

THE CITY OF SPOKANE



ADVANCE COUNCIL AGENDA

MEETING OF MONDAY, SEPTEMBER 15, 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

CITY COUNCIL CHAMBERS
CITY HALL

808 W. SPOKANE FALLS BLVD.
SPOKANE, WA 99201

CITY COUNCIL BRIEFING SESSION

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

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

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

ADDRESSING THE COUNCIL

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

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

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

AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION: The City of Spokane is committed to providing equal access to its facilities, programs and services for persons with disabilities. The Spokane City Council Chamber in the lower level of Spokane City Hall, 808 W. Spokane Falls Blvd., is wheelchair accessible and also is equipped with an infrared assistive listening system for persons with hearing loss. Headsets may be checked out (upon presentation of picture I.D.) at the City Cable 5 Production Booth located on the First Floor of the Municipal Building, directly above the Chase Gallery or through the meeting organizer. Individuals requesting reasonable accommodations or further information may call, write, or email Christine Cavanaugh at (509) 625-6383, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or ccavanaugh@spokanecity.org. Persons who are deaf or hard of hearing may contact Ms. Cavanaugh 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. Value blanket Order with Blumenthal Uniform & Equipment (Spokane, WA) for personal body armor vests using WA State Contract No. 02711—\$60,000.00 (incl. tax). Tim Schwering | Approve | OPR 2014-0618 |
| 2. Increase the Administrative Reserves on Contracts with: Ken Brown | Approve & Authorize | |
| a. Bacon Concrete, Inc. (Colbert, WA) for Hamblen Elementary School Sidewalks and North Division Street Sidewalks—increase of \$15,000 for a total administrative reserve of \$44,470.40 or 15.1% of the contract price. | | PRO 2014-0021
ENG 2013056/
ENG 2011105 |
| b. N & N Excavation, LLC, (Spokane, Valley, WA) for Kendrick Avenue Water Main; Sundance Estates Connection to City of Spokane Water System—increase of \$103,726.60 for a total administrative reserve of \$123,442.48 or 63% of the contract price. | | PRO 2014-0025
ENG 2012042 |

- | | | |
|--|-----------------------------|---------------|
| 3. Interlocal Agreement with Spokane County for historic preservation services for 2014—\$5,000 revenue. (Deferred from August 11, 2014) Scott Chesney | Approve | OPR 2014-0542 |
|
 | | |
| 4. 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 & Authorize Payment | CPR 2014-0002 |

EXECUTIVE SESSION

(Closed Session of Council)

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

CITY COUNCIL SESSION

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

(Council Briefing Center)

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

LEGISLATIVE SESSION

(6:00 P.M.)

(Council Reconvenes in Council Chamber)

WORDS OF INSPIRATION

PLEDGE OF ALLEGIANCE

ROLL CALL OF COUNCIL

ANNOUNCEMENTS

(Announcements regarding Changes to the City Council Agenda)

BOARDS AND COMMISSIONS APPOINTMENTS

(Includes Announcements of Boards and Commissions Vacancies)

Plan Commission: Two Appointments

CPR 1981-0295

CITY ADMINISTRATION REPORT

COUNCIL COMMITTEE REPORTS

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

OPEN FORUM

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

LEGISLATIVE AGENDA

EMERGENCY BUDGET ORDINANCES

(Require Five Affirmative, Recorded Roll Call Votes)

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

ORD C35150 **Park and Recreation Fund**
FROM: Program Fees, \$27,000;
TO: Contractual Services, \$15,000; and
 Temp/Seasonal, \$12,000.

(This action budgets funds to continue offering programs for the fall quarter.) **Leroy Eadie**

ORD C35151 **Park and Recreation Fund**
FROM: Program Fees, \$28,000;
TO: Recreation Supplies, \$2,700;
 Contractual Services, \$19,800; and
 Temp/Seasonal, \$5,500.

(This action budgets for fall adult softball leagues.) **Leroy Eadie**

NO EMERGENCY ORDINANCES

RESOLUTION

Requires Four Affirmative, Recorded Roll Call Votes)

RES 2014-0094 **Approving the appointments to the Office of Police Ombudsman Commission.** **Council President Stuckart**

FINAL READING ORDINANCES

(Require Four Affirmative, Recorded Roll Call Votes)

ORD C35143 **Relating to the creation of a Domestic Violence Prevention fund; adopting a new Section 7.08.149 to Chapter 7.08 of the Spokane Municipal Code.** **Council President Stuckart / Council Member Waldref**

ORD C35144 **Relating to domestic violence victim discrimination; amending Spokane Municipal Code Sections 1.06.010, 1.06.020, 1.06.030, and 1.06.090.** **Council President Stuckart / Council Member Waldref**

ORD C35145 **Relating to Public Utilities Sewer rates; amending Spokane Municipal Code 13.03.1208.** **Council Member Waldref**

ORD C35146 **Relating to the establishment of a Pilot Urban Utility Installation Fund; adopting a new Section 8.10.230 to Chapter 8.10 of the Spokane Municipal Code.** **Council Member Waldref**

ORD C35147 **Relating to public works bid requirements; amending Spokane Municipal Code Section 7.06.130.** **Council Member Waldref**

ORD C35148 **Relating to the Code of Ethics; adopting a new Chapter 1.04A to Title 1 of the Spokane Municipal Code and repealing Title 1.04 of Title 1 of the Spokane Municipal Code.** **Nancy Isserlis**

ORD C35149 **Relating to parking time limits and vehicle immobilization and impoundment procedures.** **David Steele**

FIRST READING ORDINANCES

(No Public Testimony Will Be Taken)

ORD C35152 **Relating to for-hire vehicles; amending Spokane Municipal Code Sections 10.34.020, 10.34.080 and 10.34.180.** **City Council**

ORD C35153 **Relating to gambling taxes; amending SMC Section 8.04.020.** **CM Snyder**

FURTHER ACTION DEFERRED

SPECIAL CONSIDERATIONS

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

RECOMMENDATION

- | | | | |
|-----|---|-------------------------------------|---------------|
| S1. | Ten-Year Street Bond Program - Semi-Annual Report for Spring/Summer 2014.
Dan Buller | Accept & Approve
Recommendations | PRO 2014-0001 |
|-----|---|-------------------------------------|---------------|
-

NO HEARINGS

Motion to Approve Advance Agenda for September 15, 2014
(per Council Rule 2.1.2)

OPEN FORUM (CONTINUED)

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

ADJOURNMENT

The September 15, 2014, Regular Legislative Session of the City Council is adjourned to September 22, 2014.

Note: The September 22, 2014, 3:30 p.m. Briefing will be held in City Council Chambers. The September 22, 2014, 6:00 p.m. Legislative Session will be a Town Hall Session held at Northeast Community Center, 4001 N. Cook.

NOTES

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

09/15/2014

<u>Date Rec'd</u>	9/3/2014
<u>Clerk's File #</u>	OPR 2014-0618
<u>Renews #</u>	OPR 2013-0757

<u>Submitting Dept</u>	POLICE	<u>Cross Ref #</u>	
<u>Contact Name/Phone</u>	TIM SCHWERING 625-4109	<u>Project #</u>	
<u>Contact E-Mail</u>	TSCHWERING @SPOKANEPOLICE.ORG	<u>Bid #</u>	WA ST CONTRACT
<u>Agenda Item Type</u>	Purchase w/o Contract	<u>Requisition #</u>	VALUE BLANKET
<u>Agenda Item Name</u>	0680-BLUMENTHAL'S VB - BALLISTIC VESTS		

Agenda Wording

Value blanket Order with Blumenthal Uniform & Equip. (Spokane, WA) for personal body armor vests using WA State contract #02711. - \$60,000.00 (including tax).

Summary (Background)

SPD will be utilizing WASCA contract #02711. Blumenthal Uniforms Co. is the Washington State distributor of Survival Armor and Safariland vests. The department plans to purchase 70 vests. The value blanket order term is from 08/01/2014 to 07/31/2014.

<u>Fiscal Impact</u>		<u>Budget Account</u>	
Expense	\$ 60,000.00	#	0680-30210-21920-53202-99999
Select	\$	#	
Select	\$	#	
Select	\$	#	
<u>Approvals</u>		<u>Council Notifications</u>	
<u>Dept Head</u>	SCHWERING, TIM	<u>Study Session</u>	08/18/2014
<u>Division Director</u>	STRAUB, FRANK	<u>Other</u>	
<u>Finance</u>	BUSTOS, KIM	<u>Distribution List</u>	
<u>Legal</u>	WHALEY, HUNT	kclaar	
<u>For the Mayor</u>	SANDERS, THERESA	achirowamangu	
<u>Additional Approvals</u>		ewade	
<u>Purchasing</u>	PRINCE, THEA	slynds	
		cwahl	

**Briefing Paper
City of Spokane
Spokane Police Department/Public Safety Committee
August 18, 2014**

Subject

Blumenthal Value Blanket-Ballistic Vests: Request for a renewal of the current value blanket with Blumenthal Uniform Inc.

Background

The current value blanket for vests expired on 7/31/2014. We are renewing the ballistic vest contract with Blumenthal Uniform Inc for another year. This value blanket will utilize WSCA Contract #02711; the contract expires on 7/31/2016. Blumenthal Uniforms Co. is the Washington state distributor for Survival Armor and Safariland vests. The new value blanket shall begin on August 1, 2014 and expire on July 31, 2015. The maximum amount allowed for the value blanket is \$60,000.00.

Action

Request to purchase approximately 70 vests utilizing WSCA Contract #02711.

Funding

The general fund is funding this purchase.

Department of Enterprise Services



Master Contracts & Consulting - Customer Service (360) 407-2210 or contractingandpurchasing@des.wa.gov

Body Armor

Contract#: 02711 **Replaces:** 08608, 00305, 02998

Personal Body Armor, Law Enforcement, Bullet-/ Stab-Resistant, Concealable/ Tactical, Male and Female Vests

- Maximizes the state's collective buying power.
- Great selection of male and female personal body armor, including concealable vests levels II, III and IIIA; concealable tactical correctional vest, crowd control vest; and tactical-assault vests.
- Negotiable volume discount.

Current Term Start Date: 08-01-2014 **Award Date:** 11-10-2011 **Est. Annual Worth:** \$700,000

Current Term Stop Date: 07-31-2015 **Final Term End On:** 07-31-2016 **Commodity Code(s):** 680-08

Diversity: 0% WBE 0% MBE **# of Bids Received:** 11

Who can use this contract?

- Washington State agencies
- Qualified Cooperative Members (Political Subdivisions/Non-Profit Organizations)
- Participating Colleges, Universities, Community & Technical Colleges

Contract Documents & Resources

- Current Contract Information (CCI) • Contract Comments
- Pricing & Ordering Information • Vendor and Contract Performance Feedback
- Solicitation Document - Original • Best-buy Notification

Contractors(s):

CENTRAL LAKE ARMOR EXPRESS, INC.

POINT BLANK ENTERPRISES

SAFARILAND, LLC

SENTRY ARMOR SYSTEMS INC.

SURVIVAL ARMOR, INC

US ARMOR CORP

Information about the number of bids received is included to show:

- Vendors which contracts would benefit from more competition.
- Assure our customers that we sought the best overall value through as many competitive bids as possible.

WSPA

The Western States Contracting Alliance (WSPA) creates multi-State contracts in order to achieve cost-effective and efficient acquisition of quality products and services. WSPA contracts maximize cost avoidance, reduce individual state administrative costs, and encourage market competition and product availability through standard specifications and consolidated requirements. WSPA contracts are available for use by public agencies when approved by the State Purchasing Director.

THE CONTRACTS

State of Washington
Department of Enterprise Services
Master Contracts & Consulting (MCC)









WSCA Contract #02711

Vest, Personal Body Armor Bullet-/Stab-Resistant, Concealable/Tactical

For Purchases of Materials, Supplies, Services, and Equipment
Under the Authority of
Chapter 43.19 RCW






Awarded Contractors:	WA Participating Amendments	CO Master Price Agreements
<u>Central Lake Armor, Inc., dba Armor Expresss, Inc.</u>	 WA Central Lake Armor PA sigend.pdf	 CO Central Lake Armor MPA.pdf
<u>Point Blank Solutions, Inc.</u>	 WA Point Blank PA signed.pdf	 CO Point Blank MPA.pdf
<u>Safariland, LLC</u>	 WA Safariland PA signed.pdf	 CO Safariland MPA.pdf

<u>Awarded Contractors:</u>	WA Participating Amendments	CO Master Price Agreements
<u>Sentry Armor Systems, Inc., dba GH Armor Systems</u>	 WA SentryGH Armor PA signed.pdf	 CO Sentry Armor MPA.pdf
<u>Survival Armor, Inc.</u>	 WA Survival Armor PA signed.pdf	 CO Survival Armor MPA.pdf
<u>US Armor Corporation</u>	 WA US Armor PA signed.pdf	 CO US-ARMOR MPA.pdf

MCC Contact Information

Contracts Specialist:	Heidi Bohl, CPPB
Phone Number:	(360) 407-9421
Fax Number:	(360) 586-2426
Email:	Heidi.Bohl@des.wa.gov

Contract Amendments

 02711 ArmorShield Amendment 1 Manag	Contract Amendment 1 ArmorShield: Acceptance of .74% Management Fee, effective July 1, 2013
 02711 Central Lake Armor Amendment 2	Contract Amendment 2 Central Lake Armor: Acceptance of .74% Management Fee, effective July 1, 2013
 02711 Diamondback Amendment 3 Manag	Contract Amendment 3 Diamondback: Acceptance of .74% Management Fee, effective July 1, 2013
 02711 Point Blank Amendment 4 Manag	Contract Amendment 4 Point Blank: Acceptance of .74% Management Fee, effective July 1, 2013
 02711 Safariland Amendment 5 Manag	Contract Amendment 5 Safariland: Acceptance of .74% Management Fee, effective July 1, 2013
 02711 Sentry Armor Amendment 6 Manag	Contract Amendment 6 Sentry Armor: Acceptance of .74% Management Fee, effective July 1, 2013
 02711 Survival Armor Amentment 7	Contract Amendment 7 Survival Armor: Acceptance of .74% Management Fee, effective July 1, 2013
 02711 US Armor Amendment 8 Manag	Contract Amendment 8 US Armor: Acceptance of .74% Management Fee, effective July 1, 2013

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

09/15/2014

Date Rec'd

9/3/2014

Clerk's File #

PRO 2014-0021

Renews #**Cross Ref #****Project #**

2013056/2011105

Bid #**Requisition #**

CR 14710

Submitting Dept

ENGINEERING SERVICES

Contact Name/Phone

KEN BROWN 625-7727

Contact E-Mail

KBROWN@SPOKANECITY.ORG

Agenda Item Type

Contract Item

Agenda Item Name

0370 - ADMIN RESERVE INCREASE - HAMBLER ELEMENTARY/DIVISION STREET

Agenda Wording

Authorization to increase the administrative reserve on the contract with Bacon Concrete, Inc., Colbert, WA, for Hamblen Elementary School Sidewalks and North Division Street Sidewalks - for an increase of \$15,000.00 for a total administrative

Summary (Background)

Hamblen School: Plans call out for bark on several locations and no hydro seed for the sloping at the Hamblen Park. No provisions were made in the bid for either of these situations. Actual cost \$2300. Wastewater Dept. requested the existing catch basin inlets at 34th Ave. and Napa St. be replaced and adjusted with new surface inlets. Added cost \$2800. North Division: Due to elevation changes at driveway approaches, HMA to transition to existing improvements required almost 400 SY.

Fiscal Impact**Budget Account**

Expense \$ 5,100.00

3200 95055 95300 56501 99999

Expense \$ 9,900.00

3200 95038 95300 56501 99999

Select \$

#

Select \$

#

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

TWOHIG, KYLE

Study Session**Division Director**

CHILDS, BRANDON

Other

PCED 9/8/14

Finance

LESESNE, MICHELE

Distribution List**Legal**

WHALEY, HUNT

lhattenburg@spokanecity.org

For the Mayor

SANDERS, THERESA

jhensley@spokanecity.org

Additional Approvals

mlesesne@spokanecity.org

Purchasing

htrautman@spokanecity.org

mhughes@spokanecity.org

kbrown@spokanecity.org



Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

reserve of \$44,470.40 or 15.1% of the contract price.

Summary (Background)

The bid estimate was for 102 SY. Added cost \$26,200. The driveway approaches did not include a quantity for curb removal and replacement. The existing approaches were monolithic, requiring removal and replacement of the curb. Added cost \$7,000. Therefore, it will be necessary to increase the administrative reserve an additional \$15,000.00 or 5.1%.

Fiscal Impact

Select \$

Select \$

Budget Account

#

#

Distribution List

PCED Agenda Item
Consent/Informational Item

Bid

Contract

Project Update

Title: Hamblen Elementary School/North Division Sidewalk Projects, Project Numbers 2013056/2011105

Date: September 8, 2014

Prepared By: Ken Brown

Narrative: Increase in Administrative Reserve for the Hamblen Elementary / North Division Sidewalk Project, #2013056/2011105

Contract Bid Amount	\$ 294,703.90
Current Admin. Reserve	\$ 29,470.40 (10%)
Current Authorized Expenditure	\$ 324,174.30
Increase in Admin. Reserve, this request	\$ 15,000.00 (5.1%)
Revised Authorized Expenditure	\$ 339,174.30

The following exceptional costs have occurred. Request additional funds to effectively manage and complete the project.

This project includes work from two differing fund sources. Work on North Division Street is funded with Federal Highway Safety Improvement Program funding. Work near Hamblen Elementary is funded with Federal Safe Routes to School funding.

North Division Street:

- Due to elevation changes at driveway approaches HMA to transition to existing improvements required almost 400 SY. The bid estimate was for 102 SY. Added cost \$26,200.
- The driveway approaches did not include a quantity for curb removal and replacement. The existing approaches were monolithic requiring removal and replacement of the curb. Added cost \$7,000.

Hamblen Elementary School:

- Plans call out for bark on several locations and no hydro seed for the sloping at the Hamblen Park. No provisions were made in the bid for either of these situations. Actual cost \$2,300.
- Wastewater Management requested the existing catch basin inlets at 34th Avenue and Napa Street be replaced and adjusted with new surface inlets. Added cost \$2,800.

Impact:

- North Division Street Sidewalk, Federal Safety Improvement Program \$33,200.
- Hamblen Elementary sidewalks, Federal Safe Routes to School \$2,300.
- Wastewater capital fund \$2,800.

Funds are available from each of the respective sources to cover these costs.

Action:

- Much of the detailed added cost will be covered by the original administrative reserve. Increase the Administrative Reserve by \$15,000 to complete the project.

Further Updates/Information:

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

09/15/2014

Date Rec'd

9/3/2014

Clerk's File #

PRO 2014-0025

Renews #**Submitting Dept**

ENGINEERING SERVICES

Contact Name/Phone

KEN BROWN 625-7727

Contact E-Mail

KBROWN@SPOKANECITY.ORG

Agenda Item Type

Contract Item

Agenda Item Name

0370-ADMIN RESERVE INCREASE-KENDICK AVENUE WATER MAIN-N \$ N

Cross Ref #**Project #**

2012042

Bid #**Requisition #**

CR 14708

Agenda Wording

Authorization to increase the administrative reserve on the contract with N & N Excavation, LLC, for Kendrick Avenue Water Main; Sundance Estates Connection to City of Spokane Water System - for an increase of \$103,726.60 for a total administrative

Summary (Background)

The Kendrick Avenue water project installs a new water main in a county roadway. In preparation for construction, the City determined that additional asphalt width was needed to provide a proper patch. The additional cost of this asphalt is estimated to be \$36,279.80. The remainder of the roadway is in declining condition and Spokane County has requested that it be reconstructed as part of this project. Spokane County will pay this cost estimated to be \$67,446.80. Total cost of this added

Fiscal Impact**Budget Account**

Expense \$ 112,750.81

5901 99999 99999 18901 99999

Select \$

#

Select \$

#

Select \$

#

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

TWOHIG, KYLE

Study Session**Division Director**

CHILDS, BRANDON

Other

Public Works 9/8/14

Finance

LESESNE, MICHELE

Distribution List**Legal**

WHALEY, HUNT

lhattenburg@spokanecity.org

For the Mayor

SANDERS, THERESA

jhensley@spokanecity.org

Additional Approvals

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Purchasing

htrautman@spokanecity.org

mhughes@spokanecity.org

kbrown@spokanecity.org



Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

reserve of \$123,442.48 or 63% of the contract price.

Summary (Background)

work is \$103,726.60. The original administrative reserve is preserved to pay for unknown conditions that occur during construction. Therefore, it will be necessary to increase the administrative reserve an additional \$103,726.60 or 53%.

Fiscal Impact

Select \$

Select \$

Budget Account

#

#

Distribution List

BRIEFING PAPER
Department of Engineering Services
September 8, 2014

Subject:

Increase in Administrative Reserve for Kendrick Avenue Water Main- Sundance Estates Connection to City of Spokane Water System

Background:

The Kendrick Avenue water project installs a new water main in a county roadway. In preparation for construction, the City determined that additional asphalt width was needed to provide a proper patch. The additional cost of this asphalt is estimated to be \$36,279.80. The remainder of the roadway is in declining condition and Spokane County has requested that it be reconstructed as part of this project. Spokane County will pay this cost estimated to be \$67,446.80. Total cost of this added work is \$103,726.60. The original administrative reserve is preserved to pay for unknown conditions that occur during construction.

Contract Bid Amount	\$197,158.87
Current Admin Reserve	\$19,715.88
Current Authorized Expenditure	\$216,874.75
Additional Admin Reserve, this request	\$103,726.60
Total Authorized Expenditure with this approval	\$320,601.35

History:

This project was authorized to provide City water to a development currently served by a well with elevated arsenic levels. The water main is being upgraded to City standards and added to the City water service area. The project cost is paid for by a State loan; LID assessments from property owners will repay the loan.

Impact:

All added costs will be paid by the loan / LID or by Spokane County. The additional loan funds are available and Spokane County has agreed to pay their portion of the cost.

Action:

Increase Administrative Reserve to \$103,726.60.

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

08/11/2014

Date Rec'd

7/30/2014

Clerk's File #

OPR 2014-0542

Renews #

OPR 2013-0721

Submitting Dept

HISTORIC PRESERVATION

Contact Name/Phone

SCOTT CHESNEY 625-6061

Contact E-Mail

SCHESNEY@SPOKANECITY.ORG

Agenda Item Type

Contract Item

Agenda Item Name

0470 - 2014 HISTORIC PRESERVATION INTERLOCAL AGREEMENT

Agenda Wording

2014 Historic Preservation Interlocal Agreement between the City of Spokane and County of Spokane.

Summary (Background)

This Interlocal Grant Agreement is for the purpose of continuing the relationship between the City and the County in order to provide for historic preservation.

Fiscal Impact

Revenue \$ 5,000.00

Select \$

Select \$

Select \$

Budget Account

0470-53610-99999-33819

#

#

#

Approvals**Dept Head**

CHESNEY, SCOTT

Division Director

QUINTRALL, JAN

Finance

LESESNE, MICHELE

Legal

WHALEY, HUNT

For the Mayor

SANDERS, THERESA

Council Notifications**Study Session****Other****Distribution List**

schesney@spokanecity.org

cbrazington@spokanecity.org

jhaegele@spokanecity.org

mhuges@spokanecity.org

Additional Approvals**Purchasing**

2014 HISTORIC PRESERVATION INTERLOCAL AGREEMENT

THIS AGREEMENT, made and entered into by and between the CITY OF SPOKANE, a Washington State municipal corporation, whose business address is 808 West Spokane Falls Boulevard, Spokane, Washington, 99201, hereinafter referred to as "CITY", and the COUNTY OF SPOKANE, a political subdivision of the State of Washington, having offices for the transaction of business at 1116 West Broadway Avenue, Spokane, Washington, 99260, hereinafter referred to as "COUNTY," jointly hereinafter referred to as the "PARTIES."

WITNESSETH:

WHEREAS, it is the public policy of the federal government and state government to promote the designation, preservation, protection, enhancement and perpetuation of those structures, sites, districts, buildings, and objects which reflect outstanding elements of historic, archeological, architectural or cultural heritage for the enrichment of the citizens; and

WHEREAS, the CITY by ordinance has created the City of Spokane Historic Landmarks Commission, which is responsible for the stewardship of historic properties in the City of Spokane, and which may assume that stewardship for the unincorporated areas of the County, and incorporated towns upon their request; and

WHEREAS, the CITY is able to provide landmark designation and protection services to other local governmental entities within Spokane County; and

WHEREAS, it is in the public interest that jurisdictions cooperate to provide efficient and cost effective landmark designation and protection services to interested property owners and to the benefit of the general public; and

WHEREAS, pursuant to chapter 39.34 RCW, the Interlocal Cooperation Act, the PARTIES are each authorized to enter into an agreement for cooperative action; and

WHEREAS, the purpose of this agreement is to continue the relationship between the City and the County in order to provide for historic preservation services.

NOW THEREFORE the PARTIES agree as follows:

SECTION NO. 1: PURPOSE

The purpose of this Agreement is set forth the PARTIES' understanding of the terms and conditions under which the CITY through its Department of Historic Preservation will provide historic preservation services.

SECTION NO. 2: SCOPE OF SERVICES

Historic preservation services are outline in the in the attached Attachment "A" entitled "Scope of Services". Specific 2014 outcome measures include:

- Identifying and monitoring historic resources
- Providing community services and education
- Maintaining "certified status"

SECTION NO. 3: DURATION

This Agreement shall be effective upon acceptance and signature of all PARTIES and shall terminate December 31, 2014, unless terminated earlier.

SECTION NO. 4: FINANCING

The CITY will oversee the responsibilities of historic preservation in unincorporated Spokane County and cities within Spokane County having a population of less than 5000 when authorized by the County, on a time-and-materials basis. The CITY will create and deliver an invoice of charges to the COUNTY on a monthly basis.

Hourly fees for 2014 are as follows:

Historic Preservation Officer/ Principal professional staff.....	\$125.00
Associate professional staff.....	\$95.00
Assistant professional staff.....	\$75.00
Administrative Professional	\$50.00

All other expenses will be billed at cost.

For individual projects expected to exceed ten (10) hours in professional services within a calendar month or individual applications for Spokane or National Register status, a subsequent project agreement shall be approved by the Director of Planning & Development for the City of Spokane and the Chief Executive Officer of Spokane County. The project agreement shall set forth the hourly fee for services and the scope of work.

The total amount paid by the COUNTY for calendar year 2014 shall not exceed \$5000.00 without prior written consent of the COUNTY.

SECTION NO. 5: PAYMENT

The CITY shall make a request for payment to the COUNTY's representative with payment due within thirty (30) days after receipt of the CITY's request. At the sole option of the CITY, a penalty may be assessed on any late payment by the COUNTY based on lost interest earnings had the payment been timely paid and invested in the City Treasurer's Investment Pool.

SECTION NO. 6: ADMINISTRATION

- A. CITY: The Director of Planning & Development shall be in charge of administering this Agreement and ensuring that payment is made to the CITY for the purpose of financing historic preservation services. The City Treasurer may, in the exercise of his/her reasonable discretion, establish a special fund for the purpose of holding, investing, receiving, and disbursing the payment(s) pursuant to this Agreement.
- B. COUNTY: The COUNTY hereby appoints and the CITY hereby accepts the COUNTY'S Grants Administrator or his/her designee, as the COUNTY'S liaison for the purpose of administering this Agreement.

SECTION NO. 7: NOTICE

All notices or other communications given hereunder shall be deemed given on: (i) the day the notices or other communications are received when sent by personal delivery; or (ii) the third day following the day on which the notice or communication has been mailed by certified mail delivery, receipt requested and postage prepaid addressed to the party at the address set forth below, or at such other address as the PARTIES shall from time-to-time designate by notice in writing:

COUNTY: Chief Executive Officer
1116 West Broadway
Spokane, Washington 99260

CITY: City of Spokane Mayor or his/her authorized representative
City Hall
808 West Spokane Falls Boulevard
Spokane, Washington 99201

SECTION NO. 8: LIABILITY

The CITY shall indemnify, defend and hold harmless the COUNTY, its officers and employees from all claims, demands, or suits in law or equity arising from the CITY's intentional or negligent acts or breach of its obligations under the Agreement. The CITY's duty to indemnify shall not apply to loss or liability caused by the intentional or negligent acts of the COUNTY, its officers and employees. If the comparative negligence of the PARTIES and their officers and employees is a cause of such damage or injury, the liability, loss, cost, or expense shall be shared

between the PARTIES in proportion to their relative degree of negligence and the right of indemnity shall apply to such proportion. Each Party's duty to indemnify shall survive the termination or expiration of the agreement.

Each Party waives, with respect to the other Party only, its immunity under RCW Title 51, Industrial Insurance. The PARTIES have specifically negotiated this provision.

SECTION NO. 9: RELATIONSHIP OF THE PARTIES

The PARTIES intend that an independent contractor relationship will be created by this Agreement. No agent, employee, servant or representative of the COUNTY shall be deemed to be an employee, agent, servant or representative of the CITY for any purpose. Likewise, no agent, employee, servant or representative of the CITY shall be deemed to be an employee, agent, servant or representative of the COUNTY for any purpose.

SECTION NO. 10: AMENDMENTS

This Agreement shall not limit the ability of the CITY and the COUNTY to enter into subsequent agreements to further the purposes of this Agreement.

SECTION NO. 11: COMPLIANCE WITH LAWS

The PARTIES shall comply with all applicable federal, state, and local laws and regulations.

SECTION NO. 12: ASSIGNMENTS

This Agreement is binding on the PARTIES and their heirs, successors, and assigns. No Party may assign, transfer or subcontract its interest, in whole or in part, without the other Party's prior written consent.

SECTION NO. 13: SEVERABILITY

If any parts, terms or provisions of this Agreement are held by the courts to be illegal, the validity of the remaining portions or provisions shall not be affected and the rights and obligations of the PARTIES shall not be affected in regard to the remainder of the Agreement. If it should appear that any part, term or provision of this Agreement is in conflict with any statutory provision of the State of Washington, then the part, term or provision thereof that may be in conflict shall be deemed inoperative and null and void insofar as it may be in conflict therewith and this Agreement shall be deemed to modify or conform to such statutory provision.

SECTION NO. 14: COUNTERPARTS

This Agreement may be executed in any number of counterparts, each of which, when so executed and delivered, shall be an original, but such counterparts shall together constitute but one and the same.

SECTION NO. 15: VENUE STIPULATION

This Agreement has been and shall be construed as having been made and delivered within the State of Washington and it is mutually understood and agreed by each party that this Agreement shall be governed by the laws of the State of Washington both as to interpretation and performance. Any action at law, suit in equity or judicial proceeding for the enforcement of this Agreement, or any provision hereto, shall be instituted only in courts of competent jurisdiction within Spokane County, Washington.

SECTION NO. 16: TERMINATION

Either Party may terminate this Agreement by sixty (60) days written notice to the other Party. In the event of such termination, the CITY shall prorata refund to the COUNTY any prepaid compensation. The ownership of all property and equipment utilized by either Party to meet its obligations under the terms of this Agreement shall remain with such Party.

SECTION NO. 17: HEADINGS

The section headings appearing in this Agreement have been inserted solely for the purpose of convenience and ready reference. In no way do they purport to, and shall not be deemed to define, limit or extend the scope or intent of the sections to which they pertain.

SECTION NO. 18: ALL WRITINGS CONTAINED HEREIN/BINDING EFFECT

This Agreement contains terms and conditions agreed upon by the PARTIES. The PARTIES agree that there are no other understandings, oral or otherwise, regarding the subject matter of this Agreement. No changes or additions to this Agreement shall be valid or binding upon the PARTIES unless such change or addition is in writing, executed by the PARTIES.

SECTION NO. 19: AUDIT/RECORDS

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

SECTION NO. 20: NO THIRD PARTY BENEFICIARIES

Nothing in this Agreement is intended to give, or shall give, whether directly or indirectly, any benefit or right, greater than that enjoyed by the general public, to third persons.

SECTION NO. 21: SURVIVAL

Without being exclusive, Sections 8 and 15 of this Agreement shall survive any termination, expiration or determination of invalidity of this Agreement in whole or in part. Any other sections of this Agreement which, by their sense and context, are intended to survive shall also survive.

SECTION NO. 22: PUBLICATION

The CITY agrees that any publications (written or visual), excluding press releases, issued by the CITY describing Services funded in whole or in part with COUNTY funds under this Agreement and referencing any other funding agencies by name or logo shall also include the COUNTY's name or logo.

SECTION NO. 23: NONDISCRIMINATION

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

SECTION NO. 23: INSURANCE

During the term of the Agreement, the CITY and COUNTY shall each maintain in force at its sole expense, each insurance noted below:

- A. Workers' Compensation Insurance in compliance with Title 51 RCW, which requires subject employers to provide workers' compensation coverage for all their subject workers and Employer's Liability Insurance in the amount of \$1,000,000;
- B. General Liability Insurance on an occurrence basis, with a combined single limit of not less than \$1,000,000 each occurrence for bodily injury and property damage;
- C. Automobile Liability Insurance with a combined single limit, or the equivalent of not less than \$1,000,000 each accident for bodily injury and property damage, including coverage for owned, hired and non-owned vehicles; and
- D. Professional Liability Insurance with a combined single limit of not less than \$1,000,000 each claim, incident or occurrence. This is to cover damages caused by the error, omission, or negligent acts related to the professional services to be provided under this Agreement. The coverage must remain in effect for at least two (2) years after the Agreement is completed.

There shall be no cancellation, material change, reduction of limits or intent not to renew the insurance coverage(s) without thirty (30) days written notice by a Party to the other Party. Verification of insurance coverages shall be provided upon request.

SECTION NO. 24: RCW 39.34 REQUIRED CLAUSES

- A. Purposes: See Section No. 1 above.
- B. Duration: See Section No. 3 above.
- C. Separate Legal Entity: This Agreement does not create, nor seek to create, a separate legal entity pursuant to RCW 39.34.030. It is the intent of the PARTIES that the City's Department of Historic Preservation provide historic preservation activities in the City and County as previously set forth in ordinances of the CITY (see chapter 17D.040 of Spokane Municipal Code) and ordinances/resolutions of the COUNTY.
- D. Responsibilities of the Parties: See provisions above.
- E. Agreement to be Filed: The CITY shall file this Agreement with its City Clerk. The COUNTY shall file this Agreement with its County Auditor or place it on its web site or other electronically retrievable public source.
- F. Financing: Each Party shall be responsible for the financing of its contractual obligations under its normal budgetary process.
- G. Termination: See Section No. 16 above. The CITY Department of Historic Preservation shall be allowed to acquire, hold, and dispose of real and personal property pursuant to CITY ordinance and State law.

IN WITNESS WHEREOF, the PARTIES have caused this Agreement to be executed on date and year opposite their respective signatures.

DATED: _____

CITY OF SPOKANE

By: _____

Title: _____

ATTEST:

APPROVED AS TO FORM:

City Clerk

Assistant City Attorney

DATED: July 15, 2014

BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON



ATTEST:

Daniela Erickson
Daniela Erickson
Clerk of the Board

Al French
AL FRENCH, Chair

Todd Mielke
TODD MIELKE, Vice Chair

Shelly O'Quinn
SHELLY O'QUINN, Commissioner

ATTACHMENT "A"

SCOPE OF SERVICES

Attachment "A"
2014 Scope of Work
Spokane County Historic Preservation services

Identification and Monitoring of Historic Resources

- Goal: Continue to maintain a computerized historic property inventory database of all county properties (benefits city/county departments and citizens).

Maintain "Certified" Status

- Goal: Carry out duties as Certified Local Government; fulfilling program obligations, which allow "Established" status and eligibility for grants.
- Goal: Process applications for Spokane and National Register status for Spokane County Properties.
- Goal: Monitor activity on Spokane Register listings in Spokane County per recorded Management Agreement contracts and the provisions of Chapter 1.48 (Historic Landmarks Commission) of the Spokane County Code.
- Goal: Maintain Special Valuation program, monitoring County properties in the program.
- Goal: Review proposed renovation work on County Courthouse, in compliance with Spokane Register contract.

Community Services

- Goal: Encourage the use and redevelopment of historic properties in Spokane County by offering professional training for staff and the development community in the application of the International Existing Building Code and Energy Codes.

NO. 14-0583BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTONIN THE MATTER OF EXECUTING AN)
INTERLOCAL AGREEMENT BETWEEN SPOKANE)
COUNTY AND THE CITY OF SPOKANE)
REGARDING HISTORIC PRESERVATION FOR)
CALENDAR YEAR 2014)**RESOLUTION**

WHEREAS, pursuant to the provisions of RCW 36.32.120(6), the Board of County Commissioners of Spokane County, hereinafter sometimes referred to as the "Board", has the care of County property and the management of County funds and business; and

WHEREAS, chapter 36.28 RCW("Interlocal Cooperation Act"), authorizes counties and cities to contract with each other to perform certain functions which each may legally perform; and

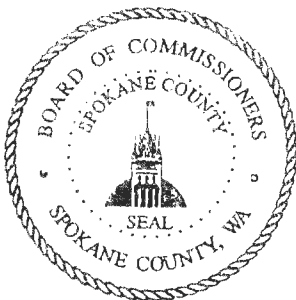
WHEREAS, it is the public policy of the federal government and state government to promote the designation, preservation, protection, enhancement and perpetuation of those structures, sites, district, buildings, and objects which reflect outstanding elements of historic, archaeological, architectural or cultural heritage for the enrichments of the citizens; and

WHEREAS, the County of Spokane and City of Spokane, by joint resolution, have created the Historic Landmarks Commission, which is responsible for the stewardship of historic properties in the City of Spokane, unincorporated areas of the County, and incorporated towns upon their request; and

WHEREAS, the purpose of this Interlocal Agreement is to continue the relationship between the County of Spokane and the City of Spokane in order to provide for historic preservation; and

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of County Commissioners of Spokane County, that either the Chair of the Board, or a majority of the Board, be and is hereby authorized to execute, at other than an open meeting, an agreement entitled "2014 HISTORIC PRESERVATION INTERLOCAL AGREEMENT" pursuant to which under certain terms and conditions, the City of Spokane and County of Spokane will continue to provide for historic preservation services for calendar year 2014.

PASSED AND ADOPTED this 15th day of July, 2014.

BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON

Al French
AL FRENCH, Chair

Assent
TODD MIELKE, Vice-Chair

Shelly O'Quinn
SHELLY O'QUINN, Commissioner

ATTEST:

Daniela Erickson
Daniela Erickson
Clerk of the Board

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

09/15/2014

Date Rec'd

9/4/2014

Clerk's File #

CPR 1981-0295

Renews #**Submitting Dept**

MAYOR

Cross Ref #**Contact Name/Phone**

BRANDY COTE 625-6250

Project #**Contact E-Mail**

BCOTE@SPOKANECITY.ORG

Bid #**Agenda Item Type**Boards and Commissions
Appointments**Requisition #****Agenda Item Name**0520 APPOINTMENT OF MARK ADEN AND EVAN VERDUIN TO PLAN
COMMISSION**Agenda Wording**

Appointment to the Plan Commission of: Mark Aden to serve a three year term to begin 1/1/14 and expire 12/31/16, and Evan Verduin to fill Robert Mansfield's vacated term beginning immediately and to expire on 12/31/15.

Summary (Background)

Appointment to the Plan Commission of: Mark Aden to serve a three year term to begin 1/1/14 and expire 12/31/16, and Evan Verduin to fill Robert Mansfield's vacated term beginning immediately and to expire on 12/31/15.

Fiscal Impact**Budget Account**

Select \$

#

Select \$

#

Select \$

#

Select \$

#

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

WESTFALL, JENNIFER

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

jwestfall@spokanecity.org

For the Mayor

SANDERS, THERESA

jhaegele@spokanecity.org

Additional Approvals**Purchasing**

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

09/15/2014

Date Rec'd

9/3/2014

Clerk's File #

ORD C35150

Renews #**Submitting Dept**

PARKS & RECREATION

Contact Name/Phone

LEROY EADIE 625-6204

Contact E-Mail

LEADIE@SPOKANECITY.ORG

Agenda Item Type

Emergency Budget Ordinance

Agenda Item Name

1400 EBO RE: FALL QUARTER GENERAL RECREATION PROGRAMS

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

Request Amending Ordinance No. C-35062 to request changes in appropriations of the Park & Recreation Fund of \$27,000, from Park & Rec Fund Program Fees to Contractual Services and Temp Seasonal funds.

Summary (Background)

This EBO request is on behalf of the Recreation Committee. Revenue and expenditures in the General Recreation programs are exceeding what was originally expected. Funds are needed to continue offering programs for the fall quarter.

Fiscal Impact**Budget Account**

Revenue \$ 27,000.00

1400-54100-74214-34760

Expense \$ 15,000.00

1400-54100-74214-54201

Expense \$ 12,000.00

1400-54100-74214-08490

Select \$

#

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

CHILDS, BRANDON

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

LESESNE, MICHELE

Distribution List**Legal**

DALTON, PAT

For the Mayor

SANDERS, THERESA

Additional Approvals**Purchasing**



Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

reserve of \$44,470.40 or 15.1% of the contract price.

Summary (Background)

The bid estimate was for 102 SY. Added cost \$26,200. The driveway approaches did not include a quantity for curb removal and replacement. The existing approaches were monolithic, requiring removal and replacement of the curb. Added cost \$7,000. Therefore, it will be necessary to increase the administrative reserve an additional \$15,000.00 or 5.1%.

Fiscal Impact

Select \$

Select \$

Budget Account

#

#

Distribution List

ORDINANCE NO C35150

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

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

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

The City of Spokane does ordain:

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

FROM:	1400-54100	Park and Recreation Fund	
	74214-34760	Program Fees	<u>\$ 27,000</u>
TO:	1400-54100	Park and Recreation Fund	
	74214-54201	Contractual Services	15,000
	74214-08490	Temp Seasonal	12,000
			<u>\$ 27,000</u>

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

Passed the City Council _____

Council President

Attest: _____
City Clerk

Approved as to form: _____
Assistant City Attorney

Mayor

Date

Effective Date

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

09/15/2014

Date Rec'd

9/3/2014

Clerk's File #

ORD C35151

Renews #**Submitting Dept**

PARKS & RECREATION

Contact Name/Phone

LEROY EADIE 625-6204

Contact E-Mail

LEADIE@SPOKANECITY.ORG

Agenda Item Type

Emergency Budget Ordinance

Agenda Item Name

1400 EBO RE: REC. DEPT. FALL SEASON OF ADULT SOFTBALL LEAGUE

Agenda Wording

Request Amending Ordinance No. C-35062 requesting changes in the appropriations of the Park & Recreation Fund of \$28,000 from Park & Rec. Fund Program Fees to Recreation Supplies, Contractual Services and Temp Seasonal funds.

Summary (Background)

This EBO request is on behalf of the Recreation Committee. Revenue and expenditures are the result of an opportunity to offer a new fall season of Adult Softball Leagues, which were not included in the 2014 budget. Currently there are many people who want to play softball, that staff would like to take advantage of and proceed with Adult Softball Leagues into the fall.

Fiscal Impact

Revenue \$ 28,000.00

Expense \$ 2,700.00

Expense \$ 19,800.00

Expense \$ 5,500.00

Budget Account

1400-54100-74214-34760

1400-54100-74213-53250

1400-54100-74214-54201

1400-54100-74214-08490

Approvals**Dept Head**

CHILDS, BRANDON

Division Director**Finance**

LESESNE, MICHELE

Legal

DALTON, PAT

For the Mayor

SANDERS, THERESA

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



Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

reserve of \$44,470.40 or 15.1% of the contract price.

Summary (Background)

The bid estimate was for 102 SY. Added cost \$26,200. The driveway approaches did not include a quantity for curb removal and replacement. The existing approaches were monolithic, requiring removal and replacement of the curb. Added cost \$7,000. Therefore, it will be necessary to increase the administrative reserve an additional \$15,000.00 or 5.1%.

Fiscal Impact

Select \$

Select \$

Budget Account

#

#

Distribution List

ORDINANCE NO C35151

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

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

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

The City of Spokane does ordain:

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

FROM:	1400-54100	Park and Recreation Fund	
	74214-34760	Program Fees	<u>\$ 28,000</u>
TO:	1400-54100	Park and Recreation Fund	
	74213-53250	Rec Supplies	2,700
	74214-54201	Contractual Services	19,800
	74214-08490	Temp Seasonal	5,500
			<u>\$ 28,000</u>

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

Passed the City Council _____

Council President

Attest: _____
City Clerk

Approved as to form: _____
Assistant City Attorney

Mayor

Date

Effective Date

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

09/15/2014

Date Rec'd

9/3/2014

Clerk's File #

RES 2014-0094

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**

Resolutions

Requisition #**Agenda Item Name**

0320 APPOINTMENTS TO THE OFFICE OF POLICE OMBUDSMAN COMMISSION

Agenda Wording

A resolution approving the appointments to the Office of Police Ombudsman Commission.

Summary (Background)

SMC 4.32.150 provides that the OPO Commission shall consist of five members of which two members shall be nominated by the mayor and appointed by city council and one member from each of the three city council districts nominated and appointed by city council. The initial appointments are to be staggered so that three appointments are for three years and two are for two years. This resolution approves the appointments of all five members for their respective terms.

Fiscal Impact**Budget Account**

Select \$

#

Select \$

#

Select \$

#

Select \$

#

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

MCDANIEL, ADAM

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

LESESNE, MICHELE

Distribution List**Legal**

PICCOLO, MIKE

For the Mayor

SANDERS, THERESA

Additional Approvals**Purchasing**

Resolution No. 2014-0094

A resolution approving the appointments to the Office of Police Ombudsman Commission.

WHEREAS, the City Council adopted Ordinance No. C-35043 on October 7, 2013 creating the Office of Police Ombudsman Commission; and

WHEREAS, pursuant to SMC 4.32.150 A and C, the OPO Commission shall consist of five members of which two members shall be nominated by the mayor and appointed by city council and one member from each of the three city council districts nominated and appointed by city council; and

WHEREAS, pursuant to SMC 4.32.150 F. OPO Commission members shall serve for three year terms, however, the initial appointment terms shall be staggered with three members appointed to three year terms and two members appointed to two year terms; and

WHEREAS, the Mayor and the City Council have accepted and reviewed applications for the OPO Commission membership and are prepared to have the approve the appointments.

NOW, THEREFORE, BE IT RESOLVED that, pursuant to SMC 4.32.150, the City Council for the City of Spokane appoints the following individuals to the Office of Police Ombudsman Commission and the specified terms:

1. Rachel Dolezal, nominated by the Mayor and appointed by the City Council, for an initial two year term.
2. Kevin Berkompas, nominated by the Mayor and appointed by the City Council, for an initial two year term.
3. Scott Richter, nominated and appointed by the City Council to represent District 1, for an initial three year term.
4. Debra Conklin, nominated and appointed by the City Council to represent District 2, for an initial three year term.
5. Adrian Dominguez, nominated and appointed by the City Council to represent District 3, for an initial three year term.

ADOPTED by the City Council this _____ day of September, 2014.

City Clerk

Approved as to form:

Assistant City Attorney



Agenda Sheet for City Council Meeting of:
09/08/2014

Date Rec'd	8/27/2014
Clerk's File #	ORD C35143
Renews #	

Submitting Dept	CITY COUNCIL	Cross Ref #	
Contact	BEN 625-6269	Project #	
Contact E-Mail	AMCDANIEL@SPOKANECITY.ORG	Bid #	
Agenda Item Type	First Reading Ordinance	Requisition #	
Agenda Item Name	0320 CREATION OF A DOMESTIC VIOLENCE PREVENTION FUND		

Agenda Wording

An ordinance relating to the creation of a Domestic Violence Prevention fund; adopting a new section 7.08.149 to chapter 7.08 of the Spokane Municipal Code.

Summary (Background)

This ordinance establishes a Domestic Violence Prevention Fund pursuant to RCW 10.99.080, which allows the Court to impose a penalty of up to \$100 against any person convicted of a crime involving domestic violence. Revenue from the assessment shall be used solely for the purposes of establishing and funding domestic violence advocacy and domestic violence prevention and prosecution programs.

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



Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

Summary (Background)

The City of Spokane posted record level permits for 2013 into 2014, and those active projects are now requiring increased inspection attention. By May of 2014, inspectors were averaging a 13% increase in monthly inspection totals before heading into the busiest summer season. Current demand strongly indicates the need for an additional Electrical / Mechanical Inspector.

Fiscal Impact

Select \$

Select \$

Budget Account

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#

Distribution List

ORDINANCE NO. C35143

AN ORDINANCE relating to the creation of a domestic violence prevention fund; adopting a new section 7.08.149 to chapter 7.08 of the Spokane Municipal Code.

The City of Spokane does ordain:

Section 1. That there is adopted a new section 7.08.149 to chapter 7.08 of the Spokane Municipal Code to read as follows:

7.08.149 Domestic Violence Prevention Fund

There is established a special revenue fund to be known as the “Domestic Violence Prevention Fund” into which shall be deposited funds generated from the penalty assessments issued pursuant to RCW 10.99.080. The fund will be used consistent with the provisions of RCW 10.99.080 (2), which includes establishing and funding domestic violence advocacy and domestic violence prevention and prosecution programs.

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:**

09/08/2014

Date Rec'd

8/27/2014

Clerk's File #

ORD C35144

Renews #**Submitting Dept**

CITY COUNCIL

Contact

BEN 625-6269

Contact E-Mail

AMCDANIEL@SPOKANECITY.ORG

Agenda Item Type

First Reading Ordinance

Cross Ref #**Project #****Bid #****Requisition #****Agenda Item Name**

0320 DOMESTIC VIOLENCE VICTIM DISCRIMINATION ORDINANCE

Agenda Wording

An ordinance relating to domestic violence victim discrimination; amending SMC sections 1.06.010, 1.06.020, 1.06.030, and 1.06.090.

Summary (Background)

This ordinance amends Chapter 1.06 SMC, the City's ordinance against discrimination in housing and employment, by adding "domestic violence victim status" to the list of individuals protected under the ordinance.

Fiscal Impact**Budget Account**

Select \$

#

Select \$

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Select \$

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Select \$

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

MCDANIEL, ADAM

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

Public Safety

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 City of Spokane posted record level permits for 2013 into 2014, and those active projects are now requiring increased inspection attention. By May of 2014, inspectors were averaging a 13% increase in monthly inspection totals before heading into the busiest summer season. Current demand strongly indicates the need for an additional Electrical / Mechanical Inspector.

Fiscal Impact

Select \$

Select \$

Budget Account

#

#

Distribution List

ORDINANCE NO. C35144

An ordinance relating to domestic violence victim discrimination; amending SMC sections 1.06.010, 1.06.020, 1.06.030, and 1.06.090.

The City of Spokane does ordain:

Section 1. That SMC section 1.06.010 is amended to read as follows:

1.06.010 Findings

The City of Spokane finds that discrimination based on race, religion, creed, color, sex, national origin, marital status, familial status, domestic violence victim status, age, sexual orientation, gender identity, honorably discharged veteran or military status, or the presence of any sensory, mental or physical disability as defined by the American with Disability Act and/or the Washington State Law Against Disability, Chapter 49.60 RCW, poses a substantial threat to the health, safety and general welfare of the citizens of Spokane. The City deems it necessary and proper to enact a local ordinance to address these issues.

Section 2. That SMC section 1.06.020 is amended to read as follows:

1.06.020 Purpose

- A. The City values the dignity and worth of all human beings and is committed to promoting justice, equity and an inclusive environment by respecting cultural and individual diversity and fostering mutual understanding among all people regardless of race, religion, creed, color, sex, national origin, marital status, familial status, domestic violence victim status, age, sexual orientation, gender identity, honorably discharged veteran or military status, or the presence of any sensory, mental or physical disability as defined by the American with Disability Act and/or the Washington State Law Against Disability, Chapter 49.60 RCW. It is the intent of the City that all people have an equal opportunity to participate fully in the life of the City and that discriminatory barriers to equal participation in employment, housing and public accommodations be removed. The City has a compelling interest in eradicating and preventing such discrimination and in ensuring equal opportunity in employment, housing and public accommodations. SMC 1.06.010 through SMC 1.06.090 represent the least restrictive means of achieving the City's objectives. In furtherance of this policy, those sections are to be broadly construed consistent with their remedial purpose and the intent expressed in this paragraph. These sections are not intended to establish or require affirmative action or quotas of any kind, or to infringe upon the authority vested in the civil service commission and City departments pursuant to the City Charter.

Nothing contained in this chapter is intended to be nor shall be construed to create or form the basis for any liability on the part of the City, or its officers, employees or agents for any injury or damage resulting from or by reason of any act or omission in connection with the implementation or enforcement of this chapter on the part of the City by its officers, employees or agents

- B. Nothing in this chapter shall constitute a cause of action under state law or form a basis for relief in the state courts. It is the intent of this chapter that all causes of action for violations of the chapter shall lie within the City of Spokane municipal court.
- C. Nothing in this chapter shall be deemed to deny any person the right to institute any action or to pursue any civil or criminal remedy for the violation of such person's civil rights.

Section 3. That SMC section 01.06.030 is amended to read as follows:

1.06.030. Definitions

- A. "Commission" means the human rights commission established in chapter 4.10 SMC.

- B. Disability.

- 1. "Disability" means the presence of a sensory, mental, or physical impairment that:

- a. is medically cognizable or diagnosable; or
 - b. exists as a record or history; or
 - c. is perceived to exist whether or not it exists in fact.

A disability exists whether it is temporary or permanent, common or uncommon, mitigated or unmitigated, or whether or not it limits the ability to work generally or work at a particular job or whether or not it limits any other activity within the scope of chapter 1.06 SMC.

- 2. For purposes of this definition, "impairment" includes, but is not limited to any:
 - a. physiological disorder, or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: Neurological, musculoskeletal, special sense organs, respiratory, including speech organs, cardiovascular, reproductive, digestive, genitor-urinary, hemic and lymphatic, skin and endocrine; or
 - b. mental, developmental, traumatic, or psychological disorder, including but not limited to cognitive limitation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

3. Only for the purposes of qualifying for reasonable accommodation in employment, an impairment must be known or shown through an interactive process to exist in fact and the:
 - a. impairment must have a substantially limiting effect upon the individual's ability to perform his or her job, the individual's ability to apply or be considered for a job, or the individual's access to equal benefits, privileges, or terms or conditions of employment; or
 - b. employee must have put the employer on notice of the existence of an impairment, and medical documentation must establish a reasonable likelihood that engaging in job functions without an accommodation would aggravate the impairment to the extent that it would create a substantially limiting effect.

For purposes of this subsection, a limitation is not substantial if it has only a trivial effect.

C. Discrimination, Discriminate.

1. "Discrimination" means different or unequal treatment because of race, religion, color, sex, national origin, marital status, familial status, age, sexual orientation or disability.
2. "Discriminate" means to treat differently or unequally because of race, religion, creed, color, sex, national origin, marital status, familial status, domestic violence victim status, age, sexual orientation, gender identity, honorably discharged veteran or military status, or the presence of any sensory, mental or physical disability as defined by the American with Disability Act and/or the Washington State Law Against Disability, Chapter 49.60 RCW.

D. "Domestic Violence Victim Status" means a family or household member, as defined in RCW 10.99.020 (3), who has been subjected to domestic violence as defined in RCW 10.99.020 (5).

ED. "Employee" means an individual who works for wages, salary or commission, or a combination thereof, in the service of an employer, but does not include a person employed by a parent, grandparent, brother, sister, spouse or child. The term includes an individual who is seeking or applying for employment.

EE. Employer.

1. "Employer" means any person acting in the interest of an employer, directly or indirectly, who employs employees within the City, or who solicits individuals within the City to apply for employment within the City.
2. The term means one who employs:

- a. twenty-five or more employees in 1999;
- b. fifteen or more employees in 2000; and
- c. eight or more employees as of January 1, 2001, and thereafter.

3. The term includes the City itself, its boards, commissions and authorities.

GF. "Familial status" means the relationship between two or more individuals, at least one of whom:

- 1. has not attained eighteen years of age and is domiciled with:
 - a. parent or person having legal custody; or
 - b. the designee, with written permission of a parent or person having legal custody; or
- 2. is pregnant; or
- 3. is in the process of securing legal custody of an individual who has not attained eighteen years of age.

HG. "Gender Identity" means having or being perceived as having a gender identity, self-image, appearance, behavior, or expression, whether or not that gender identity, self-image, appearance, behavior, or expression is different from that traditionally associated with the sex assigned to that person at birth.

IH. "Labor organization" means an organization which is constituted for the purpose, in whole or in part, of collective bargaining or for dealing with an employer concerning grievances, terms or conditions of employment, or for other mutual aid or protection in connection with an employer.

JL. "Marital status" means the status of being married, single, separated, divorced or widowed.

KJ. "National origin" includes ancestry.

LK. "Person" includes:

- 1. one or more individuals, partnerships, associations, organizations, corporations, cooperatives, legal representatives, trustees and receivers, or any group of persons;
- 2. any owner, lessee, proprietor, manager, agent or employee, whether one or more natural persons; and
- 3. any political or civil subdivisions of the City and any agency or instrumentality of the City or of any political or civil subdivision thereof.

ML. "Place of public resort, accommodation, assemblage or amusement" includes, but is not limited to, any place, licensed or unlicensed, kept for gain, hire or reward, or where charges are made for admission, service, occupancy, or use of any property or facilities, whether conducted for the entertainment, housing, or

lodging of transient guests, or for the benefit, use, or accommodation of those seeking health, recreation, or rest, or for the burial or other disposition of human remains, or for the sale of goods, merchandise, services, or personal property, or for the rendering of personal services, or for public conveyance or transportation on land, water or in the air, including the stations and terminals thereof and the garaging of vehicles, or where food or beverages of any kind are sold for consumption on the premises, or where public amusement, entertainment, sports, or recreation of any kind is offered with or without charge, or where medical service or care is made available, or where the public gathers, congregates, or assembles for amusement, recreation, or public purposes, or public halls, public elevators, and public washrooms of buildings and structures occupied by two or more tenants, or by the owner and one or more tenants, or any public library or educational institution, or schools of special instruction, or nursery schools, or day care centers or children's camps, provided that nothing contained in this definition shall be construed to include or apply to any institute, bona fide club, or place of accommodation, which is by its nature distinctly private, including fraternal organizations, though where public use is permitted that use shall be covered by this section; nor shall anything contained in this definition apply to any educational facility, columbarium, crematory, mausoleum, or cemetery operated or maintained by a bona fide religious or sectarian institution.

NM. "Sex" means gender.

ON. "Sexual orientation" means heterosexuality, homosexuality and bisexuality.
Section 4. That SMC section 01.06.090 is amended to read as follows:

1.06.090 Nondiscrimination

A. Housing Practices.

1. It is a violation of this chapter for any person to discriminate by:
 - a. refusing to sell, lease, rent or otherwise make available any offered real property;
 - b. expelling a purchaser, lessee or renter from any real property;
 - c. altering the price, terms, conditions or privileges relating to the sale, rental, lease or occupancy of real property, or in the furnishing of any facilities or services in connection with real property;
 - d. attempting to discourage the sale, rental or lease of any real property to a purchaser, lessee or renter;
 - e. publishing, circulating, issuing or displaying, or causing to be published, circulated, issued or displayed, any communication, notice, advertisement or sign of any kind relating to the sale, rental or lease of real property which indicates any preference, limitation or specification with respect thereto;
 - f. assisting, inducing, compelling or coercing another person to commit an act or engage in a practice that violates this subsection;

- g. coercing, intimidating, threatening or interfering with any person in the exercise or enjoyment of, or on account of having aided or encouraged any other person in the exercise of, any right granted or protected by this subsection.
- 2. Nothing in this subsection shall apply to:
 - a. a single-family house rented or leased by the owner if the owner does not own or have an interest in the proceeds of the rental or lease of more than three such single-family houses at one time, the rental or lease occurred without the use of a real estate broker or sales person, and the rental or lease occurred without the publication, posting or mailing of any advertisement, sign or statement in violation of subsection (A)(1)(e) of this section; or
 - b. rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than four families living independently of each other if the owner maintains and occupies one of the rooms or units as his residence.
- 3. No person whose business includes engaging in residential real estate related transactions may discriminate in making available or in the terms and conditions of such a transaction. "Residential real estate related transaction" means the making or purchasing of loans or providing other financial assistance for purchasing, construction, improving, repairing or maintaining a dwelling or securing residential real estate, or the selling, brokering or appraising of residential real property.
- 4. No real estate licensee may accept or retain a listing of real property for sale, lease or rental with an understanding that a purchaser may be discriminated against with respect to the sale, rental or lease.
- 5. No person may for profit induce or attempt to induce any other person to sell or rent any dwelling by representations regarding entry or prospective entry into the neighborhood of a person or person of a particular race, religion, creed, color, sex, national origin, marital status, familial status, domestic violence victim status, age, sexual orientation, gender identity, honorably discharged veteran or military status, or the presence of any sensory, mental or physical disability as defined by the American with Disability Act and/or the Washington State Law Against Disability, Chapter 49.60 RCW.

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:**

09/08/2014

Date Rec'd

8/27/2014

Clerk's File #

ORD C35145

Renews #**Submitting Dept**

CITY COUNCIL

Cross Ref #**Contact Name/Phone**

AMBER 625-6275

Project #**Contact E-Mail**

AWALDREF@SPOKANECITY.ORG

Bid #**Agenda Item Type**

First Reading Ordinance

Requisition #**Agenda Item Name**

0320 LEGACY COMMERCIAL RATE ORDINANCE

Agenda Wording

An ordinance relating to Public Utilities Sewer rates; amending SMC 13.03.1208.

Summary (Background)

This ordinance incorporates into the SMC the previously approved administrative policy regarding commercial rate classifications for new utilities customer applications whose redevelopment of an existing building has been billed historically as a commercial property and is located in a commercial, center and corridor or downtown zone.

Fiscal Impact**Budget Account**

Select \$

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Select \$

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Select \$

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

MCDANIEL, ADAM

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

Public Works

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 City of Spokane posted record level permits for 2013 into 2014, and those active projects are now requiring increased inspection attention. By May of 2014, inspectors were averaging a 13% increase in monthly inspection totals before heading into the busiest summer season. Current demand strongly indicates the need for an additional Electrical / Mechanical Inspector.

Fiscal Impact

Select \$

Select \$

Budget Account

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Distribution List

ORDINANCE NO. C35145

An ordinance relating to Public Utilities Sewer rates; amending SMC 13.03.1208.

WHEREAS, the City of Spokane's Administrative Policy and Procedures identify Commercial Rate Classifications in the City's Utilities Division; and

WHEREAS, there are different classifications and criteria used to determine rates in the Water, Sewer and Solid Waste departments; and

WHEREAS, clarification of the criteria would help bring transparency, understanding and consistency to property owners contemplating revitalization of existing buildings; and

WHEREAS, the City would benefit from increased utility customers in buildings that currently have their service turned off, and would further benefit from increased occupancy in existing buildings; - - Now, Therefore,

The City of Spokane does ordain:

Section 1: That SMC section 13.03.1208 is amended to read as follows:

13.03.1208 Combination Domestic/Commercial

- A. Effective August 1, 2014, unless the domestic units qualify for another billing category, ((Domestic)) upon application, consistent with city policy, new redeveloped domestic units located in a commercial, centers and corridor, or downtown zone previously billed commercial, in combination with commercial user facilities, where the account is metered and paid as one account to the utilities billing division, shall be billed at the commercial rate as provided in chapter 13.03 SMC. ((as follows: One basic service charge plus the commercial user charge plus the basic service charge, less credit for customer service costs, for each domestic dwelling unit of the complex per month.))

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:**

09/08/2014

Date Rec'd

8/27/2014

Clerk's File #

ORD C35146

Renews #**Submitting Dept**

CITY COUNCIL

Cross Ref #**Contact Name/Phone**

AMBER 625-6275

Project #**Contact E-Mail**

AWALDREF@SPOKANECITY.ORG

Bid #**Agenda Item Type**

First Reading Ordinance

Requisition #**Agenda Item Name**

0320 URBAN UTILITY INSTALLATION FUND

Agenda Wording

An ordinance relating to the establishment of a Pilot Urban Utility Installation Fund; adopting a new section 8.10.230 to chapter 8.10 of the Spokane Municipal Code.

Summary (Background)

This ordinance creates a Pilot Urban Utility Installation Fund initially funded with \$250,000 to assist the City's utilities departments to mitigate the cost of the installation of new or upgrades to city-owned public utility infrastructures in the city right-of-way which is associated with the redevelopment of existing structures or in-fill development with new structures on properties in the downtown core and in other centers and corridors targeted for infill

Fiscal Impact**Budget Account**

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Select \$

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Select \$

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Select \$

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

MCDANIEL, ADAM

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

Public Works

Finance**Distribution List****Legal**

RICHTMAN, JAMES

For the Mayor

SANDERS, THERESA

Additional Approvals**Purchasing**



Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

Summary (Background)

identified in the Urban Utility Installation Area map. Projects will be selected based on criteria established in the ordinance. Continued funding will be based on increase in utility revenue associated with the installation of new or upgrades to existing public utility infrastructures, including utility hook-up fees and charges.

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

Distribution List

Ordinance No. C35146

AN ORDINANCE relating to the establishment of a Pilot Urban Utility Installation Project; adopting a new section 8.10.230 to chapter 8.10 of the Spokane Municipal Code.

WHEREAS, one of the goals of the Comprehensive Plan is to create a vital, livable downtown by maintaining it as the region's economic and cultural center, and preserving and reinforcing its urban character; and

WHEREAS, Downtown Spokane is the largest center with the most capacity for infill growth in both vacant buildings and underutilized property; and

WHEREAS, one of the most significant costs to urban redevelopment is the installation of new or upgrades to existing public utilities infrastructures located in the City's right-of-way; and

WHEREAS, public utilities infrastructure improvements in the right-of-way completed in conjunction with private redevelopment of existing structures benefits the City and the entire region; and

WHEREAS, the City Council desires to coordinate the installation of new or upgrades to existing city-owned public utilities located in the right-of-way with the redevelopment of existing structures and infill development in the downtown core and eventually in other centers and corridors appropriate for infill; and

WHEREAS, such coordination will improve the efficiency of City-owned public utility infrastructure and increase utility revenue; and -- Now, Therefore,

The City Council does ordain:

Section 1. That there is adopted a new section 8.10.230 to Chapter 8.10 of the Spokane Municipal Code to read as follows:

8.10.230 Pilot Urban Utility Installation Project

A. Pilot Urban Utility Installation Project

There is created a Pilot Urban Utility Installation Project established to provide funding to the City's utilities departments to mitigate the cost of the installation of new or upgrades to city-owned public utility infrastructures in the city right-of-way which is associated with the redevelopment of existing structures or in-fill development with new structures on properties in the downtown core and in other centers and corridors targeted for infill identified in the Urban Utility Installation Area map.

B. Project Criteria

1. The City will coordinate with abutting property owners to install new or upgrade existing public utilities infrastructure located in the city right-of-way. Projects will be evaluated based on objective criteria which includes but is not limited to, the timing and extent of the redevelopment project, project financial resources, increased demand for public utility services, projected utility revenue to the city, and the impact and efficiency of the existing infrastructure. The city administration shall develop criteria consistent with this section for the awarding of project monies which shall be approved by resolution by City Council.
2. Priorities for funding shall include, but are not limited to, the following:
 - a. Re-use of buildings (historic preservation),
 - b. Density & infill mix of housing,
 - c. Affordable housing within a development,
 - d. Mix use of commercial and retail, and
 - e. Increased demand on public utility services.

C. Urban Utility Installation Area

The projects to be funded by Pilot Urban Utility Installation Project shall be located in the Urban Utility Installation Area, which is established in the map set forth in Attachment A, which may be amended by the city council to include other centers and corridors targeted for in-fill development.

D. Application Process

The applicant shall make application for project funding to the Utilities Department on a form supplied by the department. The application shall include, but not limited to, information regarding the redevelopment project financial funding and any other relevant financial information requested by the planning and development department director. The information required on the application and provided by the applicant shall demonstrate how the project satisfies the project criteria set forth in this section and the administrative policies.

E. Initiation and Completion of Projects

Once a project is approved, the City shall determine when to initiate and complete projects for the installation of new or upgrades to existing city-owned public utility infrastructures in the city right-of-way. Funding for the specific projects shall be allocated to the applicable utilities department pursuant to the City's existing financial transfer procedures

F. Funding

1. Increases in utility revenue associated with the installation of new or upgrades to existing public utility infrastructures installed pursuant to this section, including utility hook-up fees and charges, shall be allocated to the Pilot Urban Utility Installation Project.
2. Individual project funding shall not exceed forty thousand dollars (\$40,000).
3. As a pilot program, the amount of utility revenue generated will be evaluated over the course of five years to determine the success of the Project. The program will sunset after five years and must be renewed at that time.

G. Administrative Policy.

The city administration shall develop policies and procedures to implement the provisions of this section, which shall be approved by resolution of the city council. Such policies and procedures must be consistent with and shall not conflict with the provisions of this section. The policies and procedures may include provisions developing the criteria necessary to award project funding.

- H. The city administration shall update the city council at least twice a year on the Pilot Urban Utility Installation Project program including the number of applications, the status of approved and completed projects and the amount of increased property taxes.

ADOPTED BY THE CITY COUNCIL ON _____.

— City Clerk

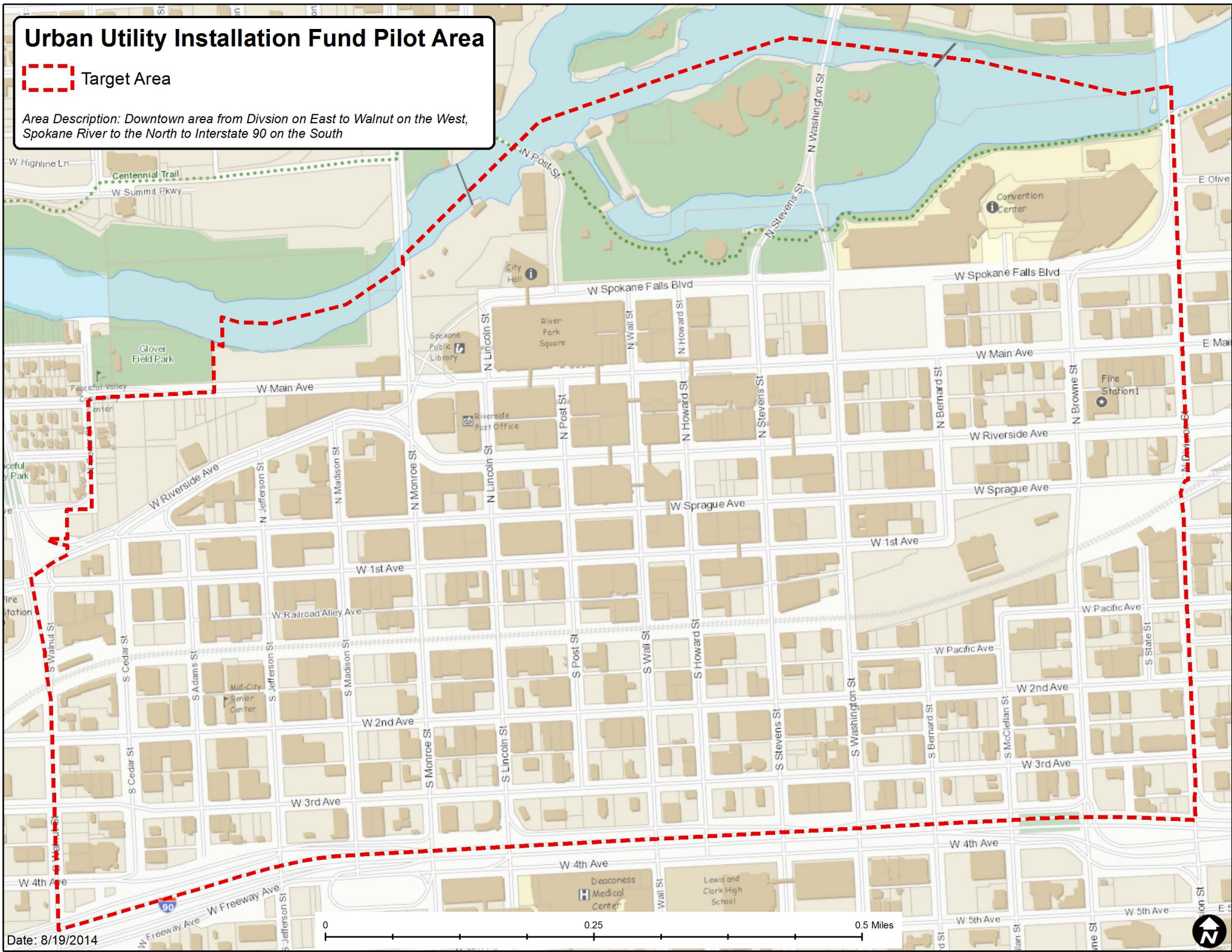
Approved as to form:

Assistant City Attorney

Urban Utility Installation Fund Pilot Area

 Target Area

Area Description: Downtown area from Division on East to Walnut on the West, Spokane River to the North to Interstate 90 on the South



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

09/08/2014

Date Rec'd

8/27/2014

Clerk's File #

ORD C35147

Renews #**Submitting Dept**

CITY COUNCIL

Cross Ref #**Contact Name/Phone**

AMBER 625-6275

Project #**Contact E-Mail**

AWALDREF@SPOKANECITY.ORG

Bid #**Agenda Item Type**

First Reading Ordinance

Requisition #**Agenda Item Name**

0320 PUBLIC BID REQUIREMENTS ORDINANCE

Agenda Wording

An ordinance relating to public works bid requirements; amending SMC section 7.06.130.

Summary (Background)

This ordinance provides that as a condition of performing work on a public works contract for the City, in addition to the mandatory bidder responsibility criteria in RCW 39.04.350, a contractor shall include in a public bid response a list of all first-tier subcontractors proposed by the responding bidder as part of the bid response, who shall not presently be disqualified or debarred under either state law or the Spokane Municipal Code.

Fiscal Impact**Budget Account**

Select \$

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

MCDANIEL, ADAM

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

Public Works

Finance

LESESNE, MICHELE

Distribution List**Legal**

PICCOLO, MIKE

For the Mayor

SANDERS, THERESA

Additional Approvals**Purchasing**

PRINCE, THEA



Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

Summary (Background)

Contractors shall be permitted to replace a first-tiered contractor listed in its bid response, which shall not increase the bid amount.

Fiscal Impact

Select \$

Select \$

Budget Account

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Distribution List

ORDINANCE NO. C35147

AN ORDINANCE relating to public works bid requirements; amending SMC section 7.06.130.

The City of Spokane does ordain:

Section 1. That SMC section 7.06.130 is amended to read as follows:

7.06.130 Evaluation

- A. Bids are evaluated based upon the requirements set forth in the invitation for bids. The criteria for award shall be objectively measurable. No criteria may be used that are not set forth in the invitation. Bid evaluation shall be based on the following criteria where applicable and only which can be reasonably determined:
1. Price and the effect of term discounts. Price may be determined by the life-cycle costing if so indicated in the invitation.
 2. The conformity of the goods, public work and/or services bid with the invitation for bid or request for quotation specifications depicting the quality and the purposes for which they are required.
 3. The ability, capacity and skill of the bidder to perform the contract or provide the service required.
 4. The character, integrity, reputation, judgment, experience and efficiency of the bidder.
 5. Whether the bidder can perform the contract within the time specified.
 6. The quality of performance on previous contracts.
 7. The previous and existing compliance by the bidder with laws relating to the contract.
 8. Servicing resources, capability and capacity.
 9. Lack of uniformity or interchangeability, if such factors are important.
 10. The energy efficiency of the product as projected throughout the anticipated useful life of the product; and
 11. Such other information as may be secured having a bearing on the decision to award the contract.
- B. As a condition of performing work on a public works contract for the City, in addition to the mandatory bidder responsibility criteria in RCW 39.04.350, a contractor shall qualify in accordance with the provisions of article VIII of this chapter and shall include in a public bid response a list of all first-tier subcontractors proposed by the responding bidder as part of the bid response.

who shall not presently be disqualified or debarred under either federal or state law or the Spokane Municipal Code. Contractors shall be permitted to replace a first-tiered contractor listed in its bid response, which shall not increase the bid amount. In addition to information specified in article VIII, the City may request, on a project by project basis, any other information deemed necessary to ensure that prospective contractors meet the responsibility standards established by this article and otherwise possess sufficient qualifications and capabilities in all respects to successfully qualify for and perform public works contracts.

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:**

09/08/2014

Date Rec'd

8/27/2014

Clerk's File #

ORD C35148

Renews #**Submitting Dept**

CITY ATTORNEY

Cross Ref #**Contact Name/Phone**

NANCY ISSERLIS EXT. 6225

Project #**Contact E-Mail**

NISSERLIS@SPOKANECITY.ORG

Bid #**Agenda Item Type**

First Reading Ordinance

Requisition #**Agenda Item Name**

0500 ORDINANCE RELATING TO THE CODE OF ETHICS

Agenda Wording

An Ordinance relating to the Code of Ethics; adopting a new chapter 1.04A to Title 1 of the Spokane Municipal Code and repealing Title 1.04 of Title 1 of the Spokane Municipal Code

Summary (Background)

Language changes to enhance duties and powers of the Ethics Commission and address enforcement powers and complaint process.

Fiscal Impact

Neutral \$ 0.00

Budget Account

0000 00000 00000

Select \$

#

Select \$

#

Select \$

#

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Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

Summary (Background)

Contractors shall be permitted to replace a first-tiered contractor listed in its bid response, which shall not increase the bid amount.

Fiscal Impact

Select \$

Select \$

Budget Account

#

#

Distribution List

ORDINANCE NO. C35148

AN ORDINANCE relating to the Code of Ethics; adopting a new chapter 1.04A to Title 1 of the Spokane Municipal Code and repealing Title 1.04 of Title 1 of the Spokane Municipal Code.

The City of Spokane does ordain:

Section 1. That there is adopted a new chapter 1.04A to Title 1 of the Spokane Municipal Code to read as follows::

Chapter 1.04A Code of Ethics

Sections:

- 1.04A.010 Purpose
- 1.04A.020 Definitions
- 1.04A.030 Prohibited Conduct
- 1.04A.040 Penalties for Noncompliance
- 1.04A.050 Recall of Elected Official for Violation of Code of Ethics
- 1.04A.060 Where to Seek Initial Review
- 1.04A.070 Where to Seek Judicial Review
- 1.04A.080 Ethics Commission
- 1.04A.090 Duties and Powers
- 1.04A.100 Ex Parte Communication
- 1.04A.110 Complaint Process of the Ethics Commission
- 1.04A.120 Training
- 1.04A.130 Restrictions on Ethics Commission Members
- 1.04A.140 Vacancy and Removal
- 1.04A.150 Limitation Period
- 1.04A.160 Applicability
- 1.04A.170 Advisory Opinion
- 1.04A.180 Severability

1.04A.010 Purpose

- A. It is the policy of the City of Spokane to uphold, promote and demand the highest standards of ethics from all of its employees and City officers, whether elected, appointed or hired. City officers and employees shall maintain the utmost standards of responsibility, trustworthiness, integrity, truthfulness, honesty and fairness in carrying out their public duties, avoid any improprieties in their roles

as public servants including the appearance of impropriety, and never use their City position, authority or resources for personal gain.

- B. It is the intent of the City Council that this chapter be reasonably construed to accomplish its purpose of protecting the public against decisions that are affected by undue influence, conflicts of interest or any other violation of this Code of Ethics. This Code of Ethics is supplemental to state law, including, but not limited to, chapter 42.20 RCW – Misconduct of Public Officers, chapter 42.23 RCW – Code of Ethics for Municipal Officers – Contract Interests, and chapter 42.36 RCW – Appearance of Fairness Doctrine.
- C. It is the function of the Ethics Commission to pursue the above stated policy of the City of Spokane. The Ethics Commission shall develop training, programs and initiatives in support of this goal.

1.04A.020 Definitions

The following words and phrases as used in this chapter, unless the context clearly indicates otherwise, shall have the following meanings:

- A. “Agency” means any City board, commission, bureau, committee, department, institution, division or tribunal in City government.
- B. “Assist” means to act, or offer or agree to act, in such a way as to help, aid, advise, furnish information to or otherwise provide assistance to another person, believing that the action is of help, aid, advice or assistance of the person with intent so to assist such person.
- C. “Beneficial interest” has the meaning ascribed to it under the Washington case law. However, an ownership interest in a mutual fund or similar investment pooling fund in which the owner has no management powers does not constitute a beneficial interest in the entities in which the fund or pool invests.
- D. “Business” means any corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, consultant, holding company, joint stock company, receivership, trust or any legal entity organized for profit.
- E. “City” means the City of Spokane, Washington.
- F. “City action” means any action on the part of an agency, including, but not limited to:
 - 1. a decision, determination, finding, ruling or order; and

2. a grant, payment, award, license, contract, transaction, sanction or approval, or the denial thereof, or failure to act with respect to a decision, determination, finding, ruling or order.
- G. “City officer” means every individual elected, appointed, hired or otherwise selected to an office or position with the City, or any subdivision, agency, committee or board thereof, whether such individual is paid or unpaid.
- H. “Compensation” means anything of economic value, however designated, that is paid, loaned, granted or transferred, or to be paid, loaned, granted or transferred for, or in consideration of, personal services to any person.
- I. “Confidential information” means:
1. Specific information, rather than generalized knowledge, that is not available to the general public on request; or
 2. Information made confidential by law including but not limited to taxpayer information, RCW 82.32.330; information regarding organized crime, RCW 43.43.856; criminal history information, Chapter 10.97 RCW; medical records, Chapter 70.02 RCW; and juvenile records, RCW 13.50.010; or
 3. Information that is initially disclosed or discussed in executive session, and which is not available to the general public on request; however
 4. Confidential information does not include information authorized by the mayor or a majority vote of the council to be disclosed.
- J. “Contract” or “grant” means an agreement between two or more persons that creates an obligation to do or not to do a particular thing. “Contract” or “grant” includes, but is not limited to, an employment contract, a lease, a license, a purchase agreement or a sales agreement.
- K. “Ethics Commission” means the commission on ethical conduct for and duly appointed by the City.
- L. “Employee” means any person holding a regularly compensated position of employment with the City but does not include elected officers and persons who serve without compensation on City boards and commissions.
- M. “Exempt employee” shall mean those City employees not represented by a recognized labor union and identified by both the City administration and the applicable labor unions as exempt confidential employees.
- N. “Family member” means:
1. a spouse or domestic partner; or

2. any dependent parent, parent-in-law, child or son-in-law or daughter-in-law; or
 3. any parent, parent-in-law, child, son-in-law, daughter-in-law, sibling, uncle, aunt, cousin, niece or nephew residing in the household of the City officer or employee.
- O. "Gift" means anything of economic value or tangible worth for which no consideration is given. "Gift" does not include:
1. items from family members or friends where it is clear that the gift was not made as part of any design to gain or maintain influence in the agency of which the recipient is an officer or employee;
 2. items related to the outside business of the recipient that are customary and not related to the recipient's performance of official duties;
 3. items exchanged among officials and employees or a social event hosted or sponsored by a City officer or City employee for coworkers;
 4. payments by a governmental or nongovernmental entity of reasonable expenses incurred in connection with a speech, presentation, appearance or trade mission made in an official capacity. As used in this subsection, "reasonable expenses" are limited to travel, lodging and subsistence expenses incurred the day before through the day after the event;
 5. items a City officer or City employee is authorized by law to accept;
 6. payment of enrollment and course fees and reasonable travel expenses attributable to attending seminars and educational programs sponsored by a bona fide governmental or nonprofit professional, educational, trade or charitable association or institution. As used in this subsection, "reasonable expenses" are limited to travel, lodging and subsistence expenses incurred the day before through the day after the event;
 7. items returned by the recipient to the donor within thirty days of receipt or donated to a charitable organization within thirty days of receipt;
 8. campaign contributions reported under chapter 42.17 RCW;
 9. discounts available to an individual as a member of an employee group, occupation or similar broad-based group;
 10. awards, prizes, scholarships or other items provided in recognition of academic or scientific achievement;

11. attendance of a City officer or employee at a hosted meal when it is provided in conjunction with a meeting directly related to the conduct of City business or where official attendance by the officer or employee as a City representative is appropriate;
 12. an award publicly presented in recognition of public service; or
 13. any item of nominal value which cannot reasonably be presumed to influence the vote, action or judgment of the City officer or employee, or be considered as part of a reward for action or inaction. An item of nominal value shall include incidental items associated with the professional conduct or courtesies of a City officer or employee's duty including the acceptance during the conduct of official business of such items as refreshments, note pads, pens, pins and books.
- P. "Head of agency" means the chief executive officer of an agency. In the case of an agency headed by a commission, board, committee or other body consisting of more than one natural person, agency head means the person or board authorized to appoint agency employees and regulate their conduct.
- Q. "Honorarium" means money or thing of value offered to a City officer or City employee for a speech, appearance, article or similar item or activity in connection with the City officer's or City employee's official role.
- R. "Household member" means any person having a close relationship with and residing in the same household of the City officer or employee, and having agreed to be jointly responsible for basic living expenses.
- S. "Person" means any individual, partnership, association, firm, institution or corporation, business or other entity, however constituted, organized or designated.
- T. "Personal interest" means direct or indirect pecuniary or material benefit accruing to a City officer or employee as a result of legislation or a contract or transaction which is or may be the subject of an official act or action by or with the City except for such contracts or transactions which confer similar benefits to all other persons and/or property similarly situated. For the purpose of this chapter, an City officer or employee is deemed to have a personal interest in the affairs of:
1. any person who is a City officer or employee's family member or household member, as defined in this chapter;
 2. any business entity in which the City officer or employee is an officer, director or employee;

3. any business entity in which the stock of, or legal or beneficial ownership of, in excess of five percent of the total stock or total legal and beneficial ownership, is controlled or owned directly or indirectly by the City officer or employee;
 4. any person or business entity with whom a contractual relationship exists with the City officer or employee; provided, that a contractual obligation of less than five hundred dollars, or a commercially reasonable loan made in the ordinary course of business or a contract for a commercial retail sale shall not be deemed to create an interest in violation of this chapter.
- U. “Regulatory agency” means any City board, commission, department or officer, except those in the legislative or judicial branches, authorized by law to conduct adjudicative proceedings, issue permits or licenses, or to control or affect interests of identified persons.
- V. “Represented employee” shall mean a City employee represented by a recognized labor union.
- W. “Responsibility” in connection with a transaction involving the City, means the direct administrative or operating authority, whether intermediate or final, and either exercisable alone or through subordinates, effectively to approve, disapprove or otherwise direct City action in respect of such transaction.
- X. “Staff Director” means the employee appointed by the City Attorney to, in addition to other responsibilities, assist the Ethics Commission in its duties.

1.04A.030 Prohibited Conduct

The following shall constitute a violation of this Code of Ethics:

- A. General Prohibition Against Conflicts of Interest.
In order to avoid becoming involved or implicated in a conflict of interest or impropriety, or an appearance of conflict of interest or impropriety, no current City officer or employee shall have an interest, financial or otherwise, direct or indirect, or engage in a business or transaction or professional activity, or incur an obligation of any nature, that might be seen as conflicting with the City officer or employee’s proper discharge of his or her official duties, the conduct of official City business or as adverse to the interests of the City. Performance of a legally required duty by a City officer or employee shall not be considered a violation of the Code of Ethics.
1. Any employee who becomes aware that he or she might have a potential conflict of interest that arises in the course of his or her official duties shall notify in writing his or her supervisor or appointing authority of the potential conflict.

2. Upon receipt of such a notification, the supervisor or appointing authority shall take action to resolve the potential conflict of interest within a reasonable time, which may include, but is not limited to, designating an alternative employee to perform the duty that is involved in the potential conflict. The supervisor or appointing authority shall document the disposition of the potential conflict in writing in files maintained by the appointing authority. The supervisor or appointing authority may request an advisory opinion from the Ethics Commission before addressing and resolving of the potential conflict.

B. Personal Interests in Contracts Prohibited.

No City officer or employee shall participate in his or her capacity as a City officer or employee in the making of a contract in which he or she has a personal interest, direct or indirect, or performs in regard to such a contract some function requiring the exercise of discretion on behalf of the City. Except, that this prohibition shall not apply where the City officer or employee has only a remote interest in the contract, and where the fact and extent of such interest is disclosed and noted in the official minutes or similar records of the City prior to formation of the contract, and thereafter the governing body authorizes, approves or ratifies the contract in good faith by a vote of its membership sufficient for the purpose without counting the vote or votes of the City officer(s) having the remote interest as defined below.

C. Remote Interest.

For purposes of this section, a "remote interest" means:

1. that of a non-salaried non-compensated officer of a nonprofit corporation;
2. that of an employee or agent of a contracting party where the compensation of such employee or agent consists entirely of fixed wages or salary;
3. that of a landlord or tenant of a contracting party;
4. that of a holder of less than one percent of the shares of a corporation, limited liability company or other entity which is a contracting party.

D. Personal Influence in Contract Selection Prohibited.

No City officer or employee shall influence the City's selection of, or its conduct of business with, a corporation, person or firm having or proposing to do business with the City if the City officer or employee has a personal interest in or with the corporation, person or firm, unless such interest is a remote interest and

where the fact and extent of such interest is disclosed and noted in the official minutes or similar records of the City prior to formation of the contract, as defined in the preceding section. Provided, however, that no City officer or employee may receive anything of value from the City as a result of any contract to which the City shall be a party except for the City officer or employee's salary or lawful compensation.

E. Representation of Private Person at City Proceeding Prohibited.

No City officer or employee shall appear on behalf of a private person, other than himself or a family member or household member, as defined in this chapter, or except as a witness under subpoena, before any regulatory governmental agency or court of law in an action or proceeding to which the City or a City officer in an official capacity is a party, or accept a retainer or compensation that is contingent upon a specific action by the City. Representation of a private person pursuant to a legally required duty by a City officer or employee is permitted and shall not be considered a violation of the Code of Ethics.

F. Certain Private Employment Prohibited.

No City officer or employee shall engage in or accept private employment, or render services for, any private interest when such employment or service is incompatible with the proper discharge of official duties or would tend to impair independence of judgment or action in the performance of official duties.

G. Personal Interest in Legislation Prohibited.

No City officer or employee may benefit either directly or indirectly from any legislation or contract to which the City shall be a party except for the lawful compensation or salary of the City officer or employee unless such interest is a remote interest where the facts and extent of such interest is disclosed. City council members' participation in the enactment of legislation shall be governed by chapter 42.23 RCW – The Code of Ethics for Municipal Officers and chapter 42.36 RCW – The Appearance of Fairness Doctrine. City council members shall not be prohibited from participating in the adoption of legislation when the council member has only a remote interest in the legislation, which has been disclosed, and the legislation is applicable to the general public and not unique to the council member.

H. Continuing Financial Interest.

Where a City officer, employee, or family member of a City officer or employee, has a substantial ongoing financial relationship with a corporation, firm, or person seeking a contract, or proposing to do business with the City, such City officer or employee shall not:

1. Influence or participate in the City's contract selection of or conduct business with such corporation, firm, or person; nor
2. Influence or participate in the City's contract selection of, or conduct business with, a corporation, firm, or party competing against a party that a City officer or employee has such a substantial ongoing financial relationship.
3. For purpose of this section, a substantial ongoing financial relationship is defined as: expanding beyond just a formal contractual relationship. Rather it encompasses any financial interest, direct or indirect, where a City officer, employee, or family member of a City officer or employee is involved in a client-service relationship in which:
 - a. the City officer, employee, or family member of a City officer or employee, receives a substantial portion of his or her revenue or like compensation through such relationship, whether received through his or her corporation, firm, or as an individual; or
 - b. Such client-service relationship is likely to continue to provide considerable potential business or has provided substantial business in the past. This does not include prior financial relationships that are so far removed in time or rare in frequency as to be insignificant.
4. Corporations, firms or persons doing business with the City shall be advised of this provision, and shall certify, as part of any contract with the City, that they are aware of the restrictions in this policy.

I. Disclosure of Confidential Information

1. Disclosure of Confidential Information
No City officer or employee shall, except as required or reasonably believed to be required for the performance of his/her duties, disclose confidential information gained by reason of his/her official position or use such information for his/her own personal interest. "Confidential information" is all information, whether transmitted orally or in writing, that the employee has been informed, is aware, or has reason to believe is intended to be used only for city purposes, is not intended for public disclosure, or is otherwise of such a nature that it is not, at the time, a matter of public record or public knowledge.
2. Confidential information includes, but is not limited to, personal information regarding City officials and employees; private financial and other personal information provided by city taxpayers, license holders, contractors, and customers; intelligence and investigative information,

including the identity of persons filing complaints; formulas, designs, drawings, and research data obtained or produced by the city and preliminary, non-final assessments, opinions, and recommendations concerning city policies and actions. Any public official who is uncertain as to whether certain information is confidential should consult the City Attorney. An employee who is uncertain as to whether certain information is confidential should consult their immediate supervisor or department head.

J. Acceptance of Compensation, Gifts, Favors, Rewards or Gratuity

City employees shall not, directly or indirectly, solicit any gift or give or receive any gift, whether it be money, services, loan, travel, entertainment, hospitality, promise, or any other form, under the following circumstances:

1. It could be reasonably inferred or expected that the gift was intended to influence them in the performance of their official duties; or
2. The gift was intended to serve as a reward for any official action on their part. Public officials and city employees may accept de minimis gifts such as, but not limited to, calendars, coffee mugs, flowers, candy, and other similar items that are given as a customary business practice and have no material significance to the recipient, with such gifts from any one source not to exceed one hundred dollars in value in any twelve-month period. City employees should report any gift to their immediate supervisor. This section shall not apply to gifts made to the city. All such gifts shall be given to the mayor for official disposition. This prohibition shall not apply to those items which are excluded from the definition of gift in SMC 1.04A.020.

K. Fair and Equitable Treatment.

1. No City officer or employee shall knowingly use his or her office or position to secure personal benefit, gain or profit, or use position to secure special privileges or exceptions for himself/herself or for the benefit, gain or profits of any other persons.
2. No City officer or employee shall employ or use the employment of any person under the City officer's or employee's official control or direction for the personal benefit, gain or profit of the City officer or employee or another beyond that which is available to every other person.
3. No City officer or employee shall use City-owned vehicles, equipment, materials, money or property for personal or private convenience or profit. Use is restricted to such services as are available to the public generally, for the authorized conduct of official business (not personal use), and for such purposes and under such conditions as can be reasonably expected to be approved by City policies.

4. Except as authorized by law and in the course of his or her official duties, no City officer or employee shall use the power or authority of his or her office or position with the City in a manner intended to induce or coerce any other person to provide such City employee or any other person with any compensation, gift, or other thing of value directly or indirectly.
 5. City Officers and employees are encouraged to participate in the political process on their own time and outside of the workplace by working on campaigns for the election of any person to any office or for the promotion of or opposition to any ballot proposition, but shall not use or authorize the use of City facilities or resources for such purposes except as authorized by the provisions of RCW 42.17.13.
- L. False and Frivolous complaints prohibited.
No person subject to the Code of Ethics shall knowingly file a false complaint or report of a violation of this Code of Ethics.
- M. Aiding others prohibited.
No City officer or employee may knowingly aid or assist any City officer or employee in the violation of any provision of this Code of Ethics.
- N. Commission of Acts of Moral Turpitude or Dishonesty Prohibited.
No City officer or employee shall commit any act of moral turpitude or dishonesty relating to his or her duties or position as a City officer or employee or arising from business with the City. Conviction of a felony or a misdemeanor involving moral turpitude or dishonesty, the nature of which demonstrates lack of fitness for the position held, shall be considered conclusive evidence of a violation of this Code of Ethics. Demonstrated acts of moral turpitude or dishonesty are not limited to felony or misdemeanor criminal convictions.
- O. Prohibited Conduct After Leaving City Service.
1. Disclosure of Privileged, Confidential or Proprietary Information Prohibited.
No former City officer or employee shall disclose or use any privileged, confidential or proprietary information gained because of his or her City employment.
 2. Participation in City Matters Prohibited.
No former City officer or employee shall, within a period of one year after leaving City office or employment:
 - a. participate in matters involving the City if, while in the course of employment with the City, the former City officer or employee was officially involved in the matter, or personally and substantially participated in the matter, or acted on the matter;

- b. represent any person as an advocate in any matter in which the former City officer or employee was involved while a City officer or employee; or
 - c. participate as or with a bidder, vendor or consultant in any competitive selection process for a City contract in which he or she assisted the City in determining the project, or work to be done, or the process to be used.
- 3. Duty to Inform.
Whenever a City officer or employee wishes to contract with a former City officer or employee for expert or consultant services within one year of the latter's leaving City service, advance notice shall be given to and approval received from the Ethics Commission. Said approval shall be in written form and copied to the mayor at the same time that it is given to the individual making the request.
- 4. Exceptions.
 - a. The prohibitions of subsections (2)(a) and (2)(b) of this section shall not apply to a former City officer or employee acting on behalf of a governmental agency if the Ethics Commission has determined that the service to the agency is not adverse to the interest of the City.
 - b. Nothing in this chapter shall prohibit an official elected to serve a governmental entity other than the City of Spokane from carrying out their official duties for that government entity.
- 5. Corporations, firms or persons doing business with the City shall be advised of this provision, and shall certify, as part of any contract with the City, that they are aware of the restrictions in this policy. If a firm or person doing business with the City assists an employee in violating the provisions of the Code, the firm or business may be disbarred, excluded from contracting with the City for 5 years.

1.04A.040 Penalties for Noncompliance

- A. If the alleged violating party stipulates to the decision of the Ethics Commission, the decision that violation has occurred and acceptance of the consequences specified in the decision becomes final without hearing. However, if stipulation is not acceptable to the party against whom the complaint is filed, the matter will proceed to hearing by the Ethics Commission.
- B. A stipulation or hearing determination by the Ethics Commission that a violation has occurred shall subject the party found in violation to any of the following penalties, which may be imposed by the Ethics Commission:

1. A cease and desist order as to violations of this Code of Ethics.
2. A recommendation to the city council that an appointed committee or commission member be removed from the board or commission.
3. An order to pay to the City damages sustained by the City that are caused by the conduct constituting the violation.
4. In the case of a violator who receives wages from the City, a civil penalty of up to five thousand dollars per violation or three times the economic value of anything received or sought in violation of this chapter or rules adopted under it, whichever is greater, may be imposed. Alternatively, the violator who is a member of a board or commission may be suspended for a number of days to be decided by the Ethics Commission, in lieu of fine but not in lieu of damages.
5. An employee of the city who commits a violation of this chapter may be subjected to disciplinary action, up to and including termination from employment; provided that such disciplinary action is consistent with Career Service Guidelines and any applicable collective bargaining agreement.
6. Costs, including reasonable investigative costs, shall be included as part of the limit under subsection (B)(4) of this section. Costs may not exceed the penalty imposed. The payment owed on the penalty shall be reduced by the amount of the costs paid.
7. As appropriate, the Ethics Commission may refer the disposition of a complaint to the City or County prosecuting attorney's office for appropriate action.
8. Damages under this section may be enforced in the same manner as a judgment in a civil court.

1.04A.050 Recall of Elected Official for Violation of Code of Ethics

- A. Pursuant to City Charter Section 8.5, the city council may consider a resolution to place an elected official's name on a recall ballot based upon the Ethics Commission's recommendation to the city council that the elected official be subject to a recall election. The Ethics Commission must determine that:
 1. an elected official of the City has knowingly committed a violation of the Code of Ethics,
 2. the violation constitutes moral turpitude rendering the elected official unfit to remain in office, and

3. there are no mitigating circumstances.
- B. In considering whether to place an elected official's name on a recall ballot, the city council shall have a resolution submitted to the city clerk's office setting forth the Ethics Commission's determination and recommendation regarding the violation of the Code of Ethics and calling for a public hearing on the matter. The city council shall schedule a hearing at least thirty days from the date the resolution is submitted to the city clerk's office. A copy of the resolution and hearing date shall be personally served upon the elected official. At the time the city council is scheduled to consider the resolution, the chairperson of the Ethics Commission or the Ethics Commission's designee shall appear before the city council to present the Ethics Commission's determination and recommendation. The Ethics Commission shall deliver to the city council all records maintained by the Commission created pursuant to its review and determination of the matter. The elected official who is the subject of the Ethics Commission's shall be given an opportunity to respond to the Ethics Commission's determination and recommendation and to present argument against passage of the resolution by the city council to place the elected officials name on a recall ballot. Both the Ethics Commission's representative and the elected official shall be permitted to respond to questions from the city council.
 - C. The city council, by a vote of a majority of the city council, may pass the resolution to place the elected official's name on a recall election ballot for action by the voters of the City on the next available general or special election established by state law. The city clerk's office shall forward the required resolution to the Spokane County auditor's office pursuant to state law requesting the ballot proposition be placed on the next available general or special election. The city attorney's office shall be responsible for preparing a ballot synopsis for the recall election and any necessary resolutions or other legal documents.
 - D. If approved by a majority of the electors voting in the election, the elected official shall be removed from office effective the date the recall election results are certified by the Spokane County auditor.

1.04A.060 Where to Seek Initial Review

- A. Any person who has been assessed a monetary fine and/or cost bill, or has been disciplined or removed from office, for a violation of this chapter may seek initial review at the Spokane city council by delivering a written notice of appeal to the office of the city council within twenty days of receiving a decision of the Ethics Commission regarding a written notice of the assessed fine and/or cost bill.
- B. The notice of appeal shall be in writing and shall include the mailing address and, if different, the street address where papers may be served on the appellant. The notice of appeal shall contain, in separate numbered paragraphs, statements of

the specific findings of fact, conclusions of law, or aspects of the fine and/or cost bill on which the appellant seeks review, the basis for the appeal, and a brief statement of the relief requested. The appellant shall attach a copy of the committee's written decision being appealed.

- C. The city council will forward a copy of the written notice of appeal to the Ethics Commission and the person making the original complaint within ten days of receiving the notice of appeal from the appellant.
- D. The Ethics Commission shall provide the city council with a copy of the recorded proceedings and all documents offered into evidence at the Ethics Commission hearing within twenty days of receiving a copy of the written notice of appeal from the council.
- E. The city council may determine its own procedures for hearing each appeal by majority vote, as long as it does not conflict with the procedures in this chapter.
- F. In considering the amount of any monetary penalty and/or cost bill, the city council may allow additional testimony. The council may also modify the amount of any monetary penalty and or cost bill.
- G. Any decision to reverse the Ethics Commission's decision finding a violation must be based solely on the administrative record below and after determining that the Commission's decision was arbitrary, capricious or not supported by substantial evidence in the Commission's record.
- H. The city council may not modify any part of the Commission's decision under an appeal filed to the city council under this section unless there is a majority plus one vote.
- I. The Commission's decision shall be deemed to have been upheld unless the city council reverses or modifies the Commission's decision within seventy-five days after the notice of appeal is filed.

1.04A.070 Where to Seek Judicial Review

A person who receives a penalty for noncompliance from the Ethics Commission or an adverse decision from the city council upon review pursuant to SMC 1.04.070 may appeal the decisions by seeking a writ from the Spokane County superior court pursuant to chapter 7.16 RCW, or other appropriate legal action.

Section

1.04A.080 Ethics Commission

- A. The Ethics Commission shall be comprised of seven members who shall be appointed by the mayor and confirmed by the city council. The initial six

members shall be appointed for a one-, two- and three-year term and may be reappointed for one additional three-year term. The seventh member who shall be appointed by members of the Ethics Commission shall serve an initial three-year term and may be reappointed for a second three-year term. The Ethics Commission appointees shall include representatives from the following segments of the community:

1. A person with a professional or academic background in the legal profession including attorneys, law professors or members of the judiciary.
 2. A person from local business with experience in human resources/personnel.
 3. A person who possesses familiarity with politics and the political process.
- B. All reasonable efforts shall be used to locate individuals who satisfy the requirements in subsection (A). In the event that any one of the requirements in subsection (A) cannot reasonably be satisfied, a substitute may be appointed. The substitute shall have a background in a profession which includes a code of ethics as an element of the profession.
- C. The City Attorney shall appoint a Staff Director to the Ethics Commission. The Staff Director shall provide assistance to the Commission as necessary for the Commission to fulfill its obligations and duties.
- D. Commission members shall serve without compensation.

1.04A.090 Duties and Powers

- A. The Ethics Commission shall, with the assistance of the Staff Director, create a manual of its operating policies, procedures, forms, and rules consistent with this chapter and subject to the approval of the city council. The Ethics Commission shall review its manual at least annually for possible modifications. The manual shall be posted and maintained as part of the City's website. (See 1.04.090 D)
- B. The Ethics Commission may, subpoena witnesses, compel their attendance, administer oaths, take the testimony of a person under oath, and in connection therewith, to require the production for examination of any books or papers relating to any matter under investigation or in question before the Commission;
1. In case of refusal to obey a subpoena issued to a person, the Ethics Commission shall petition the superior court of a county within the jurisdiction of which the investigation, proceeding or hearing under this chapter is carried on or within the jurisdiction of which the person refusing to obey is found or resides or transacts business for an order requiring the person to appear before the Ethics Commission or its member to produce

evidence if so ordered, or to give testimony touching the matter under investigation or in question. Failure to obey such order of the court may be punished by the court as contempt.

- C. All hearings of the Ethics Commission shall be conducted as contested hearings under applicable provisions of the Spokane Municipal Code and the rules and regulations adopted by the Ethics Commission. All hearings shall be open to the public. The record of the hearings, as well as all documents submitted in regards to the complaint and the Ethics Commission's investigation, shall be subject to public disclosure laws, chapter 42.56 RCW - Public Records Act.
- D. A Commission member who has a conflict regarding a specific complaint before the Ethics Commission shall recuse himself or herself from hearing that complaint, but shall remain a member of the Commission for future complaints.
- E. The Ethics Commission may, when circumstances make it necessary to do so, retain outside legal counsel and other experts, as needed, after solicitation of recommendations from the City Attorney (unless the need to retain outside counsel is caused by a conflict involving the City Attorney's Office).
- F. The Ethics Commission may make recommendations to the city council for amendments to this chapter and for such other legislation affecting the subject matter of this chapter as the Ethics Commission may deem necessary or desirable.
- G. The Ethics Commission shall develop educational programs which inform agencies, public officials and city officers and employees about City, state and federal ethics laws, and the importance of ethics to the public's confidence in municipal government.

1.04A.100 Ex Parte Communications

- A. After a complaint has been filed and during the pendency of a complaint before the Ethics Commission, no member of the Commission may communicate directly or indirectly with any party or other person about any issue of fact or law regarding the complaint, except that;
 - 1. The members of the Commission may obtain legal advice from the City Attorney or, in the event of a conflict, with independent legal counsel and may discuss the complaint with their staff.
 - 2. The members of the Commission may discuss the complaint at a lawfully conducted meeting. Commission deliberations concerning complaints are subject to exemption from the Open Public Meetings Act, as permitted by law. If any person attempts to communicate with a Commission member regarding the pending complaint, the Commission member shall report the

substance of the communication to the Commission on the public record at the next regular meeting of the Commission.

3. The Commission shall not take testimony or comments from any person regarding complaint except as presented in an investigative report or in the course of a duly noticed public hearing.

1.04A.110 Complaint Process of the Ethics Commission

- A. A complaint that this Code of Ethics has been violated by a City employee or a City officer shall be filed with the Ethics Commission.
- B. Any person may file an official written complaint or inquiry with the Ethics Commission asking whether a current City officer or employee has failed to comply with this Code of Ethics.
- C. Complaints and inquiries must be in writing on a form approved by the Ethics Commission. The form shall contain a statement that must be signed and which states that, to the best of the person's knowledge, information, and belief formed after reasonable reflection, the information in the complaint or inquiry is true. The complaint must describe the facts that constitute the violation of this Code of Ethics in sufficient detail so that the Commission and the person who is the subject of the complaint or inquiry can reasonably be expected to understand the nature of any offense that is being alleged.
- D. The Commission, upon receipt of the complaint, shall acknowledge receipt of the complaint, forward the complaint simultaneously to the person who is complained against, if known, and the City Attorney, and promptly meet and review the complaint. As soon as practicable after giving due consideration to a complaint the Commission shall either:
 1. Dismiss the complaint based on any of the following grounds:
 - a. It has no jurisdiction;
 - b. The alleged violation, if true, would not constitute a violation of this article;
 - c. The alleged violation is a minor or de minimis violation;
 - d. The complaint or inquiry is, on its face, frivolous, groundless or brought for purposes of harassment;
 - e. The matter has become moot because the person who is the subject of the complaint or inquiry is no longer a City officer or employee;

- f. The appointing authority has already taken action as a result of finding a violation and the Commission believes the action was appropriate; or
 - 2. Determine that:
 - a. The complaint alleges facts which, if found to be true, would be sufficient to constitute a violation of the Code of Ethics;
 - b. Further information must be presented for the Commission to determine if a violation of the Code of Ethics has occurred.
- E. If the Commission determines the complaint alleges facts which, if found to be true, would be sufficient to constitute a violation of the Code of Ethics, it may create a stipulation for the City officer or employee subject to the complaint resolving the complaint, the determination of compliance and the penalty, if any to be imposed.
- F. If the complaint is not resolved by stipulation, or earlier in the adjudication process, or additional information is required to establish the factual record necessary for the Commission to determine whether a violation of the Code of Ethics has occurred, the board may convene a hearing at a future date certain. At such a hearing, the Commission may call additional witnesses or consider additional documentary evidence. After final deliberations on additional testimony, statements, or documents presented at the hearing, the Commission shall determine whether or not a violation of the Code of Ethics has occurred.
- G. Any person who is the subject of a complaint may designate a representative if he or she wishes to be represented by someone else, to present evidence, and to cross-examine witnesses. The person who submitted the complaint and the subject of the complaint must be allowed sufficient time to examine and respond to any evidence not presented to them in advance of the hearing.
- H. After the Commission has made its final determination, the Commission shall issue its written findings of fact and conclusions of law, along with its recommended disposition (if applicable). The Commission may, in addition, issue any additional reports, opinions, or recommendations as it deems advisable under the circumstances. All such reports shall be reviewed by the city attorney (or independent legal counsel in the event that a conflict of interest prevents the city attorney from conducting the review) prior to their issuance. The Commission's conclusions shall be based on the preponderance of the evidence standard.
- I. The investigation of complaints shall be completed by the Ethics Commission and written findings and conclusions prepared within sixty days of the date of the complaint. A copy of the written investigation findings and conclusions shall be served on any party against whom a complaint is filed within three days of the

Ethics Commission's final decision. It shall be posted on the City's website for the Ethics Commission no more than twenty-four hours later. Posting on the website will clearly indicate the disposition of the issue in the text of the link and not in the text of the document only.

- J. The City Attorney may require the investigation of complaints and written findings to be completed by the Ethics Commission, in a reasonable amount of time, less than that stated in (I) in circumstances where the matter should be resolved more quickly.
- K. Any individual who is advised of another's violation of this code is responsible to direct the advising party of this code and its procedure for filing complaints.

1.04A.120 Training

- A. The Ethics Commission, with the assistance of the Staff Director, shall prepare, distribute and periodically update an employee handbook on the Code of Ethics, after obtaining the city attorney's review. In addition to the updates the Commission shall disseminate any change in policy that results from a finding of the Commission if it applies to other city employees.
- B. Every appointing authority shall give a copy or electronic version of the handbook and any updates to each employee annually and shall provide annual training to employees regarding the Code of Ethics. Each City employee or official shall read and agree in writing to the City of Spokane Code of Ethics.
- C. Information shall be provided to employees terminating city service regarding the restrictions on former city employees.

1.04A.130 Restrictions on Ethics Commission Members

- A. Restrictions on Holding Office

No member or employee of the Ethics Commission may hold any other City or County office, or be an officer of a political party.

- B. Restrictions on Employment

No member or employee of the Ethics Commission may be a registered lobbyist or campaign consultant, or be employed by or receive gifts or other compensation from a registered lobbyist or campaign consultant. No member of the Ethics Commission may hold employment with the City or County and no employee of the Commission may hold any other employment with the City or County.

- C. Restrictions on Political Activities

No member or employee of the Ethics Commission may participate in any campaign supporting or opposing a candidate for City elective office, a City ballot measure or a City officer running for any elective office. For the purposes of this section, participation in a campaign includes but is not limited to making contributions to or soliciting contributions from any Commission within the Ethics Commission's jurisdiction, publicly endorsing or urging endorsement of a candidate or ballot measure or participating in decisions by organizations to participate in a campaign.

D. Restrictions after Employment

Members and employees of the Ethics Commission are subject to the post - employment restrictions set forth in the City of Spokane Code of Ethics.

1.04A.140 Vacancy and Removal

A. In the event a vacancy occurs, the mayor shall appoint a qualified person to complete the remainder of the term.

1. A member of the Commission may be removed only for misconduct pursuant to this chapter.
2. Any member of the Ethics Commission guilty of official misconduct or convicted of a crime involving moral turpitude or dishonesty shall be removed by the city council upon recommendation by the mayor.

1.04A.150 Limitation Period

A. Any action taken under this chapter must be commenced within three years from the date of the violation. However, if it is shown that the violation was not discovered because of concealment by the person charged, then the action must be commenced within three years from the date the violation was discovered or reasonably should have been discovered:

1. by any person with direct or indirect supervisory responsibilities over the person who allegedly committed the violation; or
2. if no person has direct or indirect supervisory authority over the person who committed the violation, by the appropriate Ethics Commission.

1.04A.160 Applicability

The Code of Ethics shall be applicable to all elected or appointed officers and exempt confidential employees and shall not be applicable to represented employees unless the City and the respective labor union have entered into a

collective bargaining agreement providing that compliance with the Code of Ethics is a condition of employment.

1.04A.170 Advisory Opinions

- A. Upon request of any employee, the mayor or a member of the city council, or any City Officer, the Ethics Commission may also render written advisory opinions concerning the applicability of the Code to hypothetical circumstances and/or situations solely related to the persons making the request.
- B. Upon request of the mayor, or two members of the city council, the board of ethics may also render written advisory opinions concerning the applicability of the code to hypothetical circumstances and/or situations related to a matter of city-wide interest or policy.

1.04A.180 Severability

If any section, subsection, paragraph, sentence, clause or phrase of this chapter is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this chapter.

Section 2. That Title 1.04 of the Spokane Municipal Code is repealed.

PASSED BY THE CITY COUNCIL ON _____, 2014.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date

CODE OF ETHICS

HIGHLIGHTED CHANGES

- ❖ Enhanced duties and powers of the Commission.
- ❖ Terms are better defined, such as "gift", "financial interest", "use of City property".
- ❖ Better guidance to those covered by the Code, including mandatory training and handbook for employees.
- ❖ Moral turpitude/dishonesty convictions are conclusive evidence of violation of the Code.
- ❖ Greater enforcement powers for penalties and violations, including post-City employment.
- ❖ Complaint process streamlined.

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

09/08/2014

Date Rec'd

8/27/2014

Clerk's File #

ORD C35149

Renews #**Submitting Dept**

ASSET MANAGEMENT

Contact Name/Phone

DAVID STEELE 625-6064

Contact E-Mail

DSTEELE@SPOKANECITY.ORG

Agenda Item Type

First Reading Ordinance

Agenda Item Name

5900 - ORDINANCE - PARKING TIME LIMITS/IMMOBILIZATION/IMPOUNDMENT

Agenda Wording

An ordinance relating to parking time limits and vehicle immobilization and impoundment procedures.

Summary (Background)

Amendments to Parking Ordinance 16A related to appeals during the boot and tow process, and clarification of existing ordinance language. These changes provided clarification of existing language in the parking ordinance and amend the boot and tow appeal language to more accurately reflect our municipal court process.

Fiscal Impact**Budget Account**

Neutral \$

#

Select \$

#

Select \$

#

Select \$

#

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

WERNER, MICHAEL

Study Session**Division Director**

CHILDS, BRANDON

Other

PCED 8/11/14

Finance

BUSTOS, KIM

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SANDERS, THERESA

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Additional Approvals

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Purchasing

mhughes@spokanecity.org



Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

Summary (Background)

Contractors shall be permitted to replace a first-tiered contractor listed in its bid response, which shall not increase the bid amount.

Fiscal Impact

Select \$

Select \$

Budget Account

#

#

Distribution List

ORDINANCE NO. C35149

AN ORDINANCE relating to parking time limits and vehicle immobilization and impoundment procedures.

The City of Spokane does ordain:

Section 1. That Spokane Municipal Code Section 16A.61.561 is amended as follows:

Section 16A.61.561 Parking Time Limited and Regulated

- A. No vehicles shall be parked continuously ~~in~~ on any one block face upon any public street or highway in this City at any time for a period longer than ~~twelve~~ twenty-four hours. Vehicles in violation may be deemed unauthorized and subject to twenty-four hour notification of impoundment and be impounded.
- B. Between the hours of eight a.m. and seven p.m., ~~on weekdays~~ Monday through Saturday, no vehicle shall be parked ~~continuously in~~ on any one block face upon any street within ~~that portion of the retail zone of the congested district lying north of the Burlington Northern Railway Company's viaduct for a period longer than one hour, nor in that portion of the retail zone of the congested district lying south of the Burlington Northern Railway Company's viaduct for a period longer than two hours, nor in any one block upon any street within the congested district outside the retail zone of the congested district for a period longer than three hours; the parking meter area (as authorized by SMC 16A.61.5902) beyond the maximum time allowed by the meter, and are required to move off the block face after the maximum time allowed by the meter has expired until the next calendar day, except that pay-by-phone customers may purchase one, fifteen minute time extension beyond the legal maximum parking time by phone;~~ provided, the city council may fix a shorter or longer time for parking in reserved and other restricted parking places established under the provisions of this code, the same to be effective when properly signed and posted by the City street director.
- C. Between the hours of eight a.m. and seven p.m., Monday through Saturday, no vehicle shall be parked within the parking meter area (as authorized by SMC 16A.61.5902) ~~bounded by Sprague Avenue, Lincoln Street, Spokane Falls Boulevard, and Washington Street, inclusive of the boundary streets, at a space from which the parking meter or space number sign has been removed for a period longer than two hours.~~

Section 2. That Spokane Municipal Code Section 16A.61.790 is amended as follows:

Chapter 16A.61 Rules of the Road

Section 16A.61.790 Vehicle Immobilization and Impoundment

- A. Creation of Scofflaw List.
As frequently as practicable, parking services shall prepare and update the scofflaw list consisting of vehicles involved in four or such greater number of parking tickets unpaid more than forty five days after their issuance that the parking services manager shall determine is efficient to include on the scofflaw list.
- B. Civil Penalties to Cover Administrative Costs.
There is imposed upon the owner of every vehicle on the scofflaw list a civil penalty of the amount specified in SMC 8.02.083 to cover costs of administering the scofflaw list. There is also imposed upon the owner of every vehicle on the scofflaw list that is immobilized or impounded hereunder a civil penalty of the amount specified in SMC 8.02.083 to cover the additional administrative costs of immobilization and/or impoundment.
- C. Notice.
1. Parking services shall give notice by first class mail to the last known registered owner of the vehicle, as disclosed by the vehicle license number and as provided by the Washington state department of licensing or equivalent vehicle licensing agency of the state in which the vehicle is registered for each vehicle on the scofflaw list, stating that the vehicle is on the scofflaw list; and
 - a. the date and the nature of each ticket overdue and the amount due on each;
 - b. that a scofflaw list fee in the amount specified in subsection B of this section has been imposed to cover administrative costs;
 - c. the total amount currently due;
 - d. a specific deadline for response, no less than ten days after the date of mailing;
 - e. that the owner shall, by said deadline, respond to the notice. Response shall be by paying the total amount due, scheduling a hearing with the Spokane Municipal Court, or by arranging a payment schedule with the Spokane municipal court City's contracted collection agency for payment of the total amount due; and.
 - f. that if the vehicle owner fails to respond within the prescribed time period, the listed vehicle will be subject to immediate immobilization or impoundment pursuant to the procedures in SMC 16A.61.790(D) Immobilization and SMC 16A.61.790(E) Impoundment, payment of the civil penalties imposed under subsection in SMC 8.02.083 and payment of the costs of immobilization, towing and storage.
 2. The notice required by this subsection is sufficient if mailed to the address provided by the Washington state department of licensing;

provided, however, that if parking services, after exercising due diligence, to discover any mailing address, then notice is sufficient if it is posted on the vehicle, or personally served on the vehicle owner or driver, or provided by any other means reasonably calculated to provides notice to vehicle owner or driver.

3. If the vehicle owner or an agent of the owner pays the fines and fees, including the amount(s) specified in SMC 8.02.083, and all towing and storage charges, if any, ~~or posts a bond to cover~~ schedules a hearing with the Spokane Municipal Court, or arranges a payment plan through the City's contracted collection agency ~~such fines, fees, and charges, or arranges any combination of payment and bond to cover the total due,~~ parking services shall remove the vehicle from the scofflaw list. If any parking ticket not included on the scofflaw list for which the owner is liable becomes overdue before the owner or agent appears to pay or sets a hearing with the Spokane Municipal Court ~~post bond~~, such subsequent tickets shall also be paid or bond shall be posted therefore before the vehicle is removed from the scofflaw list.
4. The owner of a vehicle that is subject to the procedures of this section and in SMC 16A.61.790(D) Immobilization and SMC 16A.61.790(E) Impoundment, is entitled to a hearing in the Spokane municipal court pursuant to RCW 46.55.120 (2)(b) to contest the validity of the immobilization, impoundment or the amount of towing and storage charges. Any request for a hearing and the resolution thereof shall be as set forth in RCW 46.55.120 (3), which are hereby adopted by reference as now exist or hereafter may be amended.
5. Failure to appear for a scheduled hearing or to remain current and in good standing on any arranged payment plan with the City's contracted collection agency, will result in the vehicle returning to the scofflaw list and being eligible for immediate immobilization.

D. Immobilization.

1. If the owner of a vehicle to whom notice has been sent pursuant to SMC 16A.61.790(C) fails to respond to the notice within the deadline therein specified by paying all fines, fees, towing, storage and administrative charges then due, including but not limited to the amount(s) specified in SMC 8.02.083, or posting a bond to cover such fines, fees and charges such that the vehicle can be removed from the scofflaw list under SMC 16A.61.790(C), then, at the discretion of a limited commissioned or commissioned City officer, the vehicle may be immobilized by installing on the vehicle a device known as a "boot," which clamps and locks on to a wheel of the vehicle and impedes movement of the vehicle.
2. The person installing the boot shall leave under the windshield wiper or otherwise attach to such vehicle a notice advising the owner that:
 - a. the vehicle has been immobilized by the City of Spokane for failure to pay four or more uncontested parking tickets within forty five days of their issuance,

- b. that release of the boot may be obtained by paying the fines, fees and civil penalties due,
 - c. that unless such payments are made within two business days of the date of the notice, the vehicle will be impounded, and
 - d. that it is unlawful for any person to remove or attempt to remove the boot, to damage the boot, or to move the vehicle with the boot attached.
- 3. No parking restriction otherwise applicable to the vehicle applies while the vehicle is immobilized by a boot installed under the provisions of this section.
- 4. Before the vehicle may be released from immobilization, the vehicle owner or an agent of the owner shall:
 - a. pay all fines and fees then due, including but not limited to the amounts specified in SMC 8.02.083; or
 - b. post a bond to cover such fines, fees, and charges, or
 - c. arrange any combination of payment and bond to cover the total due.

Upon such payment, the vehicle shall be removed from the scofflaw list, and a limited commissioned parking services officer shall promptly remove the boot from the vehicle. If any parking ticket not included on the scofflaw list for which the owner is liable becomes overdue before the owner or agent pays, the subsequent tickets shall also be paid before the vehicle may be removed from the scofflaw list or released from immobilization.

E. Impoundment.

- 1. At the discretion of a limited commissioned or commissioned City officer, the following vehicles may be impounded:
 - a. A vehicle that was involved in eight or more parking tickets that are unpaid forty five or more days after the date of their issuance, where the registered owner of the vehicle was sent a notice pursuant to SMC 16A.61.790(C) and the owner fails to respond to the notice within the deadline therein specified by paying all fines, fees, towing, storage and administrative charges or posting a bond to cover such fines, fees and charges such that the vehicle can be removed from the scofflaw list under SMC 16A.61.790(C); or
 - b. A vehicle that was immobilized pursuant to SMC 16A.61.790(D) and the vehicle's owner failed to pay all fines, fees, and administrative charges or post a bond to cover such fines, fees and charges within two business days of the date the vehicle was immobilized such that the vehicle can be removed from the scofflaw list under SMC 16A.61.790(C); or
 - c. As otherwise authorized by the model traffic code as adopted by reference in SMC 16A.020.010.

2. Limited commissioned City officers, as applicable, shall use the uniform impound authorization and inventory form provided for by administrative rule by the Washington state patrol pursuant to RCW 46.55.075.
3. If a vehicle has been impounded pursuant to SMC 16A.61.790(E), before the vehicle may be released from impound, the vehicle owner or an agent of the owner shall pay all fines and fees then owing, including but not limited to the amounts specified in SMC 8.02.083; and all towing and vehicle storage charges. Upon such payment, the vehicle shall be removed from the scofflaw list. If any parking ticket not included on the scofflaw list for which the owner is liable becomes overdue before the owner or agent pays, such subsequent tickets shall also be paid before the vehicle may be removed from the scofflaw list or released from impoundment.

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:**

09/15/2014

Date Rec'd

9/3/2014

Clerk's File #

ORD C35152

Renews #**Submitting Dept**

CITY COUNCIL

Contact Name/Phone

SHERYL 6224

Contact E-Mail

SMCGRATH@SPOKANECITY.ORG

Agenda Item Type

First Reading Ordinance

Agenda Item Name

0320 FOR-HIRE VEHICLE REVISION

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

AN ORDINANCE relating to for-hire vehicles; amending SMC sections 10.34.020, 10.34.080 and 10.34.180.

Summary (Background)

This ordinance amends provisions of Chapter 10.34 SMC relating to for-hire vehicles including provisions relating to vehicle inspections. This ordinance also provides for a sixty day interim for-hire driver license and establishes a class one civil infraction for driving a for-hire vehicle without a for-hire vehicle license or for-hire driver's license.

Fiscal Impact**Budget Account**

Select \$

#

Select \$

#

Select \$

#

Select \$

#

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

STUCKART, BEN

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

DOLAN, PAM

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Purchasing

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Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

reserve of \$44,470.40 or 15.1% of the contract price.

Summary (Background)

The bid estimate was for 102 SY. Added cost \$26,200. The driveway approaches did not include a quantity for curb removal and replacement. The existing approaches were monolithic, requiring removal and replacement of the curb. Added cost \$7,000. Therefore, it will be necessary to increase the administrative reserve an additional \$15,000.00 or 5.1%.

Fiscal Impact

Select \$

Select \$

Budget Account

#

#

Distribution List

ORDINANCE NO. C35152

AN ORDINANCE relating to for-hire vehicles; amending SMC sections 10.34.020, 10.34.080 and 10.34.180.

The City of Spokane does ordain:

Section 1. That SMC section 10.34.020 is amended to read as follows:

10.34.020 Activities Requiring License

- A. No person may own, operate, use, or drive a for-hire vehicle unless the vehicle is licensed under this chapter and no person may drive a for-hire vehicle without a driver's license issued under this chapter.
- B. The for-hire vehicle and driver licenses required by this chapter are class IIA licenses under chapter 4.04 SMC.
- C. An interim for-hire driver license shall be issued to new for-hire vehicle drivers at no cost to the driver, which shall be good for sixty days. After the sixty day interim period, the driver shall pay the driver license fees set forth in SMC 8.02.0210 A and D before permanent for-hire driver licenses are issued. All other requirements set forth in the chapter shall be met before the issuance of interim for-hire driver licenses.
- D. A violation of this section is a class one civil infraction. Each subsequent violation is a separate infraction.

Section 2. That SMC section 10.34.080 is amended to read as follows:

10.34.080 Vehicle Inspections

The director of fleet services causes safety inspections to be made of all for-hire vehicles as required by the provisions of chapter 4.04 SMC and chapter 10.34 SMC and by regulations established by the director of fleet services. Should a member of the public make complaint to the licensing officer regarding the cleanliness, equipment, or operating condition of a vehicle:

- A. the licensing officer, or the officer's designee or a police officer, may, upon evaluation of the complaint, direct the licensee to present such vehicle to fleet services for inspection;
- B. the licensing officer, or the officer's designee or a police officer, ~~((may))~~ shall provide the licensee seventy-two hours to correct any concerns with the vehicle, order such vehicle to proceed immediately to fleet services for inspection or issue a written notice to the licensee to present the vehicle for inspection within five

- working days. No fee shall be charged to the for-hire owner/driver for the fleet services inspection in response to a complaint by a member of the public;
- C. the fleet services director reports violations to the licensing officer for enforcement as provided in chapter 4.04 SMC;
 - D. for hire vehicle inspections may be conducted by a ~~((certified ASE))~~ city & state licensed ASE Certified mechanic who ~~((has been approved by the director of fleet services and))~~ is not affiliated with a taxi company. An approved ~~((ASE))~~ city & state licensed ASE Certified mechanic ~~((can))~~ shall issue a certificate of safety for the for-hire vehicle that passed the safety inspection on a form provided by the director of fleet services;
 - E. the for-hire vehicle is subject to a minimum of two inspections at six month intervals during a calendar year if the vehicle has over three hundred thousand miles;
 - F. a vehicle over ten years old shall have two vehicle inspections at six month intervals during a year and
 - G. vehicle inspections shall be done annually starting from the initial inspection date.

Section 3. That SMC section 10.34.180 is amended to read as follows:

10.34.180 Violations– For-hire Vehicle Operator

- A. It is a violation and grounds for suspension or revocation of a for-hire driver's license, in addition to SMC 4.04.070, for any for-hire driver to:
 - 1. commit more than two traffic infractions in any twelve-month period;
 - 2. commit a felony;
 - 3. commit reckless driving, hit and run, or driving or being in physical control of a vehicle while under the influence of liquor or drugs;
 - 4. ~~((The for-hire vehicle operator shall))~~ fail to deliver all unclaimed property to the police department within seven days finding the unclaimed property in the vehicle;
 - 5. allow a person to alight from the vehicle while it is in motion or discharge a passenger at any place other than the curb or pavement edge;
 - 6. allow a passenger to consume intoxicating liquor or drugs in the vehicle;
 - 7. transport a passenger to a destination by a route that is not the safest and most direct, unless the passenger specifically authorizes such alternate or indirect route;
 - 8. pick up any additional passengers without the express consent of the original passenger;
 - 9. refuse to pick up as a passenger any person of proper deportment when the vehicle is available, or discriminate against any person because of race, religion, national origin, sex, marital status, age or mental or sensory handicap;

10. activate the meter when the vehicle is not engaged or fail to activate the meter at the beginning of each trip, unless the trip is made under contract;
11. activate equipment indicating the vehicle is engaged when it is not, or fail to activate such equipment when the vehicle is engaged;
12. use a taxi stand for any purpose other than to await the carriage of passengers for hire;
13. fail to remain within five feet of the vehicle when parked at a taxi stand, except when actually assisting passengers;
14. engage in any unfair or deceptive acts or practices;
15. use any foul or obscene language to the offense of a passenger;
16. fail to report any accident (while operating a for-hire vehicle) involving a for-hire vehicle to the for-hire vehicle licensee.
 - a. A for-hire vehicle operator that is involved in an accident shall within two hours of being released from the scene get a drug test performed by an approved testing facility at their own cost and provide the results of the test to the Spokane police department.
17. fail to provide licensing documentation on request by a police officer, licensing officer, or inspection officer of the City of Spokane;
18. use tobacco products inside the for-hire vehicle by the operator or passenger;
19. operate a for-hire vehicle without a for-hire vehicle operator's license, or to operate a for-hire vehicle with a temporary for-hire vehicle operator's permit without being accompanied by a licensed for-hire operator;
20. consume alcohol within six hours preceding operating or while operating a for-hire vehicle, or to be under the influence of alcohol or any prescription medication that would impair the operator, or to use or be under the influence of any illegal substance/drugs;
21. operate a for-hire vehicle for more than twelve consecutive driving hours without an eight-hour break between shifts;
22. ~~((Shall))~~ fail to display the~~((if))~~ for-hire operator's license on the passenger side of the dash board of the vehicle;
23. ~~((Licensees will))~~ fail to establish and enforce a vehicle operator dress code ~~((s))~~. For-hire vehicle operators ~~((,-operators))~~ must comply with for-hire company dress code. At a minimum:
 - a. no open-toed shoes,
 - b. no cutoff pants,
 - c. socks must be worn with shoes,
 - d. all clothing must be clean,
 - e. must maintain good grooming and hygiene standards,
 - f. no tank tops.

- B. A for-hire vehicle operator's license may be suspended pending a hearing for commission of any of the above violations.
- C. A for-hire vehicle operator's license may be revoked upon conviction of any of the above violations.

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:**

09/15/2014

Date Rec'd

9/4/2014

Clerk's File #

ORD C35153

Renews #**Cross Ref #****Project #****Bid #****Requisition #****Submitting Dept**

CITY COUNCIL

Contact Name/Phone

JON SNYDER 6254

Contact E-Mail

JSNYDER@SPOKANECITY.ORG

Agenda Item Type

First Reading Ordinance

Agenda Item Name

0320 ORD RE GAMBLING TAXES

Agenda Wording

An ordinance relating to gambling taxes; amending SMC section 8.04.020.

Summary (Background)

SMC 8.04.020 established a ten percent gambling tax on social card games. This ordinance will revise the gambling tax percentage on social card games to two percent of gross revenue under \$500,000; five percent of gross revenue between \$500,000 and \$1,000,000; and ten percent of gross revenue above \$1,000,000.

Fiscal Impact**Budget Account**

Select \$

#

Select \$

#

Select \$

#

Select \$

#

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

MCDANIEL, ADAM

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

PICCOLO, MIKE

For the Mayor**Additional Approvals****Purchasing**

ORDINANCE NO. C35153

AN ORDINANCE relating to gambling taxes; amending SMC section 8.04.020.

The City of Spokane does ordain:

Section 1. That SMC section 8.04.020 is amended to read as follows:

8.04.020 Tax Levied

There is levied upon every person, association and organization conducting or operating within the City any gambling activity authorized by state law a tax upon gross receipts or gross revenues of the activity as follows:

- A. Amusement games: Two percent of gross receipts from the amusement game less the amount awarded as prizes except as otherwise provided (RCW 9.46.110(3)(b)).
- B. Bingo games or raffles: Gross receipts less the amount awarded as cash or merchandise prizes during the taxable period, multiplied by five percent or the maximum rate permitted by law, whichever is greater (RCW 9.46.110(3)(a)).
- C. Punchboards and pull tabs: Ten percent of gross receipts from the operation of the games, less the amount awarded as cash or merchandise prizes (RCW 9.46.110(3)(e)).
- D. Social card games: ~~((Fifteen percent of gross revenue from such games, effective January 1, 2006. The rate shall be reduced to ten percent effective January 1, 2007.))~~ Two percent of gross revenue under \$500,000; five percent of gross revenue between \$500,000 and \$1,000,000; and ten percent of gross revenue above \$1,000,000 from such games.

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:**

08/18/2014

Date Rec'd

8/4/2014

Clerk's File #

PRO 2014-0001

Renews #**Submitting Dept**

ENGINEERING SERVICES

Cross Ref #

ORD C33507

Contact Name/Phone

DAN BULLER 625-6391

Project #**Contact E-Mail**

DBULLER@SPOKANECITY.ORG

Bid #**Agenda Item Type**

Special Considerations

Requisition #**Agenda Item Name**

0370 - RESOLUTION - CSAC

Agenda Wording

10 Year Street Bond Program - Semi-Annual Report for Spring/Summer 2014.

Summary (Background)

City Council Ordinance C33507, Dated October 11, 2004, created the Citizen's Street Advisory Commission (CSAC). The duties of CSAC include an annual report on the status the street projects and recommendations on capital street projects. The Spring/Summer 2014 report anticipates that there will be surplus funds in the Local Improvement (LID) and Utility Match unpaved Streets buckets. CSAC recommends adding four projects to be paid for with these surplus funds.

Fiscal Impact**Budget Account**

Neutral \$

#

Select \$

#

Select \$

#

Select \$

#

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

TWOHIG, KYLE

Study Session**Division Director**

QUINTRALL, JAN

Other

PCED 8/11/14

Finance

LESESNE, MICHELE

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Purchasing

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mhughes@spokanecity.org

jhappy@spokanecity.org

dhawkins@@spokanecity.org



Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

Coeur d'Alene St and in Spruce St from 12th Ave to 11th Ave.

Summary (Background)

Fiscal Impact

Select \$

Select \$

Budget Account

#

#

Distribution List

BRIEFING PAPER

Engineering Services Department

August 18, 2014

Subject:

10 Year Street Bond Program Semi-Annual Report for Spring/Summer 2014

Background:

City Council Ordinance C33507, dated October 11, 2004, created the Citizen's Street Advisory Commission (CSAC). CSAC was created to insure accountability, an informed citizenry, and an independent review of plans, costs, and timeliness. The duties of CSAC include an annual report on the status of the road projects and recommendations on capital street projects.

The Spring/Summer 2014 report anticipates that there will be surplus funds in the Local Improvement District (LID) and Utility Match Unpaved Streets Funds. CSAC recommends adding four projects to be paid with these surplus funds.

Section 3 of the 2004 Street Bond Ordinance indicates: "In the event there are Bond proceeds remaining, the Council may make additional repairs and improvements to the streets of the City as are deemed necessary and desirable by the Council."

The four recommended projects follow the same criteria as used to determine the original Arterial and Residential Street Bond projects.

The four recommended projects are:

- ▶ Unpaved Streets
 - Erie Street from 1st Avenue to Martin Luther King Jr. Boulevard
 - Rebecca Street - unpaved side streets near 8th Avenue and 9th Avenue
- ▶ Utility Match Projects
 - Havana Street from 37th Avenue to south City Limits
 - 37th Avenue from Regal Street to East City Limits

Impact:

Local Improvement District (LID) and Utility Match Unpaved Street Funds - 100%

Action:

Council accept the 10-Year Street Bond Program Semi-Annual Report for Spring/Summer 2014, including the recommended four projects.



10-Year Street Bond Program

Citizen Streets Advisory Commission

**Semi-Annual Report
Summer/Fall 2014**



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Introduction

Since the 10-Year Street Bond program was approved by voters in 2004, it has been overseen by the Citizen Streets Advisory Commission (CSAC). To keep the faith with the voters that the Bond funds are spent rehabilitating Spokane streets, members of the Commission have limited the scope of Street Bond projects to the costs directly associated with rehabilitating the street curb-to-curb. The Commission provides two reports to the Mayor, City Council, and citizens of Spokane by spring/summer and fall/winter; the spring/summer report includes financial and project information while the fall/winter report highlights the completed projects for that construction year.

Citizen Streets Advisory Commission Members:

Members:	Representing:	Terms:
Phil Barto	District 3/Management Consult. Barto Fleet Engineering Svcs.	12/31/16
Dallas Hawkins, Chair	District 2/ Insurance Broker Self Employed	12/31/18
Donna Jilbert	District 1/Owner, LaDona's Beauty Salon	12/31/13
Robert Stevens	District 3/Community Volunteer	12/31/16
Max Kuney	District 2/President Max J, Kuney Co.	12/31/15
Kathy Miotke	At Large/Chair, Five Mile Prairie Neighborhood Association	12/31/16
Stan Stirling, Vice Chair	District 1/ Principal Emeritus, Taylor Engineering, Inc.	12/31/16
Hal Ellis	Liaison to Community Assembly	

The following table gives an overview of how many miles of streets, and which category of streets have been repaired to date under the 10-Year Street Bond program.

Program Category	Total Miles	Miles Repaired To Date	Percent of Total Miles	Original Budget*	Spent Through Dec. 31, 2013	Percent of Bond Spent
Arterial	45	41	91%	\$82,049,473.57	\$73,360,075.72	89%
Residential	44	44	100%	\$28,343,657	\$26,265,374.13	93%
Utility Match	7	5.7	81%	\$7,000,000	\$1,959,643.77	28%
Local Improvement District (LID)	14	6.5	46%	\$10,000,000	\$4,829,079.76	48%
General Expenses				\$1,904,104.35	\$1,904,104.35	100%
TOTAL	110	97.2	89%	\$129,297,234.92	\$108,318,277.73	84%

*Original amount including interest earned.

Letter from the Street Commission

Summer 2014

To Mayor David Condon, City Council and the Citizens of Spokane:

This letter is provided as part of the semi-annual report from the Citizen Streets Advisory Commission (CSAC) to the Mayor, City Council, and to interested citizens. These reports, as well as committee monthly meetings, are part of the Street Commission's oversight of the 10-Year Street Bond Program to rehabilitate Spokane's streets. Since 2004, our mandate has been to support decisions that will result in the rehabilitation of the greatest number of street miles in the City of Spokane as supported and approved by the voters.

Pricing for street repair projects has remained steady and predictable as we work finish up the last two or three projects for this program with the High Drive and Lincoln/Monroe projects. This trend has permitted us to add four additional projects to the original list, for which we are most grateful. These additional projects truly highlight the success of this program and help build trust with the public. This work has also helped create and sustain many family wage jobs for the local community during the past decade. These jobs generate income that is spent locally and provides additional tax revenue for the City to help stimulate our regional economy.

Members of the Street Commission continue to support legislative and community efforts to eliminate the use of studded snow tires in the State of Washington. There is clear evidence that the use of studded tires directly cause severe and extensive damage to our road systems. While we recognize that efforts to ban or tax studded tires remains unpopular among a vocal minority of voters in Washington State, the Spokane City Council, CSAC and WSGRTA are all convinced that studded tires provide very limited additional safety or utility while they directly cause significant and measurable damage to our streets and highways. We support continued efforts to ban the use of studded tires everywhere in the country.

CSAC is very pleased to support the City of Spokane in its new efforts to continue street rehabilitation work over the next twenty years, being proposed in the levy lid lift initiative. The levy program, if approved by the voters, will provide a more flexible and integrated approach to street repairs and maintenance that will serve all of the users of the system more efficiently and effectively. With the completion of the very successful ten-year bond program, CSAC appreciates that converting to a pay as you go levy model will provide for ongoing and perpetual funding for streets will be more appropriate. Clearly, this street rehabilitation work must continue on a perpetual basis if we intend to deliver and sustain a high quality level of service to the city of Spokane and the users of the system.

At the end of this construction season, the 2004 ten-year Street Bond Program will have substantially completed the work as promised, both on time and under budget. CSAC will continue to oversee and fund the LID and Utility Match programs until those funds have been expended or the program is transferred to a new integrated Transportation Board, which is now being considered. Spokane can and should build on this successful program as it moves forward to continue our efforts to repair and maintain all City streets. All of us who have served on the Street Commission would like to thank the voters of Spokane for their support of this program as well as the members of the Street Commission and City Staff who continue to give their time and many talents to this effort.

Sincerely,
Stan Stirling, Acting Chairman
Citizen Streets Advisory Commission

Suggested Criteria and Composition of next Transportation Board:

We suggest that several current and redundant boards or commission, related to transportation be folded into the new transportation board, including BAB, CSAC and CTAB. We also believe that the board’s primary function will be to work with staff and others such as the plan commission to integrate utility, stormwater, bike and ped infrastructure, traffic calming and other opportunities in the planning and element selection process and then to oversee and administer the project when it goes to construction.

A 7-9 member Transportation Board should include the following voting members:

1. City Council member
2. Plan Commission Member
3. Two from each City Council District
4. One appointed at large by the Mayor
5. Non-voting (Ex-Officio): from Pett or CA.

The board should include expertise, advocacy and experience in the following areas:

- Landscape architect
- Experience on a prior similar board or commission
- Prior experience as a planner, city engineer or other similar professional
- Pedestrian and/or bicycle advocate, including those in public health
- Automobile and/or motorcycle advocates
- Public Transportation advocate

Weighted criteria for bike pedestrian or traffic calming elements and infrastructure:

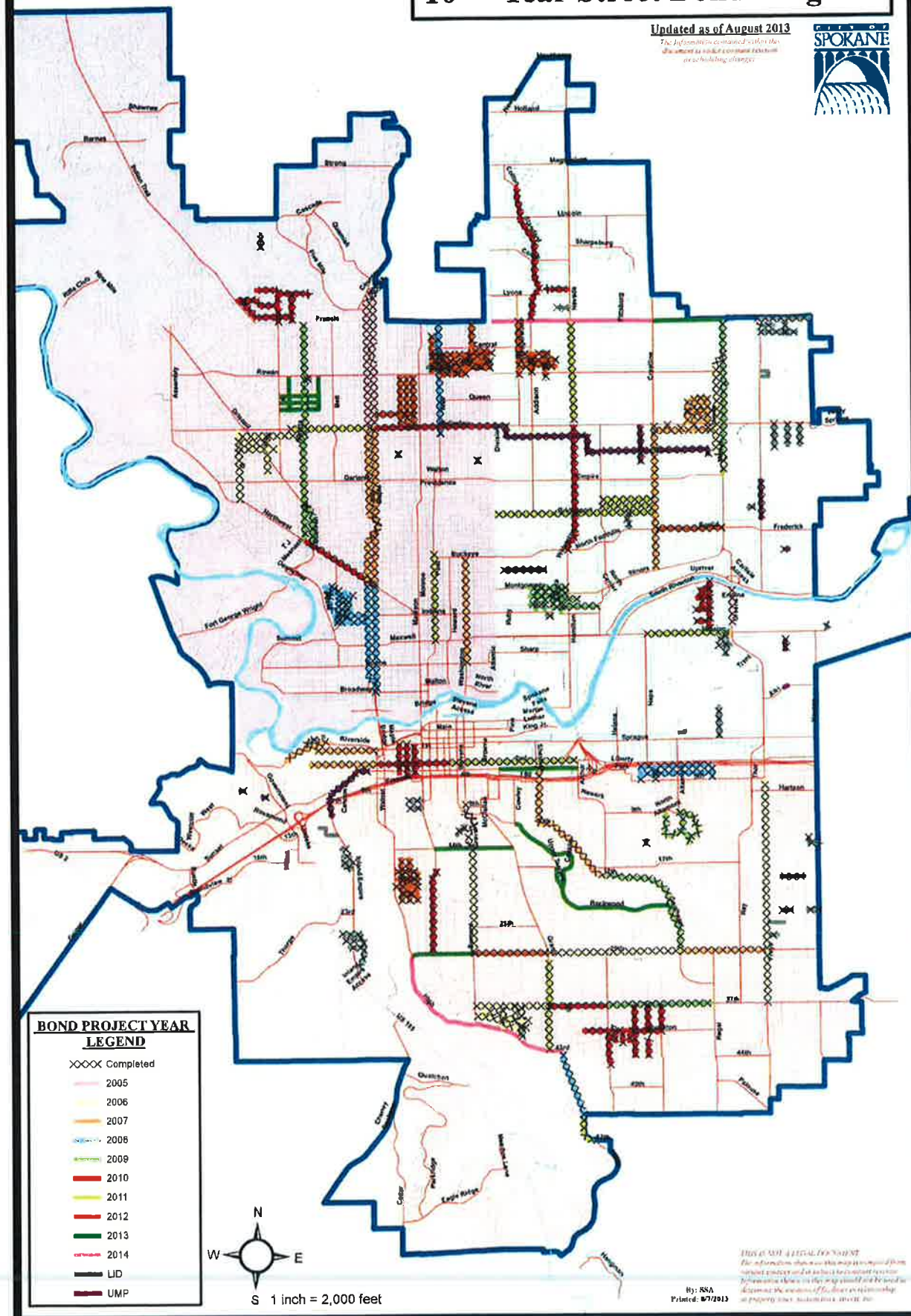
Indicators and criteria

Street identified in neighborhood planning efforts (once approved)
Proximity to schools, hospitals, Centers or Corridors
Traffic Volume/24 hr period
Designated in Master Bike Plan
STA, school bus or safe routes to school
Number of auto/ped collision/year
Street trees. Lack of
Sidewalks. Lack of

10 - Year Street Bond Program

Updated as of August 2013

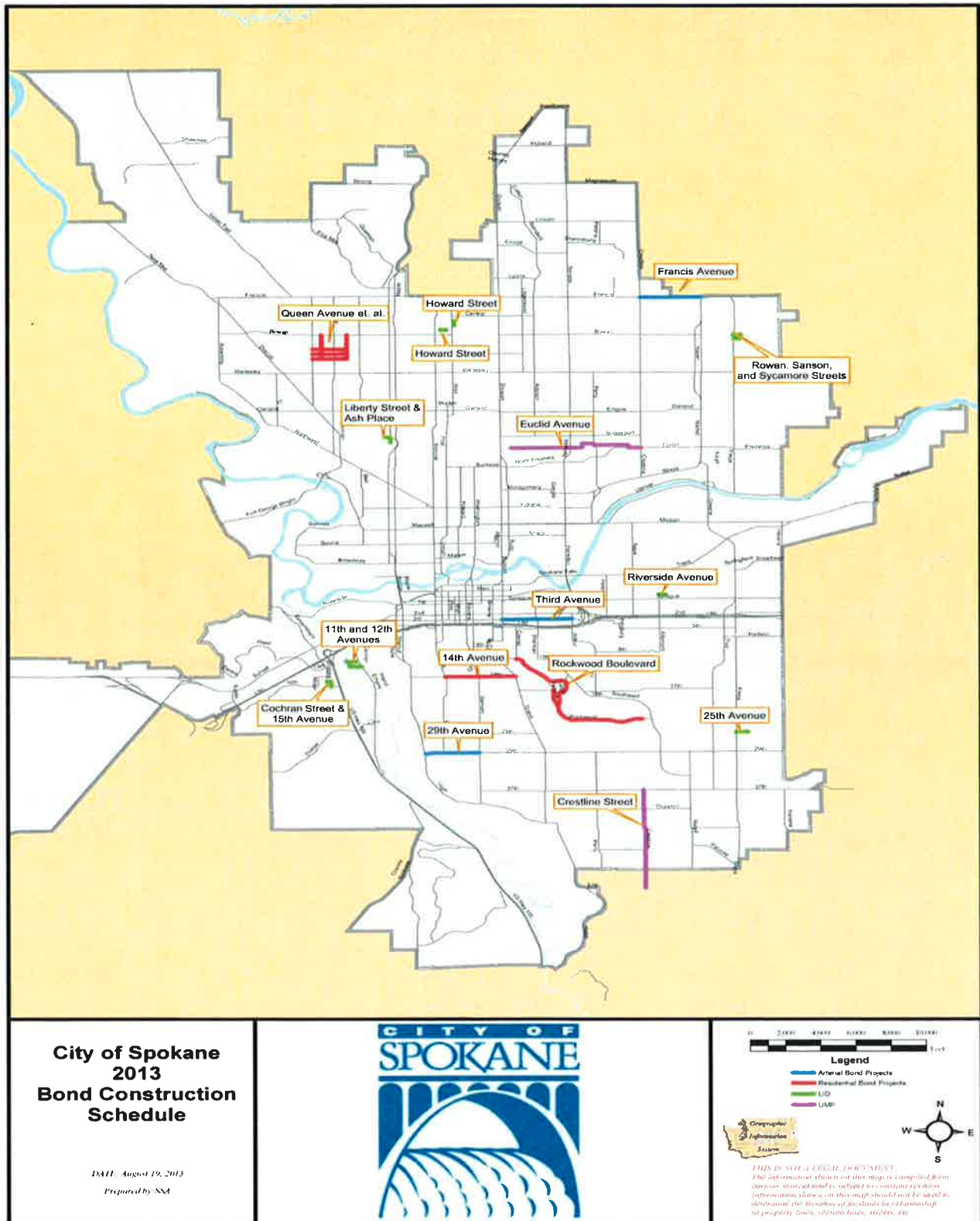
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By: SSA
Printed: 8/7/2013

2013 Street Bond Projects



2013 Highlights & Accomplishments

ARTERIAL

Arterial street rehabilitation entails removing existing asphalt and unsuitable sub-base curb-to-curb and replacing it with new material using state-of-the-art technology so the roadways will not require rehabilitation for many years to come.

Below are the two arterial Street Bond projects that are scheduled for construction in 2013:

- Third Avenue from Division Street to Arthur Street
- Francis Avenue from Crestline Street to Haven Street

Third Avenue from Division Street to Arthur Street

Project #2010121

Construction Start: Spring 2013

Construction Completion: October 2013

Project Description: Rehabilitate 3rd Avenue from Division Street to Arthur Street including replacing a 12-inch water main. The project is being funded by the 10-Year Street Bond and Water Department.

	Budget	Actual	Balance	Percentage
Engineering/ Inspection/ Administrative	\$438,491	\$323,323	\$115,168	74%
Construction	\$1,315,473	\$1,626,626	-\$311,153	124%
TOTAL	\$1,753,964	\$1,949,949	-\$195,985	111%



Francis Avenue from Crestline Street to Haven Street

Project #2005052

Construction Start: Spring 2014

Construction Completion: September 2014

Project Description: Rehabilitate curb to curb and install ADA curb ramps where needed. The project is being funded by the 10-Year Street Bond.

	Budget	Actual	Balance	Percentage
Engineering/ Inspection/ Administrative	\$408,079	\$461,583	-\$53,504	113%
Construction	\$1,224,238	\$958,058	\$266,180	78%
TOTAL	\$1,632,317	\$1,419,640	\$212,677	87%



RESIDENTIAL

Residential street rehabilitation entails removing the existing asphalt and unsuitable sub-base from curb-to-curb and uses both full depth replacement and grind and overlay depending on the specific needs of the project.

Below are the three residential Street Bond projects scheduled for 2013:

- Rockwood Boulevard from Cowley Street to Southeast Boulevard
- Queen Avenue from "A" Street to Nettleton
- 14th Avenue from Monroe Street to Grand Boulevard

Rockwood Boulevard from Cowley Street to Southeast Boulevard

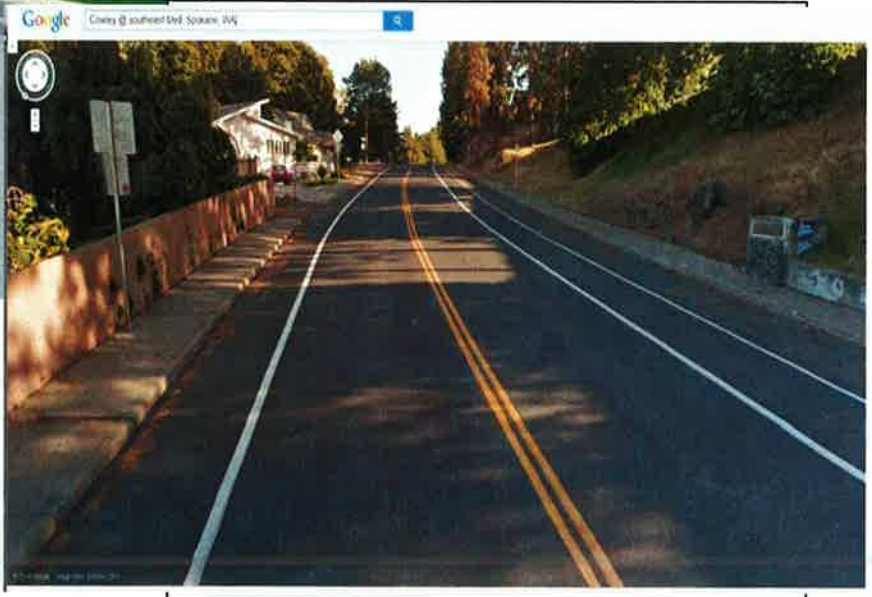
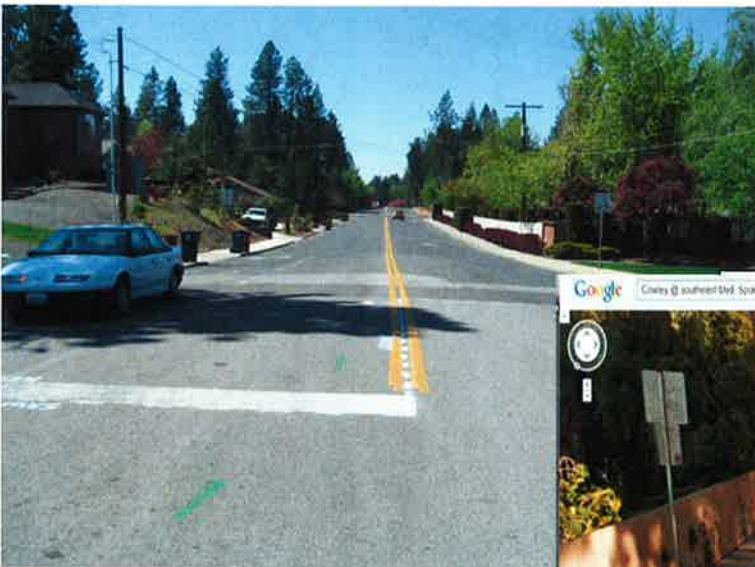
Project #2010125

Construction Start: Spring 2013

Construction Completion: October 2013

Project Description: This project will rehabilitate Rockwood Boulevard from Cowley Street to Southeast Boulevard and Upper Terrace Road from Rockwood Boulevard to 17th Avenue. The project is being funded by the 10-Year Street Bond.

	Budget	Actual	Balance	Percentage
Engineering/ Inspection/ Administrative	\$692,750	\$554,109	\$138,641	80%
Construction	\$2,078,250	\$1,661,433	\$416,817	80%
TOTAL	\$2,771,000	\$2,215,542	\$555,458	80%



Queen Avenue from "A" Street to Nettleton Street

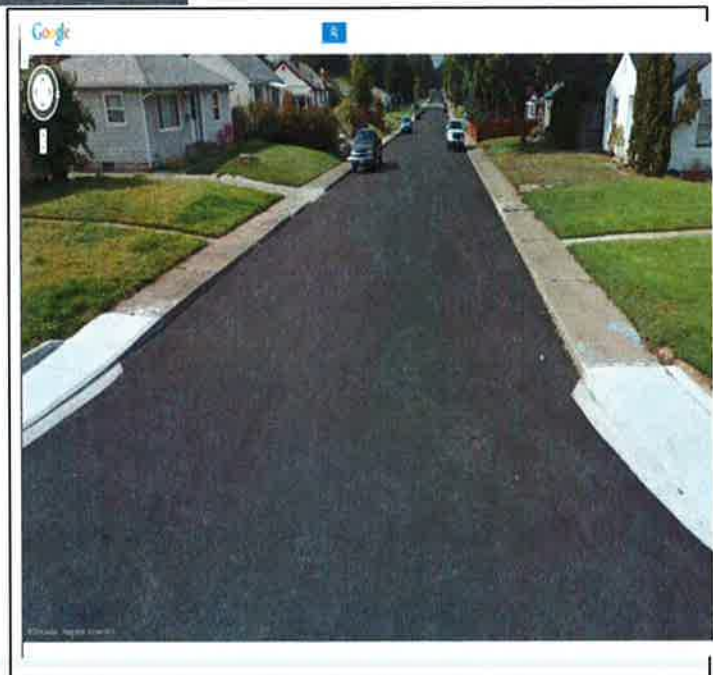
Project #2010129

Construction Start: Spring 2013

Construction Completion: Summer 2013

Project Description: Queen Avenue from "A" Street to Nettleton Street with Surrounding Streets Crown Avenue and Olympic Avenue; Queen Avenue from "A" Street to Nettleton Street; Milton Street and Nettleton Street from Olympic Avenue to Rowan Avenue. The project is being funded by the 10-Year Street Bond.

	Budget	Actual	Balance	Percentage
Engineering/ Inspection/ Administrative	\$276,743	\$46,049	\$230,694	17%
Construction	\$830,228	\$839,217	-\$8,989	101
TOTAL	\$1,106,971	\$885,266	\$221,705	80%



14th Avenue from Monroe Street to Grand Boulevard

Project #2010128

Construction Start: Spring 2013

Construction Completion: October 2013

Project Description: The project will rehabilitate 14th Avenue from Lincoln to Grand Boulevard with additional work being added, including a needed water main repair and a gas line repair. The project is being funded by the 10-Year Street Bond.

	Budget	Actual	Balance	Percentage
Engineering/ Inspection/ Administrative	\$92,574	\$57,144	\$35,430	62%
Construction	\$277,721	\$401,940	-\$124,219	145%
TOTAL	\$370,295	\$459,084	-\$88,789	124%



UTILITY MATCH

The Bond funds are joined with utility funding to complete roadway rehabilitation curb-to-curb, instead of just repaving traffic lane(s) affected by a utility project. This not only frees up Bond money to add more projects to those originally planned, but also reduces long-term street maintenance and traffic impacts for motorists.

There are two projects scheduled for construction in 2013:

- Euclid Water Main from Mayfair Street to Crestline Street
- Crestline Water Main from 57th Avenue to 37th Avenue

Euclid Water Main from Mayfair Street to Crestline Street

Project #2012086

Construction Start: Spring 2013

Construction Completion: October 2013

Project Description: Replace the current 28-inch water main with a 30-inch water main. The project is being funded by the Water Department.

	Budget	Actual	Balance	Percentage
Project Cost	\$1,988,746	\$2,195,719.07	-\$206,973	110%
Bond	\$293,000	\$462,850.17	-\$169,850	158%



Crestline Water Main from 57th Avenue to 37th Avenue

Project #2012104

Construction Start: Spring 2013

Construction Completion: September 2013

Project Description: Replace a 24-inch water main with a 36-inch water main, repair the street curb-to-curb and install shared use bike lane, sidewalks and swales from 53rd Avenue to 44th Avenue. The project is being funded by the Water Department, 10-Year Street Bond and REET funds.

	Budget	Actual	Balance	Percentage
Project Cost	\$2,692,786	\$2,694,209.61	-\$1,424	100%
Bond Contribution	\$585,000	\$285,300	\$299,700	49%



LOCAL IMPROVEMENT DISTRICT (LID)

- Howard Street from Joseph Avenue to Columbia Avenue
- 11th Avenue from Latah Creek to Inland Empire Way, 12th Avenue from Spruce Street to Inland Empire Way, & Spruce Street from 12th Avenue to 11th Avenue
- 25th Avenue from Freya Street to ½ block East of Rebecca Street
- Rowan Avenue & Sanson Avenue from Freya Street to Sycamore Street & Sycamore Street from Everett Avenue to Nebraska Avenue
- Riverside Avenue from Altamont Street to Cook Street & Cook Street from Sprague Avenue to Riverside Avenue
- Nebraska Avenue from Lincoln Street to Post Street
- Fiske Street from 19th Avenue to 17th Avenue
- 15th Avenue from Lindeke Street to Cochran Street & Cochran Street from 16th Avenue to 15th Avenue

Howard Street from Joseph Avenue to Columbia Avenue

Project #2011163

Construction Start: Spring 2012

Construction Completion: Spring 2013

Project Description: The project paved Howard Street from Joseph Avenue to Columbia Avenue and installed curbs and sidewalks.

	Budget	Actual	Balance
Project Cost	\$148,756	\$96,069	\$52,687
Bond Contribution	\$74,378	\$53,222	\$21,156



11th Avenue from Latah Creek to Inland Empire Way, 12th Avenue from Spruce Street to Inland Empire Way, & Spruce Street from 12th Avenue to 11th Avenue

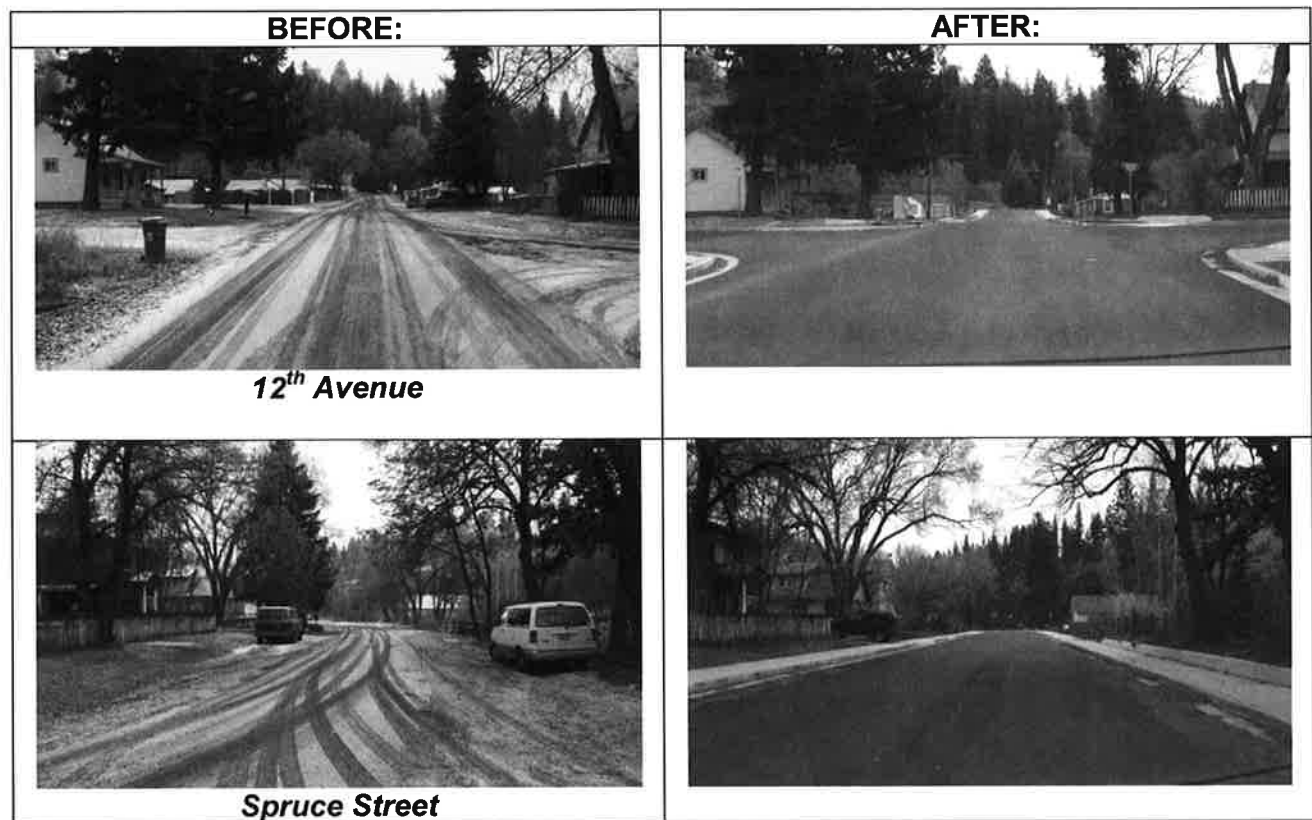
Project #2011162

Construction Start: Spring 2013

Construction Completion: October 2013

Project Description: This project paved 11th Avenue from Latah Creek to Inland Empire Way, 12th Avenue from Spruce Street to Inland Empire Way, & Spruce Street from 12th Avenue to 11th Avenue and installed curbs and sidewalks.

	Budget	Actual	Balance
Project Cost	\$1,071,818	\$676,064	\$395,754
Bond Contribution	\$535,909	\$334,295	\$201,614



25th Avenue from Freya Street to ½ block East of Rebecca Street

Project #2011165

Construction Start: Spring 2013

Construction Completion: October 2013

Project Description: The project paved 25th Avenue from Freya Street to 1/2 Block East of Rebecca Street and installed curbs and sidewalks.

	Budget	Actual	Balance
Project Cost	\$600,086	\$364,389	\$235,697
Bond Contribution	\$192,877	\$131,368	\$61,509



Rowan Avenue & Sanson Avenue from Freya Street to Sycamore Street & Sycamore Street from Everett Avenue to Nebraska Avenue

Project #2012041

Construction Start: Spring 2013

Construction Completion: October 2013

Project Description: The project paved Rowan Avenue & Sanson Avenue from Freya Street to Sycamore Street & Sycamore Street from Everett Avenue to Nebraska Avenue and installed curbs and sidewalks.

	Budget	Actual	Balance
Project Cost	\$1,161,198	\$616,531	\$544,667
Bond Contribution	\$549,260	\$287,083	\$262,177

BEFORE:



Rowan Avenue

AFTER:



Sanson Avenue



Riverside Avenue from Altamont Street to Cook Street & Cook Street from Sprague Avenue to Riverside Avenue

Project #2012049

Construction Start: Spring 2013

Construction Completion: October 2013

Project Description: The project paved Riverside Avenue from Altamont Street to Cook Street & Cook Street from Sprague Avenue to Riverside Avenue and installed curbs and sidewalks.

	Budget	Actual	Balance
Project Cost	\$462,812	\$302,193	\$160,619
Bond Contribution	\$212,660	\$149,606	\$63,054



Nebraska Avenue from Lincoln Street to Post Street

Project #2012059

Construction Start: Spring 2013

Construction Completion: October 2013

Project Description: The project paved Nebraska Avenue from Lincoln Street to Post Street and installed curbs and sidewalks.

	Budget	Actual	Balance
Project Cost	\$136,098	\$104,915	\$31,183
Bond Contribution	\$68,049	\$47,475	\$20,574



Fiske Street from 19th Street to 17th Street

Project #2012079

Construction Start: Summer 2013

Construction Completion: October 2013

Project Description: The project paved Fiske Street from 19th Street to 17th Street and installed curbs and sidewalks.

	Budget	Actual	Balance
Project Cost	\$299,512	\$172,674	\$126,838
Bond Contribution	\$149,756	\$83,233	\$66,523



15th Avenue from Lindeke Street to Cochran Street & Cochran Street from 16th Avenue to 15th Avenue

Project #2012099

Construction Start: Summer 2013

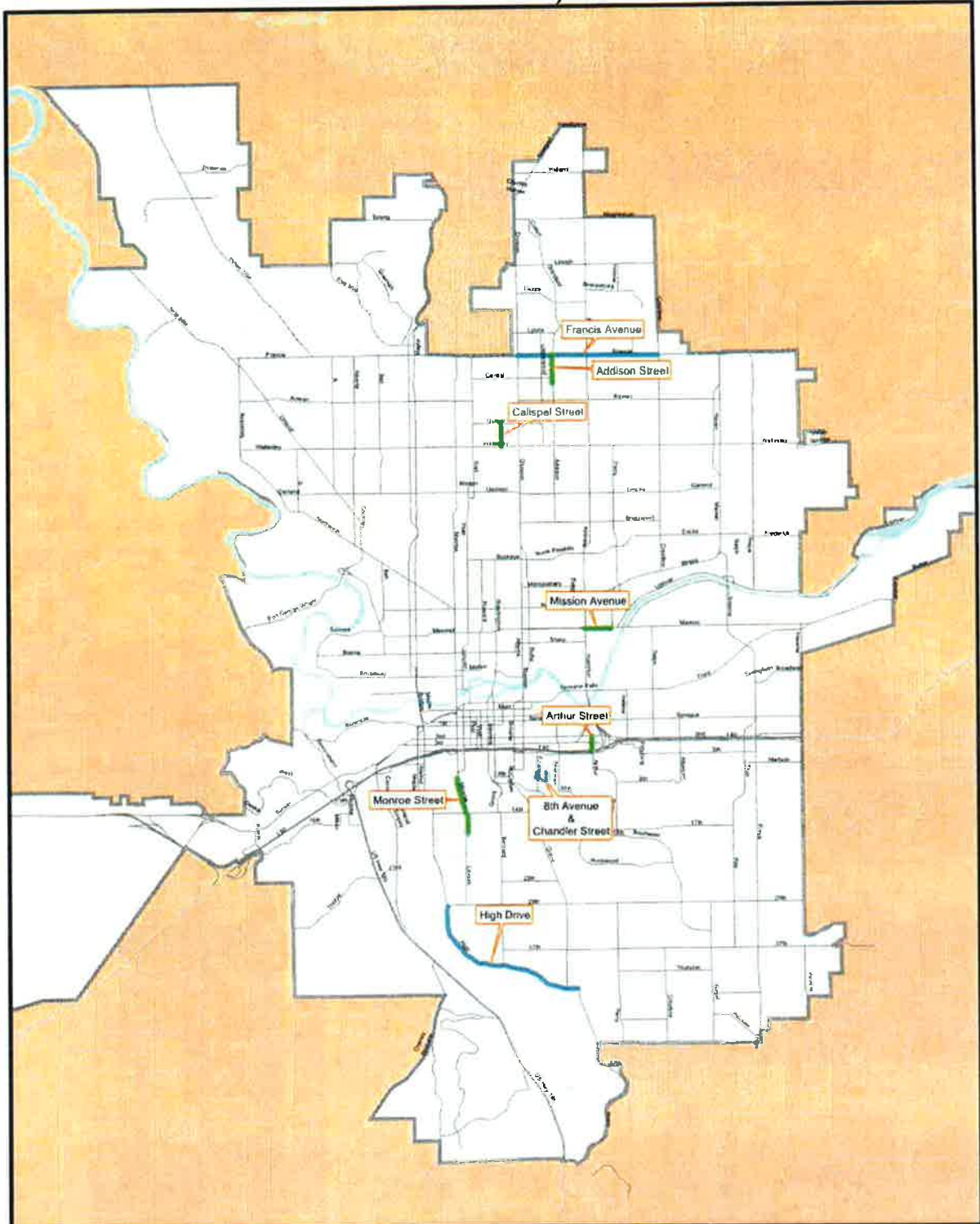
Construction Completion: October 2013

Project Description: The project paved 15th Avenue from Lindeke Street to Cochran Street & Cochran Street from 16th Avenue to 15th Avenue and installed curbs and sidewalks.

	Budget	Actual	Balance
Project Cost	\$371,800	\$255,067	\$116,733
Bond Contribution	\$157,977	\$109,597	\$48,380



2014 Street Bond Projects



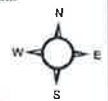
City of Spokane 2014 Bond Construction Schedule

DATE: June 16, 2014
Prepared by: NSM



Legend

- Arterial Bond Projects
- Residential Bond Projects
- Gap Projects



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2014 STREET BOND PROJECTS

ARTERIAL

Arterial street rehabilitation entails removing existing asphalt and unsuitable sub-base curb-to-curb and replacing it with new material using state-of-the-art technology so the roadways will not require rehabilitation for many years to come.

The two arterial Street Bond projects that are scheduled for construction in 2013:

- High Drive from Bernard Street to 29th Avenue
- Francis Avenue from Division Street to Crestline Street

High Drive from Bernard Street to 29th Avenue

Project #2010123

Estimated Start: Summer 2014

Estimated Completion: October 2014

Project Description: An integrated project that includes pavement reconstruction, SCO 24 storage facilities, storm and sewer, swales, and water main replacement from 29th Avenue to Hatch Street done in two phases. Phase 1 is 29th to Bernard. Phase 2 is from Bernard Street to Hatch Street.

Project # 2010123	Project Name: High Drive from Bernard Street to 29 th Avenue			
	Budget	Actual	Balance	Percentage
Engineering/ Inspection/ Administration	\$374,085	\$293,676	\$80,409	79%
Construction	\$1,122,255	\$	\$	%
TOTAL	\$1,496,340	\$	\$	%



Francis Avenue from Division Street to Crestline

Project #2012060

Estimated Start: Spring 2014

Estimated Completion: September 2014

Project Description: Rehabilitate curb to curb and install ADA curb ramps where needed. The project is being funded by the 10-Year Street Bond.

	Budget	Actual	Balance	Percentage
Engineering/ Inspection/ Administrative	\$1,038,533	\$263,214	\$775,319	25%
Construction	\$3,115,600	\$	\$	%
TOTAL	\$4,154,133	\$	\$	%



GAP PROJECTS

Gap Projects fill in the Gap between two Bond Projects where the condition of the street is in terrible condition between two new streets repaired by the Bond, leaving the area whole.

The six residential Street Bond projects scheduled for 2014:

- Arthur Street from 5th Avenue to 2nd Avenue
- 8th and Chandler Water Main Re-route
- Mission Avenue – Hamilton Street to Perry Street
- Lincoln/Monroe – 17th to 7th Avenue
- Addison Street – Columbia to 525' north of Dalke
- Calispel – Wellesley to Queen

Arthur Street from 5th Avenue to 2nd Avenue

Project #2013065

Estimated Start: Spring 2014

Estimated Completion: Summer 2014

Project Description: This project will repave Arthur from I-90 to 2nd Avenue, add sidewalks along the west side of Arthur, add curb ramps, and add pedestrian lighting pads at various intersections.

Project # 2013065	Project Name: Arthur Street from 5 th Avenue to 2 nd Avenue			
	Budget	Actual	Balance	Percentage
Engineering/ Inspection/ Administration	\$55,000	\$0	\$55,000	0%
Construction	\$165,000	\$	\$	%
TOTAL	\$220,000	\$	\$	%



8th & Chandler Water Main Re-route

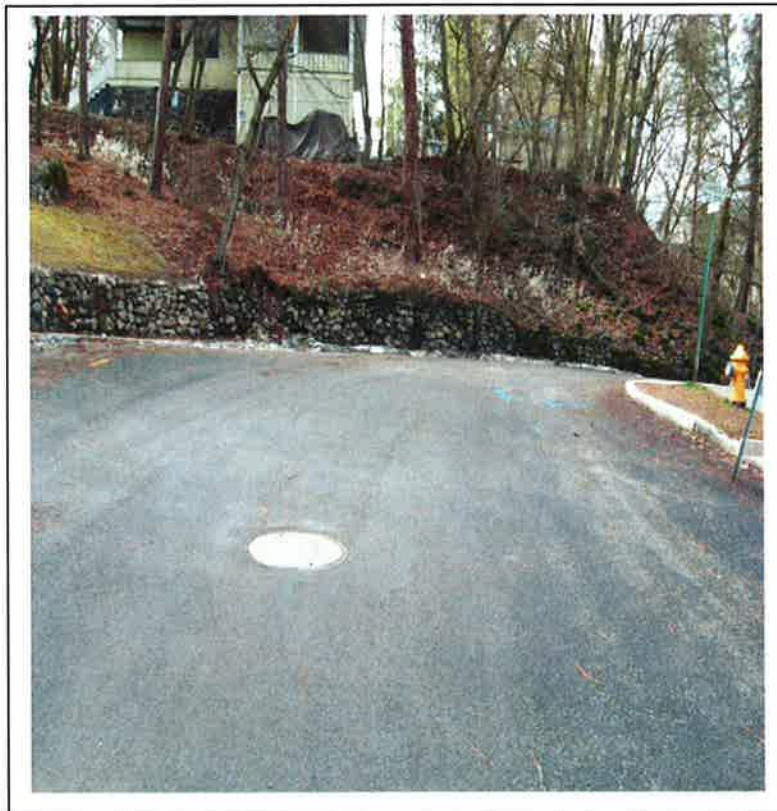
Project #2013194

Estimated Start: Spring 2014

Estimated Completion: Spring 2014

Project Description: The project will construct a new 42" diameter water main on Chandler from 8th to 7th Avenue, on 8th from Chandler to Cowley, and on Cowley from 7th to 8th Avenue.

Project # 2013194 Project Name: 8 th & Chandler Water Main Re-route				
	Budget	Actual	Balance	Percentage
Engineering/ Inspection/ Administration	\$43,250	\$0	\$	0%
Construction	\$129,750	\$	\$	%
TOTAL	\$173,000	\$	\$	%



Mission Avenue – Hamilton Street to Perry Street

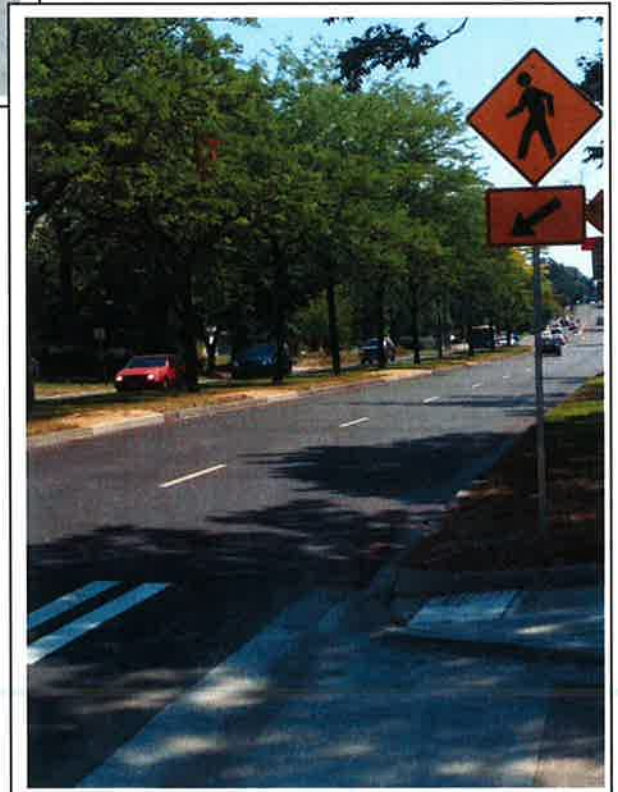
Project #2013209

Estimated Start: Spring 2013

Estimated Completion: October 2013

Project Description: This project will reconstruct the street by replacing the asphalt surface including ADA ramps as needed

Project # 2013209		Project Name: Mission Avenue – Hamilton Street to Perry Street		
	Budget	Actual	Balance	Percentage
Engineering/ Inspection/ Administration	\$82,188	\$4,237	\$77,950	5%
Construction	\$246,563	\$	\$	%
TOTAL	\$328,750	\$	\$	%



Lincoln/Monroe – 17th Avenue to 7th Avenue

Project #2013210

Estimated Start: Summer 2014

Estimated Completion: October 2014

Project Description: This project will reconstruct the street by replacing the asphalt surface including ADA ramps as needed.

Project # 2013210	Project Name: Lincoln/Monroe – 17 th Avenue to 7 th Avenue
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	Budget	Actual	Balance	Percentage
Engineering/ Inspection/ Administration	\$329,606	\$14,237	\$315,369	4%
Construction	\$988,819	\$	\$	%
TOTAL	\$1,318,425	\$	\$	%



Addison – Columbia to 525' north of Dalke

Project #2013207

Estimated Start:

Estimated Completion:

Project Description: This project is a grind and overlay on Addison Street from Columbia to 525' north of Dalke Avenue.

Project # 2013207 Project Name: Columbia to 525' north of Dalke				
	Budget	Actual	Balance	Percentage
Engineering/ Inspection/ Administration	\$68,500	\$491	\$68,009	1%
Construction	\$205,500	\$	\$	%
TOTAL	\$274,000	\$	\$	%



Calispel – Wellesley to Queen Street

Project #2013208

Estimated Start:

Estimated Completion:

Project Description: This project will reconstruct the street by replacing the asphalt surface including ADA ramps as needed.

Project # 2013208	Project Name: Calispel – Wellesley to Queen Street
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	Budget	Actual	Balance	Percentage
Engineering/ Inspection/ Administration	\$82,369	\$491	\$81,878	1%
Construction	\$247,106	\$	\$	%
TOTAL	\$329,475	\$	\$	%



APPENDIX A

10-Year Street Plan for Rehabilitation of ARTERIAL STREETS & PUBLIC SAFETY CORRIDORS Paves 45 Miles

ACTUAL COMPLETION	ORIGINAL PROJECTED COMPLETION					
		Project	From	To	Original Budget	Comments
2005	2006-2007	Ash St./Maple St.	Wellesley Ave. REVISED	Cedar Rd. REVISED	\$4,920,000	Advanced for head start on Bond Projects.
2005	2006-2007	Greene St.	192' N of Mission Ave.	Bridge End (S)	\$ 950,000	
				Subtotal	\$5,870,000	
2006	2006-2007	Bernard St.	29th Ave.	14th Ave.	\$2,270,000	
2006	2006-2007	Freya St.	37th Ave.	Hartson Ave. REVISED.	\$2,350,000	
2006	2006-2007	Haven St.	Market St. south	Market St. north	\$1,320,000	
2006	2014-2015	29th Ave.	Southeast Blvd.	Grand Blvd.	\$2,170,000	Advanced to meet water line schedule and coordinate with Southeast Blvd. project.
				Subtotal	\$8,110,000	
2007	2006-2007	Ash St./Maple St.	Northwest Blvd. REVISED	Wellesley Ave.	\$2,060,175	Advanced.
2007	2008-2009	Crestline St.	Illinois Ave.	Wellesley Ave.	\$2,550,000	Advanced.
2007	2010-2011	Sherman St.	Eighth Ave.	Third Ave.	\$1,050,000	Advanced to include in scope of consultant contract with Southeast Blvd. for efficiency.
2007	2010-2011	Washington St.	Boone Ave. REVISED	Buckeye Ave.	\$910,000	To meet with Federally funded project from Boone Ave. to Buckeye Ave.

ACTUAL COMPLETION	ORIGINAL PROJECTED COMPLETION					
		Project	From	To	Original Budget	Comments
2007	2014-2015	29th Ave.	Southeast Blvd.	Freya St.	\$1,314,000	
				Subtotal	\$8,774,175	
2008	2008-2009	Ash St./Maple St.	Broadway Ave.	Northwest Blvd.	\$3,188,891	Advanced.
2008	2010-2011	Wall St.	Princeton Ave.	Francis Ave.	\$940,000	Advanced.
2008	2010-2011	Hatch Rd.	54th Ave.	43rd Ave.	\$1,570,000	Advanced.
				Subtotal	\$5,698,891	
2009	2010-2011	Alberta St./ Cochran St.	Northwest Blvd.	Francis Ave.	\$3,380,000	Advanced.
2009	2010-2011	Market St.	Garland Ave.	Francis Ave.	\$2,620,000	Advanced.
2009	2008-2009	Southeast Blvd.	29th Ave.	Perry St.	\$1,280,000	
2009	2010-2011	37th Ave.	Perry St.	Regal St.	\$1,320,000	Advanced.
				Subtotal	\$8,600,000	
2010	2012-2013	Lincoln St.	17th Ave.	29th Ave. REVISED	\$1,368,000	Advanced and moved Monroe to Lincoln St. from 20th to 29th Avenues.
2010	2014-2015	Nevada St.	N. Foothills Dr.	Wellesley Ave. REVISED	\$912,500	Advanced
2010	2012-2013	Northwest Blvd.	Alberta St.	Maple St.	\$1,620,000	Advanced.
2010	2010-2011	Second Ave.	Sunset Blvd.	Division St.	\$940,000	Advanced and moved to Pos St.
2010	2012-2013	Wellesley Ave.	Maple St.	Division St. REVISED	\$1,805,000	Advanced and revised. Wellesley was shortened and divided into two sections. The other section to be built in 2011.
2010	2012-2013	37th Ave.	Grand Blvd.	Perry St.	\$580,000	Advanced.

PROPOSED COMPLETION	ORIGINAL PROJECTED COMPLETION					
		Project	From	To	Original Budget	Comments
2011	2012-2013	Grand Blvd.	High Dr.	29th Ave.	\$1,300,000	Combined with High Dr.
2011	2010-2011	Hatch Rd.	57th Ave.	54th Ave.	\$1,570,000	Advanced.
2011	2014-2015	Mission Ave.	Napa St. (S)	Greene St.	\$1,420,000	Advanced.
2011	2012-2013	Post St.	Maxwell Ave.	Cleveland Ave. (W)	\$1,710,000	Advanced.
2011	2012-2013	Second Ave.	Division St.	Arthur St.	\$2,520,000	Advanced.
2011	2012-2013	Wellesley Ave.	Milton St.	Ash St. REVISED	\$1,805,000	Advanced.
				Subtotal	\$10,325,000	
2012	2012-2013	Euclid Ave.	Crestline St.	Market St.	\$1,110,000	
2012	2014-2015	Nevada St.	Wellesley Ave.	Francis Ave. REVISED	\$912,500	Advanced
2012	2014-2015	29th Ave.	High Dr.	Grand Blvd.	\$2,220,000	Advanced.
				Subtotal	\$4,242,500	
2013	2012-2013	Third Ave.	Division St.	Arthur St.	\$1,754,000	
2013	2008-2009	Francis Ave.	Crestline St.	Haven St.	\$1,632,000	Delayed
				Subtotal	\$3,386,000	
2014	2008-2009	Francis Ave.	Division St.	Crestline St.	\$4,154,000	
2014	2014-2015	High Dr.	Grand Blvd.	29th Ave.	\$2,907,000	
2014		High Dr.	Scott Rd.	Grand Blvd.	\$239,000	Added and combined with High Dr.
				Subtotal	\$7,300,000	
				TOTAL	\$68,417,066	

**10-Year Street Plan for Rehabilitation of
RESIDENTIAL STREETS
Paves 44 Miles**

ACTUAL COMPLETION	ORIGINAL PROJECTED COMPLETION					
		Project	From	To	Original Budget	Comments
2006	2006-2007	G St.	Northwest Blvd.	Wellesley Ave.	\$648,000	
		C St.	Walton Ave.	Hoffman Ave.	\$265,000	
		Heroy Ave.	G St.	A St.	\$279,000	
		Hoffman Ave.	G. St.	Alberta St.	\$419,000	
		Princeton Ave.	G St.	C St.	\$197,000	
				Subtotal	\$1,808,000	
2006	2006-2007	37th Ave.	Bernard St.	Grand Blvd.	\$722,000	
		39th Ave.	Browne St.	Grand Blvd.	\$356,000	
		40th Ave.	Browne St.	Lamonte St.	\$408,000	
		Manito Blvd.	High Dr.	37th Ave.	\$41,000	
		Skyview Dr.	High Dr.	37th Ave.	\$36,000	
		Skyview Dr. S.	High Dr.	Manito Blvd.	\$21,000	
		Tekoe St.	40th Ave.	37th Ave.	\$70,000	
				Subtotal	\$1,654,000	
2007	2006-2007	Peaceful Valley, et al.				
		First Ave.	Poplar St.	Maple St.	\$400,000	
		Second Ave.	Coeur d'Alene St.	Maple St.	\$366,000	
		Riverside Ave.	Bridge End	Hemlock St.	\$184,000	
				Subtotal	\$950,000	
2007	2006-2007	Regal St., et al.	Hoffman Ave.	Queen Ave.	\$55,000	
		Cook St.	Hoffman Ave.	Wellesley	\$23,000	
		Hoffman Ave.	Crestline St.	Haven St.	\$487,000	
		Lacey St.	Hoffman Ave.	Queen Ave.	\$125,000	
		Nelson St.	Wellesley	Queen Ave.	\$150,000	
		Queen Ave.	Lacey St.	Regal St.	\$116,000	
		Regal St.	Hoffman Ave.	Queen Ave.	\$55,000	
		Smith St.	Wellesley	Queen Ave.	\$166,000	
		Stone St.	Hoffman Ave.	Wellesley	\$19,000	
		Wabash Ave.	Smith St.	Haven St.	\$185,000	
				Subtotal	\$1,381,000	

ACTUAL COMPLETION	ORIGINAL PROJECTED COMPLETION					
		Project	From	To	Original Budget	Comments
2008	2008-2009	Belt St., et al.	Nora Ave.	Montgomery Ave.	\$220,000	
		Buell Ct.	Hemlock St.	Montgomery Ave.	\$78,000	
		Cannon St.	Nora Ave.	Montgomery Ave.	\$164,000	
		Indiana Ave.	Hemlock St.	Ash St.	\$357,000	
		Knox Ave.	Belt St.	Cul-de-sac	\$112,000	
		Mansfield	Belt St.	Elm St.	\$143,000	
		Montgomery Ave.	Nettleton St.	Belt St.	\$80,000	
		Nora Ave.	Hemlock St.	Ash St.	\$233,000	
		Shannon Ave.	Hemlock St.	Elm St.	\$183,000	
				Subtotal	\$1,654,000	
2008	2008-2009	Third Ave., et al.	Magnolia St.	Regal St.	\$512,000	
		Crestline St.	Fifth Ave.	Third Ave.	\$80,000	
		Fourth Ave.	Magnolia St.	Regal St.	\$467,000	
		Magnolia St.	Fifth Ave.	Third Ave.	\$82,000	
		Regal St.	Fifth Ave.	Third Ave.	\$58,000	
				Subtotal	\$1,199,000	
2009	2008-2009	Altamont Blvd., et al.	E. 2200 Altamont Blvd.	Altamont St.	\$277,000	
		Cook St.	14th Ave.	Altamont	\$78,000	
		Ninth Ave.	Altamont	Jaques St.	\$125,000	
		N. Altamont Blvd.	12th Ave.	Altamont St.	\$133,000	
		S. Altamont Blvd.	Cook St.	1100 S. Altamont	\$133,000	
		S. Altamont Blvd.	Cook St.	12th Ave.	\$106,000	
		Woodfern St.	Altamont	Altamont	\$107,000	
				Subtotal	\$959,000	

ACTUAL COMPLETION	ORIGINAL PROJECTED COMPLETION					
		Project	From	To	Original Budget	Comments
2009	2008-2009	Montgomery Ave., et al.	Astor St.	Hamilton St.	\$444,330	
		Addison St.	Indiana Ave.	Montgomery Ave.	\$171,160	
		Baldwin Ave.	Astor St.	Perry St.	\$348,035	
		Cincinnati St.	Indiana Ave.	Montgomery Ave.	\$95,000	
		Dakota St.	Indiana Ave.	Illinois Ave.	\$223,785	
		Ermina Ave.	Pearl St.	Columbia Ave.	\$224,705	
		Illinois Ave.	Dakota St.	Cincinnati St.	\$159,618	
		Standard St.	Indiana Ave.	Montgomery Ave.	\$175,600	
				Subtotal	\$1,842,223	
2010	2014-2015	A St.	Francis Ave.	Beacon Ave.	\$359,000	
		Audobon St.	Holyoke Ave.	Beacon Ave.	\$161,000	
		Beacon Ave.	Audobon St.	Alberta St.	\$453,000	
		Holyoke Ave.	Indian Trail Rd.	Lindeke St.	\$460,000	
		Houston Ave.	Holyoke St.	Lindeke St.	\$344,000	
		Lindeke St.	Francis Ave.	Beacon Ave.	\$297,000	
				Subtotal	\$2,074,000	
2010	2010	Addison/ Standard St.	Francis Ave.	Colton Ave.	\$1,233,000	
				Subtotal	\$1,233,000	
2010	2010-2011	N. Altamont St.	11th Ave.	Ninth Ave.	\$94,165	
		11th Ave.	Altamont	Julia St.	\$539,180	
				Subtotal	\$633,345	
2010	2014-2015	Madison St.	Fourth Ave.	Sprague Ave.	\$509,065	
		Adams St.	Third Ave.	Sprague Ave.	\$465,000	
		Jefferson St.	Fourth Ave.	Sprague Ave.	\$504,000	
				Subtotal	\$1,473,000	

ACTUAL COMPLETION	ORIGINAL PROJECTED COMPLETION					
		Project	From	To	Original Budget	Comments
2010	2014-2015	Nelson St.	Mission Ave.	Marshall Ave.	\$163,000	
		Indiana Ave.	Lacey St.	Regal St.	\$116,000	
		Marshall Ave.	Nelson St.	Regal St.	\$43,000	
		Nora Ave.	Lacey St.	Regal St.	\$68,000	
		Regal St.	Mission Ave.	South Riverton Ave.	\$423,000	
		South Crescent Ave.	Lacey St.	Regal St.	\$164,000	
		South Riverton Ave.	Lacey St.	Ermina Ave.	\$506,000	
				Subtotal	\$1,483,000	
2010	2010-2011	Thurston Ave.	Arthur St.	Crestline St.	\$666,000	
		Crestline St.	Thurston	37th Ave.	\$249,000	
		Helena St.	42nd Ave.	Thurston Ave.	\$115,000	
		Hogan St.	42nd Ave.	Thurston Ave.	\$44,000	
		Madelia St.	42nd Ave.	Thurston Ave.	\$115,000	
		Napa St.	44th Ave.	37th Ave.	\$352,317	
		Perry St.	45th Ave.	Thurston Ave.	\$318,000	
		Pittsburg St.	44th Ave.	37th Ave.	\$348,000	
				Subtotal	\$2,207,317	
2011	2010-2011	Bridgeport Ave.	Division St.	Crestline St.	\$1,227,000	
		Courtland	Perry St.	Crestline St.	\$205,000	
		Glass Ave.	Perry St.	Crestline St.	\$415,000	
				Subtotal	\$1,847,000	

PROPOSED COMPLETION	ORIGINAL PROJECTED COMPLETION					
		Project	From	To	Original Budget	Comments
2011	2010-2011	Columbia Ave.	Post St.	Division St.	\$498,000	
		Atlantic St.	Joseph Ave.	Columbia	\$83,000	
		Beacon Ave.	Dakota St.	Nevada St.	\$186,000	
		Calispel St.	Joseph Ave.	Francis Ave.	\$159,000	
		Franklin Ct.	Calispel St.	Atlantic St.	\$135,000	
		Howard St.	Rowan Ave.	Columbia	\$68,000	
		Joseph Ave.	Post St.	Division St.	\$427,000	
		Nebraska	Post St.	Division St.	\$496,000	
		Normandie St.	Nebraska	Joseph Ave.	\$44,000	
		Post St.	Rowan Ave.	Dalke Ave.	\$254,000	
		Rowan Ave.	Wall St.	Whitehouse St.	\$248,000	
		Stevens St.	Rowan Ave.	Columbia	\$154,000	
		Washington St.	Rowan Ave.	Columbia Ave	\$97,000	
		Whitehouse St.	Rowan Ave.	Columbia Ave	\$55,000	
				Subtotal	\$2,904,000	
2012	2012-2013	Adams St.	21st Ave.	15th Ave.	\$304,000	
		Jefferson St.	21st Ave.	15th Ave.	\$369,000	
		Madison St.	21st Ave.	17th Ave.	\$206,000	
		17th Ave.	Cedar St.	Madison St.	\$77,000	
		18th Ave.	Cedar St.	Madison St.	\$217,000	
		19th Ave.	Cedar St.	Madison St.	\$116,000	
		20th Ave.	Adams St.	Madison St.	\$86,000	
				Subtotal	\$1,375,000	
2012	2014-2015	Jefferson St.	Wellesley Ave.	Rowan Ave.	\$390,000	
		Adams St.	Wellesley	Rowan Ave.	\$328,000	
		Madison St.	Wellesley	Rowan Ave.	\$117,000	
		Wabash Ave.	Maple St.	Madison St.	\$298,000	
				Subtotal	\$1,133,000	

PROPOSED COMPLETION	ORIGINAL PROJECTED COMPLETION					
		Project	From	To	Original Budget	Comments
2012	2012-2013	Lidgerwood St.	North Ave.	Francis Ave.	\$414,000	
		Addison St.	Rowan Ave.	Columbia	\$93,000	
		Columbia Ave.	Lidgerwood St.	Cul-de-sac	\$192,000	
		Joseph Ave.	Lidgerwood St.	Cincinnati St.	\$135,000	
		Nebraska Ave	Lidgerwood St.	Cincinnati St.	\$258,000	
		Standard St.	North Ave.	Columbia	\$82,000	
				Subtotal	\$1,174,000	
2013	2012-2013	Queen Ave.	A St.	Nettleton St.		
		Crown Ave.	A St.	Nettleton St.		
		Milton St.	Olympic Ave.	Rowan Ave.		
		Nettleton St.	Olympic Ave.	Rowan Ave.		
		Olympic Ave.	A St.	Nettleton St.		
				Subtotal	\$1,107,000	
2013	2012-2013	Rockwood Blvd.	Cowley St.	Crestline St.		
		Upper Terrace Rd.	Rockwood Blvd.	17th Ave.		
				Subtotal	\$2,771,000	
2013	2014	14th Ave.	Lincoln St.	Grand Blvd.	\$370,000	
				Subtotal	\$370,000	
				TOTAL	\$33,999,895	