BE IT FURTHER RESOLVED that the City Council recommends that the Transportation Subcommittee membership include representation from various groups and agencies that are involved in transportation planning including, but not limited to, representatives from the following:

- a. Bicycle Advisory Board,
- b. Spokane Regional Transportation Council,
- c. Citizens Transportation Advisory Board,
- d. Disabled communities,
- e. Pedestrian, Transportation and Traffic Committee of the Community Assembly,
- f. Plan Commissioner (one liaison at minimum),
- g. Spokane School District 81,
- h. Spokane Regional Health District,

- i. City of Spokane Community Housing and Human Services Board, and
- j. Spokane Transit Authority

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

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

Approved as to form:

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

DRAFT



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

07/21/2014

**Date Rec'd**

7/9/2014

**Clerk's File #**

RES 2014-0083

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

AIRPORTS

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

LARRY KRAUTER 455-6419

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

LKRAUTER@SPOKANEAIRPORTS

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

Resolutions

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

AIRPORTS - JOINT RESOLUTION

**Agenda Wording**

Joint Resolution with Spokane County in the matter of authorizing the Airport Board to acquire property identified as Spokane County Assessor Parcel 14013.9006, comprising of approximately 34.25 acres of land which is adjacent to SIA property.

**Summary (Background)**

Pursuant to Paragraph 8(b) of the Spokane International Airports Joint Operation Agreement, the County and City must by joint action approve the acquisition, sale, transfer or disposal of real property. The Airport Board recommends to the City and the County the acquisition of the Spokane County Assessor Tax Parcel as identified on Exhibit A attached to the Joint Resolution.

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

Select \$

#

Select \$

#

Select \$

#

Select \$

#

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

PFISTER, TERRI

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

BUSTOS, KIM

**Distribution List****Legal**

WHALEY, HUNT

lkrauter@spokaneairports.net

**For the Mayor**

CODDINGTON, BRIAN

todd.woodard@spokaneairports.net

**Additional Approvals**

judyg@spokaneairports.net

**Purchasing**

jthielemann@spokaneairports.net

derickson@spokanecounty.org



City: OPR \_\_\_\_\_  
Resolution No. 2014-0083

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

IN THE MATTER OF AUTHORIZING	)	
THE AIRPORT BOARD TO	)	JOINT RESOLUTION
ACQUIRE PROPERTY IDENTIFIED	)	
AS SPOKANE COUNTY ASSESSOR	)	
PARCELS 14013.9006	)	

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

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

WHEREAS, the Airport Board has recommended to the County and City the acquisition of Spokane County Assessor Tax Parcel as identified on Exhibit A, attached hereto, ("Property") comprising of approximately 34.25 acres of land which is adjacent to Spokane International Airport property; and

WHEREAS, the Property is necessary for long term aviation development at Spokane International Airport; and

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

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

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

\_\_\_\_\_  
Terri L. Pfister, City Clerk  
Approved as to form:

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

ADOPTED by the Board of County Commissioners of Spokane County, Washington this  
\_\_\_\_\_  
day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Al French, Chair

ATTEST:

\_\_\_\_\_  
Todd Mielke, Vice-Chair

\_\_\_\_\_  
Daniela Erickson  
Clerk of the Board

\_\_\_\_\_  
Shelly O'Quinn, Commissioner

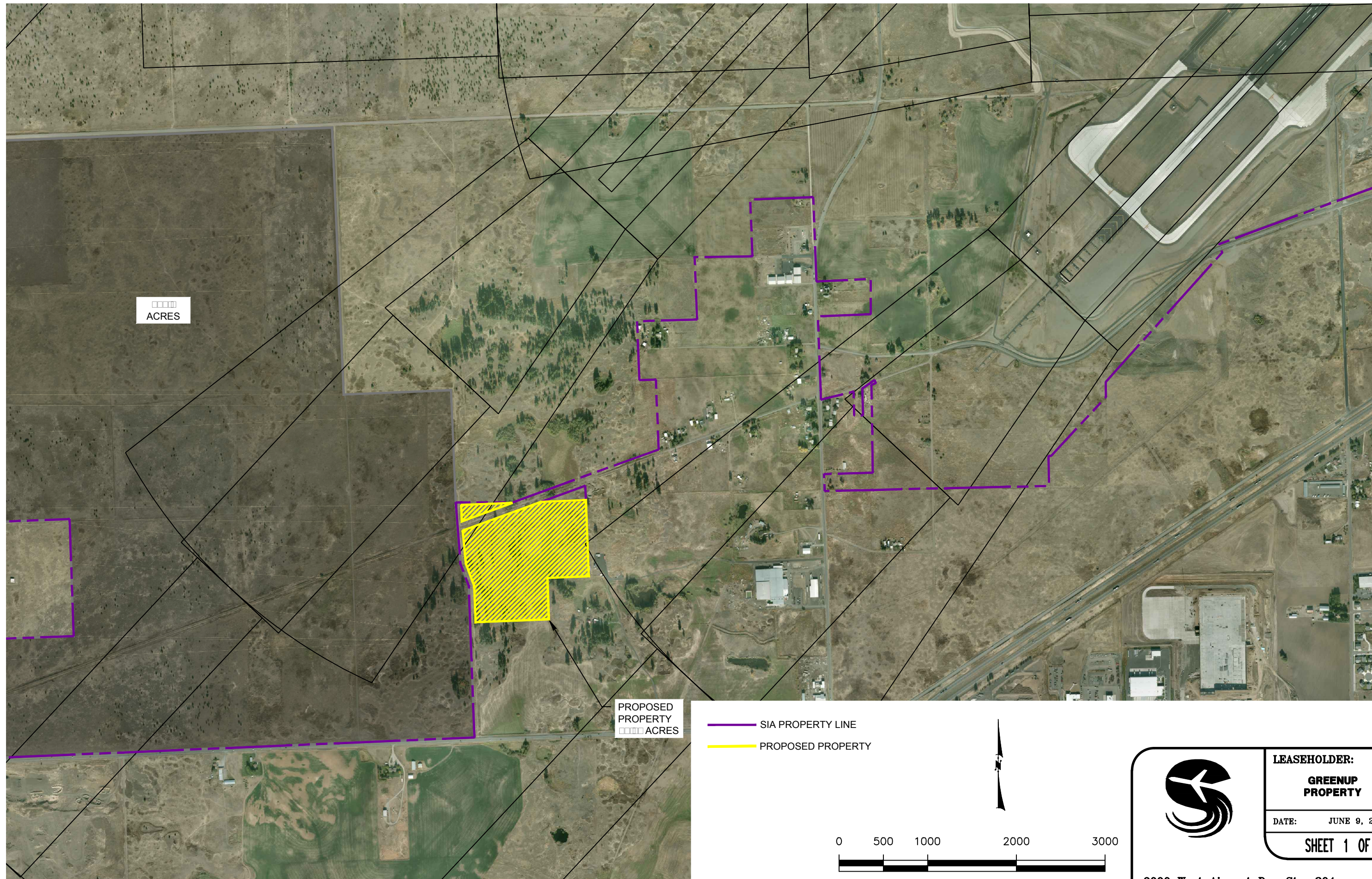
EXHIBIT A

PARCEL NUMBER OF PROPERTY

14013.9006



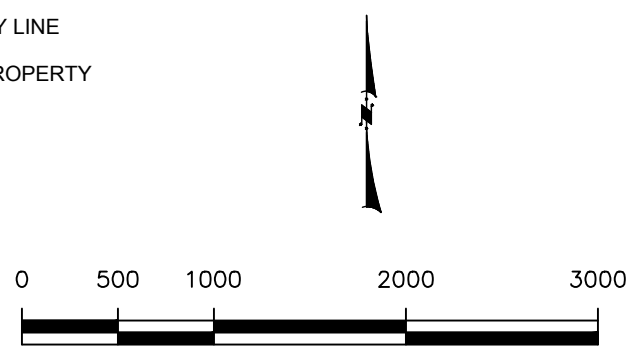
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ACRES

PROPOSED  
PROPERTY  
ACRES

- SIA PROPERTY LINE
- PROPOSED PROPERTY



LEASEHOLDER:  
**GREENUP  
PROPERTY**

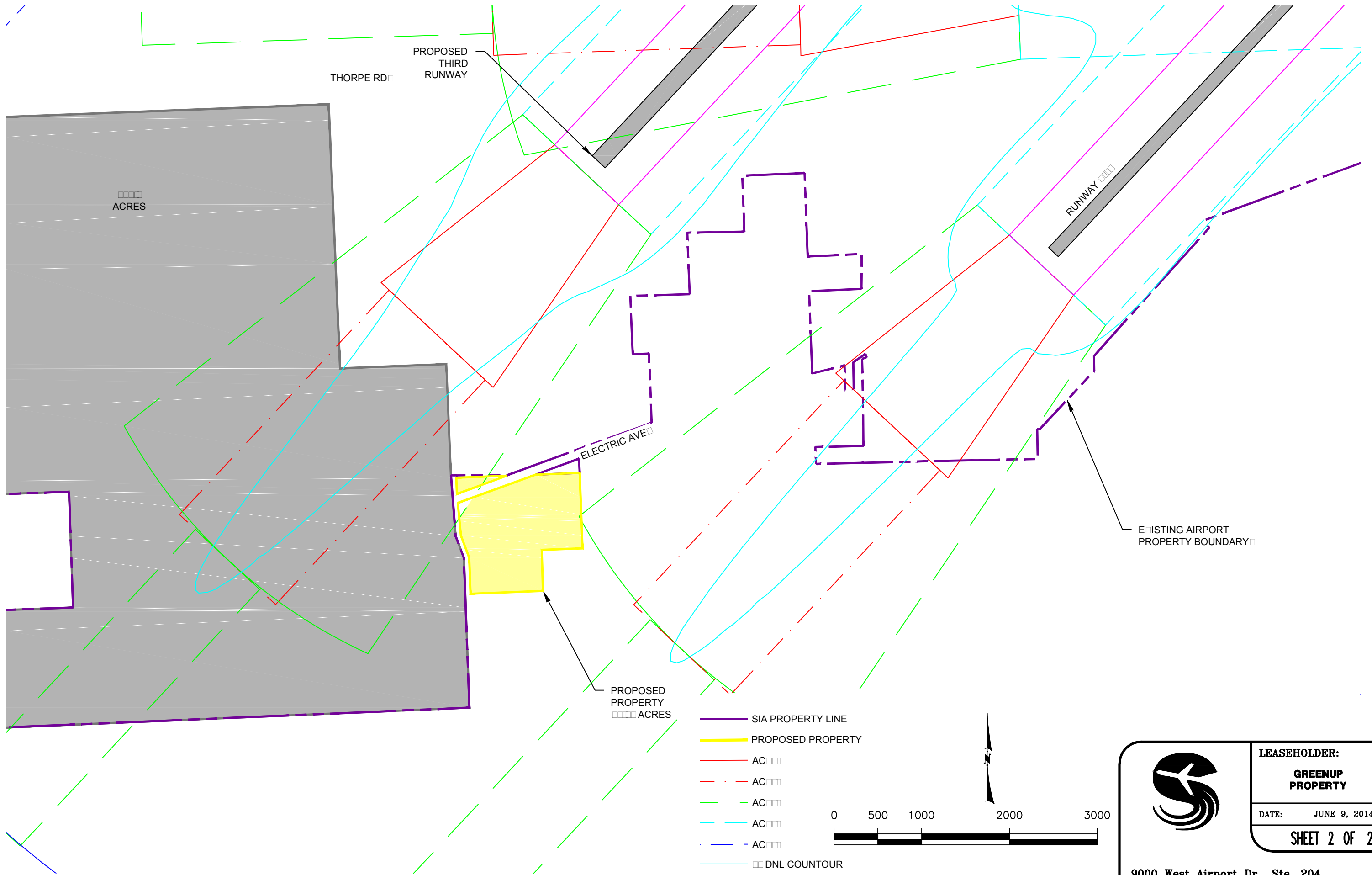
DATE: JUNE 9, 2014

**SHEET 1 OF 2**

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



J:\120125\Acaddwg\Sheets\Exhibits (2014)\C14-028 Greenup\120125\_C-14-016.dwg, 6/9/2014 3:08:48 PM, Kusler, Keith, None



LEASEHOLDER:

**GREENUP  
PROPERTY**

DATE: JUNE 9, 2014

**SHEET 2 OF 2**

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

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

07/21/2014

**Date Rec'd**

7/9/2014

**Clerk's File #**

RES 2014-0084

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

PARKS &amp; RECREATION

**Contact Name/Phone**

LEROY EADIE 625-6204

**Contact E-Mail**

MFEIST@SPOKANECITY.ORG

**Agenda Item Type**

Resolutions

**Agenda Item Name**

2014 RIVERFRONT PARK BOND

**Cross Ref #****Project #****Bid #****Requisition #****Agenda Wording**

A resolution proposing \$64.3 million in general obligation bonds, maturing in 20 years, to provide funds to finance the renovation, improvement and modernization of Riverfront Park without a net increase in the current annual tax levy for Parks.

**Summary (Background)**

After 40 years as the central and iconic public gathering space for Spokane, Riverfront Park is in need of major capital improvements. The City is proposing this bond to pay for the highest priority improvements needed in Riverfront. The Park Board and Park Department engaged the public in the development of the Riverfront Park Master Plan 2014, which would guide the investment. The U.S. Pavilion, Looft Carousel, Skyride, ice rink, park shelters, grounds, and infrastructure would be improved.

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

Select \$

#

Select \$

#

Select \$

#

Select \$

#

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

EADIE, LEROY

**Study Session**

5/15/2014

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

BUSTOS, KIM

**Distribution List****Legal**

WHALEY, HUNT

leadie@spokanecity.org

**For the Mayor**

CODDINGTON, BRIAN

rcameron@bakerconstruct.com

**Additional Approvals**

gcooley@spokanecity.org

**Purchasing**

jsinisterra@spokanecity.org

laura.mcaloon@klgates.com

rromero@spokanecity.org

mfeist@spokanecity.org



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

**Agenda Wording**

This resolution requests the Spokane County Auditor to place the item on the November 2014 ballot for City voters to consider.

**Summary (Background)**

**Fiscal Impact**

Select     \$

Select     \$

**Budget Account**

#

#

**Distribution List**


CITY OF SPOKANE, WASHINGTON

RESOLUTION NO. 2014-0084

A RESOLUTION of the City of Spokane, Washington, providing for the form of the ballot proposition and specifying certain other details concerning submission to the qualified electors of the city at a special election to be held therein on November 4, 2014, of a proposition for the issuance of its general obligation bonds in the aggregate principal amount of not to exceed \$64,300,000, or so much thereof as may be issued under the laws governing the indebtedness of the City for the purpose of providing funds to finance capital improvements to Riverfront Park and the Parks system

ADOPTED \_\_\_\_\_, 2014

PREPARED BY:

K&L Gates LLP  
Spokane, Washington



CITY OF SPOKANE, WASHINGTON

GENERAL OBLIGATION BONDS

RESOLUTION NO. 2014-0084

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Section 4. Details of Bonds	5
Section 5. Election	6
Section 6. Severability	7
Section 7. Effective Date	7

RESOLUTION NO. 2014-0084

A RESOLUTION of the City of Spokane, Washington, providing for the form of the ballot proposition and specifying certain other details concerning submission to the qualified electors of the city at a special election to be held therein on November 4, 2014, of a proposition for the issuance of its general obligation bonds in the aggregate principal amount of not to exceed \$64,300,000, or so much thereof as may be issued under the laws governing the indebtedness of the City for the purpose of providing funds to finance capital improvements to Riverfront Park and the Parks system

WHEREAS, the City of Spokane, Washington (the “City”) is a first-class charter city duly organized and existing under and by virtue of the Constitution and the laws of the state of Washington and the Charter of the City; and

WHEREAS, the City of Spokane Park Board (the “Park Board”) by Resolution dated June 20, 2014 requested the City Council to consider the financing of proposed improvements to Riverfront Park through the issuance of an unlimited tax general obligation bond; and

WHEREAS, Riverfront Park was created for the grounds for Expo 74 and opened to the public as a park in 1978; and

WHEREAS, Riverfront Park, after nearly 40 years as the central and iconic public gathering space for the City of Spokane, is in need of major capital improvements; and

WHEREAS, the Park Board and Parks Department staff have engaged in master planning to identify suitable capital improvements for Riverfront Park; and

WHEREAS, the master planning process for Riverfront Park included extensive deliberations among Park Board members, the Riverfront Park Advisory Committee, Parks Department staff, and numerous professionals, as well as public input, culminating in the “Riverfront Park Master Plan 2014”; and

WHEREAS, with voter approval, the City issued its general obligation bonds in 1999 to

purchase new playgrounds and parks (the “1999 Parks Bonds”); and

WHEREAS, with voter approval, the City issued its general obligation bonds in 2008 to finance various Parks system improvements, including, but not limited to, improvements to the Albi Sports Complex, the reconstruction of multiple neighborhood swimming pools and the construction of strategically located splashpads throughout the Parks system (the “2008 Parks Bonds”); and

WHEREAS, the Parks Department staff and Park Board, in conjunction with the Mayor and key City of Spokane finance staff, have developed a plan to finance priority capital improvements in Riverfront Park and other improvements to the Parks system through debt service savings and the issuance of a voter-approved general obligation park bond of up to \$64,300,000 (the “Riverfront Park Bonds”) while maintaining a debt service levy rate at approximately the same rate as is currently levied to pay debt service on the 2008 Park Bonds and the 1999 Bonds (\$0.34/\$1000 assessed valuation in 2014) resulting in no net increase in the debt service levy for park bonds over the life of the Riverfront Park Bonds; and

WHEREAS, the City Council believes the Riverfront Park Bonds, if approved by the citizens of Spokane, will provide funding for the highest priority capital improvements to Riverfront Park, including infrastructure repair, safety enhancements, modern community event space, and other major improvements to Riverfront Park and the Parks system (the “Project”); and

WHEREAS, subject to voter approval, in order to provide financing for the Project it is deemed necessary and advisable that the City issue and sell its general obligation bonds in the principal amount of not to exceed \$64,300,000 (the “Bonds”); and

WHEREAS, the constitution and laws of the State of Washington provide that the question of whether or not the City may issue the Bonds be submitted to the qualified electors of

the City for their ratification or rejection.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Spokane, that:

Section 1. Findings . The City Council hereby finds and declares that it is in the best interests of the inhabitants of the City to carry out the plans hereinafter provided at the time or times and in the order deemed most necessary and advisable by the City Council or the Park Board as authorized by the City Charter.

Section 2. Capital Improvements. The City Council approves of the Park Board's plan of capital improvements to Riverfront Park and the Parks system as generally set forth in Tier 1 of the Riverfront Park Master Plan and other capital improvements to the Parks system (the "Improvements"), including, but not limited to:

- Improvements to the Riverfront Park grounds, infrastructure, entrances and playgrounds;
- Renovation, improvement and installation of event facilities, lighting enhancements, roofing and energy efficient systems in the U.S. Pavilion/Event Center and Parks administration facility;
- Improvements to the Loeff Carrousel Building including, but not limited to, improved ADA accessibility, installation of energy efficient heating and cooling systems and enhancement of visitor facilities;
- Improved parking access and facilities;
- Improvements to the mechanical, electrical, concession, ticketing and public use facilities of the Skyride and Ice Rink;
- Improvements to the Riverfront Park shelters, installation of security cameras,

emergency phones, and improved lighting and signage throughout Riverfront Park.

The costs of all necessary architectural, engineering, and other consulting services, inspection and testing, administrative and relocation expenses, on and off-site utilities, site acquisition, related improvements and other costs incurred in connection with the making of the foregoing Improvements shall be deemed a part of the costs of such Improvements. Such Improvements shall be complete with all necessary furniture, and equipment and appurtenances.

Pursuant to Article V of the City Charter and upon issuance of the Bonds, the Park Board shall determine the application of available moneys so as to accomplish, as nearly as may be, all of the Improvements described or provided for in this section. The Park Board shall determine the exact extent and specifications for construction of structures or other improvements.

If the Park Board determines that it has become impractical to accomplish any of such Improvements or portions thereof by reason of state or local circumstances, including changed conditions, incompatible development, lack of additional state funding, or costs substantially in excess of those estimated, the Park Board shall not be required to accomplish such Improvements and may apply the Bond proceeds or any portion thereof to other portions of the Improvements, or to other Park system capital improvements, as the Park Board may determine is necessary. Alternatively, the Park Board may request the Council to apply the unspent Bond proceeds or any portion thereof to payment of principal of or interest on the Bonds, as the Council may determine is necessary.

In the event that the proceeds of sale of the Bonds, plus any other moneys of the Park Board legally available, are insufficient to accomplish all of the Improvements provided by this section, the Park Board shall use the available funds for paying the cost of those Improvements for which the Bonds were approved deemed by the Park Board most necessary and in the best

interest of the Parks system.

If available funds are sufficient from the proceeds of Bonds to accomplish all of the Improvements authorized above and proceeds of Bonds remain available, and state or local circumstances require, the Park Board shall use such funds to pay the principal of or interest on the Bonds or acquire, construct, equip, modernize and make other capital improvements to Riverfront Park or the Park systems, all as the Park Board may determine is necessary.

Section 3. Authorization of Bonds. For the purpose of providing the funds necessary to pay the costs of financing the Project, together with incidental costs of acquisition and outfitting, and costs related to the issuance and sale of the Bonds, the City shall issue and sell its general obligation bonds in the aggregate principal amount of not to exceed \$64,300,000 (the “Bonds”). The Bonds shall be issued in an amount not exceeding the amount approved by the electors of the City and not exceeding the amount permitted by the constitution and laws of the State of Washington. The balance, if any, of the cost of the Project shall be paid out of any other legally available funds. The Bond proceeds shall not be used for anything other than a capital purpose.

Section 4. Details of Bonds. The Bonds shall be issued in such amounts and at such time or times as found necessary and advisable by the City Council and as permitted by law. The Bonds may be issued in one or more series and shall bear interest payable at a rate or rates authorized by the City Council. The Bonds shall mature in such amounts and at such times within a maximum term of 20 years from date of issue, all as authorized by the City Council and as provided by law. The Bonds shall be general obligations of the City and, unless paid from other sources, both principal of and interest on the Bonds shall be payable out of annual tax levies to be made upon all the taxable property within the City without limitation as to rate or amount and in excess of any constitutional or statutory tax limitation. The exact date, form, terms, options of redemption, maturities, covenants and manner of sale of the Bonds shall be as

hereafter fixed by ordinance or ordinances of the City Council. After voter approval of the Bond proposition and in anticipation of the issuance of such Bonds, the City may issue short-term obligations as authorized by Chapter 39.50 RCW.

Section 5. Election. It is hereby found and declared that the best interests of the inhabitants of the City require the submission to the qualified electors of the City of the proposition of whether the City shall issue the Bonds at a special election to be held on November 4, 2014. The Spokane County Auditor, as *ex officio* supervisor of elections in Spokane County, Washington is hereby requested to call and conduct the special election to be held within the City and to submit to the qualified electors of the City the proposition set forth below. The City Clerk is hereby authorized and directed to certify the proposition to said officials in the following form:

CITY OF SPOKANE  
PROPOSITION NO.

RIVERFRONT PARK GENERAL OBLIGATION BONDS - \$64,300,000

The City Council of the City of Spokane passed Resolution No. 2014-\_\_\_\_ approving a plan to finance the renovation, improvement and modernization of the aging infrastructure of Riverfront Park, including the Loeff Carrousel building, U.S. Pavilion, Ice Rink, Skyride and Park facilities without a net increase in the current annual tax levy for Parks. This proposition authorizes the City to finance the renovation of Riverfront Park buildings, facilities and infrastructure; enhance security and safety facilities; improve parking, lighting, heating and cooling systems; and improve other capital facilities of Riverfront Park and the Parks system. General obligation bonds would be issued in a maximum principal amount of \$64,300,000, maturing within 20 years from date of issue, and repaid from an annual excess levy on real property, all as provided in the Resolution. Should this proposition be:

APPROVED?

☐

REJECTED?

☐

Certification of this proposition by the City Clerk to the Spokane County Auditor, in accordance with law, prior to the date of the election, and any other acts consistent with the authority, and prior to the effective date, of this resolution, are hereby ratified.

Section 6. Severability. In the event that any provision of this resolution shall be held to be invalid, such invalidity shall not affect or invalidate any other provision of this resolution or the Bonds, but they shall be construed and enforced as if such invalid provision had not been contained herein; provided, however, that any provision which shall for any reason be held by reason of its extent to be invalid shall be deemed to be in effect to the extent permitted by law.

Section 7. Effective Date This resolution shall become effective immediately upon its passage and publication, as required by law.

Adopted this \_\_\_\_ day of July, 2014.



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City Clerk

Approved as to form:

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Assistant City Attorney

\* This Table of Contents and the cover page are not a part of the following Resolution and are included only for the convenience of the reader.

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

07/21/2014

**Date Rec'd**

7/9/2014

**Clerk's File #**

RES 2014-0085

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

UTILITIES

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

RICK ROMERO 625-6361

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

MFEIST@SPOKANECITY.ORG

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

Resolutions

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

2014 STREET LEVY

**Agenda Wording**

A resolution proposing a sustainable, 20-year levy lid lift for improved and integrated streets, terminating the existing \$0.57 property tax assessment for repayment of the 2004 Street Bond, and resulting in no increase in the 2015 tax rate.

**Summary (Background)**

Street repair needs are perpetual and ongoing investment is critical to maintain our system. The work under the City's 2004 Street Bond is concluding. The City is proposing this 20-year levy, which would provide for ongoing investment in streets at no net increase in cost. This pay-as-you-go approach is appropriate because of the continual nature of street repair needs. The City would prioritize projects using an integrated approach that considers all needs in the right of way.

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

Select \$

#

Select \$

#

Select \$

#

Select \$

#

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

ROMERO, RICK

**Study Session**

6/12/2014; 5/22/2014

**Division Director**

ROMERO, RICK

**Other****Finance**

LESESNE, MICHELE

**Distribution List****Legal**

WHALEY, HUNT

rromero@spokanecity.org

**For the Mayor**

CODDINGTON, BRIAN

laura.mcaloon@klgates.com

**Additional Approvals**

jquintrall@spokanecity.org

**Purchasing**

gcooley@spokanecity.org

dhawkins@spokanecity.org

mfeist@spokanecity.org

mserbousek@spokanecity.org



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

**Agenda Wording**

This resolution requests the Spokane County Auditor to place the item on the November 2014 ballot for City voters to consider.

**Summary (Background)**

**Fiscal Impact**

Select     \$

Select     \$

**Budget Account**

#

#

**Distribution List**


## RESOLUTION NO. 2014-0085

A resolution regarding a sustainable, 20-year levy lid lift for improved and integrated streets, terminating the existing \$0.57 property tax assessment for repayment of the 2004 Street Bond, and resulting in no increase in the 2015 tax rate for property owners.

WHEREAS, the City of Spokane, Washington (the "City") is a first-class city duly organized and existing under and by virtue of the Constitution and the laws of the state of Washington and its City Charter; and

WHEREAS, the City has the authority to enact a regular annual property tax levy and such other levies as may be approved by the electorate, subject to applicable limitations thereon, as required by law; and

WHEREAS, Chapter 84.55 RCW reflects a limitation that the annual rate of increase of the dollar amount of the regular property tax levy set by the City Council may not exceed the lesser of the rate of inflation or one percent, all as further reflected in Chapter 84.55 RCW; and

WHEREAS, RCW 84.55.050 permits an election to authorize a levy above the limit factor specified in Chapter 84.55 RCW, upon majority approval by the voters, subject to any otherwise applicable statutory dollar rate limitation, said election to be held not more than twelve (12) months prior to the date on which the proposed levy is to be made; and

WHEREAS, Spokane citizens consistently identify street repair as a top priority; and

WHEREAS, street construction provided for under the City's 2004 Street Bond is concluding, while debt payments are scheduled to continue until 2030; and

WHEREAS, citizens currently pay property taxes totaling .57 cents per \$1,000 of assessed property valuation toward repayment of that 2004 Street Bond debt; and

WHEREAS, street repair needs are perpetual, and ongoing investment is critical to maintain the streets repaired under the 2004 Bond and to continue to improve the condition of the overall street system; and

WHEREAS, the City Council desires to continue to invest in City streets by submitting to the voters a proposition to authorize an additional regular property tax levy equivalent to the 2004 Street Bond debt service levy of \$0.57 per \$1,000 of assessed value in 2015 that citizens pay today and to have that additional regular levy amount remain in place for 20 years; and

WHEREAS, upon approval of the property tax levy lid lift for street improvements and repair, the City would no longer levy the existing \$0.57 per \$1,000 of assessed valuation for repayment of the 2004 Street Bond; and

WHEREAS, separately, the City has identified an opportunity for strategic refinancing of that remaining debt at a lower cost, using other Street Fund resources; and

WHEREAS, ultimately, the changes would generate additional funding of approximately \$5 million annually for new investments in streets; and

WHEREAS, the City will focus these dollars on improvements on arterials, including both complete rehabilitation of streets and maintenance work, and will use an integrated approach that incorporates all uses of the right of way to leverage dollars and gain greater community benefits; and

WHEREAS, prioritization of street projects will be completed using the process developed in the Link Spokane update to the City's Comprehensive Plan that considers all needs within the right of way, including transportation and utility needs, holistically; and

WHEREAS, the prioritization process will include a variety of factors including, but not limited to, pavement condition, traffic volumes, pedestrian plan including Safe Routes to School, bike plan, high performance transit network, safety and collision concerns, integration with utilities, stormwater management, and economic development opportunities including those in identified centers and corridors; and

WHEREAS, pursuant to Section 84 of the City Charter, the City Council, of its own motion, may submit to popular vote for adoption or rejection at any election, any proposed ordinance or measure. -- Now, Therefore,

BE IT RESOLVED by the City Council of the City of Spokane that:

Section 1. The Spokane County Auditor is hereby requested pursuant to RCW 84.55.050 and RCW 29A.04.330 to hold a special election on November 4, 2014, in conjunction with the scheduled general election for the purpose of submitting to the voters of the City of Spokane for the approval or rejection of a

proposition to the qualified electors of the City asking whether the City shall levy regular property taxes in excess of the limitation established in RCW 84.55.010 to provide funding for street improvements.

The proposition to be submitted to the qualified voters of the City for their approval or rejection is to authorize increasing the City's regular property tax levy by \$0.57 per \$1,000 of assessed valuation, to a total regular property tax levy rate of approximately \$3.60 per \$1,000 if this proposition is approved, for collection beginning in 2015.

If this proposition is approved, the City Council will be authorized to adopt, in accordance with its regular budget process, an increased regular property tax as described herein. If this proposition is approved, the City Council will not levy property taxes for the payment of debt service on the 2004 Street Bonds so that the net property tax rate per \$1,000 for collection in 2015 does not increase.

Section 2. For the purposes identified below, the City Council seeks voter approval under RCW 84.55.050(1) for a levy lid lift, as follows:

(a) Purpose. The amounts collected from the levy lid lift authorized by the Proposition shall be used to fund street improvements, repairs, maintenance and complete rehabilitation of streets using an integrated approach that incorporates all uses of the right of way to leverage dollars and gain maximum community benefits.

(b) Levy Lid Lift Effective in 2015. The Proposition authorizes a maximum increase in the City's total levy rate to the maximum rate otherwise allowed for collection in 2015 under ch. 84.55 RCW plus not to exceed .57 per \$1,000 of assessed value. The total regular property tax rate produced is estimated to be approximately \$3.60 per \$1,000 of assessed value if the Proposition passes, based on estimated 2015 assessed values.

(c) Increase Authorized through 2035. Pursuant to RCW 84.55.050(4), the dollar amount of the maximum authorized levy under ch. 84.55 RCW for collection in 2015 shall be used for the purpose of computing the limitations for subsequent levies in 2016 and each subsequent year up to and including 2035, and such funds shall be limited to the purposes described in Section 2(a) above.

Section 3. The City Clerk of the City of Spokane is hereby authorized and directed to deliver a certified copy of this resolution and the following proposition to the Spokane County Auditor, as ex officio Supervisor of Elections for the City, no later than August 5, 2014, in substantially the following form:

CITY OF SPOKANE

PROPOSITION NO. 1

LEVY FOR IMPROVED & INTEGRATED STREETS

THE SPOKANE CITY COUNCIL ADOPTED RESOLUTION NO. 2014-0085, APPROVING A LEVY PROPOSITION TO IMPROVE AND REPAIR THE CITY'S STREETS AND TERMINATE THE USE OF THE EXISTING \$0.57 PROPERTY TAX ASSESSMENT FOR REPAYMENT OF THE 2004 STREET BOND. THIS PROPOSITION WOULD AUTHORIZE A PROPERTY TAX LEVY LID LIFT COMMENCING IN 2015 OF \$0.57 PER \$1,000 OF ASSESSED VALUATION, RESULTING IN NO NET INCREASE IN THE 2015 TAX RATE. THE LEVY FUNDS WOULD BE USED TO PAY FOR STREET REPAIRS AND IMPROVEMENTS AND WOULD BE THE BASIS FOR SUBSEQUENT LEVIES FOR 20 YEARS, ALL AS PROVIDED IN THE RESOLUTION. .

SHOULD THIS PROPOSITION BE:

Approved	<input type="checkbox"/>
Rejected	<input type="checkbox"/>

Section 4. If any one or more of the provisions of this resolution shall be declared by any court of competent jurisdiction to be unconstitutional or invalid for any reason, then such provision shall be null and void, and shall be deemed separable from the remaining provisions of this resolution, and shall in no way affect the validity of the other provisions of this resolution.

Section 5. The City Clerk is hereby designated as the person to whom the County Auditor shall provide notice pursuant to RCW 29A.36.080.

Section 6. The City Attorney is authorized to make such minor adjustments to the wording of the proposition as may be necessary to effectuate the intent of the resolution or upon recommendation of the Spokane County Auditor, as long as the intent of the proposition remains clear and consistent with the intent of this resolution as approved by the City Council.

Section 7. This resolution shall take effect and be in full force immediately upon its passage.

Adopted this \_\_\_\_\_ day of July, 2014.

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City Clerk

Approved as to form:

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Assistant City Attorney



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

07/14/2014

**Date Rec'd**

6/25/2014

**Clerk's File #**

ORD C35119

**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**

Final Reading Ordinance

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

0320 PURCHASING PREFERENCE FOR RECYCLED PRODUCTS

**Agenda Wording**

An ordinance relating to the establishment of purchasing and procurement preference for recycled products; adopting a new section 7.06.174 to chapter 7.06 of the Spokane Municipal Code.

**Summary (Background)**

This ordinance relates to the establishment of purchasing and procurement preference for recycled products, including recycled paper. The ordinance provides in part that all city departments shall purchase and/or use, where practicable, reusable products, recycled-content products and recyclable products.

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

Select \$

#

Select \$

#

Select \$

#

Select \$

#

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

MCDANIEL, ADAM

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

Finance

**Finance**

LESESNE, MICHELE

**Distribution List****Legal**

PICCOLO, MIKE

**For the Mayor**

SANDERS, THERESA

**Additional Approvals****Purchasing**



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

**Agenda Wording**

**Summary (Background)**

The ordinance also requires, whenever practicable, its vendors, contractors, and consultants to use reusable products, recycled-content products and recyclable products. Notice of the City's intent to procure goods, services or public works that comply with the provisions of this chapter regarding reusable products, recycled-content products and recyclable products shall be included in all request for bids or request for proposals. The City administration may adopt administrative policies to implement the provisions of this chapter, which may supplement but shall not conflict with the ordinance.

**Fiscal Impact**

Select      \$

Select      \$

**Budget Account**

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#

**Distribution List**


## ORDINANCE NO. C35119

AN ORDINANCE relating to the establishment of purchasing and procurement preference for recycled products; adopting a new section 7.06.174 to chapter 7.06 of the Spokane Municipal Code.

The City of Spokane does ordain:

Section 1. That there is adopted a new section 7.06.174 to chapter 7.06 of the Spokane Municipal Code to read as follows:

### **7.06.174 Purchasing and Procurement Preference for Reusable Products, Recycled-Content Products and Recyclable Products**

- A. All city departments shall purchase and/or use, where practicable, reusable products, recycled-content products and recyclable products. The term “practicable” shall mean that the product performs adequately for its intended use and is available at a fair and reasonable price.
- B. City departments shall purchase and/or use only recycled-content paper for all imprinted letterhead, envelope and business card paper, file writing, photocopy paper, packaging papers, and printing papers. The City shall purchase recycled-content paper products through a single city department or a single purchase agreement whenever possible in order to maximize savings for the City.
- C. Departments shall publicize the City’s use of recycled paper by printing the word’s “Printed on Recycled Paper” or a recycled content logo on all letterhead, envelope and business card paper and on the title page of all reports printed on recycled paper, or by using recycled paper which is watermarked with the recycled content logo.
- D. The City shall require, whenever practicable, its vendors, contractors, and consultants to use reusable products, recycled-content products and recyclable products. Failure of a vendor, contractor, or consultant to specify how it will comply with this requirement may cause the City to determine that a bid is non-responsive. Notice of the City’s intent to procure goods, ~~or~~ or services ~~or public works~~ that comply with the provisions of this chapter regarding reusable products, recycled-content products and recyclable products shall be included in all request for bids or request for proposals.

E. The City administration may adopt administrative policies to implement the provisions of this chapter, including the "Environmental Preferable Purchasing Policy," which may supplement but shall not conflict with this chapter.

~~F. The City's preference for the purchase and use of reusable products, recycled content products and recyclable products shall be included as a factor in the design and development of City capital improvement projects. All public works bid documents shall provide a statement relating to the criteria factor assigned to a bidder's inclusion of reusable products, recycled content products and recyclable products, including a statement as to standards by which the bidders are to respond.~~

0

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:**

07/14/2014

**Date Rec'd**

7/2/2014

**Clerk's File #**

ORD C35125

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

ACCOUNTING

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

PAM DOLAN X 6034

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

PDOLAN@SPOKANECITY.ORG

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

First Reading Ordinance

**Requisition #****Agenda Item Name**5600-RENAMING AND UPDATING LAW ENFORCEMENT INFORMATION  
SYSTEMS FUND**Agenda Wording**

An ordinance renaming and updating the Law Enforcement Information Systems special revenue fund; amending SMC section 7.08.128.

**Summary (Background)**

Housekeeping to update the SMC for the name change to the Spokane Regional Emergency Communications Systems Fund (SRECS) that was adopted in 2009.

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

Neutral \$

#

Select \$

#

Select \$

#

Select \$

#

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

DOLAN, PAM

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

DOLAN, PAM

**Other**

Finance Comm 3/31/14

**Finance**

LESESNE, MICHELE

**Distribution List****Legal**

DALTON, PAT

pdolan@spokanecity.org

**For the Mayor**

SANDERS, THERESA

kbustos@spokanecity.org

**Additional Approvals**

korlob@spokanecity.org

**Purchasing**


ORDINANCE NO. C35125

AN ORDINANCE renaming and updating the law enforcement information systems special revenue fund; amending SMC section 7.08.128.

The City of Spokane does ordain:

Section 1. That SMC section 7.08.128 is amended to read as follows:

**7.08.128                    ~~((Law Enforcement Information Systems Fund))~~  
Spokane Regional Emergency Communications Systems Fund**

- A.     There is established in the City treasury a special revenue fund designated the ~~((“law enforcement information systems fund”))~~ “Spokane Regional Emergency Communications Systems (SRECS) fund” to be used for the operation of the City/County jail and records management (CAD/JMS/RMS) system. It also covers a portion of the personnel and operating expenses of the regional emergency communications systems department.
- B.     The City shall deposit into and expend from this fund monies received from the one-tenth of one percent sales and use tax in Spokane County for emergency communications systems and facilities.
- C.     This fund will receive fees from users of the system and will expend sums for administration and operation of the system in accordance with an interlocal cooperation agreement.

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:**

07/21/2014

**Date Rec'd**

7/9/2014

**Clerk's File #**

ORD C35127

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

PLANNING &amp; DEVELOPMENT

**Contact Name/Phone**

TAMI 625-6157

**Contact E-Mail**

TPALMQUIST@SPOKANECITY.ORG

**Agenda Item Type**

First Reading Ordinance

**Agenda Item Name**

0650 - ORDINANCE - SKYWALK

**Cross Ref #****Project #****Bid #****Requisition #****Agenda Wording**

An ordinance authorizing the removal of a skywalk stairway previously constructed pursuant to an easement authorized by Ordinance No. C18290.

**Summary (Background)**

The City Council originally approved Ordinance No. C18290 and executed an easement, dated November 18, 1965, granting Parkade the right to build, construct and maintain elevated walkways, skywalks, ramps, stairways and extended eaves per approved plans, all to become dedicated to the public use. Pursuant to SMC 12.02.0518, Drusilla A. Hieber, on behalf of Parkade Inc., has submitted an application seeking to remove the exterior stairway located at the northeast corner of Main Avenue and

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

Neutral \$

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Select \$

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Select \$

#

Select \$

#

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

CHESNEY, SCOTT

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

QUINTRALL, JAN

**Other**

PCED 5/19/14

**Finance**

LESESNE, MICHELE

**Distribution List****Legal**

RICHMAN, JAMES

lhattenburg@spokanecity.org

**For the Mayor**

CODDINGTON, BRIAN

schesney@spokanecity.org

**Additional Approvals**

jquintrall@spokanecity.org

**Purchasing**

tpalmquist@spokanecity.org

ebrown@spokanecity.org

jrichman@spokanecity.org



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

**Agenda Wording**

**Summary (Background)**

Howard Street, adjacent to the Bennett Block Building.

**Fiscal Impact**

Select      \$

Select      \$

**Budget Account**

#

#

**Distribution List**




City of Spokane  
Department of Engineering Services  
808 West Spokane Falls Blvd.  
Spokane, WA 99201-3343  
(509) 625-6700

## ORDINANCE NO. C35127

An ordinance authorizing the removal of a skywalk stairway previously constructed pursuant to an easement authorized by Ordinance No. C18290.

WHEREAS, pursuant to Ordinance No. C18290, in connection with plans by Parkade, Inc. ("Parkade") to construct a parking garage, the City Council authorized the execution of easements over and across the public right-of-way in the downtown area of Spokane at or near the area between Stevens Street and Howard Street and Main Avenue; and

WHEREAS, the City subsequently executed an easement, dated November 18, 1965, granting Parkade the right to build, construct and maintain elevated walkways, skywalks, ramps, stairways and extended eaves per approved plans, all to become dedicated to the public use (the "Easement"); and

WHEREAS, pursuant to SMC 12.02.0518, Drusilla A. Hieber, as manager member, and owner of the JGFH, LLC, and as President of Parkade Inc. has submitted an application on behalf of Parkade seeking to relinquish some of the privileges the Easement grants to Parkade, namely seeking the right to remove the exterior stairway located at the northeast corner of Main Avenue and Howard Street (the "Subject Stairway"); and

WHEREAS, Parkade has provided notice to owners of record, as shown by the most recent Spokane County Assessor's record, of property located within a four-hundred-foot radius of any portion of the boundary of property connected to the Subject Stairway; and

WHEREAS, the City Council has found that, following the removal of the Subject Stairway, the skywalks authorized by Ordinance No. C18290 and the Easement will continue to have adequate pedestrian access to and from the street level, consistent with the access standards set forth in SMC 12.02.0474 and that adjacent properties will continue to enjoy access to the skywalk, consistent with SMC 12.02.0484; and

WHEREAS, pursuant to SMC 12.02.0518, a skywalk permittee may request relinquishment of skywalk permits and obligations with the approval of the City Council, subject to conditions the Council imposes; and

WHEREAS, the City Council has found that the public use, benefit and welfare will best be served by Parkade' s removal of the Subject Stairway, subject to the conditions set forth below; -- NOW, THEREFORE,

The City of Spokane does ordain:

Section 1. Subject to the conditions listed in Section 2 below, Parkade is hereby authorized to remove the Subject Stairway, having agreed to relinquish its privilege to maintain that stairway as set forth in Ordinance No. C18290 and the Easement.

Section 2. Removal of the Subject Stairway is conditioned on the following:

- A. The cost associated with the removal of the Subject Stairway shall be the sole responsibility of Parkade.
- B. Pursuant to SMC Section 12.02.0474 Street Access, Subsection B, street level pedestrian access will be provided by an internal stair case that is accessible from the public sidewalk on Howard Street.
- C. The existing skywalk façade shall be replicated in the area where the staircase access is removed to provide continuity in design and esthetics.

Section 3. Removal of the Subject Stairway shall be completed in full compliance with all local, state, and federal laws and regulations and requirements. This Ordinance is not and shall not be construed as a waiver of any conditions that might otherwise apply to removal of the Subject Stairway, or to any permits or processes associated with such permits that are required in order to lawfully remove the Subject Stairway.

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

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

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

Approved as to Form:

---

Assistant City Attorney

---

Mayor

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

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

stvac\ **Error! Bookmark not defined.** doc

BRIEFING PAPER  
Skywalk Stair Removal  
City of Spokane Planning & Development Department  
May 19, 2014

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**Subject**

Removal of the street access stairways connected to the existing skywalk over Main Avenue to the east of Howard Street. The stairs are located at the southeast corner of Main Avenue and Howard Street and at the northeast corner of Main Avenue and Howard Street. The skywalk connects the Parkade, the Bennett Block, and Macy's.

**Purpose**

The removal of physical and visual barriers is necessary to improve the pedestrian experience along Main Avenue. With the demolition of Cyrus O'Leary's encroachment and the proposal to remove Rocky Rococo's extension on the sidewalk, this additional barrier would open up the rest of the sidewalk to provide greater visibility to establishments along Main Avenue.

**Background**

Condition 1 of the easement granted for this skywalk by the Spokane City Council, easement C18290 (see attached), on November 18, 1965, states: "... the easement by this instrument granted shall include the right to build, construct and maintain the elevated walkways, skywalks, ramps, stairways and elevated pedestrian ways above noted shall be dedicated to the public use and shall be maintained through their life for public use."

To provide the same level of connectivity new interior stairs are currently being constructed within the Bennett Building to keep a street level pedestrian access point from Howard Street to the existing skywalk system. This meets the requirements of SMC 12.02.0474 with regards to Street Access.

**Recommendation**

The Spokane City Council is given the authority to approve modifications to skywalk approvals, as provided in SMC 12.02.0518.

# HIEBER PROPERTIES

ESTABLISHED 1888

City of Spokane  
Planning Services Department  
City Hall 3<sup>rd</sup> floor

To Whom it may concern:

I, Drusilla A. Hieber as manager member, and owner of the JGFH,LLC submitted to the City of Spokane a General Application and Notification Map Application on June 14, 2014 and issued a check on June 16, 2014 for the amount of \$2460.00 for removal of a exterior stair that is located on the skywalk between the Bennett Block Building and The Parkade, and the Macy's Building.

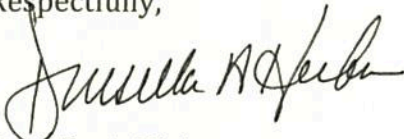
The stair location is attached to parcel number 35184.1905.

The purpose of removal of the exterior stair is a safety issue that has developed through the years, especially in the winter months. In the past years I have the stair shut down for pedestrian usage due to ice dams to the treads with the potential risk for fall. Through major renovation of the Bennett Block I have built a interior pedestrian stair less than 30 yards to the north to replace the hazardous exterior stair. Currently in construction we are enclosing the exterior elevator and stair in the rear of the Bennett Block that faces the parking lot, and park.

As President of Parkade Inc, this will not have any impact on Pedestrian traffic, or will it have any impact to Macy's do to the fact that both adjoining properties have interior access with stairs and elevators for the public to enter and exit .

I feel that it is important to keep the public safe and secured through out the skywalk system, and the removal of this stair will satisfy the safety for the pedestrian.

Respectfully,



Drusilla A. Hieber



the City Engineer shall be dedicated to the public use, including that portion of such sidewalk that shall be on private property. Such sidewalk shall be by the owner of such private property be maintained in a safe and proper manner as by the general law and city ordinances required.

Section 7. An urgency and emergency for the passage of this ordinance is hereby declared to, and does, exist and the same shall take effect and be in force immediately upon its passage.

Passed the City Council November 8, 1965.

NEAL R. FOSSEEN, Mayor.

Attest: A. A. BROWN, City Clerk.

#### ORDINANCE NO. C18290

An ordinance directing the execution of easements over and across the public right-of-way in the downtown area of Spokane at or near the area between Stevens Street and Howard Street and Main Avenue and declaring an emergency.

WHEREAS, Parkade, Inc., a corporation, is constructing in the City of Spokane in an area on Main Avenue between Stevens Street and Howard Street, a parking garage, and

WHEREAS, the plans and specifications on file with the City Engineer contain plans for, amongst other things, skywalks or overhead walkways whereby over and above the sidewalks and streets of the surrounding area pedestrian traffic may move to office buildings and department stores and other types of buildings, and

WHEREAS, for various reasons, the ramp garage building to be built or constructed will have overhanging eaves extending over the public right-of-way approximately 10 feet, and certain ramps and approaches, and

WHEREAS, Parkade, Inc. will establish various street plantings as a part of public beautifications and suitable lighting where the building is to be constructed and on the skywalks or walkways above noted, and

WHEREAS, such public plantings, skywalks, walkways, ramps, stairways and other matters herein described shall be to the public advantage and benefit, now therefore

The City of Spokane does ordain:

Section 1. That the appropriate city officers are hereby authorized and directed to execute an appropriate instrument granting an easement to Parkade, Inc., a corporation, its successors, designates and assignees, an easement for walkways, skywalks, stairways and ramps for access to and from a garage building to be built upon premises above noted, such skywalks, walkways, stairways and ramps to run over and across, in an elevated manner, the streets, alleys and right-of-ways of the City of Spokane in the geographic area surrounding said building as per plans and specifications on file in the office of the City Engineer of the City of Spokane heretofore filed by said Parkade, Inc., a corporation, and granting to said corporation, its successors, designates, assignees or licensees, the right to construct and maintain such walkways, skywalks, elevated pedestrian walkways, stairways and ramps as per plans and specifications above noted.

Section 2. (There is also to be granted to said Parkade, Inc. an easement for the construction and maintenance of extended eaves or roof lines around said ramp garage building as set forth in the plans and specifications for said building and on file as above noted.

Section 3. The easement by this ordinance authorized shall include the right to build, construct and maintain the elevated walkways, skywalks, ramps, stairways and extended eaves above noted, but the walkways, skywalks, stairways and elevated pedestrian ways above noted shall be dedicated to the public use and shall be maintained throughout their life for such use.

Section 4. The lighting of the walkways, elevated pedestrian ways, stairways, skywalks and ramps as in the plans and specifications on file above noted shall be lighted and illuminated in a manner subject to the approval of the Traffic Engineer of the City of Spokane and shall be so designed, built and maintained as to not create traffic or pedestrian hazard.

Section 5. Said easement grant shall provide that the relocation of public facilities in the nature of traffic signals, street lights and public utilities necessitated by the construction of all of the various parts of the parking garage and appurtenances as exemplified by the plans and specifications on file as above noted shall be accomplished to the satisfaction and direction of the Traffic Engineer and the Director of Public Works and Utilities of the City of Spokane without

cost to the City of Spokane, and it shall be provided and understood that all substantial and material changes in the plans and specifications heretofore filed by Parkade, Inc., the petitioner, for the construction above noted, shall be made only with the direction and consent of the City Engineer and the approval of this Council.

Section 6. Such easement instrument shall also provide that the planting of trees and/or shrubs as indicated on the plans and specifications above noted shall be installed and maintained in a manner so as not to interfere with traffic signals, signs, street lights, public utilities or the safe movement of pedestrians and vehicles and that,

The petitioner for the easements herein granted, Parkade, Inc., a corporation, and/or its successors, designates and assignees or those who shall in any way follow it in interest, shall maintain sufficient and adequate public liability insurance for the financial protection of the public and shall at all times maintain the City of Spokane as a co-insured in its liability insurance coverage and shall maintain such insurance coverage so as to be constantly in force and in any event shall hold the City of Spokane free and clear of liability and kept harmless by reason of the building, maintenance and operation of said ramp garage and/or the appurtenant facilities and public ways above noted, and

During the course of construction of said parking garage and all its appurtenances, including the proposed walkways, skywalks, stairways and ramps, Parkade, Inc., and its agents or contractors, shall cause the City of Spokane to be a co-insured in all of its liability insurance coverage and shall further hold the City of Spokane free and clear of liability and kept harmless of all claims or damages in the course of such construction.

Section 7. The easements and permissions under this ordinance to be granted shall be in full force and effect so long as the facilities for which they are granted are operated for the use and purpose for which they have been installed and constructed, but when hereafter such facilities, for which these easements are to be granted shall cease to be used, operated and maintained as aforesaid, then the easements granted shall cease and all the rights of the petitioner, as herein set forth, shall cease as though this ordinance had not been enacted.

Section 8. An urgency and emergency for the passage of this ordinance is hereby declared to, and does, exist and the same shall take effect and be in force immediately upon its passage.

Passed the City Council November 8, 1965.

NEAL R. FOSSEEN, Mayor.

Attest: A. A. BROWN, City Clerk.

#### ORDINANCE NO. C18291

An ordinance ordering the paving of Normandie Street, in the City of Spokane, from Mansfield Avenue to Carlisle Avenue, establishing a local improvement district therefor, directing the levy of special assessments and providing a method of financing to pay the cost and expense of said improvement.

The City of Spokane does ordain:

Section 1. That Normandie Street, in the City of Spokane, from Mansfield Avenue to Carlisle Avenue, be improved by the paving of the same, and that such other work be done as may be necessary in connection therewith, according to the maps, plans and specifications prepared under the direction of the City Engineer of said City, and on file in the office of the said Engineer, which said maps, plans and specifications are hereby approved and adopted.

Section 2. That the cost of said improvement, including all the necessary and incidental expenses, shall be borne by and assessed against the property included in the local improvement district hereinafter established and described and in accordance with the law. The City of Spokane shall not be liable in any manner for any portion of the cost or expense of said improvement, except as herein provided.

Section 3. That there is hereby established a local improvement district to be designated as "Local Improvement District No. 5650, for Normandie Street Paving," which said district includes all of the lots, tracts and parcels of land and other property found to be specially benefited by said improvement, and described as follows:

Beginning on the center line of Mansfield Avenue equidistant from the east line of Calispel Street and the west

Skywalk # 921

Easement C18290

Parkade, Inc.

Harvey

Parking

Vasquez  
man  
filing  
att'y

EASEMENT

THIS INDENTURE Made this 18th day of November, 1965, between the City of Spokane, a municipal corporation, hereinafter referred to as the Grantor, and Parkade, Inc., a corporation, hereinafter referred to as the Grantee;

WHEREAS, the Grantor owns and controls as a municipal corporation and a first class city of the State of Washington the right-of-way over all streets, alleys, sidewalks, thoroughfares and public ways of passage embraced within the corporate limits of said City of Spokane, and

WHEREAS, the Grantee is constructing in said City in an area on Main Avenue between Stevens Street and Howard Street a parking garage, and

WHEREAS, said Grantee has filed heretofore with the City Engineer of the Grantor certain plans and specifications covering amongst other things said parking garage and skywalks or overhead walkways whereby over and above the sidewalks and streets of the area surrounding said parking garage pedestrian traffic may move to office buildings, department stores and other types of buildings, and

WHEREAS, for various reasons the ramp garage building to be built or constructed by the grantee will have overhanging eaves extending over the Grantor's public right-of-way, as well as certain ramps and approaches, and

WHEREAS, the Grantee will establish various street plantings as a part of public beautification, together with suitable lighting in the area surrounding such garage building and on the skyways, walkways, ramps and stairways above noted, and

WHEREAS, such public plantings, skywalks, walkways, ramps, stairways and other matters herein described shall be to the public advantage and benefit and to the mutual advantage of the parties hereto, and

WHEREAS, in consideration of the substantial mutual advantages to the parties hereto, which mutual advantages are by both parties acknowledged, it has been agreed that the Grantor shall grant to the Grantee an easement as hereinafter provided upon conditions hereinafter provided.

NOW, THEREFORE, this indenture WITNESSETH:

That in consideration of said mutual advantages the Grantor hereby grants to the Grantee, its successors and assignees, full, free

C-18290

right and authority to erect such skywalks, overhead walkways, ramps, approaches and pedestrian ways as are set forth in the plans and specifications above noted, together with the extended eaves on said ramp garage building, as per the plans and specifications, together with such street plantings and suitable lighting as set forth in the plans and specifications above noted.

The Grantee hereby covenants with the Grantor that it, its successors, designates and assignees, shall abide by, during the term of this easement, the following conditions:

1. That the easement by this instrument granted shall include the right to build, construct and maintain the elevated walkways, skywalks, ramps, stairways and extended eaves above noted, but the walkways, skywalks and elevated pedestrian ways above noted shall be dedicated to the public use and shall be maintained through their life for such use.

2. The lighting of the walkways, elevated pedestrian ways, stairways, skywalks and ramps as in the plans and specifications on file above noted, shall be lighted and illuminated in a manner subject to the approval of the Traffic Engineer of the Grantor municipal corporation, and shall be so designed, built and maintained as not to create traffic or pedestrian hazard.

3. That the elevated pedestrian ways, stairways, skywalks and ramps above noted shall at no time during the life of this easement carry upon their exteriors commercial advertising, but nothing in this paragraph contained shall prohibit the Grantee or those operating by, under or through it, from making suitable and proper direction designations.

4. That the relocation of public facilities in the nature of traffic signals, street lights, and public utilities necessitated by the construction of all the various parts of the parking garage and appurtenances exemplified by the plans and specifications on file shall be accomplished to the satisfaction and direction of the Traffic Engineer and the Director of Public Works and Utilities of the City of Spokane without cost to the Grantor.

5. That the planting of trees and/or shrubs as indicated on the plans and specifications shall be installed and maintained in a manner so as not to interfere with traffic signals, signs, street lights, public utilities or the safe movement of pedestrians or vehicles.

6. That the Grantee and/or its successors, designates and assignees, or those who shall in any way follow it in interest, shall



maintain sufficient and adequate public liability insurance for the financial protection of the public, and shall at all times maintain the Grantor as a co-insured in its liability insurance coverage and shall maintain such insurance coverage so as to be constantly in force, and in any event shall hold the Grantor free and clear of liability and kept harmless by reason of the building, maintenance and/or operation of said ramp garage and/or the appurtenant facilities and public ways above noted.

7. The easement and permissions by this instrument granted shall be in full force and effect so long as the facilities for which they are granted are operated for the use and purpose for which they have been installed and constructed, but when hereafter such facilities for which this easement is granted shall cease to be used, operated and maintained as aforesaid, then the easement granted shall cease and all the rights of Grantee, its successors, designates and/or assignees shall cease as though this easement had not been granted, nor the ordinance of the Grantor, No. C18290, authorizing it had not been enacted.

IN WITNESS WHEREOF, the Grantor has this 18<sup>th</sup> day of November, 1965, caused this instrument to be executed by its appropriate officers.

CITY OF SPOKANE

By

Paul R. Jensen  
Its Mayor

Attest:

aa Brown  
Its City Clerk

Approved as to Form

Marion Bellender  
Corporation Counsel

Approved

W. J. Sullivan  
City Manager

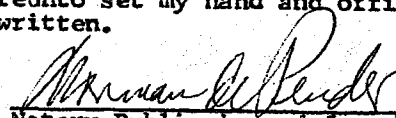
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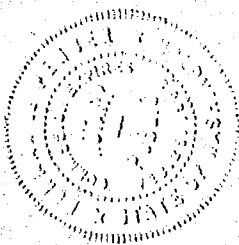
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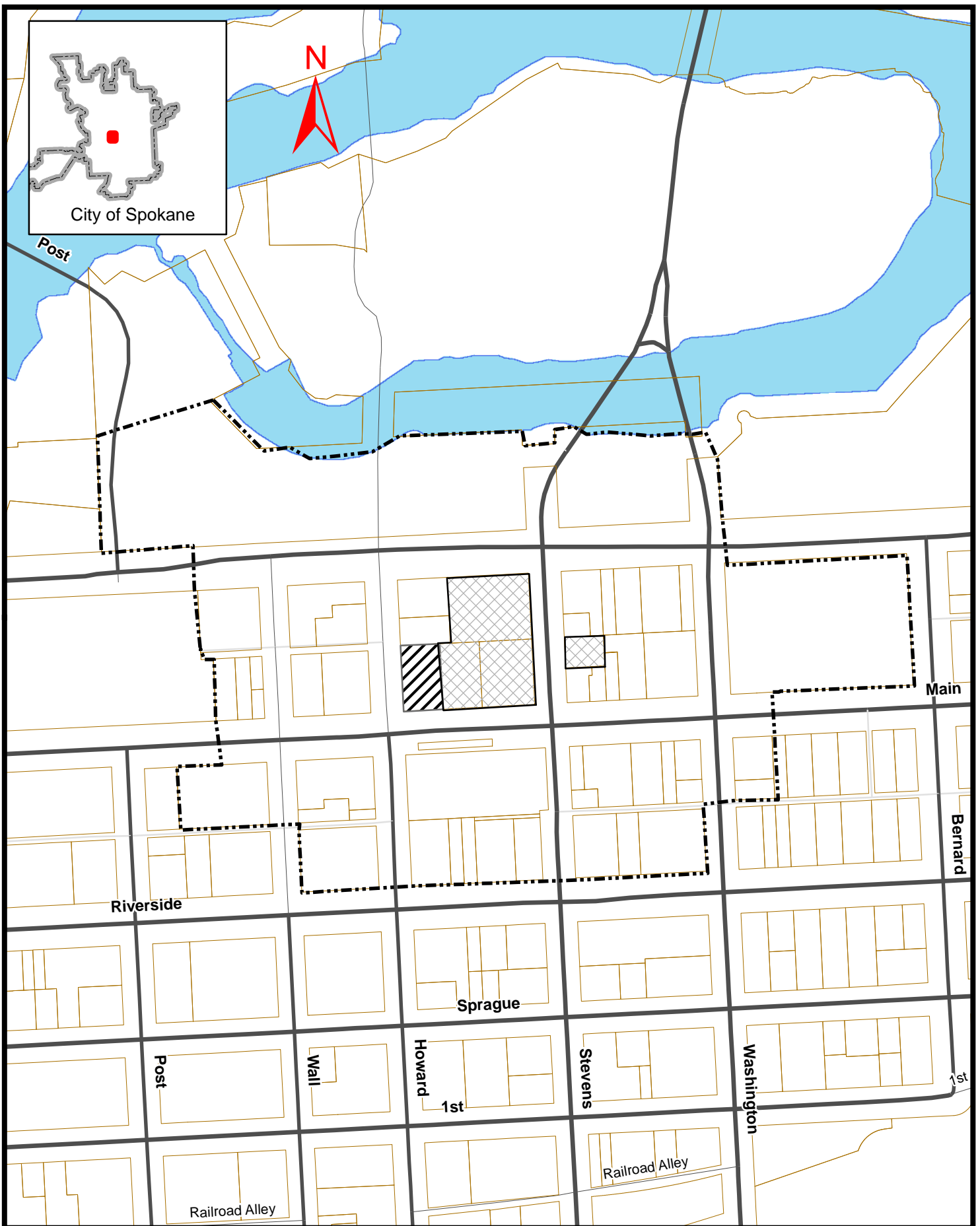
County of Spokane : ss.

On this 18 day of November, 1965, before me, the undersigned, a Notary Public in and for the State of Washington, personally appeared NEAL R. FOSSEEN and A. A. BROWN, to me known to be the Mayor and the City Clerk, respectively, of the CITY OF SPOKANE, the municipal corporation that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said municipal corporation, for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute said instrument and that the seal affixed is the corporate seal of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.

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





	<b>Legend</b>		Notification district
	Parcels		Application property
	Adjacent Ownership		

**APPLICANT:** JGFH, LLC  
**PROPOSAL:** Removal of skywalk stairway

Prepared by: WTC  
 Date prepared: 06/17/14  
 QC'd by:  
 Date QC'd:

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

07/21/2014

**Date Rec'd**

7/9/2014

**Clerk's File #**

ORD C35128

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

RETIREMENT

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

TIM DUNIVANT 6845

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

TDUNIVANT@SPOKANECITY.ORG

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

First Reading Ordinance

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

6100 SMC 03.05 AMENDMENTS

**Agenda Wording**

An ordinance relating to the Spokane Employees' Retirement System; amending SMC sections 3.05.010, 3.05.020, 3.05.025, 3.05.030, 3.05.040, 3.05.050, 3.05.060, 3.05.070, 3.05.080, 3.05.110, 3.05.120, 3.05.130, 3.05.160, 3.05.165, 3.05.167, 3.05.170...

**Summary (Background)**

This ordinance provides for changes in the Spokane Employees' Retirement System as agreed to by the City and the bargaining units for an alternative benefit structure for those hired on or after January 1, 2015. It provides for an increase in the contribution rate by the employer and the employee from 7.75% to 8.25% effective September 1, 2014. There are also housekeeping and clarification changes made to bring the plan up to date.

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

Select \$

#

Select \$

#

Select \$

#

Select \$

#

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

CHILDS, BRANDON

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

LESESNE, MICHELE

**Distribution List****Legal**

WHALEY, HUNT

tdunivant@spokanecity.org

**For the Mayor**

CODDINGTON, BRIAN

cshisler@spokanecity.org

**Additional Approvals**

tszambelan@spokanecity.org

**Purchasing**

dauenhauerl@lanepowell.com

ejacobson@spokanecity.org

mpiccolo@spokanecity.org



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

**Agenda Wording**

...3.05.180, 3.05.190, 3.05.200, 3.05.210, 3.05.0250, 3.05.260, 3.05.270, 3.05.270 and 3.05.290; and adopting a new section 3.05.166 to chapter 3.05 of the Spokane Municipal Code.

**Summary (Background)**

**Fiscal Impact**

Select \$

Select \$

**Budget Account**

#

#

**Distribution List**


## ORDINANCE NO. C35128

AN ORDINANCE relating to the Spokane Employees' Retirement System; amending SMC sections 3.05.010, 3.05.020, 3.05.025, 3.05.030, 3.05.040, 3.05.050, 3.05.060, 3.05.070, 3.05.080, 3.05.110, 3.05.120, 3.05.130, 3.05.160, 3.05.165, 3.05.167, 3.05.170, 3.05.180, 3.05.190, 3.05.200, 3.05.210, 3.05.250, 3.05.260, 3.05.270, 3.05.275 and 3.05.290; and adopting a new section 3.05.166 to chapter 3.05 of the Spokane Municipal Code.

The City of Spokane does ordain:

Section 1. That SMC Section 3.05.010 is amended to read as follows:

### **3.05.010 Purpose**

The purpose of this chapter and chapter 4.14 SMC is to establish a retirement and pension system for superannuated or totally and permanently disabled ~~((officers and))~~ employees and elected officials of the City as authorized by state law.

Section 2. That SMC Section 3.05.020 is amended to read as follows:

### **3.05.020 Definitions**

- A. "Accumulated contributions" means the sum of all normal contributions deducted from the compensation of a member, and in-lieu payments of employees' contributions by the City, standing to the credit of the member's individual account, together with interest at the actuarial assumption rate as established pursuant to SMC 4.14.070(D)(1) compounded quarterly.
- B. "Annuity" means payments derived from contributions made by a member as provided in SMC 3.05.190.
- C. "Beneficiary" means any person in receipt of a pension, annuity, retirement allowance, disability allowance, or any other benefit provided in this chapter and chapter 4.14 SMC.
- D. "Board" means "board of administration" as provided in chapter 4.14 SMC.
- E. "City" means the City of Spokane.
- F. "City service" means service by an employee rendered to the City for compensation and, for the purpose of this chapter and chapter 4.14 SMC, a member shall be considered as being in City service only while the member is receiving compensation for such service.

- G. "Compensation" means the compensation including base pay, shift differential, overtime, holiday pay, hazardous duty pay and out-of-classification pay, payable in cash, plus the monetary value, as determined by the board (~~(of administration)~~), of any allowance in lieu thereof. It shall not be reduced by salary reduction contributions to the City's cafeteria plan or Section 457 plan, or effective January 1, 2001, any qualified transportation fringe benefit plan under Internal Revenue Code section 132(f)(4). Compensation in excess of the limitations set forth in Internal Revenue Code section 401(a)(17) shall not be included in determining benefits, but this restriction does not apply to any individual who was a member prior to January 1, 1996.
- H. "Creditable service" means such City service as is evidenced by the record of normal contributions received from the employee plus prior City service if credit for same is still intact or not lost through withdrawal of accumulated contributions as provided in SMC 3.05.120. The maximum creditable service from all sources including military service is thirty (30) years under the formula in SMC 3.05.160 and thirty-five (35) years under the ~~((formula))~~ formulas in SMC 3.05.165 and SMC 3.05.166.
- I. "Employee" means any ~~((regularly appointed officer or))~~ regularly appointed employee or elected official of the City or of the Spokane public library.
- J. "Final compensation" means the annual average of the member's compensation during the highest consecutive two-year period of service for which service credit is allowed for purposes of determining retirement benefits for members described in SMC 3.05.025(A) or (B). For members described in SMC 3.05.025(C) "final compensation" means the annual average of the member's compensation during the highest consecutive three-year period of service for which service credit is allowed. ~~((#))~~ Final compensation shall not be reduced ~~((by))~~ to reflect salary reduction contributions to the City's cafeteria plan or Section 457 plan, or effective January 1, 2001, any qualified transportation fringe benefit plan under Internal Revenue Code section 132(f)(4). Compensation in excess of the limitations set forth in Internal Revenue Code section 401(a)(17) shall not be included ~~((in))~~ as final compensation when determining benefits, but this restriction does not apply to any individual who was a member prior to January 1, 1996.
- K. "Fiscal year" means any year commencing with January 1st and ending with December 31st next following.
- L. "Member" means any person included in the membership of the retirement system as provided in SMC 3.05.030.
- M. "Normal contributions" means the contributions at the rate provided for in SMC 3.05.040(A) and (B).

- N. "Pension" means payments derived from contributions made by the City as provided for in SMC 3.05.190.
- O. "Regular interest," unless changed by the board ~~((of administration))~~ as provided in SMC 4.14.070, means such rate of interest which compounded annually shall place the retirement fund on a sound actuarial basis.
- P. "Retirement allowance" means any payments made to a member or successor upon retirement for service or disability.
- Q. "Retirement fund" means "employees' retirement fund" as created and established in SMC 3.05.070 and SMC 7.08.601.
- R. "Retirement system" means "Spokane ~~((employees' retirement system))~~ Employees' Retirement System" (SERS), provided for in this chapter.

Section 3. That SMC Section 3.05.025 is amended to read as follows:

### **3.05.025 Benefit Formulas**

- A. An employee of the City hired prior to January 1, 2009, shall be entitled to elect at the time of retirement whether to receive his benefit under the current benefit formula in SMC 3.05.160 as available therein, or to receive his benefit under the alternate benefit formula in SMC 3.05.165 as available therein. A member of the retirement system who has terminated employment prior to January 1, 2009, who has not taken a withdrawal of his accumulated contributions will remain under the benefit formula in SMC 3.05.160 and shall not be entitled to elect the alternate formula in SMC 3.05.165.
- B. The alternate benefit formula in SMC 3.05.165 shall be the exclusive benefit for employees of the City hired on or after January 1, 2009, but before January 1, 2015. The benefit formula in SMC 03.05.165 shall also apply as of January 1, 2009, to any employee who was covered by the benefit formula in SMC 3.05.160, takes a withdrawal of his accumulated contributions after termination pursuant to SMC 3.05.120(A) or (B), and is rehired on or after the applicable date in the preceding sentence, regardless of whether the employee restores his prior service under the prior benefit formula pursuant to SMC 3.05.120(C) or SMC 3.05.260. The alternate benefit formula in SMC 3.05.165 will also apply to a ~~((participant))~~ member who retired under the benefit formula in SMC 3.05.160, was rehired, and whose benefit was suspended pursuant to SMC 3.05.260.
- C. The alternate benefit formula in SMC 3.05.166 shall be the exclusive benefit for employees of the City hired on or after January 1, 2015. The benefit formula in SMC 03.05.166 shall also apply as of January 1, 2015, to any employee who was covered by the benefit formula in SMC 3.05.160 or SMC 3.05.165, takes a



withdrawal of his accumulated contributions after termination pursuant to SMC 3.05.120(A) or (B), and is rehired on or after the applicable date in the preceding sentence, regardless of whether the employee restores his prior service under the prior benefit formula pursuant to SMC 3.05.120(C) or SMC 3.05.260. The alternate benefit formula in SMC 3.05.166 will also apply to a member who retired under the benefit formula in SMC 3.05.160 or SMC 3.05.165, was rehired, and whose benefit was suspended pursuant to SMC 3.05.260.

- GD. The basic provisions of the benefit formula in SMC 3.05.160 and ~~((the))~~ alternate benefit ~~((formula))~~ formulas in SMC 3.05.165 and SMC 3.05.166 are summarized in SMC 3.05.167.

Section 4. That SMC Section 3.05.030 is amended to read as follows:

### **3.05.030 Membership**

- A. Any new employee must become a member of the retirement system and make contributions required by SMC 3.05.040 on the date of hire, except:
1. temporary, seasonal, or new hire provisionals, as defined by the City Charter and the City civil service commission;
  2. members of the police and fire departments who are entitled to benefits under state-enacted retirement programs;
  3. participating employees hired under the Comprehensive Employment and Training Act (CETA) and United States ~~((department of labor))~~ Department of Labor (DOL). This proscription does not apply to permanent nonparticipant staff members of the City and Spokane City-County employment and training consortium or its successor. Furthermore, CETA participants whose membership was previously terminated and who received a refund of contributions may at such time as they become regular City employees redeposit refunded contributions in accordance with SMC 3.05.120;
  4. other non-City-funded employees in temporary employment programs as determined by the board.
- B. Any other ~~((elective officer))~~ employee who is an elected official may, at any time prior to the completion of five (5) years of continuous service, elect to deposit with the retirement system an amount equal to what would be or would have been the ~~((officer's))~~ elected official's normal contributions if a member of the retirement system during this period of service, with appropriate interest as determined by the board. The City matches said funds and deposits the same in the retirement fund in a manner similar to that provided for the matching of the normal contributions under the provisions of this chapter, provided that no such ~~((officer))~~ elected official shall obtain any benefits of the provisions of the retirement system except interest accruing at the rate provided for interest on

employees' normal contributions. The return of any such funds so deposited shall be governed by the provisions as to the return of normal contributions. If and when any such ~~((officer))~~ elected official becomes a member ~~((of the system))~~, the sums so deposited by this member shall be transferred to the credit of such member. Any ~~((elective officer))~~ elected official entering the retirement system under this provision shall become a member as of the date of such election and shall not be considered a member until the date of such election.

- C. The human resources department of the City has the duty to give immediate notice in writing to the board ~~((of administration))~~ of the change in status of any member within the office or department resulting from transfer, promotion, leave of absence, resignation, reinstatement, dismissal, or death. The human resources department shall furnish other information concerning any member as the board may require.
- D. Each member is subject to all the provisions of this chapter and to all the rules and regulations adopted by the board ~~((of administration))~~. Should a member withdraw accumulated contributions, die, or be retired, that member shall thereupon cease to be a member.
- E. Notwithstanding any provision of this chapter to the contrary, members who are laid off by the City and immediately rehired by the public facilities district (PFD) during the period when the City is transferring physical assets to the PFD may retain membership in the ~~((plan))~~ retirement system on such terms and conditions as may be established by the ~~((retirement))~~ board in consultation with the PFD. In no event may any other current or future PFD employee become a member of the ~~((City employees'))~~ retirement system.

Section 5. That SMC Section 3.05.040 is amended to read as follows:

### **3.05.040 Contributions**

- A. The normal rates of contributions of members are those adopted by the board ~~((of administration))~~, subject to the approval of the city council. The rates so adopted remain in full force and effect until revised or changed by the board ~~((of administration))~~ in the manner provided in chapter 4.14 SMC.
  - 1. Contributions by Members.  
Prior to January 1, 2009, each ((Each)) member ((of the retirement plan)) shall contribute six and seventy-two one-hundredths percent (6.72%) of the member's compensation. Effective January 1, 2009, the rate of contribution ((is)) was prospectively increased to seven and seventy-five hundredths percent (7.75%). Effective September 1, 2014, the rate of contribution is prospectively increased to eight and twenty-five hundredths percent (8.25%). It is contemplated that said contribution by members will, when added to the City's contribution, be enough to properly fund the retirement benefits. Although designated as employee contributions that

reduce the ~~((employee's))~~ member's salary, the City government, as the employer, shall pay such contributions to the ~~((plan))~~ retirement fund pursuant to Internal Revenue Code section 414(h). The ~~((employee))~~ member will not have an option of choosing to receive the contributed amounts directly instead of having them paid by the City government to the ~~((plan))~~ retirement fund. The ~~((picked))~~ picked-up contributions will be included as Social Security wages up to the Social Security wage base, and will also be included in calculating ~~((annual compensation for retirement))~~ the member's final compensation .

2. Contribution by the City Government.  
The City government will match the in-lieu payment of the employees' contribution.
- B. Subject to the provisions of this chapter and chapter 4.14 SMC, the board ~~((of administration))~~ certifies to the head of each office or department the normal rate of contribution for each member provided for in subsection (A) of this section. The head of the department applies such rate of contribution to the compensation of each and every payroll; and each of said in-lieu amounts are paid by the director of accounting into the retirement fund, hereinafter provided for, and are credited by the board, together with regular interest, to an individual account of the member for whom the contribution was made. Regular interest is credited to each individual account at such periods as the board may determine. The City government's in-lieu payment vests for the benefit of the employee immediately upon payment into the retirement fund.
- C. The director of accounting transfers to the retirement fund an amount equal to the aggregate normal contributions as soon as administratively practicable following each payroll period.

Section 6. That SMC Section 3.05.050 is amended to read as follows:

### **3.05.050 Allowance for Service**

- A. Determination.
1. Subject to the following and all other provisions of this chapter, including such rules and regulations as the board may adopt in pursuance thereof, the board, subject to the approval of the city council, determines and may modify allowance for service.
  2. Time during which a member is absent on leave without pay may not be allowed in computing service.
  3. Each member must file with the ~~((board))~~ retirement system such information affecting his status as a member ~~((of the retirement system))~~ as the board may require.

- B. **Military Service.**  
Any member is given credit for any period served by him in the military service of the United States, in time of war or upon the call of the President, if at the time of such service such member was a regular employee under leave of absence. Certificate of honorable discharge from and/or documentary evidence of such service must be submitted to the board in order to obtain credit for such service.
- C. **Preservation of Credits Under Contract.**  
The board is authorized from time to time to enter into agreements with other public retirement systems in the state relative to the mutual acceptance of members and preservation of service credits under such rules and regulations as may be necessary to carry into effect the provisions of this chapter or for its proper operation.
- D. **Notwithstanding anything in this chapter to the contrary, effective December 12, 1994, contributions, benefits and service credit with respect to qualified military service will be provided in accordance with Internal Revenue Code section 414(u) ~~((of the Internal Revenue Code))~~. The board may promulgate regulations implementing this section.**

Section 7. That SMC Section 3.05.060 is amended to read as follows:

### **3.05.060 Administration**

The administration of the retirement system is vested in the board ~~((of administration))~~ as provided for in chapter 4.14 SMC.

In addition to other records and accounts, the board keeps such detailed reports and accounts as are necessary to show the financial condition of the retirement fund at all times.

Section 8. That SMC Section 3.05.070 is amended to read as follows:

### **3.05.070 Employees' Retirement Fund**

- A. The City treasurer shall be the custodian of the retirement fund as provided in SMC 7.08.601. The retirement fund created hereby shall be a trust fund held for the exclusive benefit of the members of the ~~((Spokane employees'))~~ retirement system and their beneficiaries. Except as provided under 3.05.240(B), ((No)) no part of the corpus or income of the retirement fund shall be used for, or diverted to, purposes other than for the exclusive benefit of the members or their beneficiaries and the payment of fees and expenses of maintaining and administering the retirement system. ~~((Both))~~ All benefit formulas under SMC 3.05.160 ~~((and))~~, SMC 3.05.165 and SMC 3.05.166 are encompassed within the retirement fund without separate accounting.

- B. This section shall be interpreted to allow the following:
1. A return of the contribution to the City or its application as a credit on future contributions after the board determines that the City has paid or overpaid the contribution under a mistake of fact.
  2. The making of refunds required by law; and
  3. Termination of the retirement system and distribution of its assets to the City after all liabilities with respect to the members and their beneficiaries have been satisfied.

Section 9. That SMC Section 3.05.080 is amended to read as follows:

### **3.05.080 City's Contribution**

There shall be paid into the retirement fund by contributions of the City the amounts necessary to pay all pensions and other benefits allowable under this chapter to members on account of prior service and minimum allowances provided for in SMC 3.05.160 ~~((and))~~, SMC 3.05.165 and SMC 3.05.166. There shall also be paid into the retirement fund by contributions of the City the amounts necessary to pay its share of disability pensions allowable under this chapter. Until the amount accumulated in the retirement fund becomes at least as large as the present value of all amounts thereafter payable from said fund, the amount annually due to the said fund under this section shall be the amount payable from said fund in the ensuing fiscal year on account of prior service, disability, and minimum allowances above referred to.

Section 10. That SMC Section 3.05.110 is amended to read as follows:

### **3.05.110 Administration of Social Security Act**

- A. The director of accounting is designated as the officer to administer such accounting, reporting and other functions as are required for the effective operation ~~((of the plan))~~ for extending the Federal Old Age and Survivors Insurance program to members of the ~~((Spokane employees'))~~ retirement system approved by said employees on June 5, 1956. The director shall make such reports in such form and containing such information as the governor from time to time may require, and shall comply with such provisions as the governor or the secretary of health, education and welfare of the United States may from time to time find necessary to assure the correctness and verification of such reports. The governor is authorized to terminate said plan if it is found that there has been failure to comply substantially with its provisions, such termination to take effect at the expiration of such notice and on such conditions as may be provided by regulations of the governor consistent with the provisions of the Social Security Act.
- B. The director of accounting deducts from the salary of each ~~((officer and))~~ employee and elected official the amount of tax imposed by the Federal

Insurance Contributions Act, and the amount so deducted from such salaries shall be paid into the contributions fund as provided in chapter 4, Laws of Washington, extraordinary session, 1955, section 4(1). Failure to make such deductions does not relieve the ~~((officers or))~~ employees or elected officials from liability for such deductions.

Section 11. That SMC Section 3.05.120 is amended to read as follows:

### **3.05.120 Refund of Contributions**

- A. Accumulated Contributions in Excess of One Thousand Dollars.  
Should the service of a member be discontinued, except by death or retirement, and the member has accumulated contributions in excess of one thousand dollars (\$1,000), the member may elect to withdraw the member's accumulated contributions. Such payment shall be made as soon as administratively practical after the board approves the member's election, which election shall be made not later than six (6) months after the day of discontinuance. The City shall receive credit for the full amount deposited by the City in the retirement fund for such member's benefit plus interest. If a member's service is discontinued and the member leaves accumulated contributions in the retirement system, the board may, in its discretion, charge each such member reasonable administrative expenses for maintenance of the accumulated contributions.
- B. Accumulated Contributions of One Thousand Dollars or Less.  
Should the service of a member be discontinued, except by reason of death, and the member has accumulated contributions of one thousand dollars (\$1,000) or less, the member shall be paid, not later than six (6) months after the day of discontinuance, the member's entire accumulated contributions.
- C. Redeposit.  
Any member may redeposit in the retirement fund, within one (1) year of being rehired, an amount equal to that which the member previously withdrew therefrom, or a portion thereof, at the last termination of membership, such redeposit using the current actuarial assumed interest rate as determined by the board to be paid into the retirement fund in accordance with rules established by the board. In the event such redeposit is made by a member, an amount equal to the accumulated contributions so redeposited shall again be held for the benefit of said member, and shall no longer be included in the amounts available to meet the obligations of the City on account of benefits that have been granted or liabilities that have been assumed on account of prior service of members, and the ~~((plan))~~ retirement system shall reinstate the prior service credit, or the portion thereof, for such member, who will rejoin the ~~((plan))~~ retirement system pursuant to SMC 3.05.025(B). Effective January 1, 2009, redeposit may also be made by a direct trustee-to-trustee transfer to the retirement fund from a plan qualified under Internal Revenue Code ~~((Section))~~ sections 457(b) or 403(b) or by a direct rollover to the retirement fund from an individual retirement account or

annuity qualified under Internal Revenue Code (~~(Section)~~) section 408. The board may establish rules and procedures for acceptance of such deposits, transfers, or rollovers, including procedures to account for pre-tax transfers and rollovers and (~~(after)~~) after-tax payments.

Section 12. That SMC Section 3.05.130 is amended to read as follows:

### **3.05.130 Service Retirement**

Retirement of members for service is made by the board as follows:

- A. Any member in the City service may voluntarily retire by filing with the (~~(board)~~) retirement system a written application, stating a desire to be retired and the effective date of retirement, which date shall not be earlier than the date on which such application is filed with the retirement system (~~(, such application to be made at least thirty days prior to date of retirement)~~).
- B. Normal Retirement Date, for members described in 3.05.25(A) and 3.05.25(B):  
A member's normal retirement date is the first day of the calendar month coinciding with or next following the latest of the day on which the member has:
  - 1. attained the age of sixty-two (62), (~~(and)~~) or
  - 2. completed five (5) years of creditable service.
- C. Normal Retirement Date, for members described in 3.05.25(C):  
A member's normal retirement date is the first day of the calendar month coinciding with or next following the latest of the day on which the member has:
  - 1. attained the age of sixty-five (65), or
  - 2. completed seven (7) years of creditable service.

A member is fully vested upon attaining the member's normal retirement date, provided the member remains actively employed with the City through such normal retirement date.

Section 13. That SMC Section 3.05.160 is amended to read as follows:

### **3.05.160 Allowance on Service Retirement**

The provisions of this section (~~(apply to)~~) govern the retirement benefits of members described in SMC 3.05.025(A), including the members who were retirees prior to January 1, 2009, and those active employees as of January 1, 2009, and who affirmatively elect to receive benefits under it pursuant to SMC 3.05.025.

- A. Normal Retirement Benefit.

1. Subject to the minimum and maximum retirement benefits described in this section, a member's annual normal retirement benefit is determined by multiplying two and fifteen one-hundredths percent (2.15%) of the member's final compensation by the member's years of creditable service exclusive of qualified military service, and a benefit purchased by the contributions of the City equal to one and two-thirds percent (1-2/3%) of the final compensation multiplied by the number of years of qualified military service, not to exceed five (5) years as this type of service is otherwise defined and provided for in this chapter. In no case can the normal retirement benefit exceed sixty-four and five-tenths percent (64.5%) of final compensation.
2. A member shall be eligible to receive annual normal retirement benefits on or after the member's normal retirement date pursuant to 3.05.130(B), provided the member has made application ~~((at))~~ with the retirement ((office)) system pursuant to 3.05.130(A) and has terminated active employment with the City.

B. Accrued Retirement Benefit.

A member's annual accrued retirement benefit is determined for any date by multiplying two and fifteen one-hundredths percent (2.15%) of the member's final compensation by the member's years of credited service. In no case can the annual accrued retirement benefit exceed sixty-four and five-tenths percent (64.5%) of final compensation.

C. ~~((Vesting))~~ Vested Benefit.

1. Any member who terminates active employment with the City will be eligible to receive a service retirement allowance at the age of fifty (50), provided at time of member's termination, the member both:
  - a. has at least five (5) years of creditable service; and
  - b. elects to leave ~~((retirement accumulations))~~ member's accumulated contributions in the retirement system.
2. Every member desiring to take advantage of this vesting provision must file a request with the ~~((board of administration))~~ retirement system when terminating active employment.

D. Early Retirement.

A member may retire before the member's normal retirement date under 3.05.130(B) if the member has met all the following requirements:

1. attained the age of fifty (50); ~~((and))~~
2. applied for early retirement; ~~((and))~~
3. terminated active employment with the City; and



4. completed five (5) years of creditable service.
- E. Early Retirement Benefit.  
Early retirement benefits are calculated in the same manner as normal retirement benefits.
- F. Payment of Benefits.  
After retirement, normal or early retirement benefits will be payable throughout the remainder of the member's lifetime. However, if a member dies before the total of the retirement benefits paid to the member equals the member's accumulated contributions at the time of retirement, and if the member has not elected an optional form of retirement benefit in accordance with SMC 3.05.210, an amount equal to the difference between the retirement benefits paid and the member's accumulated contributions at the time of retirement will be paid to the member's beneficiary.
- G. Ad Hoc Performance Adjustment.  
The board is authorized to grant discretionary annual ad hoc performance adjustments effective July 1st of each fiscal year. The rate of the performance adjustment is determined by the board based upon financial, actuarial, and other data and is limited to a maximum of a three percent (3%) adjustment in any given fiscal year. The adjustment is noncompounding and based upon a retiree's original pension amount. The board has adopted a board rule which contains further information on the necessary criteria for ad hoc performance adjustments.

Section 14. That SMC Section 3.05.165 is amended to read as follows:

**3.05.165 Allowance on Service Retirement – Alternate Formula (Rule of 75)**

The provisions of this section (~~((apply to new employees hired or re-hired on or after January 1, 2009, pursuant to SMC 3.05.025, and active employees as of January 1, 2009, who elect to receive benefits under it))~~) govern (a) the retirement benefits of members described in SMC 3.05.025(A) whose benefits are not governed by SMC 3.05.160 and (b) the retirement benefits of members described in 3.05.025(B).

- A. Normal Retirement Benefit.
1. A member's annual normal retirement benefit is determined by multiplying two percent (2%) of the member's final compensation by the member's years of creditable service exclusive of qualified military service, and a benefit purchased by the contributions of the City equal to one and two-thirds percent (1-2/3%) of the final compensation multiplied by the number of years of qualified military service, not to exceed five (5) years as this type of service is otherwise defined and provided for in this chapter. In no case can the normal retirement benefit exceed seventy percent (70%) of final compensation.

2. A member shall be eligible to receive annual normal retirement benefits on or after the member's normal retirement date under 3.05.130(B), provided the member has made application ~~((at))~~ with the retirement ~~((office))~~ system pursuant to 3.05.130(A) and has terminated active employment with the City.

B. Accrued Retirement Benefit.

A member's annual accrued retirement benefit is determined for any date by multiplying two percent (2%) of the member's final compensation by the member's years of credited service. In no case can the annual accrued retirement benefit exceed seventy percent (70%) of the member's final compensation.

C. Vested Benefit.

1. Any member who terminates active employment with the City will be eligible to receive a service retirement allowance at the ~~((age of sixty-two))~~ member's normal retirement date under SMC 3.05.130(B), provided that at time of termination, the member both:
  - a. has at least five (5) years of creditable service; and
  - b. elects to leave ~~((retirement accumulations))~~ member's accumulated contributions in the retirement system.
2. Every member desiring to take advantage of this vesting provision must file a request with the ~~((board))~~ retirement system when terminating active employment.

D. Retirement Benefit.

A member may retire before ~~((or after))~~ the member's normal retirement date under SMC 3.05.130(B) if as of the desired retirement date the member has attained a minimum age of fifty (50), has at least five (5) years of creditable service, and the sum of the member's age and years of creditable service total at least seventy-five (75). Solely for purposes of the "Rule of 75" in the preceding sentence, creditable service for part-time employees will be determined pursuant to regulations established by the board. An active member may also retire ~~((at normal retirement date of age sixty-two with five years of creditable service.))~~ on or after having attained the member's normal retirement date under SMC 3.05.130(B) In either case the member must apply for retirement benefits under SMC 3.05.130(A) and terminate active employment with the City in order to retire. ~~((A member who is rehired on or after January 1, 2009, whether a terminnee pursuant to SMC 3.05.120(A) or (B) or a retiree pursuant to SMC 3.05.260 must retire pursuant to the first sentence of this paragraph))~~.

E. Payment of Benefits.

After retirement, benefits will be payable throughout the remainder of the member's lifetime. However, if a member dies before the total of the retirement benefits paid to the member equals the member's accumulated contributions at the time of retirement, and if the member has not elected an optional form of retirement benefit in accordance with SMC 3.05.210, an amount equal to the difference between the retirement benefits paid and the member's accumulated contributions at the time of retirement will be paid to the member's beneficiary.

Section 15. That there is adopted a new section 3.05.166 to chapter 3.05 of the Spokane Municipal Code to read as follows:

**3.05.166 Allowance on Service Retirement – Alternate Formula (Rule of 80)**

The provisions of this section govern the retirement benefits of members described in SMC 3.05.025(C).

A. Normal Retirement Benefit.

1. A member's annual normal retirement benefit is determined by multiplying two percent (2%) of the member's final compensation by the member's years of creditable service exclusive of qualified military service, and a benefit purchased by the contributions of the City equal to one and two-thirds percent (1-2/3%) of the final compensation multiplied by the number of years of qualified military service, not to exceed five (5) years as this type of service is otherwise defined and provided for in this chapter. In no case can the normal retirement benefit exceed seventy percent (70%) of final compensation.
2. A member shall be eligible to receive annual normal retirement benefits on or after the member's normal retirement date under SMC 3.05.130(C), provided the member has made application with the retirement system pursuant to 3.05.130(A) and has terminated active employment with the City.

B. Accrued Retirement Benefit.

A member's annual accrued retirement benefit is determined for any date by multiplying two percent (2%) of the member's final compensation by the member's years of credited service. In no case can the annual accrued retirement benefit exceed seventy percent (70%) of the member's final compensation.

C. Vested Benefit.

Any member who terminates active employment with the City will be eligible to receive a service retirement allowance at the member's normal retirement date under SMC 3.05.130(C), provided that at time of termination, the member both:

- a. has at least seven (7) years of creditable service; and
  - b. elects to leave member's accumulated contributions in the retirement system.
2. Every member desiring to take advantage of this vesting provision must file a request with the retirement system when terminating active employment.

D. Retirement Benefit.

A member may retire before the member's normal retirement date under SMC 3.05.130(C) if as of the desired retirement date the member has attained a minimum age of fifty (50), has at least seven (7) years of creditable service, and the sum of the member's age and years of creditable service total at least eighty (80). Solely for purposes of the "Rule of 80" in the preceding sentence, creditable service for part-time employees will be determined pursuant to regulations established by the board. An active member may also retire on or after having attained the member's normal retirement date under SMC 3.05.130(C). In either case the member must apply for retirement benefits under SMC 3.05.130(A) and terminate active employment with the City.

E. Payment of Benefits.

After retirement, benefits will be payable throughout the remainder of the member's lifetime. However, if a member dies before the total of the retirement benefits paid to the member equals the member's accumulated contributions at the time of retirement, and if the member has not elected an optional form of retirement benefit in accordance with SMC 3.05.210, an amount equal to the difference between the retirement benefits paid and the member's accumulated contributions at the time of retirement will be paid to the member's beneficiary.

Section 16. That SMC Section 3.05.167 is amended to read as follows:

**3.05.167 Summary of Benefits**

A. Plan defaults for those retiring under SMC 3.05.160:

1. Calculation factor equals two and fifteen hundredths percent (2.15%) per year of creditable service.
2. Calculation is capped at thirty (30) years of creditable service or sixty-four and one-half percent (64.5%) of final compensation.
3. Final (~~salary~~) compensation based on highest two (2) consecutive years.

4. At time of retirement, employee can switch to retirement structure in subsection (B) of this section – all criteria must be met.
  5. Five (5) years vesting.
  6. ~~((Can retire at age))~~ Minimum early retirement age is fifty (50) with five (5) years creditable service.
  7. Normal retirement age is sixty-two (62) years.
  8. Disability factor is one and twenty-five hundredths percent (1.25%).
  9. Military leave factor is one and two-thirds percent (1-2/3%).
  10. Portability and vested groups in place prior to January 1, 2009, are part of these defaults.
- B. Plan defaults for those retiring under SMC 3.05.165 – Alternate Formula (Rule of 75):
1. Calculation factor equals two percent (2%) per year of creditable service.
  2. Calculation is capped at thirty-five (35) years of creditable service or seventy percent (70%) of final compensation.
  3. Final ~~((salary))~~ compensation based on highest two(2) consecutive years.
  4. “Rule of 75” (age plus years of creditable service must equal at least seventy-five (75) points).
  5. Five (5) years vesting.
  6. Minimum retirement age is fifty (50) years.
  7. Normal retirement age is sixty-two (62) years.
  8. Employee with at least five (5) years creditable service will be able to retire at sixty-two (62).
  9. No change to disability calculation.
  10. Military leave factor is one and two-thirds percent (1-2/3%) and these defaults.
  11. Portability and vested groups in place after January 1, 2009 but prior to January 1, 2015, are part of these defaults.
- C. Plan defaults for those retiring under SMC 3.05.166 – Alternate Formula (Rule of 80):
1. Calculation factor equals two percent (2%) per year of creditable service.
  2. Calculation is capped at thirty-five (35) years of creditable service or seventy percent (70%) of final compensation.
  3. Final compensation based on highest three (3) consecutive years.
  4. “Rule of 80” (age plus years of creditable service must equal at least eighty points(80).
  5. Seven (7) years vesting.
  6. Minimum early retirement age is fifty (50) years.

7. Normal retirement age is sixty-five (65) years.
8. Employee with at least seven (7) years creditable service will be able to retire at sixty-five (65).
9. No change to disability calculation.
10. Military leave factor is one and two-thirds percent (1-2/3%) and these defaults.

ED. General Plan Defaults.

1. Portability members hired or repurchasing time on or after January 1, 2009, will be part of the defaults for the "Alternate Formula" under either SMC 3.05.165 or 3.05.166, whichever coincides with their date of repurchase, and must meet the criteria in relating subsection (B or C) of this section between both systems to be eligible to retire in SERS.
2. Pensioners who are rehired by the City on or after January 1, 2009, and suspend their pensions, will be part of the defaults for the "Alternate Formula" under either SMC 3.05.165 or 3.05.166, whichever coincides with their date of rehire, as they earn time toward a second pension.
3. Employees who had previously withdrawn their retirement contributions and are rehired on or after January 1, 2009, will be part of the defaults for the "Alternate Formula" under either SMC 3.05.165 or 3.05.166, whichever coincides with their date of rehire, regardless if they buy back previous service time.

Section 17. That SMC Section 3.05.170 is amended to read as follows:

**3.05.170 Payment upon Death of Member**

A. Eligible to Retire.

If a member who had not retired but had named the member's spouse as the sole primary beneficiary and who was eligible to retire pursuant to SMC 3.05.160, ~~((or))~~ SMC 3.05.165 ((-)) or SMC 3.05.166 whichever applies, or who had at least thirty (30) years of creditable service dies, then the member's surviving spouse may elect to receive:

1. death benefits provided for in this section, or
2. a retirement allowance payable only for the remainder of the surviving spouse's life and equal to that which would have been received had the deceased member retired on the date of death under the provisions of Option E as provided in SMC 3.05.210, or
3. in lieu of either of the above, a lump sum cash payment not to exceed one-half of the deceased member's accumulated contributions and a retirement allowance in accordance with Option E as provided in SMC 3.05.210, but reduced proportionately by the amount of cash withdrawn

from this selection.

B. Not Eligible to Retire.

1. Repayment of Contributions.

Upon the death of any member not eligible to retire, there shall be paid to the member's estate, or to such persons as the member shall have nominated by written designation duly executed and filed with the ~~((board))~~ retirement system, the member's accumulated contribution with interest, less payments made therefrom to the member, if any. Effective January 1, 2009, a non-spouse designated beneficiary shall be permitted to elect a direct trustee to trustee transfer of such distribution to an individual retirement account established for the purposes of receiving the distribution on behalf of an individual who is a designated beneficiary and who is not the surviving spouse of the participant, which shall be treated as an inherited individual retirement account within the meaning of Internal Revenue Code section 408(d)(3)(C).

2. Death of Active Married Member.

Alternatively, upon the death of any active member who is eligible to vest in the retirement system, who is married at the time of death, and whose surviving spouse has been properly nominated as sole primary beneficiary, the surviving spouse may elect to leave the accumulated contributions in the retirement system and, on such date as the member would have been eligible, apply for and receive such retirement allowance as is allowed under retirement Option E as provided in SMC 3.05.210 as established in this chapter. Such retirement will be calculated as if the member had been eligible to retire at the time of death, and will be based upon the age of the surviving spouse at the time when the member would have been eligible to retire. Any retirement allowance calculated under this section will be based on the accumulations and earnings of the member as of the date of retirement.

Section 18. That SMC Section 3.05.180 is amended to read as follows:

**3.05.180 Disability Retirement**

- A. Any member while in City service may be retired by the board ~~((of administration))~~ for permanent and total disability, either ordinary or accidental, upon examination, if the member has not attained normal retirement age ~~((the age of sixty-two years))~~ but has at least five (5) years of ~~((City))~~ creditable service ~~((provided that the required five years of City service must have been credited to the member over a period of not to exceed ten years immediately preceding retirement))~~ if the member is described in SMC 3.05.025(A) or (B), or has at least seven (7) years of creditable service if the member is described in SMC 3.05.025(C), provided that the required number of years of creditable service must have been credited to the member over a period of not to exceed ten (10)

years immediately preceding member's disability retirement.

- B. Such member, within three (3) months after the discontinuance of City service, or while physically or mentally incapacitated for the performance of duty, if such incapacity has been continuous from discontinuance of City service, but not later than one (1) year after discontinuance of City service, shall be examined by a physician or surgeon appointed by the board (~~(of administration)~~) upon the application of the head of the office or department in which said member is employed, or upon application of said member or a person acting in the member's behalf, stating that the member is permanently and totally incapacitated, either physically or mentally, for the performance of duty and ought to be retired. If such medical examination shows, to the satisfaction of the board, that the member is permanently and totally incapacitated either physically or mentally for the performance of duty and ought to be retired, the board shall retire the member for disability forthwith.
- C. Any member who shall suffer accidental permanent and total disability while engaged in the City service shall be retired forthwith and shall not be required to have (~~(at least five years of City a)~~) the minimum number of years of creditable service as required for ordinary disability under SMC 3.05.180(A).
- D. The board shall secure such medical services and advice as it may deem necessary to carry out the purpose of this section and of [SMC 3.05.200](#), and shall pay for such medical services and advice such compensation as the board shall deem reasonable.

Section 19. That SMC Section 3.05.190 is amended to read as follows:

### **3.05.190 Allowance on Disability Retirement**

- A. Upon retirement for disability (disability retirement) as hereinabove provided, so long as the disability is not due to substance abuse, willful misconduct, or violation of law (of which the board shall be the judge), a member shall receive a disability retirement allowance consisting of:
  - 1. an annuity which shall be the actuarial equivalent of the member's accumulated contributions at the time of retirement; and
  - 2. a pension purchased by the contributions of the City which, together with the annuity provided by the member's accumulated contributions, shall make the disability retirement allowance, equal to one and one-fourth percent (1.25%) of the member's final compensation (defined as appropriate based on whether the member is described in SMC 3.05.025(A), (B) or (C)), multiplied by the number of years of service which



would be creditable to the member were the member's services to continue until the member ~~((attains the age of sixty-two))~~ had attained normal retirement age (i.e. age 62 for members described in SMC 3.05.025(A) and (B), and age 65 for members described in SMC 3.05.025(C)); provided, however, the minimum disability retirement allowance shall be two thousand four hundred dollars (\$2,400) per year for duty-related causes, and one thousand two hundred dollars (\$1,200) per year for non-duty-related causes.

- B. If disability is due to substance abuse, willful misconduct or violation of law on the part of the member, the board ~~((of administration))~~ in its discretion may pay to said member in one lump sum the member's accumulated contributions in lieu of a retirement allowance, and such payment shall constitute full satisfaction of all obligations of the City to such member and, upon receipt of such payment, membership in the retirement system shall cease.
- C. Upon the death of a member while in receipt of a disability retirement allowance, the member's accumulated contributions, as they were at the date of retirement, less any annuity payments, shall be paid to the member's estate, or to such persons as the member shall have nominated by written designation duly executed and filed with the ~~((board))~~ retirement system.

Section 20. That SMC Section 3.05.200 is amended to read as follows:

### **3.05.200 Safeguards of Disability Retirement**

- A. The board ~~((of administration))~~ may, at its pleasure, require any ~~((disability beneficiary under the age of sixty-two years))~~ member receiving a disability retirement who has not yet attained normal retirement age to undergo medical examination to be made by a physician or surgeon appointed by the board at a place to be designated by the board. Upon the basis of such examination, the board determines whether such member ~~((disability beneficiary))~~ is still totally and permanently incapacitated either mentally or physically for service in the office or department of the City where previously employed or in any other City service for which the ~~((disability beneficiary))~~ member receiving a disability retirement is qualified. If the board ~~((of administration))~~ determines that said ~~((beneficiary))~~ member is not so incapacitated, the disability retirement allowance is canceled and the ~~((beneficiary))~~ member is reinstated forthwith in the City service.
- B. Should a ~~((disability beneficiary))~~ member receiving a disability retirement re-enter the City service and be eligible for membership in the retirement system in accordance with SMC 3.05.030, any disability retirement allowance is canceled

and the ~~((beneficiary))~~ member immediately becomes a member of the retirement system. The member's individual account is credited with the member's accumulated contributions less the annuity payments paid as a disability retirement. An amount equal to the accumulated contributions so credited is again held for the benefit of said member and is no longer included in the amounts available to meet the obligations of the City on account of benefits that have been granted and on account of prior service of members. Such member receives credit for prior service in the same manner as if the member had never been retired for disability.

- C. Should any ~~((disability beneficiary under the age of sixty-two years))~~ member receiving a disability retirement who has not yet attained normal retirement age refuse to submit to medical examination, any disability retirement allowance ~~((pension))~~ may be discontinued until ~~((the disability beneficiary))~~ such member ~~((receiving a disability retirement))~~ withdraws such refusal, and should such refusal continue for one (1) year, any disability retirement allowance otherwise payable to such member may be prospectively canceled. Should ~~((said disability beneficiary))~~ such member receiving a disability retirement allowance, prior to attaining normal retirement age ~~((the age of sixty-two years))~~, engage in a gainful occupation not in City service, or should ~~((beneficiary))~~ such member re-enter the City service and be ineligible for membership in the retirement system in accordance with SMC 3.05.030, the board ~~((of administration))~~ shall reduce the amount of the member's disability retirement allowance to an amount which, when added to the compensation earned by the ~~((beneficiary))~~ member shall not exceed the amount of the final compensation adjusted for cost of living as determined by the board ~~((of administration))~~. Should the earning capacity of such ~~((beneficiary))~~ member be further altered, the board may further alter any disability retirement allowance as hereinbefore provided. When said ~~((disability beneficiary))~~ member receiving a disability retirement allowance reaches ~~((the))~~ member's normal retirement age ~~((of sixty-two years))~~, the disability retirement allowance shall be made equal to the amount upon which the ~~((beneficiary))~~ member was originally retired on account of disability, and shall not again be modified for any cause except as provided in SMC 3.05.260.
- D. Should the disability retirement allowance of any ~~((disability beneficiary))~~ member receiving a disability retirement be canceled for any cause other than re-entrance into the City service, the ~~((beneficiary))~~ member shall be paid his accumulated contributions, less annuity payments made.

Section 21. That SMC Section 3.05.210 is amended to read as follows:

### **3.05.210 Optional Allowance on Retirement**

A member may elect to receive, in lieu of the retirement allowance provided for in SMC 3.05.160, ~~((or))~~ SMC 3.05.165 or SMC 3.05.166, its actuarial equivalent in the form of a lesser retirement allowance, payable in accordance with the terms and conditions of one of the options set forth below. Election of any option must be made by written application filed with the ~~((board of administration at least thirty days in advance of retirement as provided in SMC 3.05.130,))~~ retirement system and does not become effective unless approved by the board ~~((prior to retirement of the member))~~.

A. Option A.

The lesser retirement allowance will be payable to the member throughout the member's life, provided that if the member dies before the member receives in annuity payments referred to in SMC 3.05.160(A)(1) ~~or~~ SMC 3.05.165(A)(1) or SMC 3.05.166(A)(1) a total amount equal to the amount of accumulated contributions as it was at the date of retirement, the balance of such accumulated contributions will be paid in one sum to the member's estate or to such person as the member shall nominate by written designation duly executed and filed with the ~~((board))~~ retirement system.

B. Option B.

The lesser retirement allowance will be payable to the member throughout the member's life, provided that if the member dies before the member receives in annuity payments referred to in SMC 3.05.160(A)(1) ~~or~~ SMC 3.05.165(A)(1) or SMC 3.05.166(A)(1) a total amount equal to the amount of accumulated contributions as it was at the date of retirement, the said annuity payments resulting from accumulated contributions will be continued and paid to the member's estate or such person as the member shall nominate by written designation duly executed and filed with the ~~((board))~~ retirement system, until the total amount of annuity payments shall equal the amount of accumulated contributions as it was at the date of retirement.

C. Option C.

The member elects a "guaranteed period" of any number of years. If the member dies before the lesser retirement allowance has been paid for the number of years elected as the "guaranteed period," the lesser retirement allowance will be continued to the end of the "guaranteed period," and during such continuation be paid to the member's estate or to such person as the member shall nominate by written designation duly executed and filed with the ~~((board))~~ retirement system.

D. Option D.

The lesser retirement allowance will be payable to the member throughout life and, after the death of the member, one-half of the lesser retirement allowance shall be continued throughout the life of, and paid to, the spouse of the member, named at time of retirement, if surviving.

E. Option E.

The lesser retirement allowance will be payable to the member throughout life, and after death of the member, it shall be continued throughout the life of, and paid to, the spouse of the member named at time of retirement, if surviving.

Section 22. That SMC Section 3.05.250 is amended to read as follows:

**3.05.250 Estimate Permitted**

If it be impracticable for the board (~~((of administration))~~) to determine from the records the length of service, the compensation or the age of any member, the board may estimate, for the purpose of this chapter, such length of service, compensation or age.

Section 23. That SMC Section 3.05.260 is amended to read as follows:

**3.05.260 Suspension of Allowance During Employment**

The payment of any retirement allowance to a member who has been retired will be suspended during the time the (~~((beneficiary))~~) member is for any reason an employee of the City and until qualifying for a benefit pursuant to SMC 3.05.165 or SMC 3.05.166, provided that payment for vacation or sick leave earned in the City service prior to retirement may be made without suspension of allowance, and, provided further, that this provision does not apply to retirees who:

- A. become (~~((elective employees))~~) elected officials of the City; or
- B. enter into personal services contracts with the City; or
- C. employees who, subsequent to retirement, are rehired pursuant to the following criteria:
  - 1. The position filled is of a temporary/seasonal nature; and
  - 2. The position is filled only with the approval of the director of human resources or the mayor's office; and
  - 3. Employment is limited to nine hundred sixty (960) hours per twelve-month period; and
  - 4. The human resources office prepares an annual report to the board on the usage of retirees.
  - 5. There is a minimum of one pay period between the time an employee retires and is rehired as a temporary/seasonal employee.

Section 24. That SMC Section 3.05.270 is amended to read as follows:

### **3.05.270 Preliminary Cost**

The city council appropriates annually from the retirement fund the amount it deems necessary for the purpose of paying the expenses of administering the retirement system and the purchase of fiduciary responsibility insurance. The board (~~(of administration)~~) annually submits to the city council its estimate of the amount necessary to pay such expenses.

Section 25. That SMC Section 3.05.275 is amended to read as follows:

### **3.05.275 Portability of Benefits**

- A. The board (~~(of administration of the City employees' retirement system)~~) is authorized to contract with the board of administration of the Tacoma employees' retirement system and/or board of administration of the Seattle employees' retirement system (each called a "participating system") for the portability of retirement benefits of employees who are also members of the retirement systems of the cities of Tacoma and Seattle, respectively. The following terms and conditions shall apply in addition to such other requirements as may be established by rule of the board or the agreement with participating systems:
1. The member must be in the active service of a participating system on or after the effective date of the board's agreement for portability; a member retired from any of the three systems on the effective date of the ordinance codified in this chapter is not eligible.
  2. Creditable service may accrue in only one participating system at a time. A member who leaves City employment to enter military service may only receive creditable service for his military service in one of the participating systems according to its rules.
  3. A member may combine service credit in two or more participating systems for the sole purpose of determining the member's eligibility to receive a service retirement allowance, but the member may not aggregate service credit in two or more retirement systems for the purpose of determining the percentage factor to be used in calculating a service retirement allowance.
  4. A member of two or more participating systems who is eligible to retire under any system may elect to retire from all the member's systems and to receive a service retirement allowance. Each participating system shall calculate the allowance using its own criteria except that the member shall be allowed to use the member's base salary from any participating system as the compensation used in calculating the allowance. "Base salary" means the salary or wages used by the participating system during a payroll period for making contributions to the system by its members generally. It includes salary or wages paid for personal services and wages and salary deferred under the provisions of the (~~(United States)~~) Internal Revenue Code. It excludes overtime payments (except as to

service for the City of Spokane), non-money maintenance compensation and lump-sum payments for deferred annual leave, unused accumulated vacation, unused accumulated annual leave, any form of severance pay, any bonus for voluntary retirement, any other form of leave, or any similar lump-sum payment.

5. The retirement allowances shall be paid separately by each participating system. Post-retirement adjustments, if any, shall be based upon the payments made by each participating system to the member.
6. The total retirement allowances provided through portability of benefits shall not be less than the benefits payable by each participating system were there no portability.
7. A participating system may pay a member of two or more systems a lump sum in lieu of a monthly benefit if the initial monthly benefit would be less than fifty dollars.
8. If a member of two or more participating systems dies in service in any system, the surviving spouse shall receive the same benefit from each system that would have been received if the member were active in the system at the time of his death based upon service actually established in that system.
9. The terms and conditions of the board's agreement with the board of a participating system both establishes and limits the portability of benefits provided. The board's agreements may be amended from time to time or supplemented by an agreement with the State of Washington for portability with state retirement systems. If the board amends its agreement with the board of a participating system or makes modifications to provide portability with state systems, the rights, terms and conditions for portability are subject to amendment or abolition at any time before a member retires.
10. A member who:
  - a. earned retirement credit for service in a participating system,
  - b. withdrew his contributions from that system,
  - c. lost service credit by making the withdrawal, and
  - d. is now an active member of another participating systemmay restore his or her prior service credit in the participating system of his or her former municipal employer by redepositing an amount determined by the system board within one year after January 1, 1991. Any individual hired after January 1, 1992, shall be provided with a one-year period under portability to repay contributions. This does not extend the time period for those individuals in the system who have not taken advantage of the one-year "windowed" period from January 1, 1991, to December 31, 1991. The amount shall be measured by the accumulated contributions withdrawn, plus compound interest which would have accumulated on the withdrawn contributions from the date of

withdrawal until the date of his redeposit.

- B. As authorized by RCW 41.54.061 the City irrevocably elects to participate in the portability of public retirement systems as contemplated by chapter 41.54 RCW, and to pay for the additional cost it may incur as a result of the benefits provided. The eligibility of members for the portability of public retirement systems, the benefits available thereunder, the limitations (including RCW 41.54.080), and the procedures shall be as set out in chapter 41.54 RCW.
- C. The benefit formula in SMC 3.05.165 shall also apply prospectively to any ~~((employee))~~ member who was covered by the benefit formula in SMC 3.05.160, takes a withdrawal of his accumulated contributions after termination pursuant to SMC 3.05.120(A) or (B), and is rehired on or after January 1, 2009, regardless of whether the ~~((employee))~~ member restores his prior service under the prior benefit formula pursuant to portability rights under this SMC 3.05.275. Additionally, the benefit formula in SMC 3.05.166 shall also apply prospectively to any member who was covered by the benefit formula in SMC 3.05.160 or SMC 3.05.165, takes a withdrawal of his accumulated contributions after termination pursuant to SMC 3.05.120(A) or (B), and is rehired on or after January 1, 2015, regardless of whether the member restores his prior service under the prior benefit formula pursuant to portability rights under this SMC 3.05.275.

Section 26. That SMC Section 3.05.290 is amended to read as follows:

### **3.05.290 Compliance with Internal Revenue Code**

This chapter shall be administered in a manner to comply with Internal Revenue Code of 1986, as amended ("Internal Revenue Code") requirements for government qualified plans, including but not limited to Internal Revenue Code sections 401(a)(2), (a)(7), (a)(8), (a)(9), (a)(16), (a)(17), (a)(25), and (a)(31), 414(u) and 415. The board shall promulgate regulations designed to assure compliance with such requirements which will become party of the retirement system subject to change by amendment of said regulations by the board. Upon the termination of or complete discontinuance of contributions to the retirement system, the accrued retirement benefit of each member, to the extent then funded, shall be non-forfeitable.

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

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

Attest:

Approved as to form:

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City Clerk

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Assistant City Attorney

---

Mayor

---

Date

---

Effective Date



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

07/21/2014

**Date Rec'd**

7/9/2014

**Clerk's File #**

ORD C35129

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

RETIREMENT

**Contact Name/Phone**

TIM DUNIVANT 6845

**Contact E-Mail**

TDUNIVANT@SPOKANECITY.ORG

**Agenda Item Type**

First Reading Ordinance

**Agenda Item Name**

6100 SMC 04.14 AMENDMENTS

**Cross Ref #****Project #****Bid #****Requisition #****Agenda Wording**

An ordinance relating to the City of Spokane Retirement and Pension Board; amending SMC sections 4.14.030, 4.14.040, 4.14.050, 4.14.060, 4.14.070 and 4.14.080.

**Summary (Background)**

Housekeeping changes made to bring the plan up to date and consistent with SMC 03.05.

**Fiscal Impact**

Select \$

Select \$

Select \$

Select \$

**Budget Account**

#

#

#

#

**Approvals****Dept Head**

CHILDS, BRANDON

**Division Director****Finance**

LESESNE, MICHELE

**Legal**

WHALEY, HUNT

**For the Mayor**

CODDINGTON, BRIAN

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## ORDINANCE NO. C35129

AN ORDINANCE relating to the City of Spokane Retirement and Pension Board; amending SMC sections 4.14.030, 4.14.040, 4.14.050, 4.14.060, 4.14.070 and 4.14.080.

The City of Spokane does ordain:

Section 1. That the caption Article II in Chapter 4.14 is amended to read as follows:

### Article II. Spokane Employees' Retirement System Board

Section 2. That SMC section 4.14.030 is amended to read as follows:

#### **4.14.030 Board of Administration**

There is created a board of administration to (~~to~~) administer the retirement system and the retirement fund for superannuated or disabled (~~officers and~~) employees and elected officials of the City, except police and fire department employees entitled to benefits under state law (~~(, there is created a board of administration)~~).

Section 3. That SMC section 4.14.040 is amended to read as follows:

#### **04.14.040 Membership – Selection**

- A. The board (~~(of administration of the Spokane employees' retirement system)~~) consists of seven (7) members.
1. Three (3) board members are appointed by the city council.
  2. Three (3) board members are elected from employees eligible for the retirement system by (~~the~~) such eligible employees; and
  3. One (1) board member, who may not be an (~~elective~~) elected official or employee of the City, is appointed by the other six (6) board members.
- B. Terms.
1. The board members appointed by the city council serve at the pleasure of the city council.
  2. The elected employee board members serve staggered three-year terms commencing on the first Monday in July.
  3. The seventh board member serves a four-year term.
  4. A vacancy is filled and a replacement is made in the same manner as original selections, except that a vacancy in one of the elected employee positions is filled by appointment by the other two elected employee board members, which appointment is until the next annual election.

Section 4. That SMC section 4.14.050 is amended to read as follows:

#### **4.14.050 Election**

- A. The city clerk conducts an election each year to elect one employee to the board (~~((of administration))~~), and to elect an employee to an unexpired term, if any.
- B. Candidates for the board are determined by nomination in the form of a notice of nomination signed by at least twenty (20) employees of the City who are members of the retirement system.
  - 1. An employee may sign more than one nomination.
  - 2. The city clerk gives notice of the dates for filing notices of nomination and of the election by posting in a prominent place in the city clerk's office. Notices are posted at least thirty (30) days prior to the date nominations are to be received and at least thirty (30) days prior to the date of the election.
  - 3. Nominations must be received by the second Tuesday in April and the election shall be held on the second Tuesday in May.
  - 4. The city clerk causes absentee ballots to be printed and available the last week in April. Absentee ballots are accepted up to the date of election and are counted with the ballots regularly cast on election day.
- C. The city clerk causes written ballots containing the names of all persons regularly nominated to be furnished and provides ballot boxes. The city clerk may appoint any City employees as deputies to conduct the election.
  - 1. The election is held in the city clerk's office and in such other places as the city clerk may designate. The city clerk appoints two employees of the City as officials of said election, who shall be allowed their regular wages for said day, but shall receive no additional compensation therefor.
- D. Employees may vote between the hours of seven-thirty a.m. and five-thirty p.m. on the day fixed by the city clerk for the election. Each employee of the City who is a member of the retirement system is entitled to vote at said election for one person for each board position. The person receiving the highest number of votes is elected to the board.

Section 5. That SMC section 4.14.060 is amended to read as follows:

#### **4.14.060 Officers**

The board (~~((of administration))~~) elects its chairman and secretary

Section 6. That SMC section 4.14.070 is amended to read as follows:

#### **4.14.070 Powers and Duties**

- A. The board ~~((of administration))~~ administers the ~~((Spokane employees'))~~ retirement system and the retirement fund under the provisions of ordinance and the direction of the city council.
- B. The board keeps such data in such form as necessary for actuarial valuation of the fund. At least every five (5) years the board causes to be made an actuarial investigation into the mortality and service and compensation experience of retirement system members and beneficiaries, and an actuarial valuation of the assets and liabilities of the fund.
- C. The board transmits to the city council a report of the actuarial investigation and valuation and an annual report on the financial condition of the fund.
- D. With the approval of the city council, the board may:
  - 1. change the rate of interest on contributions made to the retirement fund;
  - 2. adopt mortality, service and other tables used by the retirement system for the purposes of retirement benefit calculations; and
  - 3. change the rates of contribution to the retirement fund by retirement system members based on such tables.
- E. Subject to state law, the board provides for the proper investment of the moneys in the retirement fund.
- F. The board adopts rules and regulations as necessary for the administration of the retirement system and retirement fund.
- G. The board may authorize the retirement system director to execute contracts approved by the board. The board does not require city council action to let contracts within the scope of its substantive powers, where such contracts do not impact municipal general fund monies.

Section 7. That SMC section 4.14.080 is amended to read as follows:

#### **4.14.080 Interest of Members**

No board member ~~((or employee of the board of administration))~~ may have any interest in the making of investments from the retirement fund or in the gains or profits therefrom. No board member ~~((or employee of the board))~~ may become an endorser, surety or otherwise an obligor for moneys invested in the retirement fund by the board, or borrow any of ~~((it's))~~ the retirement system's funds or deposits, or use any of ~~((it's))~~ the retirement system's moneys except as directed by the board.

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:**

07/14/2014

Date Rec'd

7/2/2014

Clerk's File #

ORD C35126

Renews #Submitting Dept

PLANNING &amp; DEVELOPMENT

Cross Ref #Contact Name/Phone

SCOTT CHESNEY 625-6061

Project #Contact E-Mail

SCHESNEY@SPOKANECITY.ORG

Bid #Agenda Item Type

First Reading Ordinance

Requisition #Agenda Item Name

0650 ORDINANCE RE-NAMING BRIDGE AVENUE

Agenda Wording

An ordinance re-naming a segment of Bridge Avenue for one block, between Lincoln and Monroe streets, to Summit Parkway.

Summary (Background)

On June 11, 2014, the City Plan Commission held a public hearing to obtain public comments on the proposed street re-naming. After review of written comments received, the City Plan Commission recommends approval of the proposed street name change.

Fiscal ImpactBudget Account

Neutral \$

#

Select \$

#

Select \$

#

Select \$

#

ApprovalsCouncil NotificationsDept Head

CHESNEY, SCOTT

Study SessionDivision Director

QUINTRALL, JAN

Other

PCED 6/16/14

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ORDINANCE NO. C35126

AN ORDINANCE re-naming a segment of Bridge Avenue, for one (1) block, between Lincoln and Monroe Streets, to "Summit Parkway."

WHEREAS, a roadway name shall be established or changed by Ordinance upon recommendation of the City Plan Commission, pursuant to the Spokane Municipal Code - Chapter 17D.050; and

WHEREAS, the City Plan Commission conducted a public hearing on June 11, 2014, to obtain public comments on the proposed street re-naming, and after close of public testimony, unanimously voted to recommend approval of the name change to the City Council of Spokane; -- Now, Therefore,

The City of Spokane does ordain:

1. Bridge Avenue, between Lincoln and Monroe Streets, shall be re-named "Summit Parkway", in alignment with the existing private street also named Summit Parkway; and
2. The City of Spokane shall pay for the installation and maintenance of the street signage, which is located in public right-of-way; and
3. The roadway shall remain a public road and the City will continue to maintain the roadway.

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

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

Attest:

Approved as to form:

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

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

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

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

BRIEFING PAPER  
City of Spokane  
PCED Committee  
Monday, June 16, 2014

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Subject

Bridge Avenue to Summit Parkway Street Name Change  
(Application Number Z1400026STNC)

Background

The City of Spokane has requested a street name change to rename a segment of Bridge Avenue for one block, between Lincoln and Monroe streets, to be designated Summit Parkway. A public hearing was held by the City Plan Commission to obtain public comment in consideration of this application on Wednesday, June 11, 2014. The Plan Commission voted unanimously to recommend approval of the street name change.

Impact

The changed name would help members of the public find their way and assist in the dispatching of emergency vehicles to the connecting street named Summit Parkway located on the west side of Monroe Street. There would be no impact to adjacent property owners because no addresses are assigned to structures or parcels along this segment of Bridge Avenue.

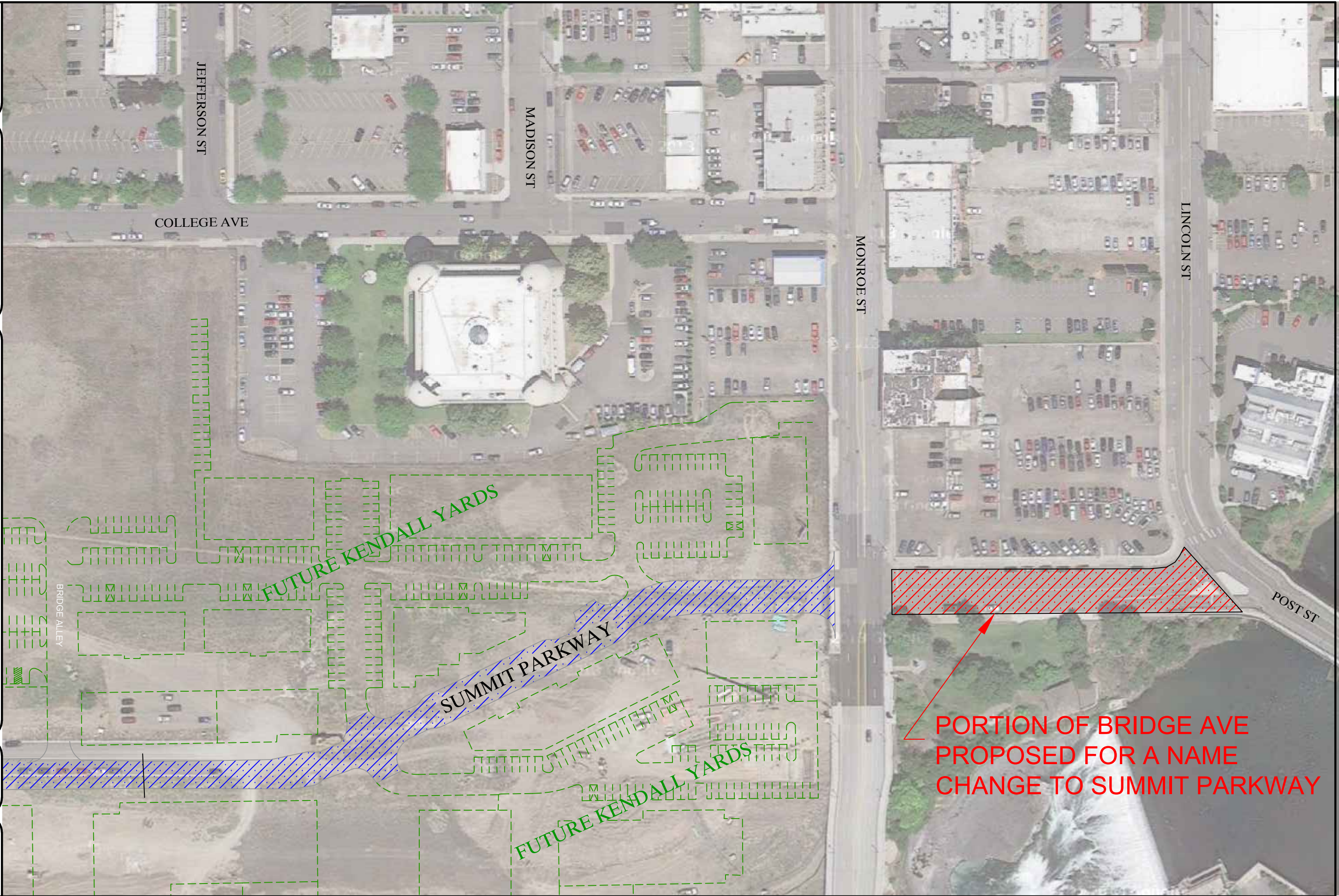
Action

Approval of the application requires a change to the roadway name by ordinance, subject to approval by the City Council, following the recommendation of the Plan Commission. An ordinance to approve the street name change of Bridge Avenue to Summit Parkway will be on the City Council agenda on July 21, 2014 (with City Council Briefing and first reading on July 7, 2014, and second reading on July 14, 2014).

Funding

Funding impacts include the cost of replacing the two existing Bridge Avenue street signs on each end of the block with new "Summit Pkwy" signs.





PLANNING & DEVELOPMENT  
808 W. SPOKANE FALLS BLVD  
SPOKANE, WA 99201  
(509) 625-6300

BRIDGE AVE RENAMING  
PROPOSED FROM BRIDGE TO SUMMIT

SCALE  
NONE  
DATE  
06/05/14

PROJECT #  
-  
DESIGN TEAM  
EJ





1. Describe the purpose or reason for the proposed street name change. In what way will the public's interest or public safety be served by the name change?  
This application proposes to change the name of the segment of Bridge Avenue for one block, between Lincoln and Monroe Streets, to Summit Parkway, in order to match the name of the street intersecting Monroe Street to the west. The public interest and safety will be served by matching the street name with the continuing street across the intersection and thereby eliminate potential confusion on the part of visitors, delivery personnel, emergency response crews and residents.
2. What uses are located on the adjacent property and in the vicinity? Describe the character of the street proposed for the name change.  
Public parking to the north, Veterans' Park and Centennial Trail to the south.
3. Is the proposed change consistent with the policy for naming streets found in Chapter 17D.050 of the Spokane Municipal Code? If so, how is it consistent?  
Yes, it is an extension of the street on the other side of the intersection to the west of Monroe Street. It will provide greater continuity.
4. Does the proposed new street name duplicate a street name already in use within the Spokane Metropolitan Area?  
Yes, it is an extension.
5. Is the proposed new street name consistent with the name of adjacent streets and streets with a common alignment?  
Yes, it is an extension.
6. If the proposed name change is within a Planned Unit Development, will the proposed name of the private street be consistent with the names of surrounding public streets?  
The segment to be renamed is not within a PUD.
7. Will the proposed street name result in an intersection with the same name (e.g., First Avenue and 1<sup>st</sup> Avenue) or create more than one intersection with the same names?  
No.

**Spokane City Plan Commission  
Findings of Fact, Conclusion, and Recommendation  
Proposed Street Name Change for a Segment of Bridge Avenue under the Spokane  
Municipal Code chapter 17D.050 Roadway Naming.**

**A recommendation from the City Plan Commission to the City Council certifying that the Summit Parkway Street Name Change is in conformance with the Spokane Municipal Code.**

**Findings of Fact:**

- A.** The City of Spokane, under the Spokane Municipal Code chapter 17D.050, is authorized to establish or change a roadway name by ordinance upon recommendation of the City Plan Commission.
- B.** The City of Spokane filed a proper and sufficient Street Name Change Application to rename the existing public street Bridge Avenue, for one block, between Lincoln and Monroe streets, to "Summit Parkway."
- C.** The proposed street name change was initiated and processed under the procedures set forth in SMC chapter 17D.050.
- D.** The City Plan Commission conducted a public hearing on June 11, 2014, to receive public comments on the proposed street renaming.
- E.** The City Plan Commission voted to recommend the proposed name of "Summit Parkway" and forward this recommendation to the City Council.

**Conclusion:**

The "Summit Parkway" street name change has been reviewed by the City Plan Commission and is found to be in conformance with the procedures, policy, and decision criteria for a street name change in Spokane Municipal Code chapter 17D.050.

**Recommendation:**

By a vote of **7** 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  
June 11, 2014**