

**CITY COUNCIL MEETINGS
RULES – PUBLIC DECORUM**

Strict adherence to the following rules of decorum by the public will be observed and adhered to during City Council meetings, including open forum, public comment period on legislative items, and Council deliberations:

- 1. No Clapping!**
- 2. No Cheering!**
- 3. No Booing!**
- 4. No public outbursts!**
- 5. Three-minute time limit for comments made during open forum and public testimony on legislative items!**

In addition, please silence your cell phones when entering the Council Chambers!

Further, keep the following City Council Rules in mind:

Rule 2.2 Open Forum

2.2.4 The open forum is a limited public forum and all matters discussed shall relate to affairs of the City. No person may use the open forum to speak on such matters and in such a manner as to violate the laws governing the conduct of municipal affairs. No person shall be permitted to speak on matters related to the current or advance agendas, potential or pending hearing items, or ballot propositions for a pending election. Individuals speaking during the open forum shall address their comments to the Council President and shall not make personal comment or verbal insults about any individual.

Rule 5.4 Public Testimony Regarding Legislative Agenda Items – Time Limits

- 5.3.1 Members of the public may address the Council regarding items on the Council's legislative agenda, special consideration items, hearing items and other items before the City Council requiring Council action that are not adjudicatory or administrative in nature. This rule shall not limit the public's right to speak during the open forum.
- 5.3.2 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 and provide his or her address as a condition of recognition. In order for a council member to be recognized by the Chair for the purpose of obtaining the floor, the council member shall either raise a hand or depress the call button on the dais until recognized by the Council President.
- 5.3.3 Each person speaking at the public microphone shall verbally identify him(her)self by name and, if appropriate, representative capacity.
- 5.3.4 Each speaker shall follow all written and verbal instructions so that verbal remarks are electronically recorded and documents submitted for the record are identified and marked by the Clerk.
- 5.3.5 In order that evidence and expressions of opinion be included in the record and that — decorum befitting a deliberative process be maintained, no modes of expression not provided by these rules, such as demonstrations, banners, applause and the like will be permitted.
- 5.3.6 A speaker asserting a statement of fact may be asked to document and identify the source of the factual datum being asserted.
- 5.3.7 When addressing the Council, members of the public shall direct all remarks to the Council President and shall confine remarks to the matters that are specifically before the Council at that time.
- 5.3.8 When any person, including members of the public, City staff and others are addressing the Council, council members shall observe the same decorum and process, as the rules require among the members inter se. That is, a council member shall not engage the person addressing the Council in colloquy, but shall speak only when granted the floor by the Council President. All persons and/or council members shall not interrupt one another. The duty of mutual respect set forth in Rule 1.2 and the rules governing debate set forth in *Robert's Rules of Order* shall extend to all speakers before the City Council. The council president pro-tem shall be charged with the task of assisting the council president to insure that all individuals desiring to speak, be they members of the public, staff or council members, shall be identified and provided the opportunity to speak.

THE CITY OF SPOKANE



ADVANCE COUNCIL AGENDA

MEETING OF MONDAY, MAY 18, 2015

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 KAREN STRATTON

COUNCIL MEMBER MIKE FAGAN

COUNCIL MEMBER JON SNYDER

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 THURSDAYS 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 entrance 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. | Low Bid meeting specifications of Pierce Manufacturing (Appleton, WI) for 100 foot Tractor Drawn Aerial as a replacement unit for Fire Station #1—\$1,155,443.16 (incl. tax).
Art Nichols | Approve | OPR 2015-0400
BID 4129-15 |
| 2. | Purchase of Tight Rope Media Systems playback system from Advanced Broadcast Systems (SeaTac, WA) using Comcast PEG funds—\$69,954.14 (incl. tax). John Delay | Approve | OPR 2015-0401 |
| 3. | Authorization to increase annual estimated expenditure for purchases of PC, Laptop and Mobile Data Hardware Equipment from Dell Marketing, L.P. (Dell Financial Services, LLC) (Austin, TX) from January 1, 2015 through December 31, 2015—increase of \$225,000 (plus tax) for a total annual estimate of \$585,000. Michael Sloon | Approve | OPR 2015-0005 |
| 4. | One-year Interlocal Cooperative Agreement with Kitsap County to purchase LiDAR topographic survey data for the City LiDAR project—estimated amount \$13,386 (plus tax if applicable). Michael Sloon | Approve | OPR 2015-0402 |

5. Supplemental Agreement with Spokane Association of Fire Officers to extend existing Collective Bargaining Agreement for one year, from December 31, 2015 through December 31, 2016—\$10,000. **Erin Jacobson** Approve OPR 2013-0383
6. Report of the Mayor of pending:
- a. Claims and payments of previously approved obligations, including those of Parks and Library, through _____, 2015, total \$_____, with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$_____. Approve & Authorize Payments CPR 2015-0002
- b. Payroll claims of previously approved obligations through _____, 2015: \$_____. CPR 2015-0003
7. City Council Meeting Minutes: (a) _____, 2015 and (b) _____, 2015. Approve All CPR 2015-0013

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)

NO BOARDS AND COMMISSIONS APPOINTMENTS**CITY ADMINISTRATION REPORT**

COUNCIL COMMITTEE REPORTS

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

OPEN FORUM

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

LEGISLATIVE AGENDA**NO EMERGENCY BUDGET ORDINANCES****EMERGENCY ORDINANCE**

(Requires Five Affirmative, Recorded Roll Call Votes)

ORD C35259 Relating to marijuana; amending SMC sections 4.04.020, 8.02.0233, 10.50.010, 17C.347.010, 17C.347.020 and 17C.347.030; adopting a new section 10.49.090; amending the title of Chapter 17C.347; repealing SMC section 8.02.0233 and Chapter 10.49 SMC; establishing an effective date and declaring an emergency.

Jon Snyder

RESOLUTION

(Require Four Affirmative, Recorded Roll Call Votes)

RES 2015-0051 Establishing the Hillyard Industrial Area Brownfield Redevelopment Opportunity Zone and the Hillyard Industrial Area Brownfield Renewal Authority, including the appointment of the Board of Directors of the Northeast Public Development Authority to serve as the Board of Directors for the Hillyard Industrial Area Brownfield Renewal Authority.

Teri Stripes

- RES 2015-0053** Relating to modification of the City of Spokane's Retail Water Service Area to include Spokane County Parcels No. 26144.9015 and 26144.9016 (which Mead School District has option to purchase for purposes of siting a new school).

Rick Romero

NO FINAL READING ORDINANCES

FIRST READING ORDINANCE

(No Public Testimony Will Be Taken)

- ORD C35258** Relating to indecent public exposure, public visibility, and disclosure standards for adult-oriented businesses; adopting a new section 10.06.050 to chapter 10.06 of the Spokane Municipal Code. (Deferred from May 11, 2015, Agenda)
- Council Members Allen & Fagan**
- ORD C35260** (To be considered under Hearings Item H1.b.)
- ORD C35261** (To be considered under Hearings Item H2.b.)
- ORD C35262** (To be considered under Hearings Item H3.b.)

NO SPECIAL CONSIDERATIONS

HEARINGS

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

RECOMMENDATION

- | | | | |
|-----|--|-------------------------------------|------------|
| H1. | a. Vacation of the alley between 4th Avenue and 5th Avenue from Washington Street to Bernard Street requested by GVD Commercial Properties. | Approve
Subject to
Conditions | |
| | Eldon Brown | | |
| | b. First Reading Ordinance C35260 vacating the alley between 4th Avenue and 5th Avenue from Washington Street to Bernard Street. | Further
Action
Deferred | ORD C35260 |
| H2. | a. Vacation of. a portion of Calispel Street and the alley bordered by Mission Avenue, Washington Street, Calispel Street, and Sinto Avenue requested by Community Frameworks. | Approve
Subject to
Conditions | |
| | Eldon Brown | | |
| | b. First Reading Ordinance C35261 vacating a portion of Calispel Street and the alley bordered by Mission Avenue, Washington Street, Calispel Street, and Sinto Avenue. | Further
Action
Deferred | ORD C35261 |

- H3. a. Vacation of the alley between 2nd Avenue and 3rd Avenue from the east line of Jefferson Street to the west line of Madison Street; the alley between 2nd Avenue and 3rd Avenue from the east line of Madison Street east 100 feet; the alley between Freeway Avenue North and 3rd Avenue from the east line of Madison Street to the west line of Monroe and the west 17 feet of Madison Street from the south line of 2nd Avenue to the north line of 3rd Avenue.

Approve
Subject to
Conditions

Eldon Brown

- b. First Reading Ordinance C35262 vacating the alley between 2nd Avenue and 3rd Avenue from the east line of Jefferson Street to the west line of Madison Street; the alley between 2nd Avenue and 3rd Avenue from the east line of Madison Street east 100 feet; the alley between Freeway Avenue North and 3rd Avenue from the east line of Madison Street to the west line of Monroe and the west 17 feet of Madison Street from the south line of 2nd Avenue to the north line of 3rd Avenue.

Further
Action
Deferred

ORD C35262

Motion to Approve Advance Agenda for May 18, 2015
(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 May 18, 2015, Regular Legislative Session of the City Council will be held and then City Council is adjourned until June 1, 2015.

Note: The regularly scheduled City Council meeting for Tuesday, May 26, 2015, has been canceled. (There is no meeting on Monday, May 25, 2015, due to the recognized observance of the Memorial Day holiday.)

NOTES



Agenda Sheet for City Council Meeting of: 05/18/2015

Date Rec'd	5/5/2015
Clerk's File #	OPR 2015-0400
Renews #	
Cross Ref #	
Project #	
Bid #	4129-15
Requisition #	RE17366

Submitting Dept	FIRE
Contact Name/Phone	ART NICHOLS 625-7080
Contact E-Mail	ANICHOLS@SPOKANEFIRE.ORG
Agenda Item Type	Purchase w/o Contract
Agenda Item Name	1970 PURCHASING 100' TRACTOR DRAWN AERIAL

Agenda Wording

Accept lowest bid meeting specifications for 100' Tractor Drawn Aerial from Pierce Mfg. Appleton Wisconsin.

Summary (Background)

A new aerial for Fire Station 1 was identified as one of the aerials in need of replacement using the SIP Capital funds. Bids were sent out and returned on April 13th with two submittals. Pierce MFG was the lowest bid meeting specifications. Total cost with options and deductions will be \$1,155,443.16 including sales tax of \$94,430.16

<u>Fiscal Impact</u>		<u>Budget Account</u>	
Expense	\$ 1,155,443.16	#	5901-79215-94000-56404
Select	\$	#	
Select	\$	#	
Select	\$	#	
<u>Approvals</u>		<u>Council Notifications</u>	
<u>Dept Head</u>	SCHAEFFER, BRIAN	<u>Study Session</u>	public safety 4-20-15
<u>Division Director</u>	SCHAEFFER, BRIAN	<u>Other</u>	
<u>Finance</u>	SALSTROM, JOHN	<u>Distribution List</u>	
<u>Legal</u>	WHALEY, HUNT	anichols	
<u>For the Mayor</u>	SANDERS, THERESA	korlob	
<u>Additional Approvals</u>		bwilliams	
<u>Purchasing</u>	PRINCE, THEA	tprince	

TRACTOR DRAWN AERIAL
 BID 4129-15 OPEN: 4/20/15

	GENERAL FIRE APPARATUS 4004 E TRENT AVENUE SPOKANE WA 99202 BRENDEN FEIST 509-535-4255 Brendenf@generalfire.com	Pierce Manufacturing PO Box 2017 Appleton, WI 54912 DENNIS WATERS 509-521-1901 dwaters@hughesfire.com
UNIT PRICE:	\$1,089,516.00	\$1,074,499.00
Delivery	365 days FRO	381-422 Days FRO
Chassis in production domestically for at least five years WB _____ WWR _____ CCR _____ Vertical Reach Horizontal Reach	Yes WB 179” WWR * CCR * *=See Turning Radius Chart 98’ to 100’ depending on options @75 degrees 94’ 4.1”	Yes WB 185” WWR 31’11” CCR 28’2” 100’ 95’1”
Options		
13.01 Vogel Automatic Lubricating Chassis System	\$7,000.00	\$5,680.00
13.02 Sanders	\$3,200.00	No Bid (Detailed engineering review will need to be completed)
13.03 Aluminum Wheels	Included	\$5,597.00
13.04 Intercom System	\$9,975.00	\$4,350.00
13.05 Radio/Intercom Interface Included		\$45.00
13.06 Over the Head Headset		\$2,099.00
13.07 Headset Hangers	Included w/intercom 13.04	\$106.00
13.08 Hydraulic Power Supply	\$850.00	\$398.00
13.09 Hydraulic Ram Tool Mount	\$750.00	\$128.00
13.10 Hydraulic Spreader Tool Mount	\$750.00	\$165.00
13.11 Hydraulic Cutter Tool Mounting	\$750.00	\$165.00
13.12 Performance Bond	Included	\$2,905.00

Exceptions = Bidder Complies Y or N

- N – 3.04 Frame
- N – 3.05 Frame Reinforcement
- N – 3.06 Front Non Drive Axle
48 degrees turning angle
- N – 3.07 Front Suspension
- N – 3.11 Rear Axle – first paragraph
- N – 3.13 Rear Suspension
- N – 3.15 Rear Tires – second paragraph
- N – 3.25 Air Compressor, Brake System
- N – 3.36 Engine – First line
- N – 3.41 Power Converter
- N – 3.42 Power Converter Location
- N – 3.60 Logo and Customer Designation on Dash
- N – 3.65 Cab – seventh paragraph
- N – 3.78 Doors – third paragraph
- N – 3.88 Cab Interior – second paragraph
- N – 3.98 Cab/Crew Cab Heater – first paragraph
- N – 3.100 Access to Engine Dipstick
- N – 3.113 Shoulder Harness Height Adjustment
- N – 3.151 Battery Charger – first paragraph
- N – 3.161 Rear FMVSS Lighting – first line
- N – 3.179 Louvers
- N – 4.01 Underbody Support System – paragraphs four through nine
- N – 7.05 Generator Fuel Gauge
- N – 8.21 Special Length Egress
- N – 9.10 Walkway, Turntable to Body
- N – 9.11 Tiller Trailer Non Drive Axle
- N – 9.12 Tiller Trailer Steering
- N – 9.14 Tiller Suspension
- N – 9.16 Wheels, Tiller
- N – 10.05 Paint, Rear Wheels
- N – 11.17 Groung Ladder Storage
- N – 11.18 Dura Surf Ladder Slides
- N – 14.01 Engine Warranty (states Detroit Diesel)

- N – 3.22 Electronic Stability Control
- N – 5.04 Foam Discharge System – fourth paragraph
- N – 7.02.2 Exhaust
- N – 13.02 Sanders

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

05/18/2015

<u>Date Rec'd</u>	5/6/2015
<u>Clerk's File #</u>	OPR 2015-0401
<u>Renews #</u>	
<u>Cross Ref #</u>	
<u>Project #</u>	
<u>Bid #</u>	CITY OF SEATTLE CONTRACT
<u>Requisition #</u>	17368

<u>Submitting Dept</u>	PUBLIC AFFAIRS/COMMUNICATIONS
<u>Contact Name/Phone</u>	JOHN DELAY 625-6355
<u>Contact E-Mail</u>	JDELAY@SPOKANECITY.ORG
<u>Agenda Item Type</u>	Purchase w/o Contract
<u>Agenda Item Name</u>	1940 - PURCHASE OF TIGHTROPE MEDIA SYSTEM USING CITY OF SEATTLE CONTRACT

Agenda Wording

Approve purchase of TIGHT ROPE MEDIA SYSTEM playback system from Advanced Broadcast Systems (SeaTac, WA) using Comcast PEG funds - \$69,954.14 including sales tax

Summary (Background)

CityCable 5 is replacing the 14 year old computerized playback system. This project was slated to be replaced next year under the 5 year capital replacement plan, but last year the company filed bankruptcy and no longer services our current product. Extensive research was done and the TRMS system was chosen after determining it was the best product to fulfill our needs at the best price. This product will be purchased piggybacking the City of Seattle's Contract #3178.

<u>Fiscal Impact</u>		<u>Budget Account</u>	
Expense	\$ 69,954.14	#	1940-37310-94000-56406
Select	\$	#	
Select	\$	#	
Select	\$	#	
<u>Approvals</u>		<u>Council Notifications</u>	
<u>Dept Head</u>	CODDINGTON, BRIAN	<u>Study Session</u>	
<u>Division Director</u>		<u>Other</u>	Finance - 5/4/15
<u>Finance</u>	SALSTROM, JOHN	<u>Distribution List</u>	
<u>Legal</u>	WHALEY, HUNT	tprince	
<u>For the Mayor</u>	CODDINGTON, BRIAN	jdelay	
<u>Additional Approvals</u>		Taxes & Licenses	
<u>Purchasing</u>	PRINCE, THEA		



811 South 192nd Street, #100
SeaTac, WA 98148
Ph: (206) 870-0244
Fax: (206) 299-9990

Quotation

Date	4/9/2015
Quotation #	16294
Rep	TA
Account #	
Project	

Bill To
City of Spokane Accounts Payable 808 West Spokane Falls Blvd. Spokane, WA 99201

Ship To
City of Spokane John Delay 808 West Spokane Falls Blvd. Spokane, WA 99201

FOB	Terms	Ship Via	Valid Until	P.O. No.
Origin	Net 30	Ground	5/9/2015	

Item	Description	Qty	Unit	Total
CBL-SX2HD-530	Phase 3: Central Server Upgrade Tightrope Media Systems - CableCast SX2 High Definition Video Server. Two SD/HD channel decodes, one channel SD/HD encode, multi-format video server with 16 TB useable storage in a 3 rack unit chassis. Selectable SD or HD SDI with embedded audio. Up-converts 480i to 1080i and downconverts 1080i to 480i. Includes CableCast Automation and Carousel Server Software. 6 hours of installation support and end user training are included.	1	25,370.00	25,370.00T
CBL-CG330-SDI	Tightrope Carousel bulletin board configured for broadcast in a 1RU chassis. All Carousel features as well as interface with the CableCast schedule for display of "Airs Again On", "Coming up Next" and CableCast schedule bulletins updated dynamically throughout the day. 2 hours of installation support and end user training are included	1	3,304.00	3,304.00T
CBL-CRTV-CCD	Tightrope Media Systems - Custom channel design. (additional fees may be required depending on complexity of project)	1	3,000.00	3,000.00T
CBL-STRG-DRV-4TB	Tightrope Media Systems - 4TB Spare Content Drive drive for SX2HD video server for Immediate repair in case of drive failure. Includes drive cage	1	600.00	600.00T
HDE-CSV-QAM	Blonder Tongue: MPEG-2 HD Encoder	1	2,571.45	2,571.45T
BMD-TERANEX2D422	Blackmagic Designs - (BMD-TERANEX2D422) Teranex 2D Processor	2	1,995.00	3,990.00T

All quotes are valid for 30 days unless otherwise noted.
By signing above, the purchaser/licensee acknowledges that the purchaser/licensee read and agrees to the terms and conditions set forth by ABS and quoted vendors. ABS terms and conditions supersede any and all purchase orders and other documents relating to the system or the purchase or license thereof. Purchaser/licensee is subject to shipping/handling and 3% credit card processing fees incurred related to order, unless otherwise stated.

Subtotal

Sales Tax (8.7%)

Total

Signature _____



811 South 192nd Street, #100
 SeaTac, WA 98148
 Ph: (206) 870-0244
 Fax: (206) 299-9990

Quotation

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Account #	
Project	

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City of Spokane Accounts Payable 808 West Spokane Falls Blvd. Spokane, WA 99201

Ship To
City of Spokane John Delay 808 West Spokane Falls Blvd. Spokane, WA 99201

FOB	Terms	Ship Via	Valid Until	P.O. No.
Origin	Net 30	Ground	5/9/2015	

Item	Description	Qty	Unit	Total
10787567	Eaton - EX 1500 RT 2U - UPS - 1350 Watt - 1500 VA	1	1,539.53	1,539.53T
951400011	TC Electronics - P2 Level Pilot	1	3,927.50	3,927.50T
1616HD-3G	Kramer 16x16 3G HD-SDI Multi-rate Router 1RU w/ Local Ctl Panel	1	2,980.00	2,980.00T
MRK-4436-LRD	Middle Atlantic - MRK Series 19" Gangable Enclosure, 44RU [83.125"H x 22"W x 36"D] (USEABLE 77.125"H x 33.60"D) - 10-32 mounting holes EIA spacing, 2500lbs load capacity Less Rear Door	1	881.74	881.74T
VFD-44	Middle Atlantic - Vented Front Door, fits 44 space ERK, MRK, WRK, VRK Series Racks, Black	1	285.31	285.31T
SPN-44-36	Middle Atlantic - Universal Side Panels	1	530.70	530.70T
MW-VT	Middle Atlantic - Vented Top.	1	40.16	40.16T
PDT-2020C-RN	Middle Atlantic - 20 Outlet 20A Power Strip	2	178.215	356.43T
LACE-44-1P	Middle Atlantic - Lacer Strips (6 per set)	1	103.21	103.21T
	SUBTOTAL			49,480.03
CBL-SX2HD-530-HA	Extended Support, (per year, first year included) Tightrope Media Systems - Annual hardware assurance contract for the CBL-SX2HD-530	2	1,593.00	3,186.00T
CBL-CG330-SDI-HA	Tightrope Media Systems - Hardware Assurance for CBLCG330-SDI	2	200.60	401.20T
CBL-SAS-SYS	Tightrope Media Systems - Annual software maintenance contract. Covers all the software upgrades including major releases at one facility utilizing a single Tightrope Video server.	2	885.00	1,770.00T
	SUBTOTAL			5,357.20

All quotes are valid for 30 days unless otherwise noted.
 By signing above, the purchaser/licensee acknowledges that the purchaser/licensee read and agrees to the terms and conditions set forth by ABS and quoted vendors. ABS terms and conditions supersede any and all purchase orders and other documents relating to the system or the purchase or license thereof. Purchaser/licensee is subject to shipping/handling and 3% credit card processing fees incurred related to order, unless otherwise stated.

Subtotal

Sales Tax (8.7%)

Total

Signature _____



811 South 192nd Street, #100
 SeaTac, WA 98148
 Ph: (206) 870-0244
 Fax: (206) 299-9990

Quotation

Date	4/9/2015
Quotation #	16294
Rep	TA
Account #	
Project	

Bill To
City of Spokane Accounts Payable 808 West Spokane Falls Blvd. Spokane, WA 99201

Ship To
City of Spokane John Delay 808 West Spokane Falls Blvd. Spokane, WA 99201

FOB	Terms	Ship Via	Valid Until	P.O. No.
Origin	Net 30	Ground	5/9/2015	

Item	Description	Qty	Unit	Total
PM	ABS Services			
ADMIN	Project Management and Administration:			
	ABS Project Management (per hour basis)	4	150.00	600.00T
	ABS Project Administration (per hour)	2	100.00	200.00T
	SUBTOTAL			800.00
E1	Engineering, CAD, Travel and Materials:			
CAD2	ABS Level 1 Engineer, pre-build and onsite	32	200.00	6,400.00T
ABS Per Diem & Travel	ABS CAD2 (per hour)	8	70.00	560.00T
ABS Estimated Materials	ABS - Per Diem and Travel Expenses for Project	1	1,258.00	1,258.00T
	ABS - Estimate for cabling and materials including hardware and connectors.	1	500.00	500.00T
	SUBTOTAL			8,718.00

All quotes are valid for 30 days unless otherwise noted.
 By signing above, the purchaser/licensee acknowledges that the purchaser/licensee read and agrees to the terms and conditions set forth by ABS and quoted vendors. ABS terms and conditions supersede any and all purchase orders and other documents relating to the system or the purchase or license thereof. Purchaser/licensee is subject to shipping/handling and 3% credit card processing fees incurred related to order, unless otherwise stated.

Subtotal \$64,355.23
Sales Tax (8.7%) \$5,598.91
Total **\$69,954.14**

Signature _____

BRIEFING PAPER

CityCable 5

Subject:

Purchase of a new Tight Rope Media Systems playback system for CityCable 5.
\$69,954.14 using Comcast PEG Funds.

Background:

CityCable 5 is replacing the 14 year old computerized playback system. This project was slated to be replaced next year under the 5 year capital replacement plan, but last year the company filed bankruptcy and no longer services our current product. Extensive research was done and the TRMS system was chosen after determining it was the best product to fulfill our needs at the best price. . This product will be purchased piggybacking the City of Seattle's Contract #3178 with Advanced Broadcast Solutions in Seattle.

Impacts:

This purchase will replace a system that is no longer being supported with a state of the art playback system that is being used by numerous municipal cable channels throughout Washington. It incorporates software that replaces another piece of aging equipment that is scheduled to be replaced this year. (\$5,000 readerboard/calendar) and will also allow for a simple transition to HDTV when the City and Comcast choose to go in that direction.

Action:

Approval of this purchase to maintain and enhance City services.



Agenda Sheet for City Council Meeting of:
05/18/2015

Date Rec'd	4/15/2015
Clerk's File #	OPR 2015-0005
Renews #	
Cross Ref #	OPR 2015-0005
Project #	
Bid #	
Requisition #	VB MASTER

Submitting Dept	INFORMATION TECHNOLOGY
Contact Name/Phone	MICHAEL SLOON 625-6468
Contact E-Mail	MSLOON@SPOKANECITY.ORG
Agenda Item Type	Purchase w/o Contract
Agenda Item Name	5300 DELL MARKETING PURCHASE INCREASE (2015)

Agenda Wording

Approval to increase annual estimated expenditure for purchases of PC, Laptop and Mobile Data Hardware Equipment from Dell Marketing, L.P.(Dell Financial Services, LLC)Austin, TX. January 1, 2015 through December 31, 2015 from \$360,000 to \$585,000.

Summary (Background)

Dell Marketing L.P. currently provides The City of Spokane with PC, Laptop and Mobile Data Hardware for purchase for various City Departments. The purpose of the new equipment is for efficiencies, improved service, high speed connectivity, future capacity, and aligns with The City's standard for PC, Laptop and Mobile Data equipment and deployment. The City of Spokane IT Department has utilized WA State Contract T10-MST-296/B27160 for its selection of Dell Marketing, L.P..

<u>Fiscal Impact</u>		<u>Budget Account</u>	
Expense	\$ \$225,000.00 plus tax	#	Various Accounts
Select	\$	#	
Select	\$	#	
Select	\$	#	
<u>Approvals</u>		<u>Council Notifications</u>	
<u>Dept Head</u>	SLOON, MICHAEL	<u>Study Session</u>	Finance - May 4, 2015
<u>Division Director</u>	DUNIVANT, TIMOTHY	<u>Other</u>	
<u>Finance</u>	SALSTROM, JOHN	<u>Distribution List</u>	
<u>Legal</u>	WHALEY, HUNT	Accounting - kbustos@spokanecity.org	
<u>For the Mayor</u>	SANDERS, THERESA	Contract Accounting - jsalstrom@spokanecity.org	
<u>Additional Approvals</u>		Legal - hwhaley@spokanecity.org	
<u>Purchasing</u>	WAHL, CONNIE	Purchasing - cwahl@spokanecity.org	
		IT - jhamilton@spokancity.org	
		Taxes & Licenses	
		Dell - thomas_bedeian@dell.com	



Agenda Sheet for City Council Meeting of:
05/18/2015

Date Rec'd	4/15/2015
Clerk's File #	OPR 2015-0402
Renews #	
Cross Ref #	
Project #	
Bid #	
Requisition #	

Submitting Dept	INFORMATION TECHNOLOGY
Contact Name/Phone	MICHAEL SLOON 625-6468
Contact E-Mail	MSLOON@SPOKANECITY.ORG
Agenda Item Type	Contract Item
Agenda Item Name	5300 KITSAP INTERLOCAL (2015)

Agenda Wording

Interlocal Cooperative Agreement with Kitsap County to purchase LiDAR topographic survey data for The City of Spokane LiDAR project. Contract term will commence upon signature date for one year. Estimated amount of \$13,386.00 plus tax if applicable.

Summary (Background)

The City of Spokane is utilizing the Puget Sound LiDAR Consortium rate structure for this agreement. LiDAR is a remote sensing technology that measures distance by illuminating a target with a laser and analyzing the reflected light. LiDAR is used as a technology to make high-resolution maps with contour mapping. The City of Spokane would like to be included in the upcoming LiDAR survey to incorporate into the current GIS Application.

<u>Fiscal Impact</u>		<u>Budget Account</u>	
Expense	\$ 13,386.00 plus tax if applicable	#	5300-41630-18850-54820
Select	\$	#	
Select	\$	#	
Select	\$	#	
<u>Approvals</u>		<u>Council Notifications</u>	
<u>Dept Head</u>	SLOON, MICHAEL	<u>Study Session</u>	Finance - May 4, 2015
<u>Division Director</u>	DUNIVANT, TIMOTHY	<u>Other</u>	
<u>Finance</u>	SALSTROM, JOHN	<u>Distribution List</u>	
<u>Legal</u>	WHALEY, HUNT	Accounting - kbustos@spokanecity.org	
<u>For the Mayor</u>	SANDERS, THERESA	Contract Accounting - jsalstrom@spokanecity.org	
<u>Additional Approvals</u>		Legal - hwhaley@spokanecity.org	
<u>Purchasing</u>		Purchasing - cwahl@spokanecity.org	
		IT - jhamilton@spokanecity.org	
		Taxes & Licenses	
		Kitsap County - mgordon@co.kitsap.wa.us	

**KITSAP COUNTY
DEPT. OF EMERGENCY MANAGEMENT**

911 Carver Street
Bremerton, WA 98312
(360) 307-5871

**INTERLOCAL COOPERATIVE AGREEMENT TO PURCHASE LIDAR DATA
FOR THE SPOKANE, WA. LIDAR PROJECT
KC- _____ -2015**

THIS AGREEMENT is between City of Spokane, Wa., a municipal corporation, and, and Kitsap County, Wa., a municipal corporation, all in the State of Washington.

WITNESSETH:

WHEREAS, The Cooperation Act, as amended and codified in Chapter 39.34 of the Revised Code of Washington provides for Interlocal cooperation between governmental agencies; and

WHEREAS, Chapter 39.33 of the Revised Code of Washington provides for the intergovernmental disposition of property, and

WHEREAS, both parties are required to make certain purchases by formal advertisement and bid process, which is a time consuming and expensive process; and it is in the public interest to cooperate in the combination of bidding requirements to obtain the most favorable bid for each party where it is in their mutual interest; and

WHEREAS, the parties also wish to utilize each other's contracts where it is in their mutual interest;

NOW, THEREFORE, the parties agree as follows:

1. **PURPOSE.** The purpose of this agreement is to acknowledge the parties' mutual interest to jointly bid the acquisition of goods and services and disposition of property where such mutual effort can be planned in advance and to authorize the acquisition of goods and services and the purchase or acquisition of goods and services under contracts where a price is extended by either party's bidder to other governmental agencies;
2. **ADMINISTRATION.** No new or separate legal or administrative entity is created to administer the provision of this agreement. The Administrator of this agreement is the Director of Emergency Management of Kitsap County, Washington.
3. **SCOPE.** This agreement shall allow the following activities:
 - A. Purchase or acquisition of goods and services by each party acting as agent for either or both parties when agreed to in advance, in writing;
 - B. Purchase or acquisition of goods and services by each party where provision has been provided in contracts for other agencies to avail themselves of goods and services offered under the contract.
 - C. Disposal of goods by each party acting as agent for either, or both parties when agreed to in advance, in writing.
4. **DURATION OF AGREEMENT - TERMINATION.** This agreement shall become effective upon signature of both parties for a one (1) year period.

COOPERATIVE PURCHASING AGREEMENT

5. RIGHT TO CONTRACT INDEPENDENT ACTION PRESERVED. Each party reserves the right to contract independently for the acquisition of goods or services and or disposal of any property without notice to the other party and shall not bind or otherwise obligate the other party to participate in the activity.
6. COMPLIANCE WITH LEGAL REQUIREMENTS. Each party accepts responsibility for compliance with federal, state or local laws and regulations including, in particular, bidding requirements applicable to its acquisition of goods and services or disposal of property.
7. FINANCING. The method of financing of payment shall be through budgeted funds or other available funds of the party for whose use the property is actually acquired or disposed. Each party accepts no responsibility for the payment of the acquisition price of any goods or services intended for use by the other party.
8. FILING. Executed copies of this agreement shall be filed as required by Section 39.34.040 of the Revised Code of Washington prior to this agreement becoming effective.
9. INTERLOCAL COOPERATION DISCLOSURE. Each party may insert in its solicitations for goods a provision disclosing that other authorized government agencies may also wish to procure the goods being offered to the party and allowing the bidder the option of extending its bid to other agencies at the same bid price, terms and conditions.
10. NON-DELEGATION/NON-ASSIGNMENT. Neither party may delegate the performance of any contractual obligation, to a third party, unless mutually agreed in writing. Neither party may assign this agreement without the written consent of the other party.
- II. HOLD HARMLESS. Each party shall be liable and responsible for the consequences of any negligent or wrongful act or failure to act on the part of itself and its employees. Neither party assumes responsibility to the other party for the consequences of any act or admission of any person, firm or corporation not a party to this agreement.
12. SEVERABILITY. Any provision of this agreement, which is prohibited or unenforceable, shall be ineffective to the extent of such prohibition or unenforceability, without invalidating the remaining provision or affecting the validity or enforcement of such provision.
13. LiDAR SURVEY DATA. Kitsap County has contracted with Quantum Spatial Inc. (Watershed Sciences, Inc.). to provide public-domain high-resolution LiDAR topographic survey data in Washington and Oregon. Exhibit A outlines costs associated with Puget Sound LiDAR Consortium's rate structure agreed upon with Quantum Spatial, Inc. under its contract terms and Exhibit B is the Quantum Spatial, Inc. project Proposal. This LiDAR project is concurrent with other Spokane LiDAR projects and is treated as an "add on" at the same rate of \$.78 per acre. Pursuant to paragraph 3.A of this agreement, Kitsap County will act as the agent for the City of Spokane, Washington to obtain the data described in Exhibit B from Quantum Spatial/Watershed Sciences, Inc. The project, referred to as the City of Spokane Lidar Project has a total costs of \$13,386.00. The Project Costs is a total of LiDAR services at \$11,743.00 and a service fee for contract administration and Quality Assurance of \$1,644.00. The City of Spokane agrees to pay the costs and the amount specified in this contract not to exceed \$13,386.00. Kitsap County will obtain this data from Quantum Spatial/Watershed Sciences, Inc. under its contract with Watershed Sciences.

COOPERATIVE PURCHASING AGREEMENT

City of Spokane, Washington

**Kitsap County Department of Emergency Management
Kitsap County, Washington**

Michael Gordon, Director
Kitsap County Emergency Management

Date

Date

COOPERATIVE PURCHASING AGREEMENT

Exhibit A Puget Sound LiDAR Consortium Rate Structure

Provider:	Kitsap County
Agreement No.:	KC-244-12
Agreement Title:	Remote Watershed LiDAR Services

Area Extent	Price per Acre	Price per Square Mile	Contours	Intensity Images	Gain-normalized Intensities
50 to 100 sq. miles (32,000 to 64,000 acres)	\$1.42	\$909	\$0.142	\$0	\$0.080
100 to 150 sq. miles (64,000 to 96,000 acres)	\$1.11	\$710	\$0.111	\$0	\$0.060
150 to 200 sq. miles (96,000 to 128,000 acres)	\$0.94	\$602	\$0.094	\$0	\$0.050
200 to 250 sq. miles (128,000 to 160,000 ac)	\$0.84	\$538	\$0.084	\$0	\$0.040
Greater than 250 sq. mi (Greater than 160,000 ac)	\$0.78	\$499	\$0.078	\$0	\$0.035

The Puget Sound LiDAR Consortium (PSLC) adds a 14% overhead fee to the total cost. 7% is for contract and administrative services by Kitsap County Department of Emergency Management and 7% to the Puget Sound LiDAR Consortium for Data analysis.

COOPERATIVE PURCHASING AGREEMENT

Exhibit B

LiDAR Data Acquisition Cost Proposal – City of Spokane, Wa.



Agenda Sheet for City Council Meeting of:
05/18/2015

Date Rec'd	5/5/2015
Clerk's File #	OPR 2013-0383
Renews #	
Cross Ref #	
Project #	
Bid #	
Requisition #	
Submitting Dept	CITY ATTORNEY
Contact Name/Phone	ERIN JACOBSON 6889
Contact E-Mail	EJACOBSON@SPOKANECITY.ORG
Agenda Item Type	Contract Item
Agenda Item Name	2016 CONTRACT EXTENSION WITH SPOKANE ASSOCIATION OF FIRE OFFICERS

Agenda Wording

Authorization to extend the existing Collective Bargaining Agreement with SAFO (set to expire December 31, 2015) through 2016.

Summary (Background)

The City of Spokane and SAFO agree to extend the current Collective Bargaining Agreement through December 31, 2016. The parties also agree to separately bargain application of the City's updated Code of Ethics to SAFO members. The currently known increase in total cost of compensation for the one-year extension is .44% (and is subject to change based on the terms of the IAFF Local 29 2016 Collective Bargaining Agreement, which has yet to be negotiated).

Fiscal Impact

Expense \$ 10,000
Select \$
Select \$
Select \$

Budget Account

various

#

Approvals

Dept Head DALTON, PAT
Division Director
Finance SALSTROM, JOHN
Legal JACOBSON, ERIN
For the Mayor SANDERS, THERESA

Council Notifications

Study Session
Other Exec Session 5/4/15

Distribution List

Additional Approvals gkinyon@spokanecity.org
Purchasing bwilliams@spokanecity.org
bschaeffer@spokanecity.org
tdunivant@spokanecity.org
dhaworth@spokanecity.org

SUPPLEMENTAL AGREEMENT

Between

CITY OF SPOKANE and SPOKANE ASSOCIATION OF FIRE OFFICERS

SUBJECT: 2016 Contract Extension

The City of Spokane and SAFO have mutually agreed to extend the current Collective Bargaining Agreement in its entirety through December 31, 2016. Additionally, the parties agree to separately bargain application of the City's updated Code of Ethics (SMC Chapter 01.04A) to SAFO's members.

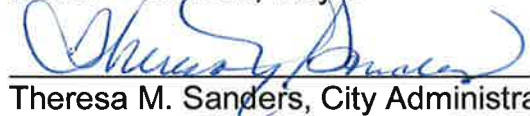
This Agreement is contingent upon and shall become immediately effective upon approval by both the SAFO membership and the Spokane City Council.

DATED this 1 day of April, 2015.

For the City:



David A. Condon, Mayor




Theresa M. Sanders, City Administrator



Bobby Williams, Fire Chief



Brian Schaeffer, Assistant Fire Chief



Heather Lowe, HR Director




Meghann Steinolfson, Sr. HR Analyst

For SAFO:



Don Waller, President



Dave Haworth, Vice-President

Approved as to Form:



Erin Jacobson, Assistant City Attorney

Attest:

Terri Pfister, City Clerk

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

05/18/2015

Date Rec'd

5/6/2015

Clerk's File #

ORD C35259

Renews #**Submitting Dept**

CITY COUNCIL

Cross Ref #**Contact Name/Phone**

JON SNYDER 6254

Project #**Contact E-Mail**

JSNYDER@SPOKANECITY.ORG

Bid #**Agenda Item Type**

Emergency Ordinance

Requisition #**Agenda Item Name**

0320 ORD RE REPEAL OF MEDICAL MARIJUANA COLLECTIVE GARDENS

Agenda Wording

AN ORDINANCE relating to marijuana; amending SMC sections 4.04.020, 8.02.0233, 10.50.010, 17C.347.010, 17C.347.020 and 17C.347.030; adopting a new section 10.49.090; amending the title of Chapter 17C.347;

Summary (Background)

The 2015 Washington Legislature enacted 2SSB 5052, which was signed by Governor Inslee. 2SSB 5052 provides in part for the elimination of medical cannabis collective gardens effective July 1, 2016. The bill does allow state-licensed marijuana retailers to apply for an endorsement from the Liquor and Cannabis Board (formerly known as the Liquor Control Board) in order to sell medical marijuana to qualified patients and designated providers registered with the Department of Health database.

Fiscal Impact**Budget Account**

Select \$

#

Select \$

#

Select \$

#

Select \$

#

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

MCCLATCHEY, BRIAN

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

SALSTROM, JOHN

Distribution List**Legal**

PICCOLO, MIKE

mpiccolo@spokanecity.org

For the Mayor

SANDERS, THERESA

MRedd@spokanecity.org

Additional Approvals

abrast@spokanecity.org

Purchasing



Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

Repealing SMC section 8.02.0233 and Chapter 10.49 SMC; establishing an effective date and declaring an emergency.

Summary (Background)

This ordinance amends various sections of the SMC in order to prepare for the elimination of collective gardens by July 1, 2016, including the discontinuance of City-issued medical cannabis collective garden regulatory licenses immediately upon adoption of the ordinance. The ordinance will enable those collective gardens holding a City-issued regulatory license to maintain and renew their licenses until July 1, 2016.

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

Ordinance No. C35259

AN ORDINANCE relating to marijuana; amending SMC sections 4.04.020, 8.02.0233, 10.50.010, 17C.347.010, 17C.347.020 and 17C.347.030; adopting a new section 10.49.090; amending the title of Chapter 17C.347; repealing SMC section 8.02.0233 and Chapter 10.49 SMC; establishing an effective date and declaring an emergency.

WHEREAS, the City Council enacted Ordinance No. C - 35037 on September 23, 2013 pursuant to RCW 69.51A.140, which authorized cities to adopt and enforce zoning requirements, business licensing requirements, health and safety requirements, and business taxes pertaining to the production, processing, or dispensing of cannabis or cannabis products within their jurisdictions; and

WHEREAS, Chapter 10.49 SMC created a regulatory license for medical cannabis collective gardens located within the City of Spokane and operating within the legal authority set forth in RCW 69.51A.085; and

WHEREAS, the Washington State Legislature enacted Second Substitute Senate Bill 5052 (2SSB 5052) during the 2015 legislative session, which was signed by Governor Inslee on April 24, 2015; and

WHEREAS, Section 49 of 2SSB 5052 repeals RCW 69.51A.085, which authorized the existence of medical cannabis collective gardens; and

WHEREAS, Section 50 of 2SSB 5052 makes the repeal of RCW 69.51A.085 effective July 1, 2016; and

WHEREAS, the continued permitting of medical cannabis collective garden regulatory licenses pursuant to Chapter 10.49 SMC with the pending repeal of the state authorization of medical cannabis collective gardens will create a public health, safety and welfare concern with the establishment of medical cannabis collective gardens which would have to cease operation by July 1, 2016; - - Now, Therefore,

The City of Spokane does ordain:

Section 1. That SMC 4.04.020 is amended to read as follows:

4.04.020 Activities Requiring Registrations and Licenses

- A. A person, including principals and agents, needs a current and valid license issued under this chapter to begin or to continue, directly or indirectly, any activity provided for in Division II of Title 10 SMC, whether as a commercial business or for nonprofit or charitable purposes.

- B. Persons pursuing ordinary vocations and businesses on private property by private means need a class I license and registration, for such activities as:
1. peddling merchandise, and
 2. solicitation of money or things of value.
- C. Persons conducting activities which have a potential to cause social or economic evil, or useful occupations which may under certain circumstances become a public or private nuisance offensive or dangerous to health, safety, morals, or good order, need a class II license for such activities as:
1. maintaining places and devices of amusement, including teen clubs, cabarets, and entertainment facilities;
 2. keeping of animals;
 3. building relocation;
 4. certain contracting;
 5. commercial use and sale of fireworks;
 6. private or special police;
 7. dealing in used goods;
 8. operating for-hire vehicles. The for-hire license shall be issued by the City of Spokane taxes and licenses division to coincide with the issuance of the business registration through the Washington State business license service. The for-hire license will have the same renewal date as the business registration ((; and
 9. ~~owning, operating or maintaining a medical cannabis collective garden pursuant to chapter 61.59A RCW)).~~
- D. Persons claiming a private right in or making extraordinary use of public property need a class III license for such activities as:
1. moving buildings;
 2. operating cable television;
 3. certain contracting;
 4. collecting garbage or commercial recyclables (SMC 13.02.0204);
 5. distributing natural gas;
 6. maintaining mechanical newspaper vendors;
 7. parades, special events, and demonstrations;
 8. operating telephone and telegraph equipment;
 9. operating sidewalk cafes; and
 10. doing commercial tree work.

Section 2. That SMC section 8.02.0233 is amended to read as follows:

8.02.0233 Medical Cannabis Collective Garden Regulatory License

The fee for a medical cannabis collective garden regulatory license under SMC 10.49.040 is two hundred and fifty dollars to support the regulatory program. Effective upon the passage of Ordinance No. C-_____, the City shall only renew existing

regulatory licenses. The renewal fee shall be pro-rated based on the time period between when the renewal period begins and July 1, 2016, the date medical cannabis collective gardens will no longer be permitted to exist under state law and the SMC.

Section 3. That SMC section 10.50.010 is amended to read as follows:

10.50.010 Marijuana Producer, Processor and Retailer

- A. A marijuana producer, processor or retailer licensed by the State of Washington liquor ~~((control))~~ and cannabis board shall be required to comply with all applicable regulations established by the City including, but not limited to, all building and fire code regulations and zoning regulations and shall be required to provide a copy of the state-issued license to the City upon request.
- B. In addition to all other available penalties or remedies, including any criminal penalties imposed under state law or the Spokane Municipal Code, any premises that fails to obtain or retain its license issued by the State of Washington liquor and cannabis board to operate as a marijuana producer, processor or retailer or fails to comply with all other applicable regulations relating to marijuana is declared to be a public nuisance per se, and may be abated under applicable provisions of the Spokane Municipal Code and state law.

Section 4. That the caption to Chapter 17C.347 is amended to read as follows:

Chapter 17C.347 ((Medical Cannabis Collective Garden or a Retail Outlet for Recreational Marijuana)) Regulations for State-Licensed Marijuana Producers, Processors and Retailers.

Section 5. That SMC 17C.347.010 is amended to read as follows:

17C.347.010 Purpose

This chapter provides zoning standards ~~((for the establishment of a medical cannabis collective garden established pursuant to chapter 69.51A RCW and))~~ for producers, processors and retailers of ~~((recreational))~~ marijuana licensed by the state pursuant to chapter 69.50 RCW and chapter 314-55 WAC.

Section 6. That SMC 17C.347.020 is amended to read as follows

17C.347.020 Description

For the purpose of describing activities and other characteristics of ~~((a medical cannabis collective garden or))~~ a state-licensed ~~((recreational))~~ marijuana producer, processor or retailer, the definitions of ~~((SMC 10.49.030))~~ chapter 69.50 RCW and chapter 314-55 WAC are applicable.

Section 7. That SMC 17C.347.030 is amended to read as follows

17C.347.030

**Regulations for ~~((a Medical Cannabis Collective Garden and))~~
State-Licensed Marijuana Producers, Processors and Retailers**

A. City Zoning.

~~((1. A medical cannabis collective garden shall comply with the requirements of SMC 10.49.060.~~

~~a. No person may conduct business within the City as a medical cannabis collective garden or a facility for delivery of cannabis produced by the garden unless the medical cannabis collective garden or a facility for delivery of cannabis produced by the garden is located within the CC2, CC3, CB, GC, DTC, DTG, DTU, DTS, LI, HI and PI Zones in accordance with Title 17 SMC. A medical cannabis collective garden is classified as a Manufacturing and Production land use as described in chapter 17C.190 SMC, Use Category Descriptions. Manufacturing and Production uses are limited as provided in Table 17C.120-1, Table 17C.130-1, and Table 17C.124-1. In Table 17C.122-1, for Center and Corridor Zones, a medical cannabis collective garden is classified as a Limited Industrial land use and is subject to the standards for a Limited Industrial use.~~

~~b. A licensed medical cannabis collective garden or facility for delivery of cannabis produced by the garden may not be located within one thousand feet of the perimeter of the grounds of any of the following entities. The owner or operator of the medical cannabis collective garden shall have the responsibility to demonstrate that the collective garden is not within the one thousand foot perimeter:~~

~~i. elementary or secondary school;~~

~~ii. playground;~~

~~iii. recreational center or facility;~~

~~iv. child care center;~~

~~v. public park;~~

~~vi. public transportation center;~~

~~vii. library; or~~

~~viii. any game arcade where admission is not restricted to persons age twenty-one or older.~~

- c. ~~The prohibition set forth in subsection (1) (a) and (b) above shall not apply to a medical cannabis collective garden legally operating prior to the enactment of this ordinance that is going to convert from a collective garden to a state-licensed retailer.~~
- d. ~~Medical cannabis cultivation and sale are prohibited as a home occupation and are not considered as an accessory use in residential zones.~~
- e. ~~Notwithstanding the provisions of chapter 17C.210, an existing collective garden in operation as of the effective date of this ordinance shall be brought into full compliance with the provisions of this chapter within one year of the effective date of the ordinance.)~~

((2))1. State-Licensed Marijuana Producers, Processors and Retailers.

- a. No person may conduct business within the City of Spokane as a state-licensed marijuana producer, processor ((and)) or retailer unless they are located within the CC2, CC3, CB, GC, DTC, DTG, DTU, DTS, LI, HI and PI Zones in accordance with Title 17 SMC and licensed under this chapter. A state-licensed marijuana producer or processor is classified as a Manufacturing and Production land use as described in chapter 17C.190 SMC, Use Category Descriptions. Manufacturing and Production uses are limited as provided in Table 17C.120-1, Table 17C.130-1, and Table 17C.124-1. In Table 17C.122-1, for Center and Corridor Zones, a state-licensed marijuana producer or processor is classified as a Limited Industrial land use and is subject to the standards for a Limited Industrial use. A state-licensed marijuana retailer is classified as a Retail Sales and Service land use as described in chapter 17C.190 SMC, Use Category Descriptions. In Table 17C.122-1, for Center and Corridor Zones, a state-licensed marijuana retailer is classified as a Commercial land use and is subject to the standards for a Commercial use.
- b. A state-licensed marijuana producer, processor ((and)) or retailer may not be located within one thousand feet of the perimeter of the grounds of any of the following entities. The owner or operator of the state-licensed marijuana producer, processor ((and)) or retailer shall have the responsibility to demonstrate that the state-licensed marijuana producer, processor ((and)) or retailer is not within the one thousand foot perimeter:
 - i. elementary or secondary school;
 - ii. playground;

- iii. recreational center or facility;
 - iv. child care center;
 - v. public park;
 - vi. public transportation center;
 - vii. library; or
 - viii. any game arcade where admission is not restricted to persons age twenty-one or older.
- B. Waste products shall be disposed of in a secure manner that would prevent exposure to the public or create a nuisance.
- C. Measurement.
- 1. The measurement of the separation distance in subsection A(1)(b) (~~and A(2)(b)~~) above shall be measured as the shortest straight line distance from the property line of the production and processing facility, retail outlet or collective garden to the property line of the entities listed in subsection A(1)(b) (~~and A(2)(b)~~).
 - 2. A protected use specified in subsection A(1)(b) (~~and A(2)(b)~~) above shall not benefit from the separation requirements of this subsection if the use chooses to locate within the required separation distance from a lawfully located production or processing facility, collective garden or retailer outlet.

Section 8. That there is adopted a new section 10.49.090 to chapter 10.49 of the Spokane Municipal Code to read as follows:

10.49.090 Elimination of Medical Cannabis Collective Gardens

- A. Pursuant to Section 49 of Second Substitute Senate Bill 5052, the Washington State Legislature has eliminated the authorization for the existence of medical cannabis collective gardens established pursuant to RCW 69.51A.085. The effective date of Section 49 of Second Substitute Senate Bill 5052 is July 1, 2016. Ordinance No. C - ____ repeals the City's regulatory license authorizing the existence of medical cannabis collective gardens within the City as authorized by RCW 69.51A.085 and regulated by chapter 10.49 SMC. The effective date of the repeal is July 1, 2016.

- B. On the effective date of Ordinance No. C - _____, no new applications for a medical cannabis collective garden will be accepted or processed and no new medical cannabis collective gardens will be permitted.
- C. All existing medical cannabis collective gardens established pursuant to RCW 69.51A.085 with a regulatory license issued pursuant to chapter 10.49 SMC shall be required to comply with the requirements of RCW 69.51A.085 and chapter 10.49 SMC until July 1, 2016 at which time the medical cannabis collective garden shall cease to operate.

Section 9. That SMC 8.02.0233 is repealed effective July 1, 2016.

Section 10. That Chapter 10.49 SMC is repealed effective July 1, 2016.

Section 11. Effective Date.

Sections 1, 4, 5, 6, 7, 9 and 10 of this ordinance shall be effective July 1, 2016. All other sections shall be effective immediately upon passage.

Section 12. Emergency Ordinance.

This ordinance, passed by a majority plus one of the whole membership of the City Council as a public emergency ordinance necessary for the protection of the public peace, health and safety, and for the immediate support of city government and its existing institutions, shall be effective immediately upon its passage unless otherwise noted.

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:
05/18/2015

Date Rec'd	5/5/2015
Clerk's File #	RES 2015-0051
Renews #	

Submitting Dept	PLANNING & DEVELOPMENT	Cross Ref #	
Contact Name/Phone	TERI STRIPES 625-6597	Project #	
Contact E-Mail	TSTRIPES@SPOKANECITY.ORG	Bid #	
Agenda Item Type	Resolutions	Requisition #	
Agenda Item Name	0650 - ESTABLISHMENT OF BROWNFIELD REDEVELOPMENT OPPORTUNITY		

Agenda Wording

Resolution facilitating the establishment of the Brownfield Redevelopment Opportunity Zone and Brownfield Renewal Authority. Further to be resolved is the appointment of the Board of Directors of the Northeast Public Development Authority as the

Summary (Background)

The establishment of a Brownfield Redevelopment Opportunity Zone and Brownfield Renewal Authority will help guide and implement the cleanup and reuse of Brownfields in the Greater Hillyard Neighborhood. Whereas it is desired the Northeast Public Development Authority Board of Directors serve as the Hillyard Industrial Area Brownfield Renewal Authority Board of Directors to invest in community outreach, infrastructure, economic development partnerships, and land development decisions.

Fiscal Impact		Budget Account	
Neutral	\$	#	
Select	\$	#	
Select	\$	#	
Select	\$	#	
Approvals		Council Notifications	
Dept Head	MEULER, LOUIS	Study Session	
Division Director	SIMMONS, SCOTT M.	Other	
Finance	SALSTROM, JOHN	Distribution List	
Legal	RICHMAN, JAMES	lhattenburg@spokanecity.org	
For the Mayor	SANDERS, THERESA	mhughes@spokanecity.org	
Additional Approvals		tstripes@spokanecity.org	
Purchasing		cbrazington@spokanecity.org	



Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

Hillyard Industrial Area Brownfield Renewal Authority.

Summary (Background)

Fiscal Impact

Select \$

Select \$

Budget Account

#

#

Distribution List

RESOLUTION NO. 2015-0051

A resolution establishing the Hillyard Industrial Area Brownfield Redevelopment Opportunity Zone and the Hillyard Industrial Area Brownfield Renewal Authority.

WHEREAS, reforms to the State Model Toxics Control Act have created new tools to promote cleanup and redevelopment of brownfields; and

WHEREAS, RCW 70.105D.150 authorizes the City to designate a geographic area within the City boundary as a redevelopment opportunity zone upon the adoption of a resolution that provides for certain determinations and commitments; and

WHEREAS, RCW 70.105D.160 authorizes the City to establish by resolution a brownfield renewal authority for the purpose of guiding and implementing the cleanup and reuse of properties within a designated redevelopment opportunity zone; and

WHEREAS, the City has performed an analysis of City-owned property in the Hillyard area, hereinafter referred to as the Hillyard Industrial Area, and determined that based upon the definition of "brownfield property" set forth in RCW 70.105D.020 (3), the Hillyard Industrial Area property constitutes a brownfield property; and

WHEREAS, the City's analysis of the Hillyard Industrial Area, a copy of which is attached as Exhibit A, demonstrates that the criteria for a redevelopment opportunity zone designation set forth in RCW 70.105D.150 (1) has been met; and

WHEREAS, it is the desire of the City Council to adopt this resolution to establish the Hillyard Industrial Area Redevelopment Opportunity Zone pursuant to RCW 70.105D.150; and

WHEREAS, it is the desire of the City and the Northeast Public Development Authority (NE PDA) to have the NE PDA board of directors serve as the board of directors for the brownfield renewal authority pursuant to RCW 70.105D.160; - - Now, Therefore,

BE IT RESOLVED by the Spokane City Council that the geographic area identified in the map attached as Exhibit No. 2 shall be designed as the Hillyard Industrial Area Redevelopment Opportunity Zone (HIA ROZ) and that the HIA ROZ meets the following determinations as required by RCW 70.105D.150:

(a) At least fifty percent of the upland properties in the HIA ROZ are brownfield properties as defined in RCW 70.105D.020 (3) whether or not the properties are contiguous;

(b) The upland portions of the HIA ROZ are comprised entirely of parcels of property either owned by the city or whose owner has provided consent in writing to have their property included within the HIA ROZ;

(c) The cleanup of the HIA ROZ, as brownfield properties, will be integrated with planning for the future uses of the properties and is consistent with the comprehensive land use plan for the HIA ROZ; and

(d) The proposed properties lie within boundaries of the City of Spokane and are within the urban growth area designated under RCW 36.70A.110.

BE IT FURTHER RESOLVED by the Spokane City Council that the Hillyard Industrial Area Brownfield Renewal Authority is hereby established pursuant to RCW 70.105D.160 for the purpose of guiding and implementing the cleanup and reuse of the properties with the Hillyard Industrial Area Redevelopment Opportunity Zone.

BE IT FURTHER RESOLVED by the Spokane City Council that the board of directors for the Hillyard Industrial Area Brownfield Renewal Authority shall consist of the board of directors of the Northeast Public Development Authority as it currently exists and as reconstituted from time to time by subsequent appointments. The Hillyard Industrial Area Brownfield Renewal Authority shall have those powers set forth in chapters 39.34 RCW and 70.105D RCW.

ADOPTED BY THE CITY COUNCIL ON _____

City Clerk

Approved as to form:

Assistant City Attorney

City of Spokane / NEPDA
Hillyard Industrial Area Redevelopment Opportunity Zone Table--
Property Eligibility

Property Owner	Parcel Identification	Size (acres)	Brownfield?	Brownfield Acres	Contaminated?	Site Name		Previously Developed?	Abandoned+Underutilized	Abandoned or Vacant?	Underutilized?	Underutilized (calc)	Land-Assessed Value	Building-Assessed Value
City of Spokane	36344.0206	4.26	TRUE	4.3	Y	The Ranch		Y	TRUE	N	Y	0.32	\$ 556,980	\$ 177,800
City of Spokane	36344.0210	1.64	TRUE	1.6	Y	The Ranch		Y	TRUE	N	Y	0.01	\$ 214,200	\$ 1,600
City of Spokane	36344.0208	2.05	TRUE	2.1	Y	The Ranch		Y	TRUE	N	Y	0.03	\$ 267,800	\$ 8,000
City of Spokane	36344.0204	2.07	TRUE	2.1	Y	The Ranch		Y	TRUE	N	Y	0.03	\$ 270,920	\$ 7,100

Summary Analysis			
	Total	Brownfields	% Brownfields
Parcels	4	4	100%
Acres	10.02	10.02	100%

THE YARD



City property, AKA "Ranch"
Hillyard Industrial Area
Brownfield Redevelopment
Opportunity Zone

Legend

- Target Area
- Railroad
- Parcel Lines
- City Park/Golf Course
- City of Spokane

0 0.5 1 Mile

Total Area:
1.64 Square Miles





Agenda Sheet for City Council Meeting of: 05/18/2015

Date Rec'd	5/6/2015
Clerk's File #	RES 2015-0053
Renews #	
Cross Ref #	
Project #	
Bid #	
Requisition #	

Submitting Dept	UTILITIES
Contact Name/Phone	RICK ROMERO 625-6361
Contact E-Mail	RROMERO@SPOKANECITY.ORG
Agenda Item Type	Resolutions
Agenda Item Name	RETAIL SERVICE AREA BOUNDARY TO INCLUDE PARCELS 26144.9015 AND 26144.9016

Agenda Wording

Request to include Parcels 26144.9015 and 26144.9016 in the Retail Service Area boundary.

Summary (Background)

The Mead School District has an option to purchase this property and is seeking a commitment from the City for Water service.

<u>Fiscal Impact</u>		<u>Budget Account</u>	
Select	\$	#	
Select	\$	#	
Select	\$	#	
Select	\$	#	
<u>Approvals</u>		<u>Council Notifications</u>	
<u>Dept Head</u>	ROMERO, RICK	<u>Study Session</u>	
<u>Division Director</u>	ROMERO, RICK	<u>Other</u>	PWC 5/11/15
<u>Finance</u>	SALSTROM, JOHN	<u>Distribution List</u>	
<u>Legal</u>	DALTON, PAT	eschoedel@spokanecity.org	
<u>For the Mayor</u>	SANDERS, THERESA	dkegley@spokanecity.org	
<u>Additional Approvals</u>		bpatrick@spokanecity.org	
<u>Purchasing</u>		rhulvey@spokanecity.org	
		jsakamoto@spokanecity.org	
		cpeterschmidt@spokanecity.org	
		ebrown@spokanecity.org	

RESOLUTION

A RESOLUTION relating to modification of the City of Spokane's Retail Water Service Area to include Spokane County Parcels No. 26144.9015 and 26144.9016.

WHEREAS, pursuant to the State of Washington Department of Health Rules and Regulations, WAC 246-290-100, the City of Spokane is required to update its Comprehensive Water System Plan at least every six years; and

WHEREAS, the City of Spokane reviewed and updated its Comprehensive Water System Plan pursuant to Washington State Department of Health rules and regulations. The Comprehensive Water System Plan defines existing water service areas; retail water service areas, and future water service areas; and

WHEREAS, the Mead School District has an option to purchase Spokane County Parcels No. 26144.9015 and 26144.9016 for purposes of siting a new school and has requested water service from the City Water Department; and

WHEREAS, the Water Department provides water services to neighboring and surrounding parcels and

WHEREAS, the City Council of the City of Spokane after careful consideration finds modification of the Retail Water Service Area to include Spokane County Parcels No. 26144.9015 and 26144.9016 to be in the public interest;--NOW, THEREFORE,

BE IT RESOLVED by the City of Spokane that the Retail Water Service Area Map will hereby amended to include Spokane County Parcels No. 26144.9015 and 26144.9016 during the annual update.

Adopted and approved by City Council _____, 2015

City Clerk

Approved as to Form:

Assistant City Attorney

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

05/11/2015

Date Rec'd

4/29/2015

Clerk's File #

ORD C35258

Renews #Submitting Dept

CITY COUNCIL

Cross Ref #Contact Name/PhoneMIKE ALLEN & 625-6715
MIKE FAGANProject #Contact E-Mail

RBARDEN@SPOKANECITY.ORG

Bid #Agenda Item Type

Final Reading Ordinance

Requisition #Agenda Item Name

ORDINANCE RELATING TO INDECENT PUBLIC EXPOSURE

Agenda Wording

An ordinance relating to indecent public exposure, public visibility, and disclosure standards for adult-oriented businesses; adopting a new section 10.06.050 to chapter 10.06 of the Spokane Municipal Code.

Summary (Background)

The recent increase in the number of drive-through coffee stands at which the employees' standard work uniform may violate existing law concerning indecent exposure, and may create off-site impacts at locations such as schools, parks, libraries, churches, and playgrounds, calls for a clarification of the law concerning the practices at these facilities. This proposed ordinance creates an opportunity for drive-through coffee stands to take appropriate measures to screen their employees from publi

Fiscal ImpactBudget Account

Neutral \$

#

Select \$

#

Select \$

#

Select \$

#

ApprovalsCouncil NotificationsDept Head

MCDANIEL, ADAM

Study SessionDivision DirectorOtherFinance

SALSTROM, JOHN

Distribution ListLegal

DALTON, PAT

For the Mayor

SANDERS, THERESA

Additional ApprovalsPurchasing

The recent increase in the number of drive-through coffee stands at which the employees' standard work uniform may violate existing law concerning indecent exposure, and may create off-site impacts at locations such as schools, parks, libraries, churches, and playgrounds, calls for a clarification of the law concerning the practices at these facilities. This proposed ordinance creates an opportunity for drive-through coffee stands to take appropriate measures to screen their employees from public view.

ORDINANCE NO. C35258

An ordinance relating to indecent public exposure, public visibility, and disclosure standards for adult-oriented businesses; adopting a new section 10.06.050 to chapter 10.06 of the Spokane Municipal Code.

The City of Spokane does ordain:

Section 1. That there is adopted a new section 10.06.050 to the Spokane Municipal Code to read as follows:

10.06.050 - Indecent public exposure and disclosure standards for Adult-Oriented Businesses.

A. Definitions

1. For purposes of this section, “public place” has the meaning stated in SMC 10.06.030(D)(2).
2. For purposes of this section, an “Adult-Oriented Business” is one in which the employee uniform consists of anything less than fully opaque covering of a male’s genitals or buttocks, or a female’s genitals, breast, or buttocks.

B. It is unlawful for any person to expose his or her genitalia while in a public place or while in a place which is visible from the public right of way, if the public place is open or available to persons of the opposite sex.

C. No Adult-Oriented Business may allow their employees, in the course of their employment, to be visible from any of the following preexisting uses, whether located inside or outside of the city of Spokane:

1. Public library.
2. Public playgrounds or park.
3. Public or private school and its grounds, from kindergarten to twelfth grade.
4. Nursery school, mini-daycare center or daycare center.
5. Church, convent, monastery, synagogue, or other place of religious worship.

D. All Adult-Oriented Businesses shall maintain and display city-approved signage which notifies the general public of the businesses’ employee uniform requirement.

E. Existing Adult-Oriented Businesses shall have ninety (90) days following the effective date of this section in which to come into compliance with this section.

F. Penalties

1. Violation of this section is a Class I civil infraction pursuant to SMC 1.02.950(C)(1).
2. Enforcement of this section is intended to be directed to business owners rather than employees engaged in the conduct of their employment.

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:
05/18/2015

<u>Date Rec'd</u>	5/5/2015
<u>Clerk's File #</u>	ORD C35260
<u>Renews #</u>	
<u>Cross Ref #</u>	
<u>Project #</u>	
<u>Bid #</u>	
<u>Requisition #</u>	

<u>Submitting Dept</u>	PLANNING & DEVELOPMENT
<u>Contact Name/Phone</u>	ELDON BROWN 625-6305
<u>Contact E-Mail</u>	EBROWN@SPOKANECITY.ORG
<u>Agenda Item Type</u>	Hearings
<u>Agenda Item Name</u>	0650 - VACATION OF ALLEY BETWEEN 4TH & 5TH FROM WASHINGTON TO BERNARD

Agenda Wording

Vacation of alley between 4th Avenue and 5th Avenue from Washington Street to Bernard Street requested by GVD Commercial Properties.

Summary (Background)

At its legislative session held April 13, 2015 the City Council set a hearing on the above vacation for May 18, 2015. Since that time, staff has solicited responses from all concerned parties.

<u>Fiscal Impact</u>		<u>Budget Account</u>	
Neutral	\$	#	
Select	\$	#	
Select	\$	#	
Select	\$	#	
<u>Approvals</u>		<u>Council Notifications</u>	
<u>Dept Head</u>	MEULER, LOUIS	<u>Study Session</u>	
<u>Division Director</u>	SIMMONS, SCOTT M.	<u>Other</u>	PCED 3/16/15
<u>Finance</u>	SALSTROM, JOHN	<u>Distribution List</u>	
<u>Legal</u>	RICHMAN, JAMES	lhattenburg@spokanecity.org	
<u>For the Mayor</u>	SANDERS, THERESA	edjohnson@spokanecity.org	
<u>Additional Approvals</u>		sbishop@spokanecity.org	
<u>Purchasing</u>		ebrown@spokanecity.org	

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

ORDINANCE NO. C35260

An ordinance vacating the alley between 4th Avenue and 5th Avenue from Washington Street to Bernard Street

WHEREAS, a petition for the vacation of the alley between 4th Avenue and 5th Avenue from Washington Street to Bernard Street has been filed with the City Clerk representing 100% of the abutting property owners, and a hearing has been held on this petition before the City Council as provided by RCW 35.79; and

WHEREAS, the City Council has found that the public use, benefit and welfare will best be served by the vacation of said public way; -- NOW, THEREFORE,

The City of Spokane does ordain:

Section 1. That the alley between 4th Avenue and 5th Avenue from Washington Street to Bernard Street in the NE1/4 of Section 19, T25N, R43E, W.M., Spokane, Washington is hereby vacated. Parcel number not assigned.

Section 2. An easement is reserved and retained over and through the entire vacated area for the utility services of Avista Utilities, CenturyLink, Comcast and the City of Spokane to protect existing and future utilities.

Section 3. That this ordinance shall not become effective until the owners of property abutting upon the area to be vacated shall have compensated the City of Spokane in an amount equal to \$50,000.

Passed the City Council _____

Council President

Attest: _____
City Clerk

Approved as to Form:

Assistant City Attorney

Mayor

Date: _____

Effective Date: _____

stvac\ 4th & 5th Washington to Bernard



CITY OF SPOKANE
PLANNING AND DEVELOPMENT

808 West Spokane Falls Blvd, Spokane WA 99201-3343
(509) 625-6300 FAX (509) 625-6349

STREET VACATION REPORT
May 5, 2015

LOCATION: The Alley between 4th Avenue and 5th Avenue from Washington Street to Bernard Street

PROPONENT: GVD Commercial Properties

PURPOSE: To increase property size for a development project.

HEARING: May 18, 2015

COMMENTS:

AVISTA UTILITIES – Existing gas and overhead electric lines through the full length of the alley. Avista would need to have an easement reservation through the entire alley for our utilities or if the property owner would like to have the lines relocated the property owner would be responsible for all costs associated with that relocation.

COMCAST – Existing cable plant in the alley, retain access easement

CENTURYLINK – No objection, retain easement.

CAPITAL PROGRAMS – No comments

ENGINEERING SERVICES – DEVELOPER SERVICES – No objection. There are no City utilities in the proposed area. There are at least two properties that use the Alley as their only access to their parking areas. There is also a sanitary sewer connection that runs from the back (north side) of the lot addressed as 320 West 5th Avenue. If the vacation does occur, it is recommended that a non-buildable easement be granted for ingress and egress to the parking areas. Closure work (curbs and sidewalk) be completed at both ends of the Alley prior to completing the vacation process.

ENGINEERING SERVICES - TRAFFIC DESIGN – No objection.

FIRE DEPARTMENT – No objection, provided good access for fire apparatus is maintained to the various apartment buildings located on 5th Avenue.

NEIGHBORHOOD SERVICES – No comment.

PARKS DEPARTMENT – No comment.

PLANNING SERVICES – No comment.

POLICE DEPARTMENT – No comment.

REAL ESTATE – No objection.

SOLID WASTE MANAGEMENT – No objection, provided necessary arrangements must be made for solid waste collection.

STREET DEPARTMENT – No comment.

WASTEWATER MANAGEMENT – No objection, provided stormwater runoff remains on-site and a maintenance agreement be worked out for the private side sewer that runs west bound from the property at W 320 5TH in the Alley.

WATER DEPARTMENT – No objection.

BICYCLE ADVISORY BOARD – No comment.

RECOMMENDATION: That the petition be granted and a vacating ordinance be prepared subject to the following conditions:

1. A no-build easement as requested by CenturyLink, Avista, and Comcast shall be retained to protect existing and future utilities.
2. Adequate access for refuse collection, as well as emergency vehicles, shall be maintained to existing and future buildings.
3. Provisions for access shall be made to property owners currently using the alley for ingress and egress to their property.
4. Access shall be maintained to the private sewer in the alley and an easement between property owners be retained. Also a private sewer maintenance agreement shall be executed.
5. Closure work shall be completed at each end of the alley. If closure cannot be completed prior to the finalization of the vacation, a bond must be in place for the work.
6. The proponents shall pay to the City of Spokane the assessed valuation for the vacated land as defined by the latest information from the County Assessor's Office. This is calculated to be a total cost of \$50,000.

7. That the final reading of the vacation be held in abeyance until all of the above conditions are met and that the above conditions are met by **December 1, 2016**.

Eldon Brown, P.E.
Principal Engineer – Developer Services

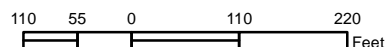
A handwritten signature in black ink, appearing to read "Eldon W. Brown". The signature is written in a cursive, flowing style.

P1304297VACA - SITE MAP



Right of Way Description:
Alley between 4th Avenue and 5th Avenue from Washington Street to Bernard Street as requested by GVD Commercial Properties

Disclaimer: This is not a legal document. The information shown on this map is compiled from various sources and is subject to revision. This map should not be used to determine the location of facilities in relationship to property lines, sections lines, streets, etc.
Not suitable for design purposes.



AREA

 **COSGIS**
City of Spokane GIS



DISTRIBUTION LIST
VACATION OF 4TH AVENUE AND 5TH AVENUE FROM WASHINGTON
STREET TO BERNARD STREET

POLICE DEPARTMENT

ATTN: SGT JOHN GATELY

FIRE DEPARTMENT

ATTN: LISA JONES
MIKE MILLER

CURRENT PLANNING

ATTN: TAMI PALMQUIST
DAVE COMPTON

WATER DEPARTMENT

ATTN: DAN KEGLEY
JAMES SAKAMOTO
ROGER BURCHELL
CHRIS PETERSCHMIDT
HARRY MCLEAN

STREETS

ATTN: MARK SERBOUSEK
DAUN DOUGLASS

TRANSPORTATION OPERATIONS

ATTN: BOB TURNER

PLANNING & DEVELOPMENT

ATTN: ERIK JOHNSON
ELDON BROWN
JOHN SAYWERS

CONSTRUCTION MANAGEMENT

ATTN: KEN BROWN

INTEGRATED CAPITAL MANAGEMENT

ATTN: KATHERINE MILLER

WASTEWATER MANAGEMENT

ATTN: BILL PEACOCK

PARKS & RECREATION DEPARTMENT

ATTN: LEROY EADIE

NEIGHBORHOOD SERVICES

ATTN: JACKIE CARO
JONATHAN MALLAHAN
ROD MINARIK
HEATHER TRAUTMAN

BICYCLE ADVISORY BOARD

ATTN: LOUIS MEULER

SOLID WASTE MANAGEMENT

ATTN: Scott Windsor

CITY CLERK'S OFFICE

ATTN: JACQUELINE FAUGHT

PUBLIC WORKS

ATTN: RICK ROMERO
MARCIA DAVIS

AVISTA UTILITIES

ATTN: DAVE CHAMBERS
RANDY MYHRE

COMCAST DESIGN & CONSTRUCTION

ATTN: BRYAN RICHARDSON

CENTURY LINK

ATTN: KAREN STODDARD

LITHIA REAL ESTATE INC

150 N BARTLETT
MEDFORD OR 97501

SG MORIN RENTALS

4616 W SAHARA AVE STE 360
LAS VEGAS NV 89102

DIVINE CORPORATION

203 W 3RD AVE
SPOKANE WA 99201-3691

DISTRIBUTION LIST
VACATION OF 4TH AVENUE AND 5TH AVENUE FROM WASHINGTON
STREET TO BERNARD STREET

5TH & WASHINGTON APARTMENTS LLC
107 S HOWARD STE 500
SPOKANE WA 99201

WESTMINSTER CONG CHURCH
411 S WASHINGTON ST
SPOKANE WA 99204-2617

4TH & WASHINGTON LLC
810 E 28TH AVE
SPOKANE WA 99203-3207

B & C JONES FAMILY LLC
1914 E 25TH AVE
SPOKANE WA 99203-3812

INLAND EMPIRE OPTICAL LLC
427 S BERNARD
SPOKANE WA 99224

SPOKANE SCHOOL DISTRICT #81
200 N BERNARD ST
SPOKANE WA WA 99201-0282

SPOKANE SCHOOL DIST #81
200 N BERNARD ST
SPOKANE WA 99201

CORNERSTONE INVESTMENTS LLC
PO BOX 8262
SPOKANE WA 99203

SOUTHCLIFF PLAZA CONDOS
HOMEOWNERS ASSOC
214 W 6TH AVE #101
SPOKANE WA 99204

BROOKSIDE LODGE INC
1972 DENNIS LN
SANTA ROSA CA 95403-1521

FAM PROPERTIES 3 LLC
220 E WELLESLEY AVE #201
SPOKANE WA 99207

CENTRAL LUTHERN
309 W 5TH AVE
SPOKANE WA 99204-2666

COZZETTO STEVEN B & DEBRA K
319 W 3RD AVE
SPOKANE WA 99201

MORIN YVONNE M TRUSTEE
3433 S HIGH DR
SPOKANE WA 99203

FOX FINANCIAL CORP
12815 E SPRAGUE AVE #100
SPOKANE VALLEY WA 99216
GVD COMMERCIAL PROPERTIES INC
1915-A E KATELLA AVE
ORANGE CA 92867

MMZ PROPERTIES LLC
525 S BERNARD ST
SPOKANE WA 99204-2591



Agenda Sheet for City Council Meeting of:
05/18/2015

<u>Date Rec'd</u>	5/5/2015
<u>Clerk's File #</u>	ORD C35261
<u>Renews #</u>	
<u>Cross Ref #</u>	
<u>Project #</u>	
<u>Bid #</u>	
<u>Requisition #</u>	

<u>Submitting Dept</u>	PLANNING & DEVELOPMENT
<u>Contact Name/Phone</u>	ELDON BROWN 625-6305
<u>Contact E-Mail</u>	EBROWN@SPOKANECITY.ORG
<u>Agenda Item Type</u>	Hearings
<u>Agenda Item Name</u>	0650 - VACATION OF ALLEY-CALISPEL/MISSION/WASHINGTON/CALISPEL & SINTO

Agenda Wording

Vacation of a portion of Calispel Street and the alley bordered by Mission Avenue, Washington Street, Calispel Street, and Sinto Avenue requested by Community Frameworks proponent.

Summary (Background)

At its legislative session held April 13, 2015 the City Council set a hearing on the above vacation for May 18, 2015. Since that time, staff has solicited responses from all concerned parties.

<u>Fiscal Impact</u>		<u>Budget Account</u>	
Neutral	\$	#	
Select	\$	#	
Select	\$	#	
Select	\$	#	
<u>Approvals</u>		<u>Council Notifications</u>	
<u>Dept Head</u>	MEULER, LOUIS	<u>Study Session</u>	
<u>Division Director</u>	SIMMONS, SCOTT M.	<u>Other</u>	PCED 3/30/15
<u>Finance</u>	SALSTROM, JOHN	<u>Distribution List</u>	
<u>Legal</u>	RICHMAN, JAMES	lhattenburg@spokanecity.org	
<u>For the Mayor</u>	SANDERS, THERESA	edjohnson@spokanecity.org	
<u>Additional Approvals</u>		sbishop@spokanecity.org	
<u>Purchasing</u>		ebrown@spokanecity.org	

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

ORDINANCE NO. C35261

An ordinance vacating a portion of Calispel Street and the alley bordered by Mission Avenue, Washington Street, Calispel Street, and Sinto Avenue.

WHEREAS, a petition for the vacation of a portion of Calispel Street and the alley bordered by Mission Avenue, Washington Street, Calispel Street, and Sinto Avenue has been filed with the City Clerk representing of the abutting property owners, and a hearing has been held on this petition before the City Council as provided by RCW 35.79; and

WHEREAS, the City Council has found that the public use, benefit and welfare will best be served by the vacation of said public way; -- NOW, THEREFORE,

The City of Spokane does ordain:

Section 1. That portion of right-of-way in the NE1/4 of Section 18, T25N, R43E, W.M., Spokane, Washington, more particularly described below, is hereby vacated. Parcel number not assigned.

That portion of North Calispel Street right of way located in the NE 1/4 of Section 18, Township 25 North, Range 43 East, Willamette Meridian, Spokane County, Washington, more particularly described as follows:

BEGINNING at the Southeast corner of Lot 4, Block 59 of Central Addition recorded in Volume "A" of Plats at page 162, records of Spokane County, Washington:

Thence North 02°17'11" West along the East line of said Lot 4 a distance of 32.25 feet;

Thence leaving said East line, North 87° 29' 30" East, a distance of 12.00 feet;

Thence parallel with and 12.00 feet East of said East line, South 02°17'11" East a distance of 32.25 feet;

Thence South 87° 29' 24" West a distance of 12.00 feet to the **POINT OF BEGINNING**.

Containing 386.99 S.F. of land more or less.

TOGETHER WITH that portion of said North Calispel Street right of way more particularly described as follows:

COMMENCING at said Southeast corner of Lot 4;

Thence along the East line of said Lot 4 and Lot 3, North $02^{\circ}17'11''$ West a distance of 52.25 feet to the **POINT OF BEGINNING**;

Thence along the East line of said Lots 3, 2, and 1, North $02^{\circ}17'11''$ West a distance of 116.62 feet to the South right of way of Mission Avenue;

Thence leaving said East line, North $87^{\circ}29'30''$ East a distance of 12.00 feet;

Thence parallel with and 12.00 feet East of said East line, South $02^{\circ}17'11''$ East a distance of 116.62 feet;

Thence South $87^{\circ}29'30''$ West a distance of 12.00 feet to the **POINT OF BEGINNING**.

Containing 1399.43 S.F. of land more or less.

TOGETHER WITH a portion of the alley between Block 59 of Central Addition and Block 2 of Stratton's Addition, more particularly described as follows:

COMMENCING at the Southwest corner of Lot 4, Block 59 of Central Addition; Thence along the West line of said Block 59, North $02^{\circ}23'33''$ West a distance of 30.31 feet to the **POINT OF BEGINNING**;

Thence continuing along said West Line, North $02^{\circ}23'33''$ West a distance of 90.35 feet to a point on the South right of way of Mission Avenue;

Thence leaving said West line and along said South right of way line, South $61^{\circ}45'39''$ West a distance of 8.89 feet to a point on the East line said Block 2;

Thence along said East line, South $02^{\circ}23'33''$ East a distance of 94.35 feet:

Thence along a non-tangent curve to the left having a radius of 90.00 feet, a central angle of $07^{\circ}09'10''$, an arc length of 11.24 feet, a chord bearing of North $43^{\circ}02'42''$ East and a chord length of 11.23 feet to the **POINT OF BEGINNING**;

Passed the City Council _____

Council President

Attest: _____
City Clerk

Approved as to Form:

Assistant City Attorney

Mayor

Date: _____

Effective Date: _____

stvac\ Mission-Sinto Alley



CITY OF SPOKANE
PLANNING & DEVELOPMENT

808 West Spokane Falls Blvd, Spokane WA 99201-3343
(509) 625-6300 FAX (509) 625-6822

STREET VACATION REPORT
May 5, 2015

LOCATION: A portion of Calispel Ave along with a portion of the alley between Calispel and Washington, from Mission to Sinto.

PROPONENT: Community Frameworks

PURPOSE: Site development

HEARING: May 18, 2015

REPORTS:

AVISTA UTILITIES – Avista Utilities has reviewed the area and would request easements be reserved for our gas and electric facilities in the alley and for the light pole in the northerly portion of the Calispel vacation.

COMCAST – Comcast will need to retain access to existing facilities in the alley.

CENTURYLINK – Our existing copper cable feeds from the north and would need to be rerouted at the cost of approximately \$50,000. The reroute would need to come from the NW and would be underground. The area has a lot of rock which would increase the cost of placement.

ASSET MANAGEMENT - CAPITAL PROGRAMS – No comments

FIRE DEPARTMENT – No objection

NEIGHBORHOOD SERVICES - No comments

PARKS DEPARTMENT - No comments

PLANNING & DEVELOPMENT – DEVELOPER SERVICES - There are no city services within the proposed vacation area. The alley at its widest is 13 feet. Parking along the west side of alley (Odd

Fellows) will be a problem for thru traffic. No objections to vacation and dedication as presented.

PLANNING & DEVELOPMENT – TRAFFIC DESIGN – No comments

PLANNING & DEVELOPMENT – PLANNING – No concerns.

POLICE DEPARTMENT – SPD sees no issues.

SOLID WASTE MANAGEMENT - No comments

STREET DEPARTMENT – More right-of-way at the south west corner of Mission and Calispel needs to be retained to keep the new curb ramp in the right-of-way.

WASTEWATER MANAGEMENT – No objections provided onsite runoff be maintained and treated on site.

WATER DEPARTMENT – In regards to water service connections and water main extensions, the following must take place at the project proponent(s) expense:

1. Vacation of north portion of alley between Calispel Avenue and Washington Street will render current water service line (from Washington Street to this alley and within this described alley) to 1420 N Washington Street unusable.
2. A water main extension (to the north) in Calispel Street to intersect with proposed new east-west-right-of-way from Calispel Street west to southern portion of existing alley.
3. A new water service line will be installed in the east-west-right-of-way and connected to existing water service in southern portion of alley to maintain water service to 1420 N Washington Street.
4. A new water service line will be installed in east-west right-of-way from Calispel Street to new building project.
5. Kill former water service (1420 N. Washington) connection at water main located in Washington Street and Mission Avenue intersection.
6. Under these conditions the Water Department does not object to the vacation request.


BICYCLE ADVISORY BOARD - No comments

RECOMMENDATION: That the petition be granted and a vacating ordinance be prepared subject to the following conditions:

1. If Avista's existing facilities, in the alley and in Calispel, are not rerouted, a nobuild easement, for the entire vacation area, as requested by Avista, be retained to protect existing facilities.

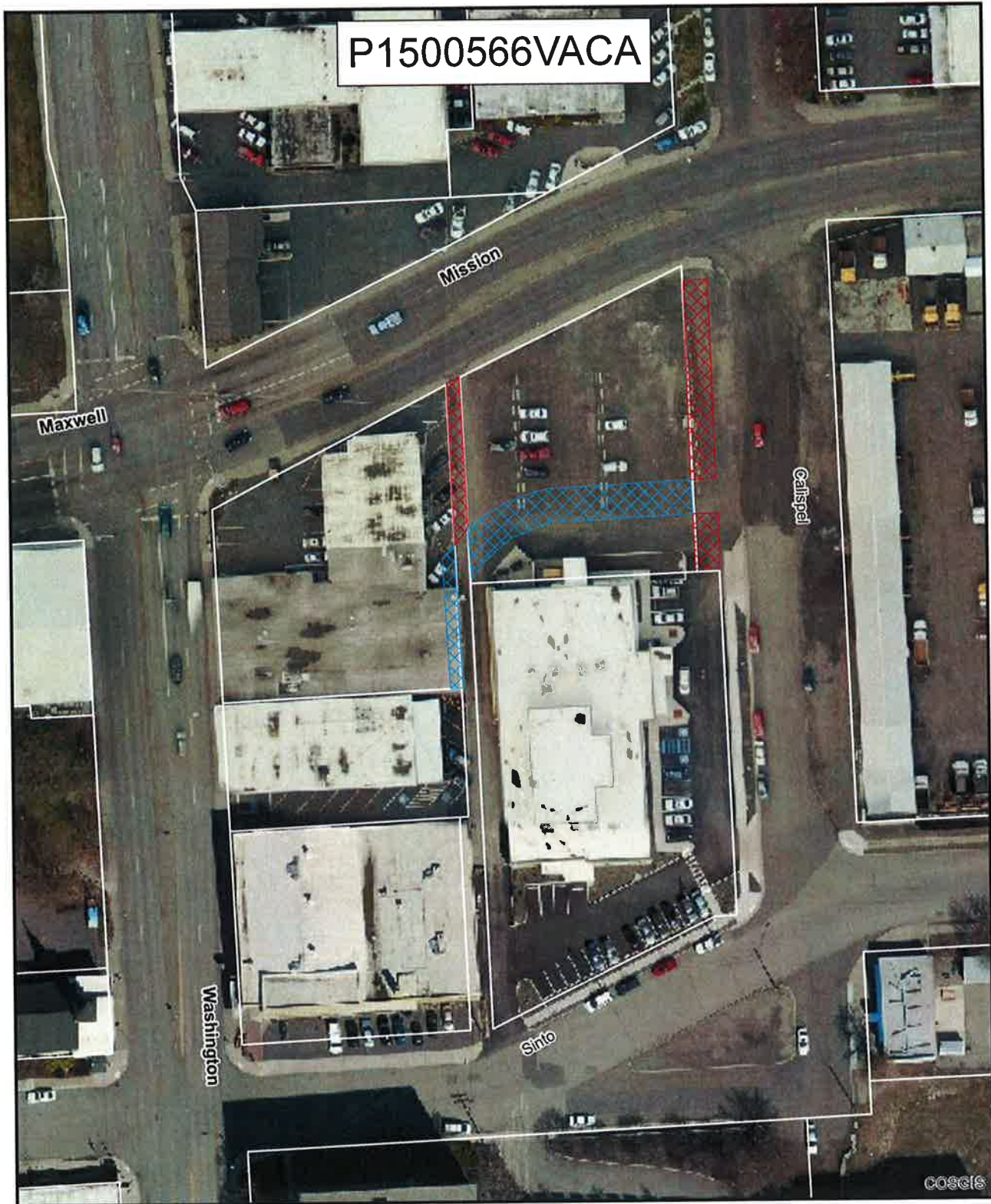
2. If CenturyLink's existing facilities, in the alley, are not rerouted, a nobuild easement, for the entire vacated alley, as requested by CenturyLink, be retained to protect existing facilities.
3. If the water service for 1420 N Washington St. is not rerouted, a nobuild easement, for the entire vacated alley be retained for the City of Spokane to protected existing facilities.
4. New right-of-way for the relocated alley must be dedicated.
5. If Comcast's existing facilities, in the alley, are not rerouted, a nobuild easement, for the entire vacated alley, as requested by Comcast, be retained to protect existing facilities.
6. If XO Communication's existing facilities, in the alley, are not rerouted, a nobuild easement, for the entire vacated alley, be retained to protect existing facilities.
7. The plans for termination and closure of the alley must be submitted and accepted by Planning and Development – Developer Services, prior to construction, and the improvements must be satisfactorily constructed before final vacation approval. This will consist of the removal of the existing curb returns and the replacement with curb and sidewalk across the vacated alley at Mission Ave.
8. Plans for the construction of the new alley must be submitted and accepted by Planning and Development – Developer Services, prior to construction, and the improvements must be satisfactorily constructed before final vacation approval.
9. Parcels shall be aggregated to insure no parcel is land-locked.
10. That the final reading of the vacation be held in abeyance until all of the above conditions are met and that the above conditions are met by **December 1, 2016**.

Eldon Brown, P.E.
Principal Engineer – Developer Services



EDJ/edj

\\stvac\Mission-Sinto Alley.



Disclaimer: This is not a legal document. The information shown on this map is compiled from various sources and is subject to revision. This map should not be used to determine the location of facilities in relationship to property lines, sections lines, streets, etc. Not suitable for design purposes.



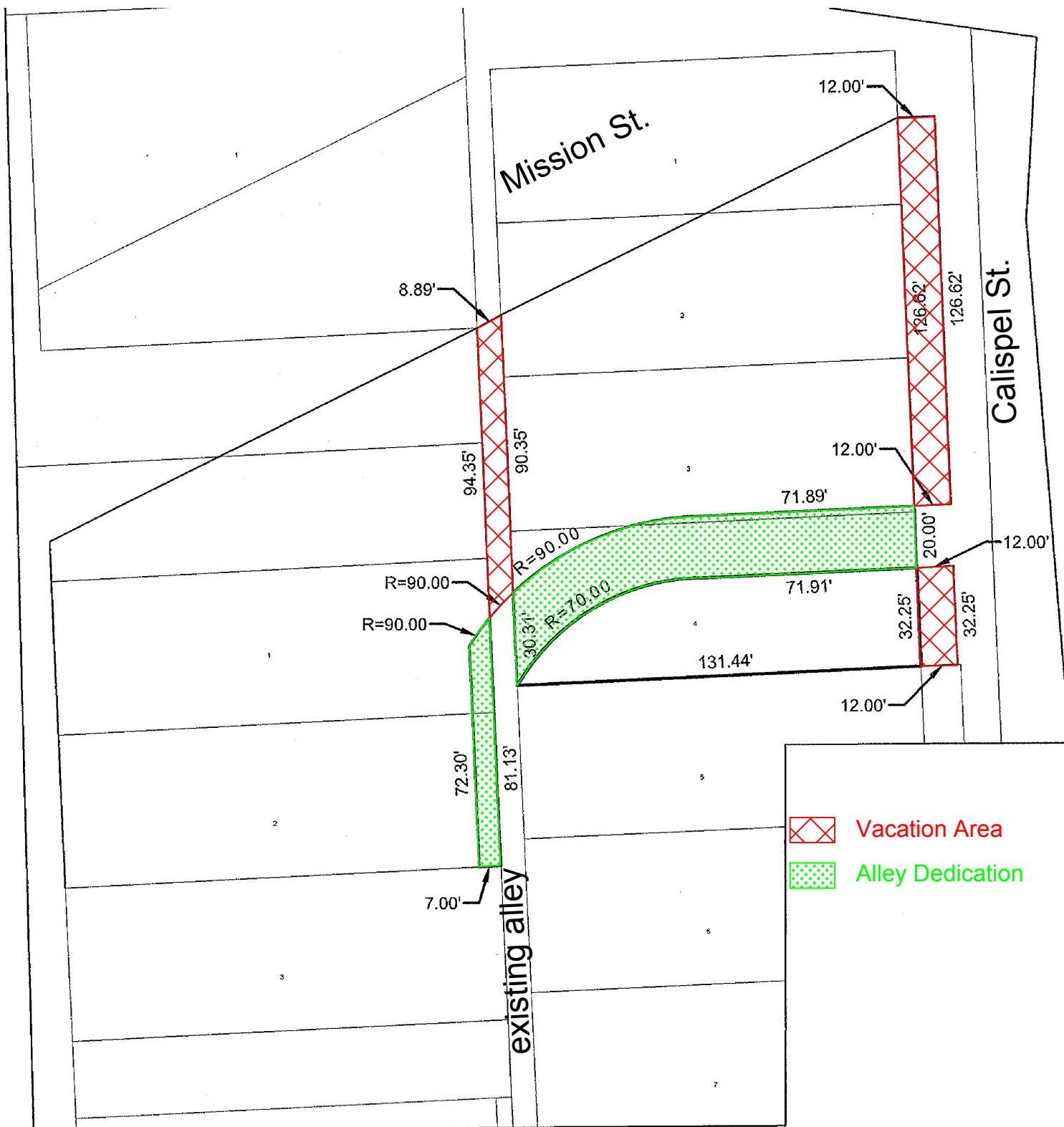
RIGHT-OF-WAY DEDICATION



VACATION

COSGIS
City of Spokane GIS





DISTRIBUTION LIST
VACATION OF A PORTION OF CALISPEL STREET AND THE ALLEY
BORDERED BY MISSION AVENUE WASHINGTON STREET CALISPEL
STREET AND SINTO AVENUE

POLICE DEPARTMENT

ATTN: SGT JOHN GATELY

FIRE DEPARTMENT

ATTN: LISA JONES
MIKE MILLER

CURRENT PLANNING

ATTN: TAMI PALMQUIST
DAVE COMPTON

WATER DEPARTMENT

ATTN: DAN KEGLEY
JAMES SAKAMOTO
ROGER BURCHELL
CHRIS PETERSCHMIDT
HARRY MCLEAN

STREETS

ATTN: MARK SERBOUSEK
DAUN DOUGLASS

TRANSPORTATION OPERATIONS

ATTN: BOB TURNER

PLANNING & DEVELOPMENT

ATTN: ERIK JOHNSON
ELDON BROWN
JOHN SAYWERS

CONSTRUCTION MANAGEMENT

ATTN: KEN BROWN

INTEGRATED CAPITAL MANAGEMENT

ATTN: KATHERINE MILLER

WASTEWATER MANAGEMENT

ATTN: BILL PEACOCK

PARKS & RECREATION DEPARTMENT

ATTN: LEROY EADIE

NEIGHBORHOOD SERVICES

ATTN: JACKIE CARO
JONATHAN MALLAHAN
ROD MINARIK
HEATHER TRAUTMAN

BICYCLE ADVISORY BOARD

ATTN: LOUIS MEULER

SOLID WASTE MANAGEMENT

ATTN: Scott Windsor

CITY CLERK'S OFFICE

ATTN: JACQUELINE FAUGHT

PUBLIC WORKS

ATTN: RICK ROMERO
MARCIA DAVIS

AVISTA UTILITIES

ATTN: DAVE CHAMBERS
RANDY MYHRE

COMCAST DESIGN & CONSTRUCTION

ATTN: BRYAN RICHARDSON

CENTURY LINK

ATTN: KAREN STODDARD

COMMUNITY FRAMEWORKS
315 W MISSION AVE STE 100
SPOKANE WA 99201

RAV ENTERPRISES LLC
414 W SINTO AVE
SPOKANE WA 99201-2426

DISTRIBUTION LIST
VACATION OF A PORTION OF CALISPEL STREET AND THE ALLEY
BORDERED BY MISSION AVENUE WASHINGTON STREET CALISPEL
STREET AND SINTO AVENUE

1425 N WASHINGTON STREET LLC
12808 GRAN BAY PKWY W
JACKSONVILLE FL 32258-4492

HUSBY JOHN T
322 W SPOFFORD AVE
SPOKANE WA 99205-4750

WOMEN & CHILDRENS FREE RSTRNT &
COMMUNITY KITCHEN
1408 N WASHINGTON ST
SPOKANE WA 99201-2438

BOZETT PROPERTIES LLC
1617 N CALISPEL ST
SPOKANE WA 99205-4819

INDEP ORDER OF SPO ODD FELLO
1420 N WASHINGTON ST
SPOKANE WA 99201-2438

VETERANS OF FOREIGN WARS
300 W MISSION AVE
SPOKANE WA 99201-2326

CITY OF SPOKANE
808 W SPOKANE FALLS BLVD
SPOKANE WA 99256-0001

THE HUTTON SETTLEMENT INC
422 W RIVERSIDE AVE #931
SPOKANE WA 99201

BIG RED BRICK LLC
6010 S DONORA DR
SPOKANE WA 99223

SPO SCHOOL DIST #81
200 N BERNARD ST
SPOKANE WA 99201-0206

KAPLOE WASHINGTON LLC
950 EMPIRE DR
PASCO WA 99301

SPOKANE SCHOOL DIST 81
200 N BERNARD ST
SPOKANE WA 99201-0282

COSTELLO ROGER A & BRIDGET B
21616 N PEASE HILL RD
COLBERT WA 99005

NORTH CENTRAL BUILDING LLC
14224 168TH AVE NE
WOODINVILLE WA 98072

LABORERS' LOCAL 238
1330 N CALISPEL ST
SPOKANE WA 99201-2316

ELECTRICAL WORKERS
PO BOX 68728
SEATTLE WA 98168

DISTRIBUTION LIST
VACATION OF A PORTION OF CALISPEL STREET AND THE ALLEY
BORDERED BY MISSION AVENUE WASHINGTON STREET CALISPEL
STREET AND SINTO AVENUE

SPOKANE MENTAL HEALTH
COORDINATING ASSOC
107 S DIVISION ST
SPOKANE WA 99202

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

05/18/2015

Date Rec'd

5/6/2015

Clerk's File #

ORD C35262

Renews #**Submitting Dept**

PLANNING & DEVELOPMENT

Contact Name/Phone

ELDON BROWN 625-6305

Contact E-Mail

EBROWN@SPOKANECITY.ORG

Agenda Item Type

Hearings

Agenda Item Name

0650 - STREET VACATION - MADISON BETWEEN 2ND & 3RD

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

Vacation of alley between 2nd Avenue and 3rd Avenue from the east line of Jefferson Street to the west line of Madison Street; the alley between 2nd Avenue and 3rd Avenue from the east line of Madison Street east 100 feet; the alley between Freeway

Summary (Background)

At its legislative session held April 20, 2015 the City Council set a hearing on the above vacation for May 18, 2015. Since that time, staff has solicited responses from all concerned parties.

Fiscal Impact

Neutral \$

Select \$

Select \$

Select \$

Budget Account

#

#

#

#

Approvals**Dept Head**

MEULER, LOUIS

Division Director

MEIERS, BRANDON

Finance

SALSTROM, JOHN

Legal

RICHTMAN, JAMES

For the Mayor

SANDERS, THERESA

Council Notifications**Study Session****Other**

PCED 3/30/15

Distribution List

lhattenburg@spokanecity.org

edjohnson@spokanecity.org

sbishop@spokanecity.org

ebrown@spokanecity.org

Additional Approvals**Purchasing**



Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

Avenue North and 3rd Avenue from the east line of Madison Street to the west line of Monroe and the west 17 feet of Madison Street from the south line of 2nd Avenue to the north line of 3rd Avenue as requested by Miller Family Real Estate, LLC.

Summary (Background)

Fiscal Impact

Select \$

Select \$

Budget Account

#

#

Distribution List

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

ORDINANCE NO. C35262

An ordinance vacating the alley between 2nd Avenue and 3rd Avenue from the east line of Jefferson Street to the west line of Madison Street; the alley between 2nd Avenue and 3rd Avenue from the east line of Madison Street east 100 feet; the alley between Freeway Avenue North and 3rd Avenue from the east line of Madison Street to the west line of Monroe and the west 17 feet of Madison Street from the south line of 2nd Avenue to the north line of 3rd Avenue.

WHEREAS, a petition for the vacation of the alley between 2nd Avenue and 3rd Avenue from the east line of Jefferson Street to the west line of Madison Street; the alley between 2nd Avenue and 3rd Avenue from the east line of Madison Street east 100 feet; the alley between Freeway Avenue North and 3rd Avenue from the east line of Madison Street to the west line of Monroe and the west 17 feet of Madison Street from the south line of 2nd Avenue to the north line of 3rd Avenue has been filed with the City Clerk representing 100% of the abutting property owners, and a hearing has been held on this petition before the City Council as provided by RCW 35.79; and

WHEREAS, the City Council has found that the public use, benefit and welfare will best be served by the vacation of said public way; -- NOW, THEREFORE,

The City of Spokane does ordain:

Section 1. the alley between 2nd Avenue and 3rd Avenue from the east line of Jefferson Street to the west line of Madison Street; the alley between 2nd Avenue and 3rd Avenue from the east line of Madison Street east 100 feet; the alley between Freeway Avenue North and 3rd Avenue from the east line of Madison Street to the west line of Monroe and the west 17 feet of Madison Street from the south line of 2nd Avenue to the north line of 3rd Avenue located in the northwest quarter of Section 19, Township 25N, Range 43E, W.M. is hereby vacated. Parcel number not assigned.

Section 2. An easement is reserved and retained over and through the entire vacated area for the utility services of Avista, Comcast, and CenturyLink, to protect existing and future utilities.

Section 3. That this ordinance shall not become effective until the owners of property abutting upon the area to be vacated shall have compensated the City of Spokane in an amount equal to the full assessed value of the area herein vacated.

Passed the City Council _____

Council President

Attest: _____
City Clerk

Approved as to Form:

Assistant City Attorney

Mayor

Date: _____

Effective Date: _____

stvac\ Madison St.



**CITY OF SPOKANE
PLANNING & DEVELOPMENT**

808 West Spokane Falls Blvd, Spokane WA 99201-3343
(509) 625-6300 FAX (509) 625-6822

STREET VACATION REPORT (P1500304VACA)
April 29, 2015

LOCATION: The alley between 2nd & 3rd, from the east line of Jefferson to the west line of Madison and, the alley between 2nd and 3rd from the east line of Madison east 100 feet and, the alley between Freeway Ave North and 3rd, from the east line of Madison to the west line of Monroe and, the west 17 feet of Madison from the south line of 2nd to the north line of 3rd.

PROPONENT: Miller Family Real Estate, LLC

PURPOSE: Development

HEARING: May 11, 2015

REPORTS:

AVISTA UTILITIES - With the new modifications, it really looks like we need an easement in all of the alleys because we have both gas and electric distribution in the alley between 2nd and 3rd and we have a 115kv transmission line in the alley next to the freeway. As far as w 17' of Madison goes we have a 4" gas line in the north half of the block and in the south I see some light poles that may be city owned.....I am not real sure. We would probably need to have everyone get together for the W17' of Madison and sort through the issues and maybe locate that 4" pipe.

COMCAST – Comcast has reviewed the vacation request. We have aerial cable in the alley between 2nd and 3rd from Jefferson to Monroe. Last summer the utilities met with Larry H Millers team about this matter. They were going to place a conduit for us, so the aerial could be removed. Also there is Coax and Fiber on the poles in the alley North of the Freeway from Madison to Monroe. If the poles stay, we would need access to them.

CENTURYLINK - CenturyLink has cable facilities in the right-of-way and would like to retain utility easement rights. These rights should provide for maintenance, construction, and reconstruction as needed. We would ask that any costs associated with relocation of CenturyLink facilities

requested by the petitioner/property owner would be paid by the petitioner/property owner.

ASSET MANAGEMENT - CAPITAL PROGRAMS – No comments.

FIRE DEPARTMENT – No objection.

NEIGHBORHOOD SERVICES - No comments.

PARKS DEPARTMENT - No comments.

PLANNING & DEVELOPMENT – DEVELOPER SERVICES – We probably need to check with the state about the alley between 3rd Ave and Freeway Ave. Our standard policy usually requires a public turn-around when ending a through street or alley. Hammerhead or cul-de-sac. There are no City Services in the proposed vacation area.

PLANNING & DEVELOPMENT – TRAFFIC DESIGN - No comments.

PLANNING & DEVELOPMENT – PLANNING – No concerns.

POLICE DEPARTMENT – We have no issues.

SOLID WASTE MANAGEMENT – No comments.

W.S.D.O.T – The freeway on ramp located immediately south of the alley between Monroe and Madison Street is a limited access facility which site access is prohibited to.

When the storm drain structure(s) in the alley are abandoned it needs to be done in a manner not to affect the storm drains in the ramp.

STREET DEPARTMENT – Currently, access from SB Monroe to WB Freeway Avenue North crosses over alley ROW. The Lincoln & Monroe project is supposed to go to ad in 30 days. Should Design modify this intersection to accommodate for the future private property boundary line adjustment? The 2nd/3rd alley, between Monroe and Madison is a one way alley (WB), by SMC. How does the developer propose to resolve access to a partially vacated one-way alley (requires modification to SMC).

At this time we don't sweep alleys however the alley between 2nd and 3rd Madison to Monroe is on our sweeping route. If they close half the alley we won't sweep anything west of Monroe.

WASTEWATER MANAGEMENT – There is an 8-inch diameter stormwater mainline that extends along the west side of Madison about 20 feet east of west property line. The proposed building cannot be built over this line. Sufficient area must be maintained above these lines (typically 10 feet on each side) for maintenance/repair or they must relocate the line easterly at least 10

feet. If excavation is necessary for repair of the stormwater mainline, the City will be responsible for the replacement cost of asphalt at the surface – additional costs due to the type of materials installed by the surrounding property owner would be the responsibility of the surrounding property owner. The existing drainage on the remainder of the street should be redesigned by a civil engineer licensed within the State of Washington and the vacated area should no longer drain to the City's MS4 system.

The alley along the freeway on ramp, has a storm catch basin and line within the vacation area; this line should be removed and the existing drainage for the vacated alley would then need to be handled on-site.

WATER DEPARTMENT – Water service for parcel 35192.2613 is connected to water main in second Ave. Possible easement through parcel 35192.2612 may be necessary if parcel is sold.

BICYCLE ADVISORY BOARD – No comments.

RECOMMENDATION:

1. If Avista's utility services are not relocated, an easement, as requested by Avista, be retained across the entire vacation area, to protect existing utilities.
2. If Comcast's utility services are not relocated, an easement, as requested by Comcast, be retained in the alley between 2nd & 3rd from Jefferson to Monroe, and in the alley north of Freeway Ave, to protect existing utilities.
3. If the existing water service connection for parcel 35192.2613 is not relocated, an easement be retained for the City of Spokane, across the west 17' of Madison between 2nd and 3rd be retained to protect the existing water service line.
4. If CenturyLink utility services are not relocated, an easement, as requested by CenturyLink, be retained across the entire vacation area, to protect existing utilities.
5. Enough property must be dedicated as right-of-way at the end of the vacated portion of the alley east of Madison to accommodate a public turnaround.
6. Plans for the public turn-around at the east end of the alley, east of Madison, must be accepted by the Planning & Development Department, prior to construction, and the improvements must be satisfactorily constructed before final vacation approval.
7. It is our understanding is that the west 17' of Madison is proposed for vacation to accommodate a new building that will


extend into the existing right-of-way at that location. There is an existing stormwater main in close proximity to this location. If this vacation is approved and a building is placed in the west 17 feet of Madison, the existing stormwater system will need to be addressed to accommodate the changes.

8. On-site stormwater runoff must be collected and treated on the site.
9. The plans for termination and closure of the alleys must be submitted and accepted by Planning and Development, prior to construction, and the improvements must be satisfactorily constructed before final vacation approval.
10. The proponent shall pay to the City of Spokane the assessed valuation for the vacated land as defined by the latest information from the County Assessor's Office. This is calculated to be \$212,750.00 and is to be deposited to Budget Account #3200 49199 99999 39510.
11. The costs associated with the proposed development of private improvements in un-vacated right-of-way will be outlined in a separate developer's agreement.
12. When the storm drain structure(s) in the alley, north of Freeway Ave, are abandoned it needs to be done in a manner not to affect the storm drains in the ramp.

EDJ/xxx

\\stvac\Madison & 2nd

Eldon Brown, P.E.
Principal Engineer – Planning & Development

A handwritten signature in black ink, appearing to read "Eldon W. Brown", is written over the typed name and title.

P1500304VACA



The alley between 2nd & 3rd, from the east line of Jefferson to the west line of Madison and,
the alley between 2nd and 3rd, from the east line of Madison
east 100 feet. and,
the alley between Freeway Ave North and 3rd, from the east line of Madison to the
west line of Monroe and,
the west 17 feet of Madison from the south line of 2nd to the north
line of 3rd

Disclaimer: This is not a legal document: The information shown on this map is compiled from various sources and is subject to revision. This map should not be used to determine the location of facilities in relationship to property lines, sections lines, streets, etc.
Not suitable for design purposes.

80 40 0 80 160
Feet



Vacation

 **COSGIS**
City of Spokane GIS

