

## **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!**
- 6. No person shall be permitted to speak at open forum more often than once per month.**

**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.
- 2.2.6 In an effort to encourage wider participation in open forum so that the Council can hear a wide array of citizen comment, no person shall be permitted to speak at open forum more often than once per month. However, this limitation has no effect on the public comment rules concerning items on the Council's current 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, as specified in Rules 5.3 and 5.4.

### **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, including but not limited to demonstrations, banners, applause, profanity, vulgar language, or personal insults 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, AUGUST 28, 2017

### 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 BREEAN BEGGS

COUNCIL MEMBER LORI KINNEAR

COUNCIL MEMBER KAREN STRATTON

COUNCIL MEMBER MIKE FAGAN

COUNCIL MEMBER CANDACE MUMM

COUNCIL MEMBER AMBER WALDREF

CITY COUNCIL BRIEFING CENTER  
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](http://www.spokanecity.org). Agenda items are available for public review in the Office of the City Clerk during regular business hours.

**AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION:** The City of Spokane is committed to providing equal access to its facilities, programs and services for persons with disabilities. The Council Briefing Center 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.) through the meeting organizer. Individuals requesting reasonable accommodations or further information may call, write, or email Human Resources at 509.625.6363, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or [jjackson@spokanecity.org](mailto:jjackson@spokanecity.org). Persons who are deaf or hard of hearing may contact Human Resources 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 Briefing Center Lower Level of City Hall)

(No Public Testimony Taken)

Council Reports

Staff Reports

Committee Reports

Advance Agenda Review

Current Agenda Review

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## ADMINISTRATIVE SESSION

Roll Call of Council

## CONSENT AGENDA

### REPORTS, CONTRACTS AND CLAIMS

### RECOMMENDATION

- |   |         |                              |
|---|---------|------------------------------|
| 1. Purchase by Fleet Services of two John Deere Loaders with plows from Rowand Machinery (Spokane, WA) for the Street Department—\$399,422.13 (incl. tax).<br><b>Steve Riggs</b>  | Approve | OPR 2017-0592                |
| 2. Value Blanket Order for Vending Machine Inventory Management Services with Fastenal Company (Winona, MN)—\$75,000 (incl. tax) per year.<br><b>Loren Searl</b>  | Approve | OPR 2017-0593<br>BID 4265-16 |
| 3. Value Blanket Renewal for debris recycling and purchase of recycled materials with Action Materials (Cheney, WA) for the Water and Wastewater Maintenance Departments on an as-needed basis—\$125,000 (incl. tax).<br><b>Loren Searl</b> | Approve | OPR 2016-0688<br>BID 4264-16 |
| 4. Add the current WA DES authorized Microsoft reseller En Pointe to the current Value Blanket—\$24,280.78 of the remaining \$48,561.55 to be allocated.<br><b>Michael Sloon</b>  | Approve | OPR 2016-0792                |



5. Contract Renewals for the Riverside Park Water Reclamation Facility with:
- a. Olin Corporation / DBA Olin Chlor Alkali Products (Tracy, CA) to supply Sodium Hypochlorite from August 1, 2017 through July 31, 2018—\$239,044.21 (incl. tax). OPR 2016-0735  
BID 3956-13
  - b. Two Rivers Terminal, LLC (Pasco, WA) to purchase Sodium Bisulfite from August 15, 2017 through August 14, 2018—\$183,872 (incl. tax). OPR 2016-0736
- Mike Coster**
6. Authorization for Willis of Seattle, the City's insurance broker, to purchase insurance policies for the City of Spokane—\$1,768,000 (which is a 2.2% increase). The coverage period is September 1, 2017, through August 31, 2018. Approve OPR 2017-0594
- Tim Dunivant**
7. Report of the Mayor of pending claims and payments of previously approved obligations, including those of Parks and Library, through \_\_\_\_\_, 2017, total \$\_\_\_\_\_, with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$\_\_\_\_\_. Approve & Authorize Payment CPR 2017-0002
8. City Council Meeting Minutes: \_\_\_\_\_, 2017. Approve All CPR 2017-0013

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## EXECUTIVE SESSION

(Closed Session of Council)

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

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## CITY COUNCIL SESSION

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

(Council Briefing Center)

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

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# **LEGISLATIVE SESSION**

**(6:00 P.M.)**

**(Council Reconvenes in Council Briefing Center)**

**WORDS OF INSPIRATION**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL OF COUNCIL**

**ANNOUNCEMENTS**

**(Announcements regarding Changes to the City Council Agenda)**

**NO BOARDS AND COMMISSIONS APPOINTMENTS**

**ADMINISTRATIVE REPORT**

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## **COUNCIL COMMITTEE REPORTS**

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

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## **OPEN FORUM**

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

Note: No person shall be permitted to speak at Open Forum more often than once per month (Council Rule 2.2.6).

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# **LEGISLATIVE AGENDA**

**NO SPECIAL BUDGET ORDINANCES**

**NO EMERGENCY ORDINANCES**

**RESOLUTIONS & FINAL READING ORDINANCES**

**(Require Four Affirmative, Recorded Roll Call Votes)**

**RES 2017-0077**     **Accepting the Main Avenue Visioning Study as a component of future downtown Spokane planning efforts.**  
**Council President Stuckart**

RES 2017-0078 Declaring Boerger Rotary Lobe Pumps and Macerating Technology a  
 OPR 2017-0595 sole source provider and authorizing the purchase of replacement  
 pumps and parts from Goble Sampson & Associates for \$117,818.12  
 including shipping without public bidding.

**Mike Coster**

ORD C35525 Relating to water, wastewater, stormwater and solid waste rates and  
 the creation of Senior or Disabled Person Residential Customer Credit  
 for utility services for low income senior and disabled property owners  
 rate section in the Spokane Municipal Code, adopting a new chapter  
 13.11 to title 13 of the Spokane Municipal Code; and setting an  
 effective date. (Deferred from July 31, 2017, Agenda)

**Scott Simmons**

ORD C35537 Relating to human rights; amending sections 18.01.030, 18.01.050, and  
 18.03.020; and enacting a new section 18.03.025 of the Spokane  
 Municipal Code.

**Council Member Stratton**

## FIRST READING ORDINANCE

ORD C35539 (To be considered under Hearings Item H1.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. Hearing on vacation of Elm Street from the North<br>line of 5th Avenue to the South line of the railroad<br>right-of-way, as requested by Avista. | Approve<br>Subject to<br>Conditions |            |
|     | b. First Reading Ordinance C35539 vacating Elm<br>Street from the North line of 5th Avenue to the<br>South line of the railroad right-of-way.        | Further<br>Action<br>Deferred       | ORD C35539 |

**Eldon Brown**

**Motion to Approve Advance Agenda for August 28, 2017**  
 (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 at the meeting.

Note: No person shall be permitted to speak at Open Forum more often than once per month (Council Rule 2.2.6).

## **ADJOURNMENT**

The August 28, Regular Legislative Session of the City Council will be held and then City Council is adjourned until September 11, 2017.

Note: The regularly scheduled City Council meeting for Tuesday, September 5, 2017, has been canceled. (There is no meeting on Monday, September 4, 2017, due to the recognized observance of the Labor Day holiday.)

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## **NOTES**

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

08/28/2017

**Date Rec'd**

8/15/2017

**Clerk's File #**

OPR 2017-0592

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

FLEET OPERATIONS

**Contact Name/Phone**

STEVE RIGGS 625-7706

**Contact E-Mail**

SRIGGS@SPOKANECITY.ORG

**Agenda Item Type**

Purchase w/o Contract

**Agenda Item Name**

5100 - FLEET PURCHASE OF JOHN DEERE LOADERS

**Cross Ref #****Project #****Bid #**

NJPA CONTRACT

**Requisition #**

RE #18646

**Agenda Wording**

Purchase of two (2) John Deere Loaders w/plows from Rowand Machinery (Spokane, WA) for the City of Spokane Fleet Services Department - \$399,422.13 including tax

**Summary (Background)**

Using an Interlocal Agreement (OPR 2014-0371) with National Joint Powers Alliance (NJPA) to purchase two (2) loaders w/plows -- NJPA Contract #032515-JDC. These are new units for the Street Department and will contribute to the City's snow removal efforts and other Street Department functions.

**Fiscal Impact**

Grant related? NO

Public Works? NO

**Budget Account**

Expense \$ 399,422.13

# 5110-71700-9400056413

Select \$

#

Select \$

#

Select \$

#

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

RIGGS, STEVEN

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

SIMMONS, SCOTT M.

**Other**

PWC 8/14/17

**Finance**

DOVAL, MATTHEW

**Distribution List****Legal**

DALTON, PAT

TPRINCE

**For the Mayor**

DUNIVANT, TIMOTHY

SRIGGS

**Additional Approvals**

TAXES &amp; LICENSES

**Purchasing**

PRINCE, THEA

**BRIEFING PAPER**  
**Public Works Committee**  
**Fleet Services**  
**August 14<sup>th</sup>, 2017**

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**Subject**

Purchase of two John Deere loaders with plows.

**Background**

Purchase of two John Deere loaders with plows from Rowand Machinery (Spokane, WA) off of the NJPA contract for the Street Department for \$399,422.13.

**Impact**

These two loaders will contribute to the City's snow removal efforts and other Street department functions.

**Action**

Recommend approval.

**Funding**

Funds are available in the Street Department replacement fund.

Quote Id: 15783893

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Prepared For:  
**GARY KAESEMEYER**



Prepared By: **REESE DICKINSON**

Rowand Machinery Company  
W 6210 Rowand Rd  
Spokane, WA 992245321

Tel: 509-838-5252  
Mobile Phone: 509-995-9858  
Fax: 509-747-2949  
Email: [rdickinson@rowand.com](mailto:rdickinson@rowand.com)

Date: 26 July 2017

Offer Expires: 01 September 2017

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*Confidential*



### Quote Summary

**Prepared For:**

GARY KAESEMEYER  
901 N Nelson St  
Spokane, WA 99202  
Business: 509-232-8810  
Mobile: 509-822-8592  
gkaesemeyer@spokanecity.org

**Prepared By:**

REESE DICKINSON  
Rowand Machinery Company  
W 6210 Rowand Rd  
Spokane, WA 992245321  
Phone: 509-838-5252  
Mobile: 509-995-9858  
rdickinson@rowand.com

Quote Id: 15783893  
Created On: 26 July 2017  
Last Modified On: 07 August 2017  
Expiration Date: 01 September 2017

**Equipment Summary**

JOHN DEERE 524K-II LOADER  
John Deere Extended Warranty-6  
year/ 6000 hour PT & H

Selling Price	Qty	Extended
\$ 281,481.12 X	1 =	\$ 281,481.12
\$ 3,925.00 X	1 =	\$ 3,925.00

**Sub Total****\$ 285,406.12**

NJPA DISCOUNT 43% - New

\$ -102,352.90 X 1 = \$ (102,352.90)

**Equipment Total****\$ 183,053.22****Quote Summary**

Equipment Total	\$ 183,053.22
SubTotal	\$ 183,053.22
Sales Tax - (8.80%)	16,657.84 \$ 15,919.48
Total	\$ 198,972.70
Down Payment	199,711.00 (0.00)
Rental Applied	(0.00)
Balance Due	\$ 198,972.70

~~428688~~ 99,422.13

428688  
428689

Salesperson : X \_\_\_\_\_

Accepted By : X \_\_\_\_\_

Confidential



## Selling Equipment

Quote Id: 15783893

Customer: GARY KAESEMEYER

### JOHN DEERE 524K-II LOADER

Hours:

Stock Number:

Code	Description	Qty
7550DW	524K-II LOADER	1
Standard Options - Per Unit		
170C	JDLink Ultimate Cellular - 5 Years	1
0810	Standard Gathering Group	1
0924	John Deere PowerTech Engine	1
1010	Standard Loader	1
1110	Transmission	1
1215	130 amp Alternator	1
1310	Engine Exhaust with Flat Black Curved Stack	1
1430	Air Intake System with Centrifugal Precleaner Engine	1
1520	Reversing Fan Drive	1
1610	Standard Fuel Filter & Water Separator	1
1915	NeverGrease Steering Cylinder Joints	1
2010	Standard Z-BAR	1
2120	Steering Wheel Only	1
2220	Standard Fabric, Back Rest Extension, Air Suspension Seat	1
2432	3 Function -- Joystick with FNR and 3rd Function Auxiliary Control Lever	1
2510	Ride Control	1
2605	English Labels and Decals	1
2715	24 Volt to 12 Volt - 15 Amp Converter	1
2890	No Payload Scale	1
3046	Front Hydraulically Locking Differential and Rear Conventional Differential Axles	1
3120	Manual Axle Differential Lock	1
4415	20.5R25 L2 XSnoPlus Michelin w/ 3 pc. Rims	1
5550	Full Front and Rear Fenders For Muddy Applications	1
5620	Left And Right Side Steps	1
7140	Premium LED Work and Drive Lights	1
8220	Rear Cast Bumper/Counterweight with Rear Hitch and Locking Pin	1
8320	Heated Outside Mirrors	1

# Selling Equipment

**Quote Id:** 15783893

**Customer:** GARY KAESEMEYER

8422	ROPS Quiet Cab with Air Conditioning	1
8450	Cab with Air A/C Charge	1
8560	Z-BAR Hydraulic Attachment Coupler	1
8825	2.75 Cu. Yd. (2.1 Cu. M.) 100 in. Wide GP Coupler Bucket with Bolt-on Cutting Edge	1
9015	Engine Block Heater	1
9043	Environmental Drains and Sampling Ports	1
9050	Wheel Spin Control	1
9065	Axle Coolers	1
9106	AM/FM/Weather Band (WB) Radio with Remote AUX Port	1
9125	Single Beacon Bracket	1
9131	Rear Camera Only	1
9140	5.0 lbs. multi purpose (ABC) Dry Chemical Fire Extinguisher	1
9520	License Plate Bracket and Light	1
9525	Slow Moving Vehicle (SMV) Emblem	1
<b>Dealer Attachments</b>		
	Henke REL12 w/ Gate	1
<b>Service Agreements</b>		
	John Deere Extended Warranty - 6 year/ 6000 hour PT & H	
<b>Other Charges</b>		
	Freight	1
	Setup	1
	Delivery	1
	Operator Manuals and Books	1

## NJPA DISCOUNT 43% - New

**Hours:** 0

**Stock Number:**

Code	Description	Qty
NJPA DISCOUNT	NJPA DISCOUNT OF 43%	1



## Extended Warranty Proposal

**JOHN DEERE 524K-II LOADER**

Date : August 7, 2017

Machine/Use Information		Plan Description	Price	
Manufacturer	JOHN DEERE	Application	Deductible	
Equipment Type	524KBT	Coverage	List	\$ 3,925.00
Model	524KBT	Total Months		
Country	US	Total Hours		

Extended Warranty is available only through authorized John Deere Dealers for John Deere Products, and may be purchased at any time before the product's Standard Warranty, or Extended Warranty expires.

**Extended Warranty Proposal Prepared for:**

I have been offered this extended warranty and

Customer Name - Please Print

☒ I ACCEPT the Extended Warranty☐ I DECLINE the Extended Warranty

Customer Signature

If declined, I fully understand that any equipment listed above is not covered for customer expenses due to component failures beyond the original basic warranty period provided by John Deere.

**Note :** This is **not** a contract. For specific Extended Warranty coverage terms and conditions, please refer to the actual Extended Warranty contract for more information and the terms, conditions and limitations of the agreement.

**What Extended Warranty is :**

The Extended Warranty Program is for the reimbursement on parts and labor for covered components that fail due to faulty material or original workmanship that occur beyond the John Deere Basic Warranty coverage period. The agreement is between Deere & Company and the owners of select John Deere Construction and Forestry equipment, who purchase the Extended Warranty Plans for the desired coverage as indicated in this proposal.

**What Extended Warranty is not :**

Extended Warranty is not insurance. It also does not cover routine maintenance or high wear items, or insurance-related risks/perils such as collision, overturn, vandalism, wind, fire, hail, etc. It does not cover loss of income during or after an equipment failure. See the actual product-specific Extended Warranty agreement for a complete listing of covered components, and limitations and conditions under the program.

**Features/Benefits:**

- Extended Warranty includes the following features and benefits under the program :
- Pays for parts and labor costs incurred on failed covered components (less any applicable deductibles),
- Does not require pre-approval before repairs are made by the authorized John Deere dealership,
- Payments are reimbursed directly to the dealership with no prepayment required by the contract holder.



**WARRANTY:** Seller warrants these products to be free from defects in material and workmanship to the extent only that, and seller's obligation and liability under this warranty shall be limited to, such warranties as are given in connection therewith by the respective manufacturers of such products, and all such warranties are limited to replacing, free of charge, at the factory of the manufacturer any part or product proving defective under normal use and service within such time as is prescribed by the manufacturer thereof. This warranty is in lieu of all other warranties, if any, express or implied, and the obligation and liability of seller under this warranty shall not extend beyond the manufacturer's warranty thereof, and shall not include any transportation or other charges or the cost of installation or any liability for direct, indirect or consequential damages or delay from such defect in any of such products.

**LIMITATION OF PURCHASER'S REMEDIES:** Purchaser's remedies for any damages or losses due to seller's negligence in the repair of or replacement of any part or parts of the above-described machine shall be limited to the cost of repair or replacement of the defective part or parts of said machine only, and shall not extend to any consequential damages or any other losses or damages suffered by purchaser due to failure of said machine or any part thereof. Purchaser's right to the above remedies is conditioned upon purchaser's prompt notification to seller of any defect and cooperation with seller in order to effect any repairs necessary as seller's discretion.

**OTHER:** Prices subject to change without notice, and offers from stock subject to prior sale and applying to this proposal only. Orders accepted only at our office and subject to credit approval and execution of one of our form contracts. If unable to furnish goods specified, privilege is reserved to cancel such items and deduct purchase price thereof from contract. All promises of shipment are estimated as closely as possible. We use our best efforts in every case to ship within the time promised but cannot guarantee to do so. Orders for special goods and factory shipments are not subject to cancellation under any circumstances. Contracts are made contingent upon accidents, strikes and other causes unavoidable and beyond our control. Any tax upon sales, or any tax or charge of a similar nature, imposed by any law now or hereafter in force, shall be added to the price hereunder and paid for by the buyer.

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

08/28/2017

**Date Rec'd**

8/9/2017

**Clerk's File #**

OPR 2017-0593

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

WATER &amp; HYDROELECTRIC SERVICES

**Contact Name/Phone**

LOREN SEARL 625.7851

**Contact E-Mail**

LSEARL@SPOKANECITY.ORG

**Agenda Item Type**

Purchase w/o Contract

**Agenda Item Name**

4100 - VALUE BLANKET - VENDING MACHINE PROGRAM

**Cross Ref #****Project #****Bid #**

4265-16

**Requisition #**

VALUE BLANKET

**Agenda Wording**

Value blanket order for Vending Machine Inventory Management Services with Fastenal Company (Winona, MN) valued at \$75,000.00 per year including sales tax.

**Summary (Background)**

RFP#4265-16 for Inventory Management Services closed August 15, 2016 and four (4) proposals were received. Fastenal Company was selected as the most qualified proposer. This RFP is being utilized to begin a Vending Machine Program at the Water Department. Existing purchased parts will be transitioned into this program, leveraging savings by combining demand, reducing staff management time, and reducing p-card use. This order will be for a three (3) year term with a two (2) year renewal option.

**Fiscal Impact**

Grant related? NO

Public Works? NO

**Budget Account**

Expense \$ 75,000.00

# 4100-42440-34148-53210-99999

Select \$

#

Select \$

#

Select \$

#

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

SAKAMOTO, JAMES

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

SIMMONS, SCOTT M.

**Other**

PWC 8/14/2017

**Finance**

DOVAL, MATTHEW

**Distribution List****Legal**

SCHOEDEL, ELIZABETH

TPRINCE@SPOKANECITY.ORG

**For the Mayor**

DUNIVANT, TIMOTHY

SJOHNSON@SPOKANECITY.ORG

**Additional Approvals****Purchasing**

PRINCE, THEA

**BRIEFING PAPER**  
**Public Works Committee**  
**Water & Hydroelectric Services**  
**August 14, 2017**

---

**Subject**

Value blanket order for Vending Machine Inventory Management Services with Fastenal Company (Winona, MN) valued at \$75,000.00 per year including sales tax.

**Background**

Request for Proposals #4265-16 for Inventory Management Services at the Waste to Energy Facility closed August 15, 2016 and four (4) proposals were received. Fastenal Company was selected as the most qualified proposer and awarded the business.

The Water & Hydroelectric Services department is utilizing this RFP to begin a Vending Machine Program. Existing parts purchased by the department Warehouse and Procurement team will be transitioned into this program, leveraging savings by combining demand from parts purchased disjointly and by reducing City staff management time and purchasing card use.

This value blanket will be valid for a three (3) year term with the option to renew the order for an additional two (2) year term at mutual agreement. The total term of the order will not exceed five (5) years.

**Impact**

This order will free City staff for other projects while ensuring parts vital to department function are dependably stocked. It will also reduce the volume of products purchased on department purchasing cards each month.

**Action**

Recommend approval.

**Funding**

All funding for this purchase will be from the Water Department budget according to usage.

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

08/28/2017

**Date Rec'd**

8/4/2017

**Clerk's File #**

OPR 2016-0688

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

WATER &amp; HYDROELECTRIC SERVICES

**Contact Name/Phone**

LOREN SEARL 625.7851

**Contact E-Mail**

LSEARL@SPOKANECITY.ORG

**Agenda Item Type**

Purchase w/o Contract

**Agenda Item Name**

4100/4310 - VALUE BLANKET - DEBRIS RECYCLING &amp; PURCHASE OF RECYCLED

**Cross Ref #****Project #****Bid #**

4264-16

**Requisition #**

VB 300784

**Agenda Wording**

Value blanket renewal for debris recycling and purchase of recycled materials with Action Materials (Cheney, WA) valued at \$125,000 including tax. This will be used by both the Water and Wastewater Maintenance Departments on an as-needed basis.

**Summary (Background)**

Request for Bids (#4264-16) for recycling of dirt, rock, concrete, and asphalt debris as well as purchase of recycled dirt, rock, concrete, and asphalt in compliance with WA DOT Specifications was issued July 15, 2016. Three (3) bid responses were opened on August 8, 2016. Action Materials was the lowest responsive bid. This value blanket will be valid for a one-year term. This is the first of four optional annual renewals upon mutual agreement. The common purchases have no price change.

**Fiscal Impact**

Grant related? NO

Public Works? NO

**Budget Account**

Expense \$ 95,000.00

# 4100-42420-34148-54809-99999

Expense \$ 30,000.00

# 4310-43117-35148-54850-99999

Select \$

#

Select \$

#

**Approvals****Dept Head**

SAKAMOTO, JAMES

**Division Director**

SIMMONS, SCOTT M.

**Finance**

DOVAL, MATTHEW

**Legal**

SCHOEDEL, ELIZABETH

**For the Mayor**

DUNIVANT, TIMOTHY

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

PWC 8/14/2017

**Distribution List**

TPRINCE@SPOKANECITY.ORG

SJOHNSON@SPOKANECITY.ORG

**Additional Approvals****Purchasing**

PRINCE, THEA

**BRIEFING PAPER**  
**Public Works Committee**  
**Water & Wastewater Maintenance Departments**  
**August 14, 2017**

---

**Subject**

Renewal of a value blanket order for debris recycling and purchase of recycled materials with Action Materials (Cheney, WA) valued at \$125,000 including applicable taxes. This blanket order will be used by both the Water and Wastewater Maintenance Departments on an as-needed basis.

**Background**

Request for Bids (#4264-16) for recycling of dirt, rock, concrete, and asphalt debris as well as purchase of recycled dirt, rock, concrete, and asphalt in compliance with WA DOT Specifications was issued July 15, 2016. Three (3) bid responses were opened on August 8, 2016. Action Materials was the lowest responsive bid. This value blanket will be valid for a one-year term. This is the first of four optional annual renewals upon mutual agreement.

The only cost increase for this renewal is on concrete recycling, which is rarely utilized by the City. The most common purchases (5/8" Rock, Dirt/Rock Recycling) have no price change.

**Impact**

This renewal supports the timely processing of materials generated and required by City Water and Wastewater projects in an environmentally friendly manner, while also maximizing cost savings.

**Action**

Recommend approval.

**Funding**

All funding for this purchase will be from the Water and Wastewater Maintenance department budgets respectively, according to usage.



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

08/28/2017

**Date Rec'd**

8/16/2017

**Clerk's File #**

OPR 2016-0792

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

INNOVATION &amp; TECHNOLOGY

**Contact Name/Phone**

MICHAEL 625-6468

**Contact E-Mail**

MSLOON@SPOKANECITY.ORG

**Agenda Item Type**

Purchase w/o Contract

**Agenda Item Name**

WA STATE DES AMENDMENT

**Cross Ref #**

VB300798

**Project #****Bid #****Requisition #****Agenda Wording**

Due to expiration of the WA DES contract allowing Microsoft to be provided by Software One (T11-MST-579) We are requesting to add the current WA DES authorized Microsoft reseller, En Pointe to the current Value Blanket (VB300798).

**Summary (Background)**

Washington State DES currently provides the City of Spokane with Microsoft through the authorized reseller Software One (T11-MST-579). This includes Software products, maintenance and support subscription/upgrades for purchase within various City Departments. Washington State DES has already negotiated and established contracts that include price advantages for other government agencies to utilize. The City of Spokane ITSD Division utilizes this opportunity whenever possible.

**Fiscal Impact**

Grant related? NO

Public Works? NO

**Budget Account**

Neutral \$ 0.00

# N/A

Select \$

#

Select \$

#

Select \$

#

**Approvals****Dept Head**

SLOON, MICHAEL

**Division Director**

FINCH, ERIC

**Finance**

ORLOB, KIMBERLY

**Legal**

DALTON, PAT

**For the Mayor**

DUNIVANT, TIMOTHY

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

Finance Committee 8/21

**Other****Distribution List**

Accounting - kkeck@spokanecity.org

Contract Accounting - jsalstrom@spokanecity.org

Legal - hwhaley@spokanecity.org

Purchasing - cwahl@spokanecity.org

IT - itadmin@spokancity.org

Taxes &amp; Licenses

**Briefing Paper  
City of Spokane  
Innovation and Technology Services Department  
Budget Allocation Request  
August 21, 2017**

---

**Subject**

Due to the expiration of the Washington State Department of Enterprise Services (WA DES) contract allowing Microsoft to be provided by Software One (T11-MST-579); We are requesting to add the current WA DES authorized Microsoft reseller, En Pointe to the current Value Blanket (VB300798). The existing WA contract # is 06016 & the NASPO # is ADSP016-130653. We request that \$24,280.78 of the remaining \$48,561.55 be allocated for En Pointe.

January 1, 2017 – December 31, 2017

**Background**

Washington State DES currently provides the City of Spokane with Microsoft through the authorized reseller Software One (T11-MST-579). This includes Software products, maintenance and support subscription/upgrades for purchase within various City Departments. Washington State DES has already negotiated and established contracts that include price advantages for other government agencies to utilize. The City of Spokane ITSD Division utilizes this opportunity whenever possible.

**Impact if additional budget allocation not approved**

Without this yearly approval to purchase, the ITSD Department would be required to bring any purchase over the city Purchase limit (\$49,000) to City Council for Approval for each piece of software purchased.

**Funding (if available)**

Various Accounts

## Software Value-Added Reseller (SVAR) – Master Contract No. 06016

---

To meet our customers' commercial off-the-shelf (COTS) software needs, Department of Enterprise Services (DES), through participation in NASPO ValuePoint Software Value-Added Reseller (SVAR) Master Agreement, has executed Participating Addendums with **SHI International Corp.** and **En Pointe Technologies Sales, LLC.**

**This guide includes the following sections:**

- [Contract Scope Summary](#)
- [Washington State Exclusions](#)
- [Reseller Contact Information and Ordering Instructions](#)
- [Microsoft and Adobe Information](#)

### Contract Scope Summary

	IN SCOPE		OUT OF SCOPE
<b>SOFTWARE &amp; LICENSING TYPE</b>	COTS	Volume Licensing	Custom/Customized
<b>LICENSING PERIOD</b>	Perpetual	Subscription	Not Applicable
<b>Delivery</b>	Shrink-Wrap	Download	Not Applicable
<b>Hosting as part of delivery &amp; use</b>	On-Premise	Off-Premise	Managed Services
<b>SERVICES</b>	Basic Installation, Training and Maintenance <i>Means that activity which does not require Consulting, Configuration, Engineering, Design or any other type of service specific to a Purchasing Entity requiring description of tasks and deliverables and agreement by the parties (Statement of Work).</i>		Consulting, configuration, engineering, design, etc., any type of service specific to a Purchasing Entity requiring description of tasks and deliverables and agreement by the parties

This contract includes all major software publishers and other miscellaneous COTS software. In addition to offering software licenses, Resellers will:

- Honor existing Volume or Enterprise license agreements
- Offer maintenance and support packages on licenses already owned
- Provide tracking, management, usage monitoring and reporting of licenses
- Create Washington State specific website and catalog that will be searchable by Purchasing Entity, software publisher, product name and software description and will have the capability to generate online reports.

For additional information, please review NASPO ValuePoint Master Agreements, Price Lists and Washington State Participating Addendums: [SHI International](#) and [En Pointe Technologies](#).

### Washington State Exclusions

The following publishers are excluded from Washington State Participating Addendums:

- ESRI
- Autodesk
- SAS



For information about using statewide master contracts to purchase the above software publishers, please visit [DES Website](#).

## Ordering Instructions

1. Use Resellers' websites or contact information below to request quotes.
2. Utilize your own appropriate purchasing procedure and documentation.

All orders, at a minimum, should include:

- NASPO ValuePoint Master Agreement No.:
  - ADSP016-130653 for En Pointe Technologies
  - ADSP016-130651 for SHI International Corp.
- Washington State Master Contract No. 06016
- Products being ordered and delivery address
- Billing address and purchaser's contact information

Reseller	Representative	Website
	Andrea Keno Tel: (425) 4572462 <a href="mailto:TeamWashington@shi.com">TeamWashington@shi.com</a> Tel: (888) 711-2613	Request login account from SHI <a href="mailto:TeamWashington@shi.com">TeamWashington@shi.com</a>
	Patrick Accimus Tel: (310) 337-4578 Cel: (425)-622-6171 <a href="mailto:naspowashington@enpointe.com">naspowashington@enpointe.com</a>	<a href="http://naspowashington.enpointe.com/">http://naspowashington.enpointe.com/</a>

### Ordering Tips:

- Purchasers can negotiate better pricing for volume purchases.
- Purchasers can request quotes from both Resellers to compare pricing.

## Microsoft Information

Agreement	Authorized Resellers
<a href="#">Microsoft Enterprise Agreement</a>	En Pointe
Microsoft Select Plus	En Pointe and SHI

### Product information

- [Microsoft® Windows Server 2003 Additional Rights for Terminal Server External Connector and CAL](#)
- [Software asset management](#)
- [Microsoft information about Volume License Keys](#)

## Adobe Information

Why do the customers have to enroll with Adobe?

- *The customer will receive their own enrollment number.*
- *They will have their own set of serial numbers specific to their enrollment.*

How will the customers get their enrollment number?

- *Once the customer has properly completed the online Adobe enrollment document they will receive their enrollment number from Adobe.*

How will customers get their serial numbers?

- *Via the Adobe website.*

**If need to renew Adobe Cumulative Licensing Program (CLP) Follow These Instructions:**

1. Follow this link to the [Adobe enrollment site](#).
2. Select: Your preferred language (English)
3. **Select: The 2<sup>nd</sup> option - "self-enrolled affiliate"** (Do not select the Returning Program Member option.)
4. Select: The 3<sup>rd</sup> option - "Government".
5. After reviewing the terms and conditions, click the "Continue" button at the bottom.
6. Enter your contact information then "Continue>".
7. Enter the WA STATE DES CLP number **4600013283** in the space provided. (You will get your own CLP agreement number when you submit later).
8. Select "No" for the question regarding having an existing agreement.
9. Enter the Program Applicant Information then click "Continue>".
10. Enter the Program Administrator's contact information, then click "Continue>".
11. Single Payment should be the default. This is the correct choice. Click "Continue>".
12. Review and then click "Submit". A confirmation page will be displayed. The confirmation number is also your new CLP agreement number.

For addition help or questions please contact:

[Mike Dombrowsky](#)

Washington State Department of Enterprise Services

Phone: (360) 407-8717

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

08/28/2017

**Date Rec'd**

8/8/2017

**Clerk's File #**

OPR 2016-0735

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

WASTEWATER MANAGEMENT

**Contact Name/Phone**

MIKE COSTER 625-4640

**Contact E-Mail**

MCOSTER@SPOKANECITY.ORG

**Agenda Item Type**

Contract Item

**Agenda Item Name**

4320 CONTRACT RENEWAL - SODIUM HYPOCHLORITE FOR RPWRF

**Cross Ref #****Project #****Bid #**

BID #3956-13

**Requisition #**

VB

**Agenda Wording**

Contract renewal for Olin Corporation/DBA Olin Chlor Alkali Products (Tracy, CA) to supply Sodium Hypochlorite for the Riverside Park Water Reclamation Facility from 8/1/2017 through 7/31/2018 - 1 year cost \$239,044.21 including tax.

**Summary (Background)**

In 2013, a two year contract was awarded to Olin Chlor Alkali Products, as low bidder among five respondents. The original contract expired July 31, 2015 and provided for three additional one year renewal options. This is the final available renewal. The vendor, Olin Chlor Alkali Products, has submitted a quote to supply the product at a 12.24% increase in price.

**Fiscal Impact**

Grant related? NO

Public Works? YES

**Budget Account**

Expense \$ \$239,044.21

# 4320-43210-35148-53203

Select \$

#

Select \$

#

Select \$

#

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

COSTER, MICHAEL

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

CONKLIN, CHUCK

**Other**

PW 8/14/17

**Finance**

DOVAL, MATTHEW

**Distribution List****Legal**

SCHOEDEL, ELIZABETH

kbustos@spokanecity.org

**For the Mayor**

DUNIVANT, TIMOTHY

Tax &amp; Licenses

**Additional Approvals**

hbarnhart@spokanecity.org

**Purchasing**

PRINCE, THEA

lberry@spokanecity.org



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

**Agenda Wording**

**Summary (Background)**

Olin Chlor Alkali Products will supply approximately 217,750 gallons of product during the one year extension at a cost of \$1.009 per gallon resulting in an increase in 12.24% over the current contract renewal for a total of \$239,044.21, including tax. The renewal will begin August 1, 2017 and will terminate July 31, 2018, with no renewal options remaining.

**Fiscal Impact**

Select      **\$**

Select      **\$**

**Budget Account**

**#**

**#**

**Distribution List**


**BRIEFING PAPER**  
**Public Works Committee**  
**Riverside Park Water Reclamation Facility**  
**August 14, 2017**

---

**Subject**

Contract renewal to purchase Sodium Hypochlorite for the Riverside Park Water Reclamation Facility.

**Background**

In 2013, a two year contract was awarded to Olin Chlor Alkali Products, as low bidder among five respondents. The original contract expired July 31, 2015 and provided for three additional one year renewal options. This is the final available renewal.

The vendor, Olin Chlor Alkali Products, has submitted a quote to supply the product at a 12.24% increase in price.

Olin Chlor Alkali Products will supply approximately 217,750 gallons of product during the one year extension at a cost of \$1.009 per gallon resulting in an increase in 12.24% over the current contract renewal for a total of \$239,044.21, including tax. The renewal will begin August 1, 2017 and will terminate July 31, 2018, with no renewal options remaining.

**Impact**

Sodium Hypochlorite replaced gaseous chlorine in 2006 and is a much safer method to use for disinfecting effluent from the RPWRF.

**Action**

Recommend approval.

**Funding**

This contract is budgeted in the Wastewater budget.





City of Spokane

**CONTRACT RENEWAL 3 OF 3**

**TITLE: SODIUM HYPOCHLORITE  
SOLUTION FOR RPWRF**

This Contract Renewal is made and entered into by and between the **City of Spokane** as ("City"), a Washington municipal corporation, and **OLIN CORPORATION DBA OLIN CHLOR ALKALI PRODUCTS**, whose address is 26700 South Banta Road, Tracy, California 95304 as ("Vendor"). Individually hereafter referenced as a "party", and together as the "parties".

*WHEREAS, the parties entered into a Contract wherein the Vendor agreed to sell to the City SODIUM HYPOCHLORITE SOLUTION; and*

*WHEREAS, the original Contract allows up to three (3) additional one (1) year terms; and*

*WHEREAS, the parties would like to renew the Contract and the period for performance needs to be formally extended by this written document.*

*-- NOW, THEREFORE, in consideration of these terms, the parties mutually agree as follows:*

**1. CONTRACT DOCUMENTS.**

The original Contract, dated September 26, 2013, any previous amendments, renewals and / or extensions / thereto, are incorporated by reference into this document as though written in full and shall remain in full force and effect except as provided herein.

**2. EFFECTIVE DATE.**

This Contract Renewal shall become effective on August 1, 2017 and shall run through July 31, 2018.

**3. COMPENSATION.**

The City shall purchase approximately Two Hundred Seventeen Thousand Seven Hundred Fifty (217,750) gallons of sodium hypochlorite solution at a cost of \$1.009 per gallon for a maximum annual amount not to exceed **TWO HUNDRED NINETEEN THOUSAND SEVEN HUNDRED NINE AND 75/100 DOLLARS (\$219,709.75)**, plus tax for everything furnished and done under this Contract Renewal. This is the maximum amount to be paid under this

Renewal, and shall not be exceeded without the prior written authorization of the City, memorialized with the same formality as the original Contract and this Renewal document.

IN WITNESS WHEREOF, in consideration of the terms, conditions and covenants contained, or attached and incorporated and made a part, the parties have executed this Contract Renewal by having legally-binding representatives affix their signatures below.

**OLIN CORPORATION, DBA  
OLIN CHLOR ALKALI PRODUCTS**

By \_\_\_\_\_  
Signature

Date

*John M. Schabacker*

\_\_\_\_\_  
Type or Print Name

*Business Director*

\_\_\_\_\_  
Title

**CITY OF SPOKANE**

By \_\_\_\_\_  
Signature

Date

\_\_\_\_\_  
David A. Condon

\_\_\_\_\_  
Title

Attest:

Approved as to form:

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

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

17-081



July 7, 2017

Nick Pregman  
Account Manager  
Olin Chlor Alkali Products & Vinyls  
350 Fourth Street  
Henderson, NV 89009-7001

Re: City of Spokane Sodium Hypochlorite Contract Extension

Dear Nick,

Below outlines our proposal for the City of Spokane's contract extension. We believe we have been a quality, reliable supplier and hope that helps in in your efforts to extend the agreement.

As you are aware, the Chlor-Alkali market has moved up substantially beginning in October 2016. Many producers are on order control and prices for chlorine and caustic soda continue to move higher with the most recent increases implemented on July 1, 2017. This, combined with the west coast caustic soda import dynamics, has created a much higher cost environment and Hasa's raw material prices are the highest they have been in quite some time. When we first entered this agreement, caustic and chlorine prices were at very low levels. In addition, we have continued to experience cost increases in areas such as freight, labor and health insurance.

Product	Price Change	Term
Multi-Chlor, 12.5% Sodium Hypochlorite	+0.08/gallon	Firm through 7/31/18

Freight: In addition to and delivered on Hasa's truck or common carrier. Fuel service charge is in addition to freight and billed as a separate line item. Freight costs have increased +0.03/gallon and will be included moving forward.

We greatly appreciate your business and the trust you have placed in Hasa, Inc. as your supplier. Please call me with any questions you may have.

Sincerely,

Rob Bzdil  
Hasa, Inc.

## Barnhart, Heather

---

**From:** Schabacker, John M TRAC <JMSchabacker@olin.com>  
**Sent:** Monday, July 10, 2017 8:58 AM  
**To:** Barnhart, Heather  
**Cc:** Graveson, Michael HEND; Pregman, Nick HEND  
**Subject:** FW: Sodium Hypochlorite Final Contract Extension - Spokane  
**Attachments:** Olin - City of Spokane Extension 0717 v2 - signed.pdf

Heather,

Attached is the notification from our PNW vendor of the \$0.11/gal. price adjustment (\$0.08 + \$0.03) they are offering for this next Spokane contract year. Olin is not marking this up and presenting this as a zero-sum pass through of our cost increases to try and minimize the impact to the city. Olin sincerely hopes to be able to continue to service your needs this coming year. Please let me know if you have any questions.

Regards,

*John M. Schabacker*

Business Director – West Bleach

Olin Corporation

26700 S. Banta Road

Tracy, CA 95304

[jmschabacker@olin.com](mailto:jmschabacker@olin.com)

209.221.8265 - Tel

209.835.9760 - Fax

**From:** Schabacker, John M TRAC  
**Sent:** Friday, July 07, 2017 5:14 PM  
**To:** 'Barnhart, Heather' <hbarnhart@spokanecity.org>  
**Cc:** Graveson, Michael HEND <MGraveson@olin.com>; Pregman, Nick HEND <NPregman@olin.com>  
**Subject:** RE: Sodium Hypochlorite Final Contract Extension - Spokane

Hi Heather,

We finally have a response from our supplier and they have verbally committed to a \$0.11 adjustment firm for the next contract year. They will be sending us a written confirmation next week.

While I know increases are never easy to accept, raw material costs have increased significantly this year and are anticipated to still rise into the next contract year as well. Freight rates have also increased and Spokane is an unusually long distance from PNW production sites. This adjustment factors all these increases in and all prices for this product have been going up on bids this year for the same reasons. Olin sincerely appreciates your business and hopes you can accept these terms and renew our contract for the next renewal option year. We are simply passing through the increase with no mark-up from our supplier. Please let me know if you have any questions.

Regards,

*John M. Schabacker*

Business Director – West Bleach

Olin Corporation

26700 S. Banta Road  
Tracy, CA 95304  
[jmschabacker@olin.com](mailto:jmschabacker@olin.com)  
209.221.8265 - Tel  
209.835.9760 - Fax

**From:** Schabacker, John M TRAC  
**Sent:** Thursday, July 06, 2017 10:26 AM  
**To:** 'Barnhart, Heather' <[hbarnhart@spokanecity.org](mailto:hbarnhart@spokanecity.org)>; Garcia, Laura TRAC <[LGarcia@olin.com](mailto:LGarcia@olin.com)>  
**Cc:** Graveson, Michael HEND <[MGraveson@olin.com](mailto:MGraveson@olin.com)>; Pregman, Nick HEND <[NPregman@olin.com](mailto:NPregman@olin.com)>  
**Subject:** RE: Sodium Hypochlorite Final Contract Extension

Hello Heather,

We sincerely apologize for the long time on this. Costs have been increasing since early this year and we are waiting for the new costs from our supplier since it will require 12 month firmness again. Will see if we can get this finalized this week.

Regards,

*John M. Schabacker*

Business Director – West Bleach

**Olin Corporation**

26700 S. Banta Road  
Tracy, CA 95304  
[jmschabacker@olin.com](mailto:jmschabacker@olin.com)  
209.221.8265 - Tel  
209.835.9760 - Fax

**From:** Barnhart, Heather [<mailto:hbarnhart@spokanecity.org>]  
**Sent:** Thursday, July 06, 2017 10:17 AM  
**To:** Schabacker, John M TRAC <[JMSchabacker@olin.com](mailto:JMSchabacker@olin.com)>; Garcia, Laura TRAC <[LGarcia@olin.com](mailto:LGarcia@olin.com)>  
**Cc:** Graveson, Michael HEND <[MGraveson@olin.com](mailto:MGraveson@olin.com)>  
**Subject:** RE: Sodium Hypochlorite Final Contract Extension  
**Importance:** High

Hello –

I am following up on this. This takes quite a bit of time to move through our process.

Please advise.

Thank you,

*Heather Barnhart*

Warehouse and Yards Foreperson  
City of Spokane | Riverside Park Water Reclamation Facility  
4401 N Aubrey L White Pkwy, Spokane, WA 99205  
(509) 625-4606 | [hbarnhart@spokanecity.org](mailto:hbarnhart@spokanecity.org)

---

**From:** Barnhart, Heather  
**Sent:** Wednesday, June 14, 2017 9:39 AM  
**To:** 'jmschabacker@olin.com'  
**Cc:** Graveson, Michael HEND  
**Subject:** Sodium Hypochlorite Final Contract Extension  
**Importance:** High

Hello –

The City is interested in renewing the attached contract (OPR 2016-0735) for the final year. The current expiration date is July 31, 2017. Would you please confirm that Olin Corporation is interested in retaining this business and, if so, advise if you are able to maintain the current contract pricing of \$0.899 per gallon for an estimated usage of 217,750 gallons at a cost of \$212,983.89 which includes 8.8% sales tax.

If you have any question, please let me know. Thank you!

*Heather Barnhart*

Warehouse and Yards Foreperson  
City of Spokane | Riverside Park Water Reclamation Facility  
4401 N Aubrey L White Pkwy, Spokane, WA 99205  
(509) 625-4606 | [hbarnhart@spokanecity.org](mailto:hbarnhart@spokanecity.org)

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

08/28/2017

**Date Rec'd**

8/8/2017

**Clerk's File #**

OPR 2016-0736

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

WASTEWATER MANAGEMENT

**Contact Name/Phone**

MIKE COSTER 625-4640

**Contact E-Mail**

MCOSTER@SPOKANECITY.ORG

**Agenda Item Type**

Contract Item

**Agenda Item Name**

4320 CONTRACT RENEWAL SODIUM BISULFITE SOLUTION FOR RPWRF

**Cross Ref #****Project #****Bid #****Requisition #**

CR18408

**Agenda Wording**

Contract Renewal with Two Rivers Terminal, LLC (Pasco, WA) to purchase Sodium Bisulfite for the Riverside Park Water Reclamation Facility from 8/15/2017 through 8/14/2018 at a cost of \$183,872, tax included.

**Summary (Background)**

RPWRF injects sodium bisulfite to neutralize the toxic chlorine used for disinfection to avoid harming aquatic life in the Spokane River. In 2013, a two year contract was awarded to Two Rivers Terminal, as low bidder among three respondents. The current contract expired August 14, 2015 and provided for three additional one year renewal options. This is the final available renewal.

**Fiscal Impact**

Grant related? NO

Public Works? YES

**Budget Account**

Expense \$ \$183,872.00

# 4320-43210-35148-53203

Select \$

#

Select \$

#

Select \$

#

**Approvals****Dept Head**

COSTER, MICHAEL

**Division Director**

CONKLIN, CHUCK

**Finance**

CLINE, ANGELA

**Legal**

SCHOEDEL, ELIZABETH

**For the Mayor**

DUNIVANT, TIMOTHY

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

PW 8/14/17

**Distribution List**

kbustos@spokanecity.org

Tax &amp; Licenses

**Additional Approvals**

hbarnhart@spokanecity.org

**Purchasing**

lberry@spokanecity.org



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

**Agenda Wording**

**Summary (Background)**

Two Rivers Terminal will supply approximately 130,000 gallons during the year of the contract, with no price increase, at a cost of \$1.30 per gallon for an estimated cost of \$183,872, including tax. The renewal will begin August 15, 2017 and will terminate August 14, 2018, with no renewal options remaining.

**Fiscal Impact**

Select      \$

Select      \$

**Budget Account**

#

#

**Distribution List**




**BRIEFING PAPER**  
**Public Works Committee**  
**Riverside Park Water Reclamation Facility**  
**August 14, 2017**

---

**Subject**

Contract Renewal with Two Rivers Terminal to purchase Sodium Bisulfite for the Riverside Park Water Reclamation Facility at a cost of \$183,872, tax included.

**Background**

RPWRF injects sodium bisulfite to neutralize the toxic chlorine used for disinfection to avoid harming aquatic life in the Spokane River. In 2013, a two year contract was awarded to Two Rivers Terminal, as low bidder among three respondents. The current contract expired August 14, 2015 and provided for three additional one year renewal options. This is the final available renewal.

Two Rivers Terminal will supply approximately 130,000 gallons during the year of the contract, with no price increase, at a cost of \$1.30 per gallon for an estimated cost of \$183,872, including tax. The renewal will begin August 15, 2017 and will terminate August 14, 2018, with no renewal options remaining.

**Impact**

Sodium Bisulfite replaced gaseous Sulfur Dioxide in 2006, and is a much safer method to use for dechlorinating effluent from the water reclamation facility.

**Action**

Recommend approval.

**Funding**

This contract is budgeted in the Wastewater budget.



**City of Spokane**  
**CONTRACT RENEWAL 3 OF 3**  
**TITLE: SODIUM BISULFITE  
SOLUTION (40%) FOR RPWRF**

This Contract Renewal is made and entered into by and between the **City of Spokane** as ("City"), a Washington municipal corporation, and **TWO RIVERS TERMINAL, LLC**, whose address is 3300-C North Glade Road, Pasco, Washington, 99301 as ("Vendor"). Individually hereafter referenced as a "party", and together as the "parties".

*WHEREAS, the parties entered into a Contract wherein the Vendor agreed to supply to the City **Sodium Bisulfite Solution, 40%**; and*

*WHEREAS, the original Contract allows up to three (3) additional one (1) year terms; and*

*WHEREAS, the parties would like to renew the Contract and the period for performance needs to be formally extended by this written document.*

*– NOW, THEREFORE, in consideration of these terms, the parties mutually agree as follows:*

**1. CONTRACT DOCUMENTS.**

The original Contract, dated October 9, 2013 and October 13, 2013, any previous amendments, renewals and / or extensions / thereto, are incorporated by reference into this document as though written in full and shall remain in full force and effect except as provided herein.

**2. EFFECTIVE DATE.**

This Contract Renewal shall become effective on August 15, 2017 and shall run through August 14, 2018.

**3. COMPENSATION.**

The City shall pay ONE AND 30/100 DOLLARS (\$1.30) PER GALLON, for a total annual Agreement amount not to exceed ONE HUNDRED EIGHTY THREE THOUSAND SEVEN HUNDRED THREE AND NO/100 DOLLARS (\$183,703.00), including taxes for everything furnished and done under this Contract Renewal. This is the maximum amount to be paid under this Renewal, and shall not be exceeded without the prior written authorization of the

City, memorialized with the same formality as the original Contract and this Renewal document.

IN WITNESS WHEREOF, in consideration of the terms, conditions and covenants contained, or attached and incorporated and made a part, the parties have executed this Contract Renewal by having legally-binding representatives affix their signatures below.

**TWO RIVERS TERMINAL, LLC**

By J Owens 8/3/17  
Signature Date

J. TRAVIS Owens  
Type or Print Name

Strategic Accounts Mgr.  
Title

Attest:

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

**CITY OF SPOKANE**

By \_\_\_\_\_  
Signature Date

\_\_\_\_\_  
David A. Condon

\_\_\_\_\_  
Title

Approved as to form:

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

17-084

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

08/28/2017

**Date Rec'd**

8/16/2017

**Clerk's File #**

OPR 2017-0594

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

RISK MANAGEMENT

**Contact Name/Phone**

TIM DUNIVANT 625-6845

**Contact E-Mail**

TDUNIVANT@SPOKANECITY.ORG

**Agenda Item Type**

Contract Item

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

5800 - RISK MGMT 2017-2018 INSURANCE RENEWALS

**Agenda Wording**

Authorization for Willis of Seattle, the City's insurance broker, to purchase insurance policies for the City of Spokane. The estimated renewal cost is \$1,768,000 which is a 2.2% increase. The coverage period is 09/01/17 through 08/31/18.

**Summary (Background)**

Various insurance policies expire August 31, 2017. The City's broker has marketed our insurance requirements and the figures below represent estimated renewal costs: General Liability - \$580k, Property (excluding Upriver Dam, RPWRF, and WTE Facility) - \$175k, Upriver Dam - \$185k, RPWRF - \$100k, WTE Facility - \$440k, Boiler & Machinery - \$64k, Fire Apparatus & Other Equipment - \$27k, Crime - \$18k, and Worker's Compensation - \$179k.

**Fiscal Impact**

Grant related? NO

Public Works? NO

**Budget Account**

Expense \$ 1,768,000

# Various Accounts

Select \$

#

Select \$

#

Select \$

#

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

DUNIVANT, TIMOTHY

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

DUNIVANT, TIMOTHY

**Other**

Finance Committee

**Finance**

DUNIVANT, TIMOTHY

**Distribution List****Legal**

DALTON, PAT

rkokot@spokanecity.org

**For the Mayor**

DUNIVANT, TIMOTHY

tdunivant@spokanecity.org

**Additional Approvals****Purchasing**

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

08/28/2017

**Date Rec'd**

8/14/2017

**Clerk's File #**

RES 2017-0077

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

CITY COUNCIL

**Contact Name/Phone**

BEN STUCKART 6256269

**Contact E-Mail**

AMCDANIEL@SPOKANECITY.ORG

**Agenda Item Type**

Resolutions

**Agenda Item Name**

0320 MAIN AVENUE VISIONING STUDY

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

A Resolution accepting the Main Avenue Visioning Study as a component of future downtown Spokane planning efforts.

**Summary (Background)**

This resolution accepts the Main Avenue Visioning Study as a component to the upcoming review of the Downtown plan.

**Fiscal Impact**

Grant related? NO

Public Works? NO

**Budget Account**

Select

\$

#

Select

\$

#

Select

\$

#

Select

\$

#

**Approvals****Dept Head**

MCDANIEL, ADAM

**Division Director****Finance**

ORLOB, KIMBERLY

**Legal**

PICCOLO, MIKE

**For the Mayor**

DUNIVANT, TIMOTHY

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

CHE - 8/14

**Distribution List**

lkey@spokanecity.org

bstuckart@spokanecity.org

**Additional Approvals****Purchasing**

**RESOLUTION NO. 2017-0077**

A Resolution accepting the Main Avenue Visioning Study as a component of future downtown Spokane planning efforts.

**WHEREAS**, downtown Spokane is the center of, and a crucial economic driver for, our entire region; and

**WHEREAS**, over the past several years, new business activity has occurred organically along West Main Avenue, between Division and Browne Streets, resulting in the creation of a small new business district within the larger downtown Spokane business district; and

**WHEREAS**, West Main Avenue is adjacent to the University District, and will play a large role in creating the type of “college town” atmosphere called for in the University District Master Plan, particularly as the University District Gateway Bridge is completed; and

**WHEREAS**, recently, the City and private developers shared the cost of a study which explored options and opportunities for bolstering the work of the property owners along West Main Avenue, and to showcase how this small business district can catalyze development both to the east toward the University District and to the west, toward the core of downtown.

**NOW, THEREFORE, BE IT RESOLVED** that the Spokane City Council applauds the efforts of the West Main Avenue property owners and all those who worked on and provided input on the attached Main Avenue Visioning Study (attached as Exhibit ‘A’).

**BE IT ALSO RESOLVED** that the City Council accepts the West Main Visioning Study and intends that it is to be considered as a component of the upcoming process for updating the Downtown Plan.

Passed by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2017.

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

Approved as to form:

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



# Main Avenue visioning study



shoesmith  
**cox**  
architects pllc

MILLER HULL

February 8, 2017



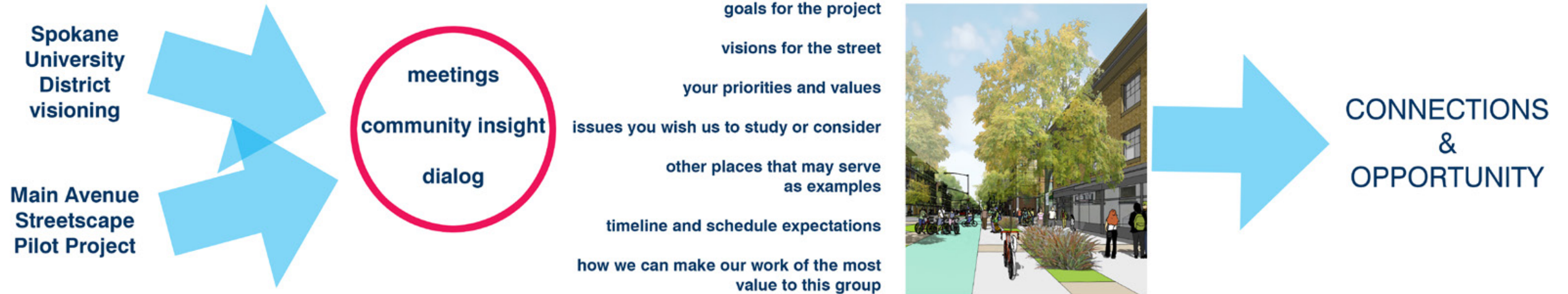


## OPPORTUNITY

## VISIONING

## SHARING

## IMAGINING



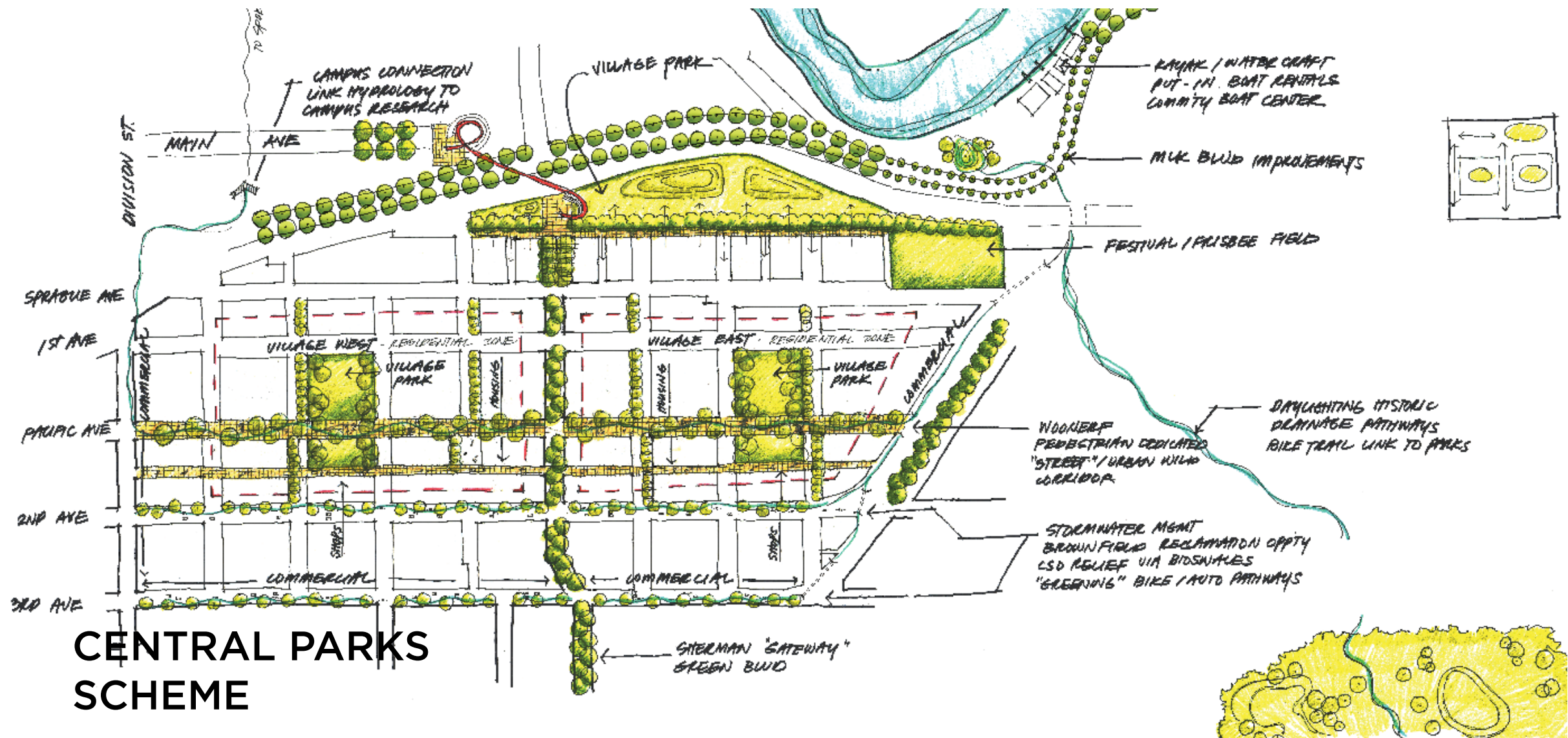
## opportunity

The Main Avenue visioning study was conceived of to provide a conceptual idea of how the street could be reimaged to better accommodate pedestrian and bicycle traffic, and to provide a catalyst for residential and mixed use development in the area between Downtown and the University District. The visioning study sought to build on the momentum of the University District Visioning Study conducted in the spring of 2016, which identified Main Avenue as a critical link between the Central Business District and the University District. The University Link Bridge currently scheduled for construction in 2017 will bring significant change to the city of Spokane and establish Main Avenue as an important east-west axis connecting the University District to downtown. This new vision for Main Avenue accommodates the increased pedestrian and bicycle traffic flow and reduces the number of vehicular lanes from four to two making room for a dedicated two way bicycle lane and expanded pedestrian sidewalks. The reimaged right of way maintains the current east bound one way traffic flow and adds significant tree canopy, landscaping, street amenities and public open space, which will encourage further redevelopment of the urban core.

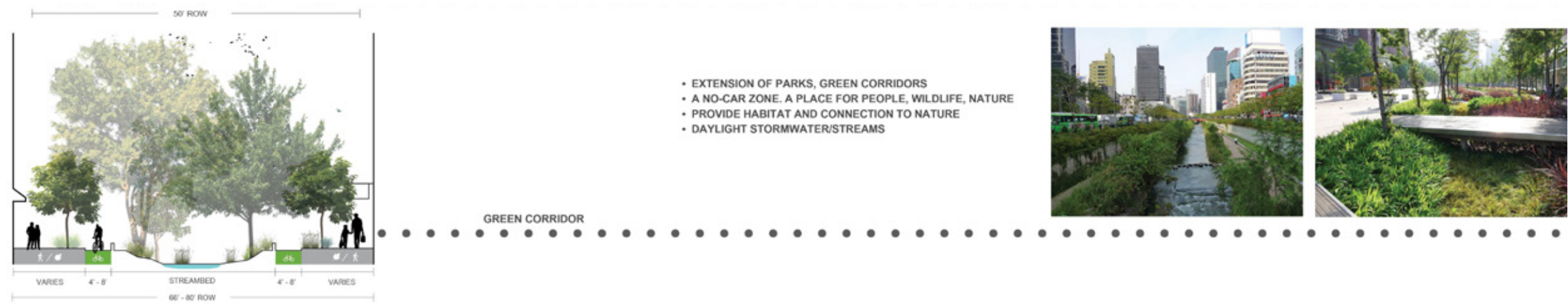


# Spokane University District Visioning

Building on the work of the District's Master Plan, these community visioning efforts explored opportunities and possibilities for Spokane's urban growth over a 2-day workshop. The project presented and discussed strategies that would provide better access to nature and Spokane's natural assets alongside the city's vision for growing the economic potential of their academic and medical sectors. Key aspects to re-envisioning Spokane are the vital links through the University District and across the city -- connecting its green spaces and nature, converting asphalt to parks and green corridors, and re-imagining the right-of-ways.



Green streets, park vistas, and corridors connect people to Spokane River, nature, and parks.



Managing storm water and reintroducing more habitat at the street.





# MAIN AVENUE STREETSCAPE PILOT PROJECT - PROJECT OVERVIEW

Planning & Development Services | P: 509.625.6300 | E: bdsinfo@spokanecity.org

▼ Aerial Photo of Project Area

## Project Summary

The new streetscape design aims to promote this vibrancy through flexible streetscape elements that are both functional and provide creative community gathering opportunities. Over \$160,000 will be invested on W Main Ave. The project calls for the restriping of W Main Ave between Washington St and Pine St.

In addition to restriping the following amenities are proposed on Main Ave between Browne and Division Streets:

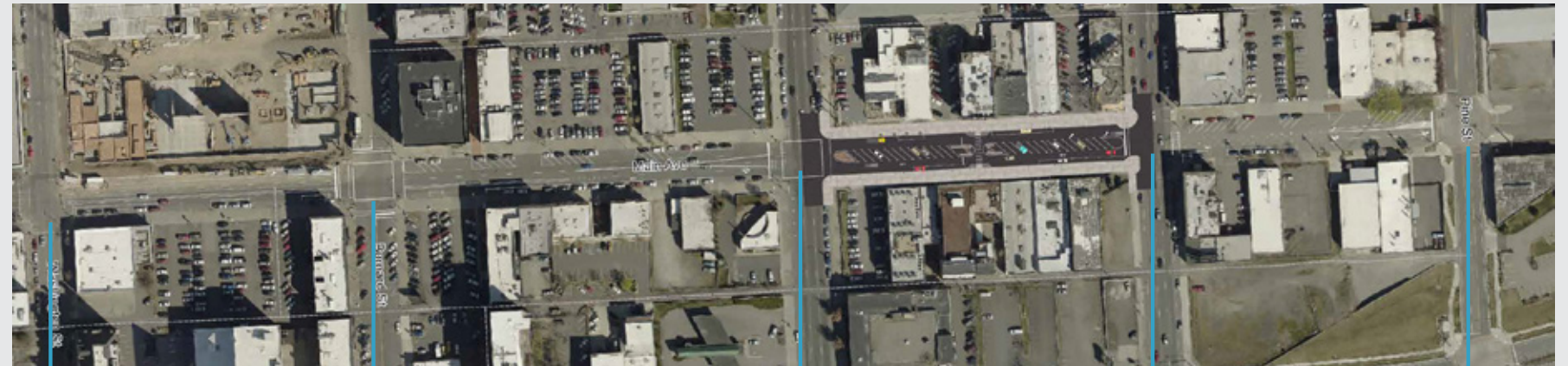
- Planted entry feature
- Creation of a flexible multi-purpose space in the center of the street that can be used for different purposes during different times. During the weekday it will be a space for diagonal car parking. During special events, it can serve as a gathering area for people as well as parking.
- Mid-block crossing with curb extensions and planting
- Mid-block planters and benches
- Pay-by-Plate parking system with four kiosks



▲ Entry Feature



▲ Mid-block Crossing



Washington St.

Northern lane becomes left turn only. The other three lanes remain unchanged. The existing bike lane is maintained.

Browne St.

Angled back-in parking added on north side of street and traffic is shifted to outside lane approaching Browne St. The bike lane transitions to sharrow on this block.

Browne St.

Parallel parking is maintained, but will be restricted from 6am to 10am for deliveries. Angled parking replaces to two middle lanes. Other streetscape amenities include an entry feature, mid-block crossing, and installation of planters and benches mid-block.

Division St.

The left turn lane is shifted south to accommodate added angled parking on the north side of Main Ave. The eastern traffic island is removed. Southern lane becomes a through / right turn.

Pine St.



- |                           |                      |                         |
|---------------------------|----------------------|-------------------------|
| 1 Entry Feature           | 5 Protective Curbing | 9 Sharrow Lane          |
| 2 Angled Parking          | 6 Curb Extension     | 10 Left Turn Only Lane  |
| 3 Parallel Parking        | 7 Mid-block Crossing | 11 Existing Parking Lot |
| 4 Maintained Loading Zone | 8 Planters + Benches | 12 Pay-by-Plate Kiosk   |
|                           |                      | 13 Fire Lane Zone       |

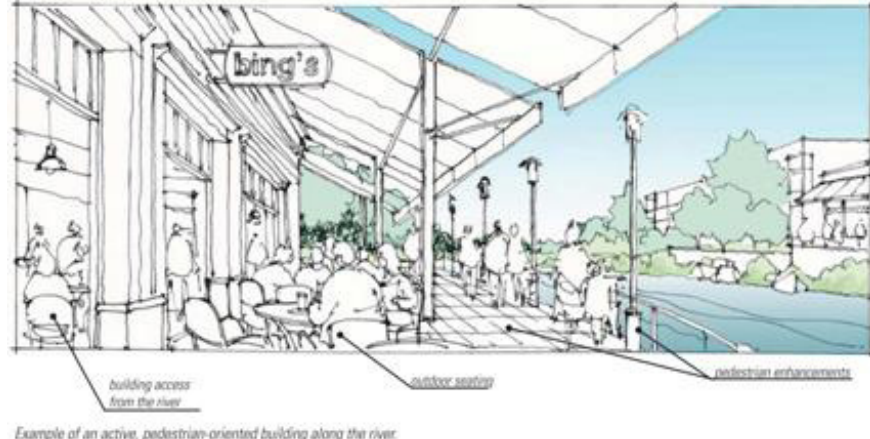
▲ Browne St. to Division St. Enlargement Map

*\*These are conceptual graphics based on drawings dated 02.25.2016. Designs are subject to change.\**

STREET PROJECT # 2015160

Led by local businesses and landowners, with the support of the City, the Downtown Spokane Partnership and other stakeholders, this short-term plan was developed to enhance and vitalize a portion of Main Avenue. Recognizing the intrinsic value of the 100-foot right of way, and the opportunities to attract pedestrians, encourage shoppers, facilitate mid-block street crossings and add new energy, this plan was put forth and adopted. One block has recently been completed, between Bernard and Browne Streets.





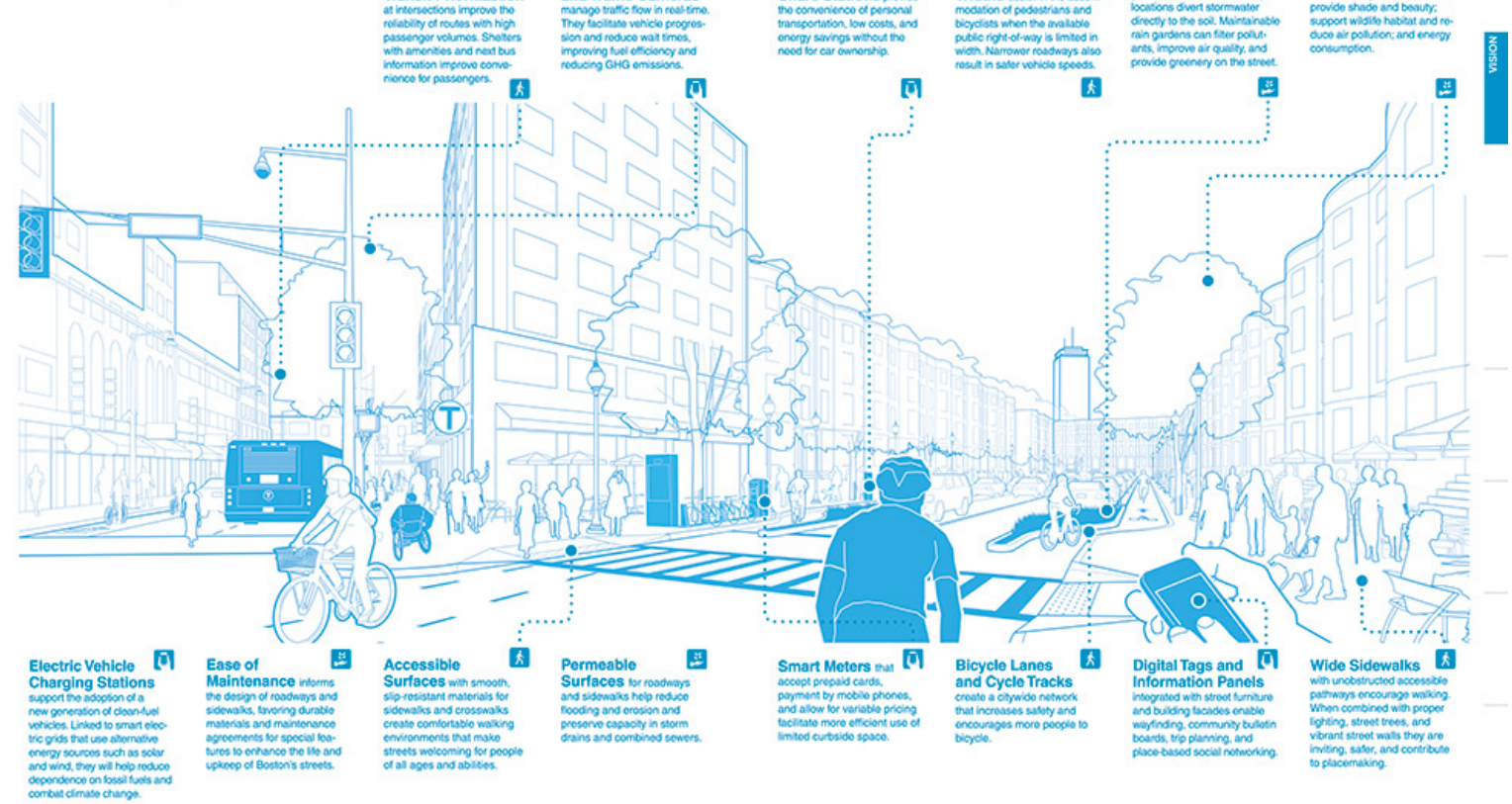
streets + dining

Seeking a more durable long-term vision for Main Avenue, a committee of business and civic interests commissioned this study -- to develop a "great street" supporting neighborhood retail, enlivening the pedestrian experience, encouraging residential development and spurring investment.

Main Avenue connects downtown Spokane to the University District, and southward via a new pedestrian / bicycle bridge over the railway. As such it is a logical conduit for enhanced pedestrian activity, for bikes and for transit. The 100-foot width could support special events, markets and festivals.

Representatives of Shoesmith Cox Architects and the Miller Hull Partnership met with a Citizen Stakeholder committee to listen, talk and to establish project goals, values, expectations and priorities. The committee was unanimous in the desire to create something real -- a vision that would be realized, and not just sit in a drawer or on a shelf.

## Boston's Complete Streets



streets + people

GOALS FOR THE PROJECT

VISIONS FOR THE STREET

PRIORITIES AND VALUES

ISSUES TO STUDY OR CONSIDER

OTHER PLACES THAT MAY SERVE AS EXAMPLES

SCHEDULE EXPECTATIONS

HOW WE CAN MAKE THIS WORK OF THE MOST VALUE TO THE GROUP

## visioning

The architects returned to Seattle and began to diagram existing conditions, to assemble image research and to develop a spectrum of options to discuss with the original committee, as well with a broader set of stakeholders and interested parties.

Issues of study included current thinking on "streets for people" as opposed to streets prioritized for vehicle and transportation, the use of streets by bicycles and transit and enhanced sidewalk environments.

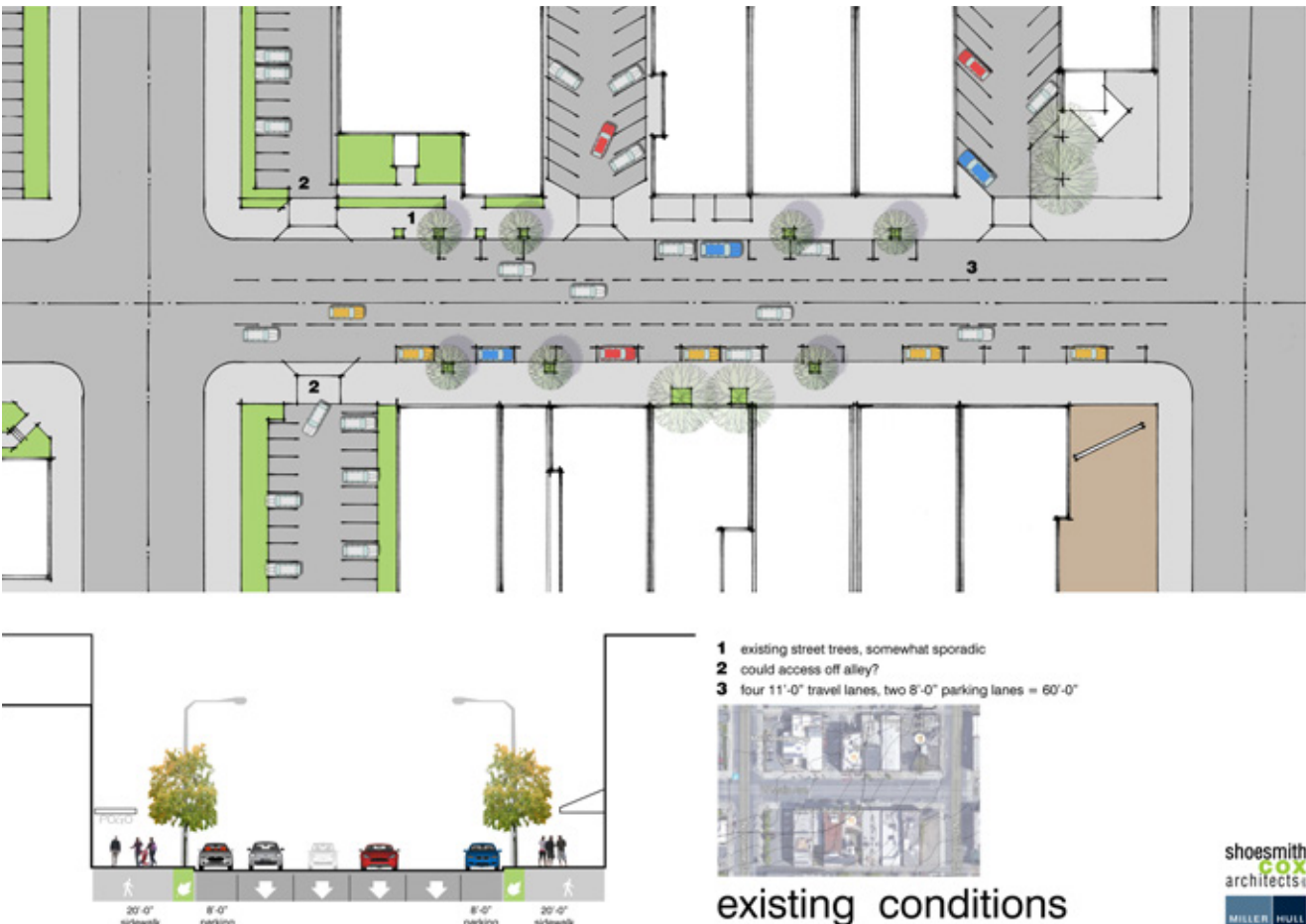




super sidewalks



bicycle lanes



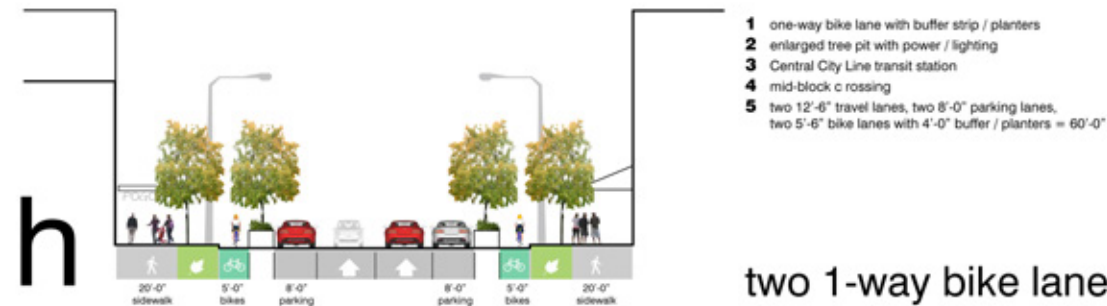
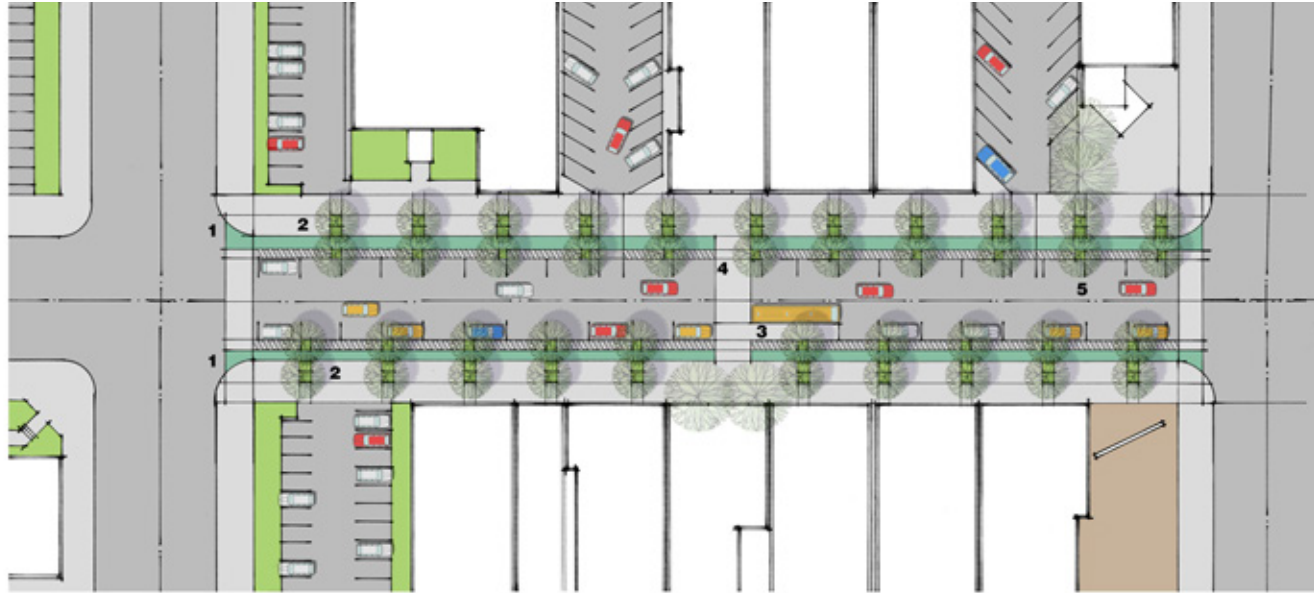
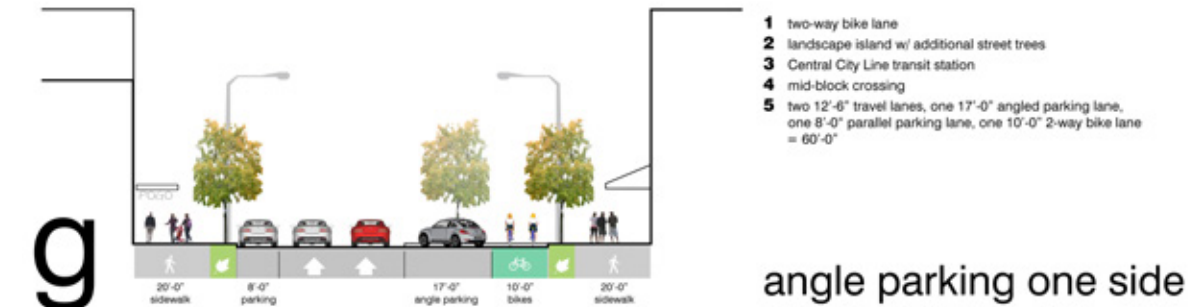
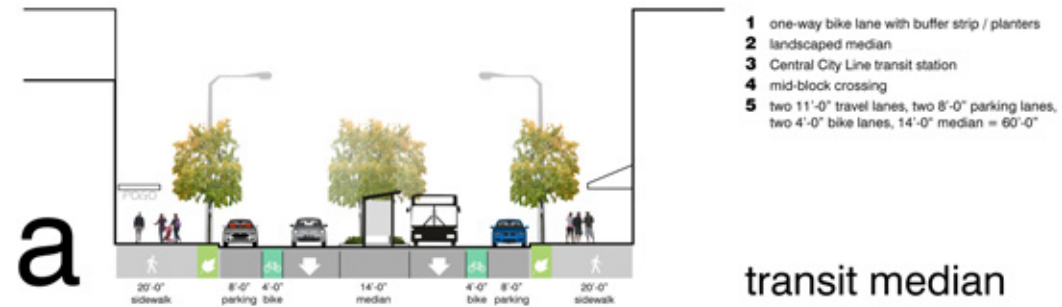
# sharing

We developed a matrix of key variables in the design of the street, including auto lanes, transit lane(s), one and two-way bike lanes, parallel and diagonal parking, buffer zones to protect bikes from cars and pedestrians from bikes and cars. We included landscape elements such as street trees within the matrix, as well as allowing for space unused by pedestrians, cars and bikes to be available as additional landscaping. We drew up and presented four or five of these schemes, as well as the existing conditions.

Two community / stakeholder meetings were held on the 26th of September, one during the noon hours, and another at 4:30 PM, and each attracted about 2 dozen people interested in hearing about and providing input to the process. The alternatives shown during the meetings illustrated a spectrum of street designs favoring different priorities, from maximizing parking to maximizing landscaping and a park-like character to the sidewalk. Virtually everyone wanted Main Avenue to support transit needs and goals, as well as those of bicycles. Feedback received generally favored the more heavily-landscaped options. While several expressed a desire for increased parking, most encouraged us to “go for it”, and to develop the strongest design favoring the pedestrian over the car.

The meetings were very positive, in that attendees saw the value of Main Avenue’s 100-foot right of way as a community resource to be used for public benefit.





# MAIN AVENUE - RIGHT-OF-WAY OPTIONS

STREET SECTION - DESIGN					STREET SECTION - RIGHT-OF-WAY OPTIONS															
DESIGN CONDITION		DESIGN NOTES	INDIVIDUAL SECTION DIMENSIONS (WIDTH)	TOTAL SECTION DIMENSIONS (WIDTH)	EXISTING	BASE	A	B	C	D	E	F	G	H	I	J	K	L	M	N
TRAFFIC	2-LANES	Minimal hardscape; Dense traffic	11+10	21-22		21	22						21	22	21	21	22	22	22	22
	3 LANES	Opportunity for dedicated traffic lanes	11+10+10	31					31	31	31	31								
	4-LANES	Maximum hardscape; sparse traffic	11s OR 12s	44-48	44			44												
PARKING	OFF-STREET PARKING	Utilize off-street parking; potential for dedicated access zones	0	0																0
	PARALLEL ONE-SIDE	Minimal hardscape	8 OR 9	8 OR 9				9		9	9	9					9		8	
	PARALLEL BOTH (MIN)	Ease of access to storefronts	8+8	16	16		16													
	PARALLEL BOTH	Ease of access to storefronts	9+9	18					18					18		18		18		
	DIAGONAL + PARALLEL	Ease of access to storefronts	17+8	25									25							
	PARALLEL BOTH + DIAGONAL MEDIAN	Maximum hardscape	8+8+17	33		33														
	DIAGONAL BOTH	Maximum hardscape	17+17	34											34					
CYCLE	IN-LANDSCAPE	Allows for shared cyclist lanes in the landscape	0	0															0	0
	IN-LANE	Limited to in-direction travel; minimal hardscape	2	2														2		
	ONE-WAY	Limited to in-direction travel	6 MIN	6		6		6	6		6									
	TWO-WAY SEPARATE	Two-way travel; requires traffic light at intersections	4+4 MIN	8								8		8						
	TWO-WAY PAIRED	Two-way travel - with protective buffer; requires traffic light at intersections	4+4+2 MIN	10			10			10			10			10	10			
LANDSCAPE	ONE-SIDE DOMINANT	Enhances pedestrian experience; preferred placement on the north	IF <12 (LANDSCAPE) 9-17 (W/I PARKING ZONE)	Varies			*	*	*	*	*	*	*	*	*	*	*	*	*	*
	MEDIAN	Boulevard; splits traffic lanes - requires coordination at intersections	IDEAL >12 (LANDSCAPE) 12 MIN (TRANSIT)	Varies			*				*	*		*			*	*	*	*
	BOTH SIDES	Enhances pedestrian experience on both sides	IDEAL >12	Varies			*				*	*		*			*	*	*	*
	*Opportunity for landscape and hardscape				0	0	12	1	5	10	14	12	4	12	5	11	19	18	30	38
TOTAL					60	60	60	60	60	60	60	60	60	60	60	60	60	60	60	60

NOTE: Main Avenue street section assumes an existing 100' right-of-way - 60' dedicated to vehicular traffic and two 20' sidewalks for pedestrians and landscape. Street section - right-of-way options highlight the design potential of the 60' dedicated to vehicular traffic, while maintaining two 20' sidewalks for pedestrians and landscape.

While complex, the matrix above was particularly useful in helping participants in the “parsing” of the street -- allocating specific amounts of the right-of-way to traffic lanes, transit lanes, parking lanes and bicycle lanes, with the remainder available for landscaping and/or the pedestrian realm. When confronted with the numbers and the choice, participants predominantly preferred to minimize vehicular priorities in favor of bikes, landscaping and streets for people.



## imagining

The following represents our recommendation for the re-design of Main Avenue...

Maintaining the current east bound one way traffic lanes and the existing curb line at the 20-foot-wide south sidewalk, we recommend providing an 8-foot parallel parking lane, two 11-foot travel lanes and another 8-foot parking lane. That represents 58 feet of the right-of-way.

We recommend a 6-foot buffer / amenity zone with street tree planting, a 10-foot wide 2-way bike lane, (essentially as part of the sidewalk / crosswalk continuum) and another 6-foot buffer / amenity zone.

This brings us to the original north sidewalk curb line, where we see another row of street trees and the sidewalk to the right-of-way and building line.

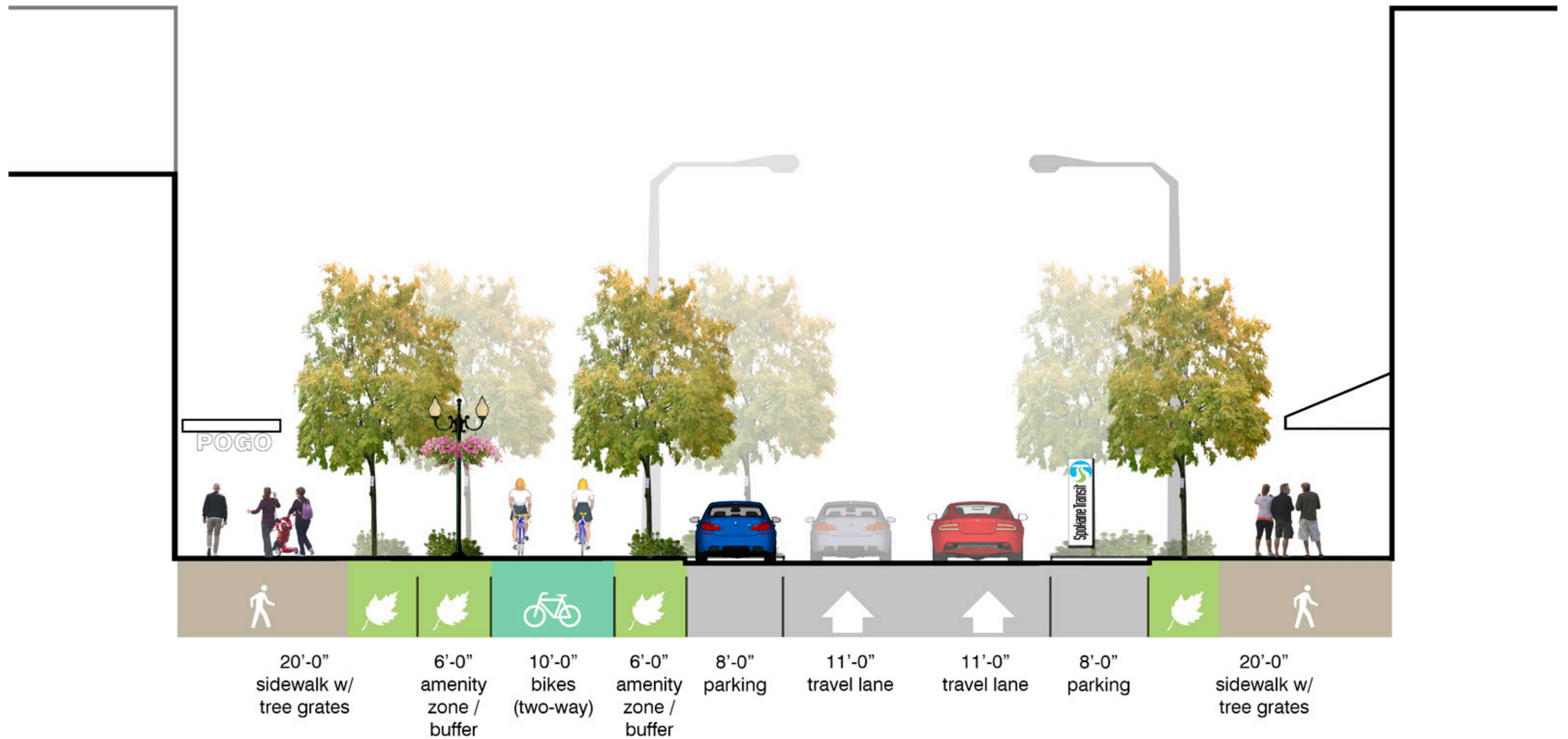
The buffer / amenity zones may be landscaped, may be allocated to Farmers' Market vendor stalls one day a week, may be given over to exhibits, events or art, pedestrian lighting and flower baskets, and may offer different design treatments from one block to the next.

Over 60% of the right-of-way is given over to pedestrians and bikes, weighted to the river side and allowing the additional row of trees to provide some extra shading to the sunny side of the street. Essentially the right-of-way goes from 60/40 in favor of cars, to 62/38 in favor of people.

The buffer and amenity zones provide significant spaces for pedestrian scale street lighting, landscaping (including the opportunity for storm water treatment and rain gardens), street furniture, bike racks, hanging baskets and way-finding signage.







Looking east, the sunny side of the street is on the left. The south side of the street remains largely unchanged, only the street tree pattern changing to reflect the rhythm and design of the entire street. The street tree spacing is shown at 44 feet, instead of the customary 30-foot rhythm. This allows for additional storefront visibility despite the double row of trees, and keeps the trees out of the parallel parking stalls' door zones.

Removing two travel lanes allows the addition of 22 feet to the pedestrian and bike zones, allocated to a 10-foot

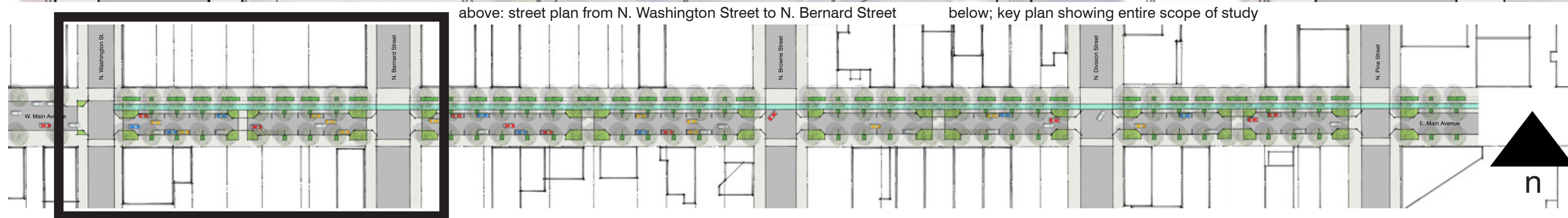
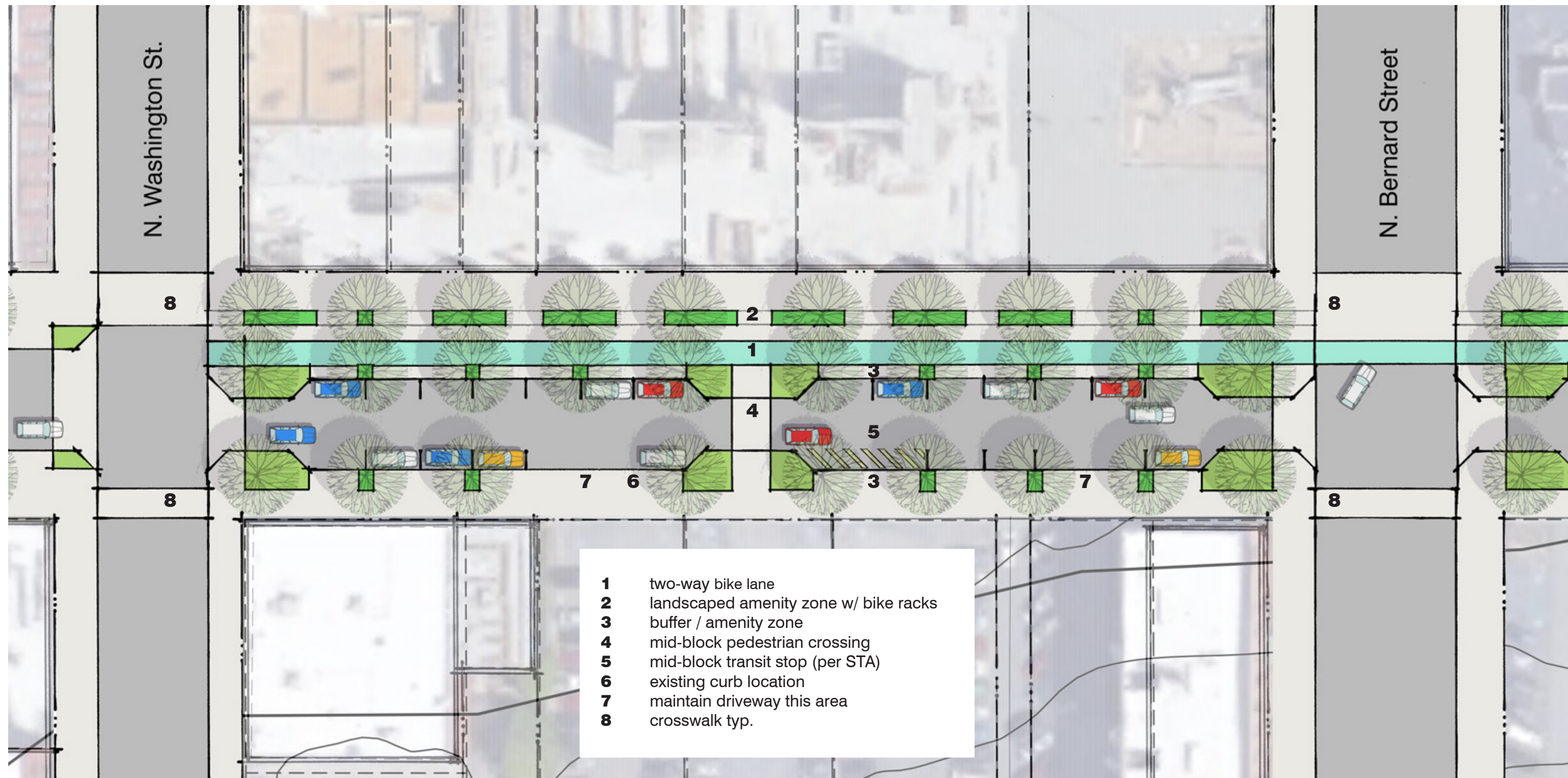
wide two-way bike lane and two 6-foot buffer / amenity zones flanking the bike lane. These add opportunities for landscaping, street furniture, street art and alternate uses of the sidewalk -- Farmers' Market stalls, vendor booths, artists' exhibit stalls, resting places or the creating of gathering areas.

Mid-block street crossings incorporated into the original Pilot Project remain a great idea, and mid-block transit stops adjacent to these are preferred locations, according to Spokane Transit.

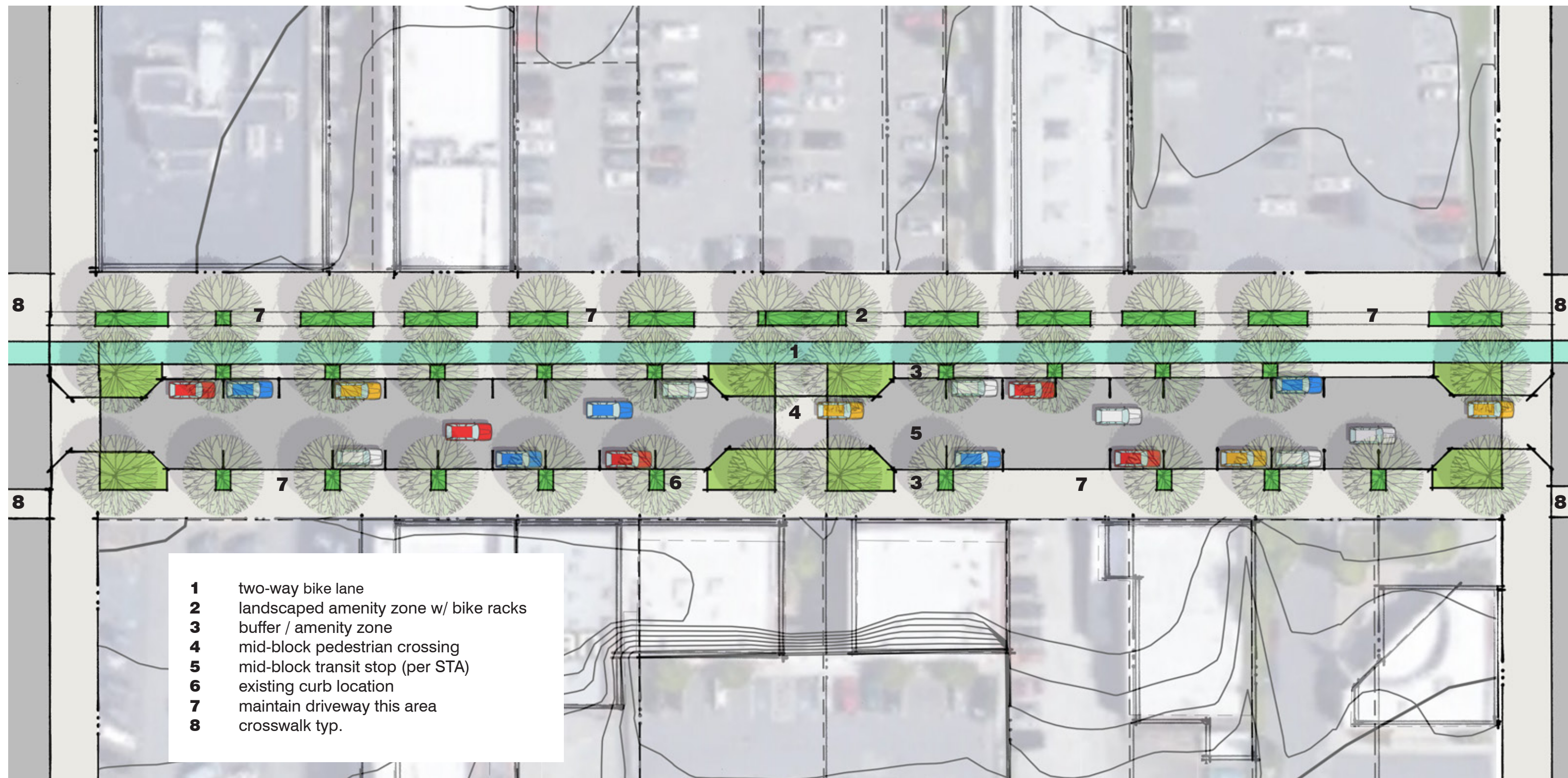
Pedestrian-scaled lighting, perhaps incorporating seasonal flower baskets, and additional planting within amenity zones, incorporating natural storm water strategies, further enrich the sidewalk-scape.

right of way section looking east

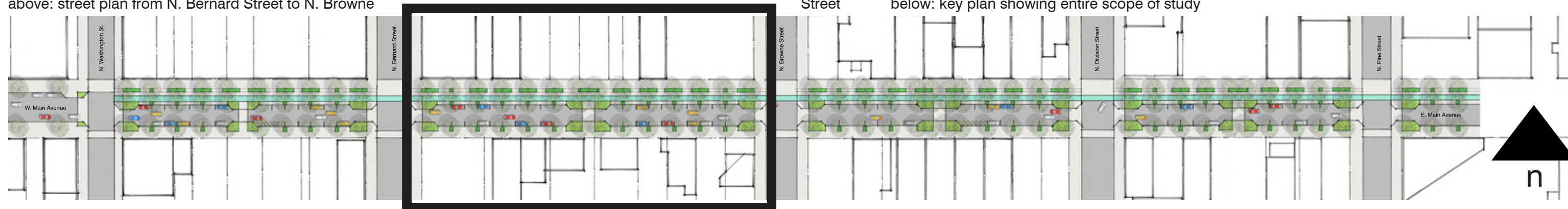




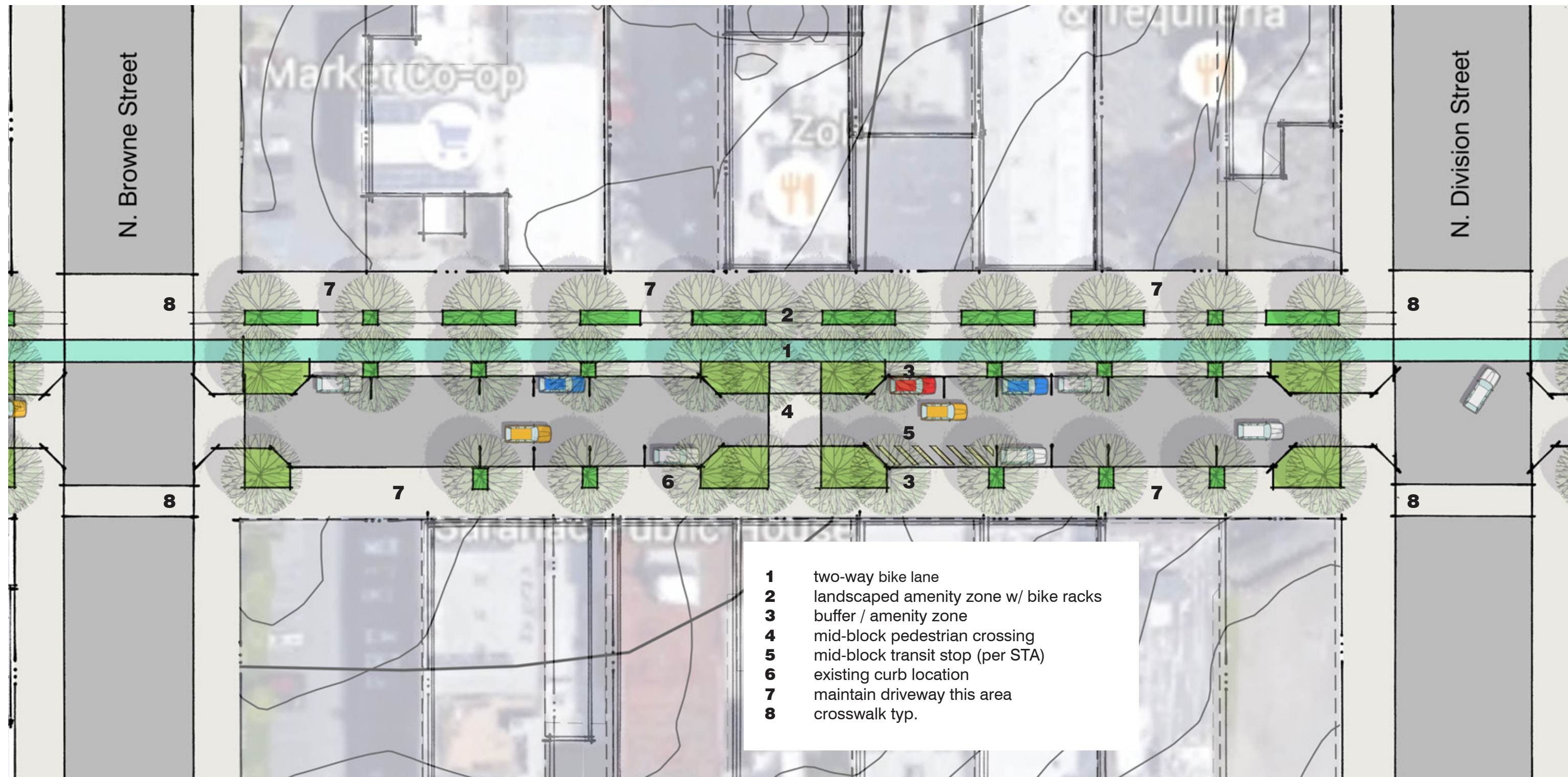




above: street plan from N. Bernard Street to N. Browne



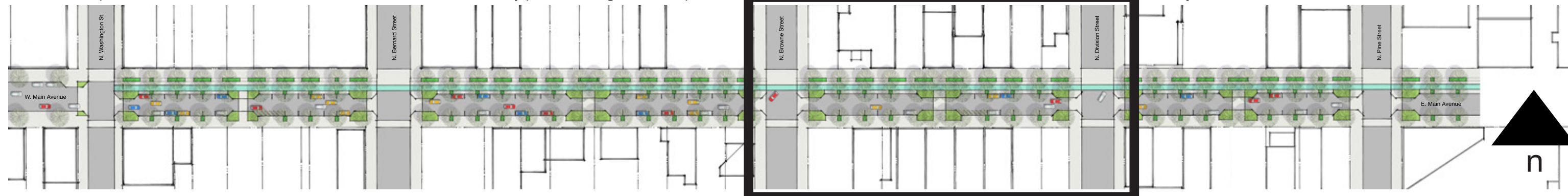




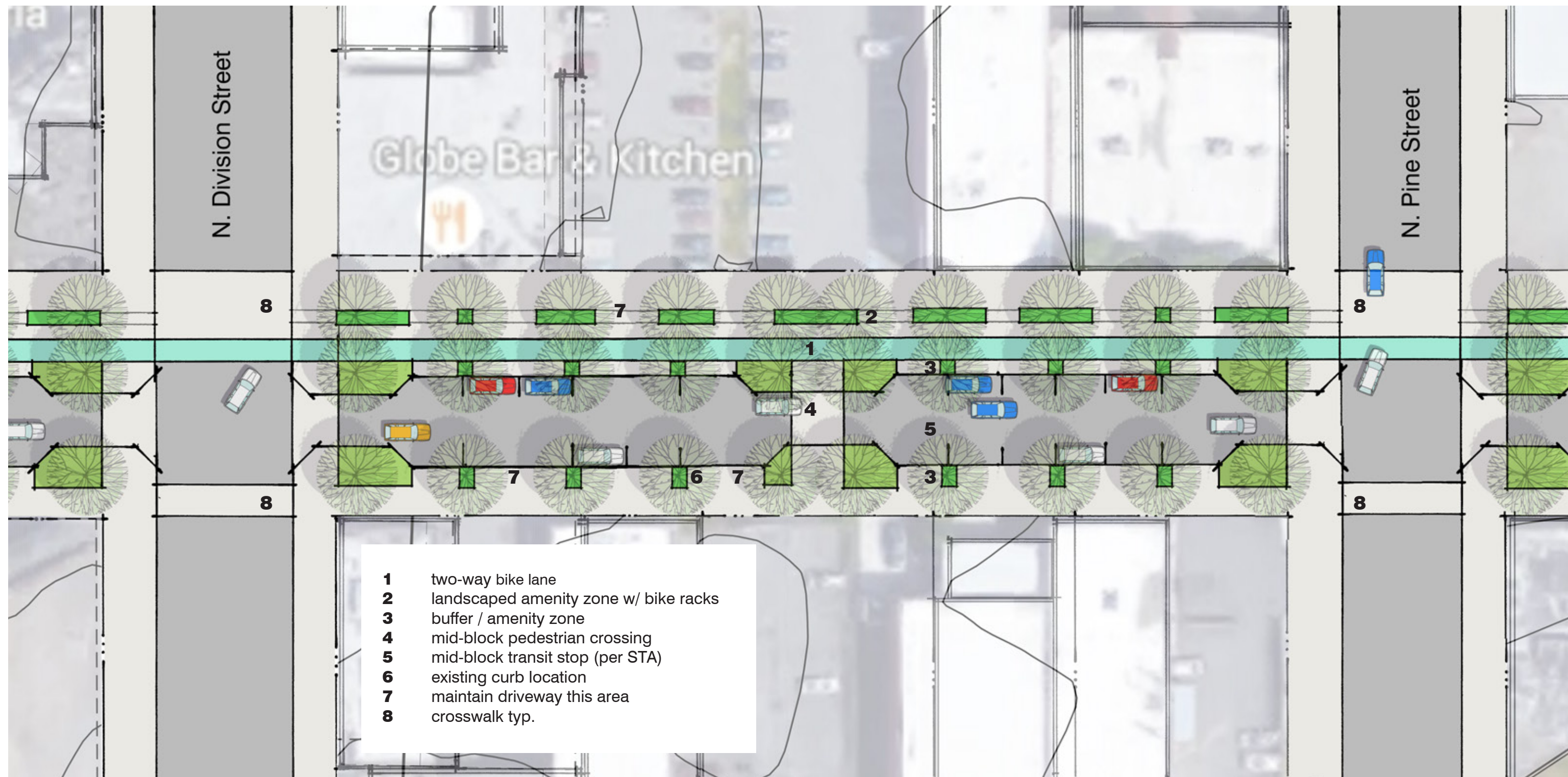
above: street plan from N. Browne Street to N. Division Street

below: key plan showing entire scope of

study

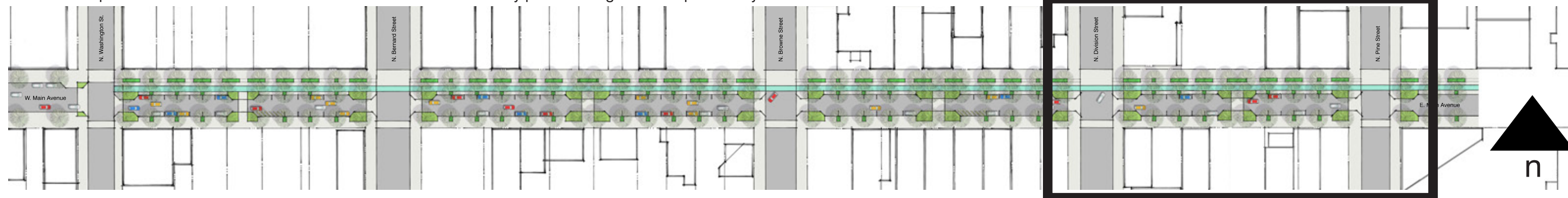






above: street plan from N. Division Street to N. Pine Street

below: key plan showing entire scope of study







Along the south side of Main Avenue, near Washington Street, looking east. Existing parking lots and driveways may be maintained within the street's design rhythm, and re-developed as occasions arise.

A new (hypothetical) catalyst project is illustrated for scale -- the 4-stories-over-retail-base fit well within the existing network of historic one to four story buildings.





street / sidewalk section

Just east of N. Browne St., looking east. New (hypothetical) four-story-over-retail mixed-use catalyst projects shown for scale reference.





14-foot storefront zone

6-foot street tree zone  
current curbline

6-foot buffer / amenity zone

10-foot 2-way bike path

6-foot buffer / amenity zone

8-foot parallel parking zone

11-foot travel lane

11-foot travel lane

8-foot parallel parking zone

6-foot street tree zone

14-foot storefront zone

# street / sidewalk section

Just east of N. Bernard St., looking east. New (hypothetical) four-story-over-retail mixed-use catalyst projects shown for scale reference.



14-foot storefront zone

6-foot street tree zone  
current curbline

6-foot buffer / amenity zone

10-foot 2-way bike path

6-foot buffer / amenity zone

8-foot parallel parking zone

11-foot travel lane

11-foot travel lane

8-foot parallel parking zone

6-foot street tree zone

14-foot storefront zone

# street / sidewalk section

Mid-block at N. Bernard to N. Browne Streets, looking east. New (hypothetical) four-story-over-retail mixed-use catalyst projects shown for scale reference. Note new Gateway pedestrian / bicycle bridge (currently under construction) just peeking above existing building @ end of street.





14-foot storefront zone

6-foot street tree zone  
current curbline

6-foot buffer / amenity zone

10-foot 2-way bike path

6-foot buffer / amenity zone

8-foot parallel parking zone

11-foot travel lane

11-foot travel lane

8-foot parallel parking zone

6-foot street tree zone

14-foot storefront zone

## street / sidewalk section

At N. Division Street, looking east. Note new Gateway pedestrian / bicycle bridge (currently under construction) within Jensen Byrd block @ end of street.



14-foot storefront zone

6-foot street tree zone  
current curbline

8-foot parallel parking zone

11-foot travel lane

11-foot travel lane

8-foot parallel parking zone

6-foot buffer / amenity zone

10-foot 2-way bike path

## street / sidewalk section

Near N. Division Street, in front of the Co-op, looking west. New (hypothetical) residential / mixed-use catalyst projects on south side of street shown for scale reference.





One goal of this design effort is to create an environment supportive of new investment, and of residential uses within this portion of Spokane's downtown.

As illustrated by the following "connections and opportunities" map, there are many favorable locations for housing within these blocks, within a rich fabric of existing heritage buildings. This street's inventory of historic and time-honored buildings represents a unique and precious resource, and creates a character within this district unlike any other.

Pages following contain some images of the street and the recommended design concept. They are merely an attempt to visualize the concept in context, and to imagine a better future for Main Avenue.





connections and opportunities



Current surface parking lots representing infill residential / mixed-use opportunity sites





pedestrian environment

Pedestrian amenities include bike racks, benches, pedestrian-scaled lighting with seasonal banners and hanging baskets, shade trees, accent paving and linear, buffer plantings.



Bike racks, (parallel to the direction of travel), within the buffer / amenity zone allow convenient and safe bicycle parking all along the Main Avenue corridor.

Buffer zone planting incorporating natural drainage and storm water management enlivens the sidewalk and helps separate storefront and bicycle zones.







The 6-foot street tree zone separating the storefront zone from the bike zone and buffer may be an opportunity to incorporate natural drainage and storm water management, and a different scale and type of landscaping.

Note the simultaneous crossing of Bernard Street by pedestrians, cars and bikes.

Next steps required of this concept is further development of the design, particularly the host of detail and technical considerations, and the championing of this effort by local civic, business and citizen interests -- to continue to push for the realization of Main Avenue as another of Spokane's "great streets".

Public infrastructure works to stimulate private investment. Further public and civic will in the form of land-use regulatory flexibility, the encouragement of innovative and creative approaches and continued positive pressure from the business community will make this happen.



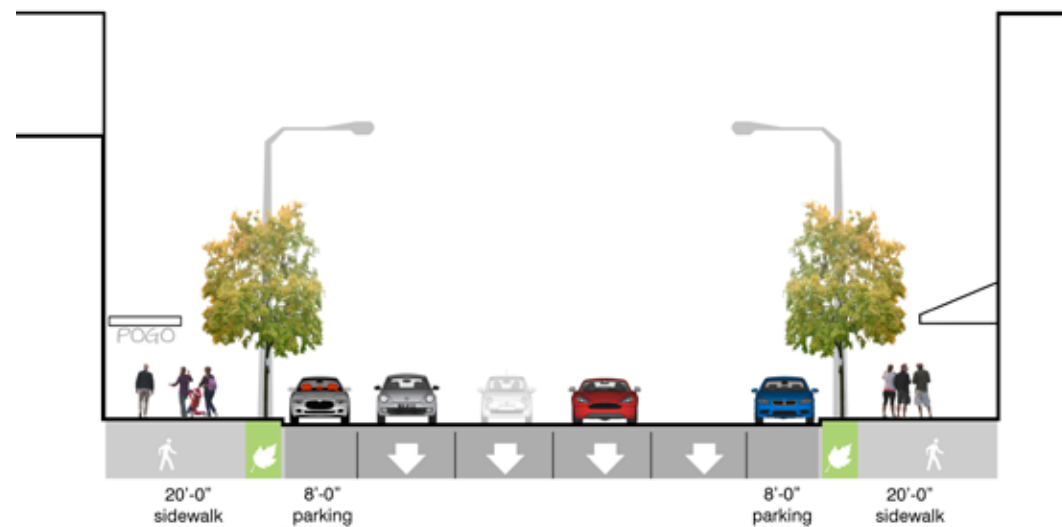
Adjacent to Saranac Commons and the Community Building is a site suitable for mixed-use and/or residential loft development.

Ground floor retail makes sense in this location, while other sites within these blocks are more appropriate for ground level residential, live/work townhouses or other uses.

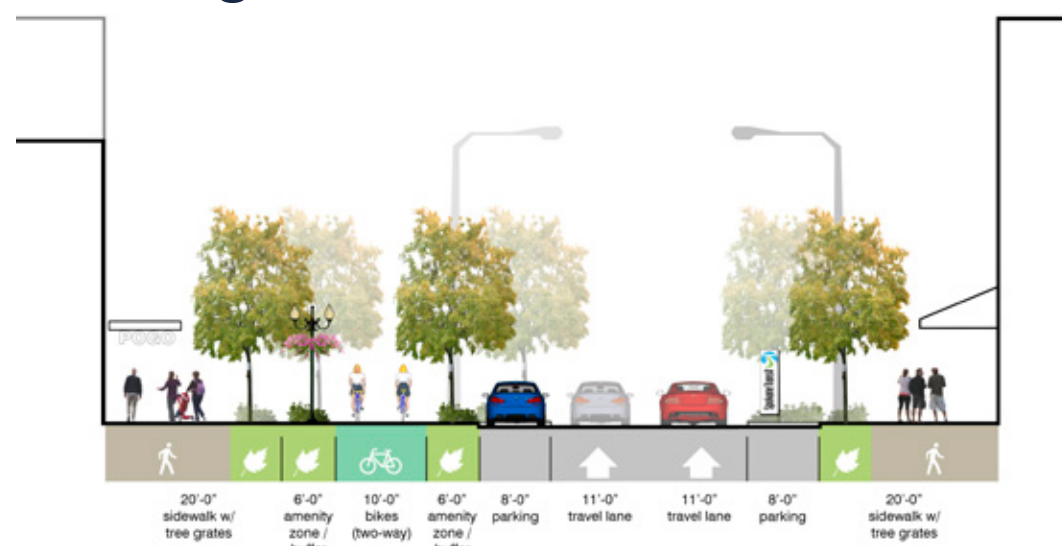
This mid-block crossing separates a very long block into smaller-scaled parts offering a variety of strolling and shopping experiences.







existing



proposed concept

implementation

The vision, feasibility and implementation of the Main Avenue plan should be reviewed in the larger context of the plan for Downtown and the University District.

If Main Avenue is to be re-considered as a two-way street, it will require professional economic, public transit, and traffic impact studies as a first step, assessing impacts on surrounding retail stores and developments.

This vision for Main Avenue may be implemented by inclusion in the update to the Downtown Plan that is being opened for review in 2017-2018 and the City Capital Facilities Plan. If implemented, the Main Avenue Plan will be consistent with these two other planning efforts and with the overall goals for a vibrant Downtown community.





thank you

**shoemith**  
**cox**  
architects plc





# Main Avenue visioning study a p p e n d i x



shoesmith  
**cox**  
architects plc



April 27, 2017

# the Citizen Stakeholder Committee consisted of the following:

- Jim Frank, Greenstone Corporation (Real Estate Development)
- Ben Stuckart, President of City Council, City of Spokane
- Juliet Sinisterra, Downtown Spokane Partnership, Economic Development
- Jim Sheehan, Community Building, Main Avenue Property Owner
- Katy Sheehan, Community Building, Main Avenue Business Representative
- Doug Yost, Centennial Properties, Riverpark Square Owners
- Mark Mansfield, Executive Director University District
- Lynnelle Caudill, Davenport Grand, Main Avenue Property Owner
- John Waite, Main Avenue Business Owner
- Lisa Key, City of Spokane, Planning Director
- Andrew Worlock, City of Spokane, Economic Development
- Don Skillgstad, Spokane Transit
- Karl Otterstrom, Spokane Transit
- Andrew Rolwes, Spokane Downtown Partnership

## comments received on this study

Some public and stakeholder comments received since the initial release of this study in February of 2017... These are the comments of individuals and do not necessarily reflect the opinions or recommendations of the group as a whole.

### Katy Sheehan -- Executive Director, Community Building Foundation and Main St. Stakeholder with Jim Sheehan, property owner and Main St. Stakeholder

*First, we'd like to thank Jim Frank, Ben Stuckart, and Juliet Sinisterra for organizing, hosting, and funding this project. This plan reflects many of the concerns and much of the feedback collected from the community during the two public forums.*

*We are excited to see this come together and we hope that this plan informs Main Street's development as we work on creating the conditions for a more vibrant, walkable, bike friendly, and livable neighborhood here in Spokane. Our comments are below but our overall recommendation is in support the Main Avenue Visioning Study.*

#### Two-Way Street

*We understand that there are stakeholders in the group who do not support Main Street as a 2-Way. However, almost all the feedback from the community included the desire to see Main Street go back to being a 2-Way street with one lane of traffic in either direction. We believe that ultimately, a 2-Way street would create a more vibrant Main Street and would support small business growth in the neighborhood. We believe that this plan could have been an opportunity to revert to 2-Way and while we recommend that this plan move forward, we continue to believe 2-Way would be better for our street.*

#### Parking

*We are so excited to see planning take shape that considers trees, biking, buses, and pedestrians. To do this a lot of street parking will be lost. We know that many businesses depend on easy parking for their customers so we hope to see a parking plan take shape that helps our businesses and community transition to a more people-oriented street.*

#### Trees, Streetscape

*Thank you for the trees! Our community definitely wants to see trees and green spaces on our street and in our city. We are also excited to see benches and other places for people to stop and enjoy their walk. We hope to see more community art and open places as plans takes shape and as the street matures in the coming years.*

#### Dedicated Two-Way Bike Lane

*The bike lane is a great feature. We are pleased to see that its 2-Way and shaded by all the trees. We are also happy to see that bikes have their own dedicated lane, separate from the street. We think this will be a safer and more pleasurable experience for our biking community.*

#### STA Central City Line

*We believe this plan will help make a positive experience for bus riders on the Central City Line.*

**Ben Stuckart -- City of Spokane City Council President**

*In early 2016 Jim Frank and I met to discuss how we create a better environment on Main Street. Both Jim Frank and the City of Spokane contributed \$15,000 each to the effort. A wide Stakeholder group was created and everyone contributed significantly.*

*The vision included a more pedestrian environment to encourage residential development. The document produced by Miller Hull and Steve Cox has achieved that goal. It has produced a vision that will need to be accepted by the City and shared with stakeholders. We will then need to make sure that this is implemented as soon as possible.*

**Andrew Rolwes -- Public Policy and Parking Manager, Downtown Spokane Partnership**

*Development of off-street structured parking facilities needs to be part of the master planning process for Main, which if built should then have the effect of reducing the necessity for surface parking facilities in this part of downtown. Borrowing from the approach successfully implemented in Boise, the City should consider being at least a financial partner in the development of parking structures in this area, if not the lead, by considering structured parking a utility best provided by the municipality for the benefit of all property and business owners in the area. Having the public sector in the lead for the development of parking structures which serve the entire neighborhood could result in the elimination of a development bottleneck which will begin to effect downtown if current growth rates continue on their gradual upward trend. A public development authority with reliable financial mechanisms (one which could rapidly generate a sufficient amount of capital) could be the ideal entity to engage in this kind of development.*

**Jim Frank -- Greenstone Corporation**

*Comments on Consultant Recommendations*

*The goal of the Main Street Vision Study (“Study”) was to investigate the alternatives for the design of Main Street between Washington and Pine Street that would create a physical and economic connection between Downtown and the University District. We envisioned a walkable pedestrian focused corridor with abundant landscaping and amenities that would not only connect these vibrant districts but would catalyze residential and mixed use development in this quadrant of Spokane.*

*A stakeholder group was put together to guide the Study and two nationally respected architectural firms were retained to make recommendations. Miller Hull (Seattle) recently completed the master planning process for the University District and Steve Cox with Shoesmith Cox (Seattle) was the lead planner for the Kendall Yards master plan design. The design team engaged City staff, local property and business owners in the study process. Public input from the community was undertaken in two workshop sessions. The results of the process are reflected in this Study.*

*The consultants have recommended a bold vision for Main Street creating an iconic pedestrian corridor enhancing Downtown livability and stimulating economic development in both Downtown and the University District. By narrowing the street to two lanes (one-way east bound) with parallel parking on both sides approximately twenty feet of additional right-of-way is made available for pedestrian and bicycle infrastructure, including:*

- A twenty-foot sidewalk on both sides of Main that will create a leafy landscaped pedestrian corridor between Washington and Pine, physically linking downtown and the University District.*
- A 10-foot wide two-way bike lane on the north side of Main Street providing a bicycle connection to downtown from the University District with the opportunity to connect to the pedestrian/bicycle bridge over the railroad tracks to the south and the Centennial Trail to the north.*
- A bike lane separated from traffic (on the same elevation grade as the sidewalk) and protected on each side by a 6-foot amenity zone. The amenity zone provides opportunity for pedestrian scale lighting, landscaping (including storm water control), and space for bike racks and seating (both fixed and moveable).*
- The creation of a pedestrian “green street” that would provide the aesthetic and security infrastructure that will draws people to the street supporting the development of a mixed-use residential neighborhood. Such a neighborhood will provide needed housing and retail uses necessary to support the continued economical development of both Downtown and the University District.*
- A street with a strong sense of place that will draw people to the neighborhood and support the strong retail core of small businesses and restaurants on main Street between Browne and Division.*

*I strongly support the recommendations of the consultants and urge the City to take the steps necessary to include the recommendations into the planning for the Comprehensive Plan for Downtown and the City of Spokane Capital Facilities planning.*





April 18, 2017

Mr. Jim Frank, CEO  
Greenstone Corporation  
1421 N Meadowwood Lane, Suite 200  
Liberty Lake, WA 99019

RE: **MAIN AVENUE VISIONING STUDY**

Dear Jim:

Spokane Transit appreciates the efforts made by the study group to include us in the visioning process for Main Avenue. We support the vision of improved livability and economic viability of Main Avenue and we believe Spokane Transit will play an important role in those goals.

As previously discussed, Main Avenue will be utilized by the Central City Line (CCL) and two CCL stops are within the study area located at Main and Bernard and Main and Division. While the proposed concept for Main Avenue does include transit stops, they are shown as being located mid-block; however, the CCL stations are expected to be located nearside of their respective intersections.

We understand the visioning study is nearly complete and that the study will be submitted to the City of Spokane for review and consideration. Based on past discussions with STA staff, it is our understanding that, while the study graphics show mid-block stops, the corridor study does contemplate CCL stations along the south side of Main Street at the intersections at Bernard Street and Division Street. Any and all proposed pedestrian and parking improvements along Main Avenue should take into account the CCL stations in order to ensure they work in concert with the CCL station locations and associated improvements. Also, recent traffic analysis findings for the CCL indicates the need for a right-turn pocket on Main Ave. at Browne Street for traffic heading southbound on Browne Street. This right turn pocket would affect the sidewalk bulbout and possibly the planter strip at the southwest corner of the intersection. Further, we request that angled parking, where implemented, not abut the travel lane used by the CCL in order to reduce the likelihood of service disruptions caused by cars departing angled on-street parking. To avoid this sort of disruption, two lanes of travel should be directly adjoining. Angled parking is represented in some scenarios including scenario g.

Mr. Jim Frank, CEO  
April 18, 2017  
Page 2

We look forward to continuing to work with the community and the City on the next stages of project design and development. Please do not hesitate to contact me if you have any questions, comments or concerns.

Regards,

A handwritten signature in black ink, appearing to read 'K. Otterstrom'.

Karl Otterstrom, AICP  
Director of Planning

C: Katherine Miller, Integrated Capital Management Director, City of Spokane  
Lisa Key, Planning Director, City of Spokane  
Mark Richard, President, Downtown Spokane Partnership



PLANNING & DEVELOPMENT  
808 W. SPOKANE FALLS BLVD.  
SPOKANE, WASHINGTON 99201-3329  
509.625.6300  
FAX 509.625.6013  
my.spokanecity.org

April 21, 2017

Mr. Jim Frank, CEO  
Greenstone Corporation  
1421 N Meadowwood Lane, Suite 200  
Liberty Lake, WA 99019

**RE: Main Avenue Visioning Study**

Dear Jim:

Thank you for your efforts to help imagine a livable, mixed use environment for Main Avenue between N. Washington Avenue and N. Pine Street. Main Avenue is recognized as a high priority street in the Downtown Spokane Plan Update (2009), because of the linkage it provides between the Downtown's retail core and the University District, and its potential to support neighborhood retail, encourage residential development, and create an engaging pedestrian experience.

The Visioning Study helps establish the vision for how Main Avenue can realize this potential. It creates aspirational guidance that provides a menu of options that can guide future planning and scoping efforts for infrastructure improvements in this important transition area. Future planning and scoping efforts will need to incorporate planned improvements for the Spokane Transit's Central City Line (CCL) as well as addressing connectivity and compatibility with existing and planned bicycle, pedestrian and vehicular network infrastructure in the area, as well as site specific logistical considerations, not the least of which involve the location of vaulted sidewalks, underground utilities.

As we have discussed, the process for bringing this study forward for City acceptance will entail presenting the document to the Plan Commission at one of their regularly workshops, so that the Plan Commission can provide a recommendation to City Council. City Council will have the opportunity to accept the document, by resolution, as a guide for future planning and project development, with the potential for additional planning and scoping to be addressed as part of the Downtown Plan Update in 2018. Adoption of the Downtown Plan update will then set the table for incorporation of planned improvements such as the Main Avenue Project, into a future 6-year capital improvement plan, as well as identification of potential grant funding opportunities.

The Main Avenue Visioning Study is the first step towards realizing a vision for an engaging, urban residential neighborhood in this important area of our downtown. Thank you for your leadership, commitment, and investment in the future of our downtown.

Sincerely,

Lisa D. Key  
Planning Director

cc: B. Stuckart, City of Spokane Council President  
Mark Richard, President, Downtown Spokane Partnership  
Karl Otterstrom, Director of Planning, Spokane Transit Authority  
Katherine Miller, Director, Integrated Capital Management, City of Spokane



May 18, 2017

Re: West Main Avenue Streetscape Study

To Whom It May Concern:

The Downtown Spokane Partnership served this past year, as a community stakeholder for the West Main Avenue Streetscape Study led by Jim Frank of Greenstone Homes and Council President Stuckart. We support the desired outcomes around these early ideas and feel the resulting conceptual design clearly captures the input of the stakeholders, with the caveat of concerns raised about reduction in lanes along this section of Main, without a comprehensive and professional transportation planning process.

Presently much of downtown Spokane's infrastructure including sidewalks, street trees and lighting is over 100 years old and has greatly outlasted its lifespan. Improved public infrastructure incorporating green space, trees and expanded sidewalks to allow for improved pedestrian mobility and commerce (i.e. sidewalk cafes) would be improve safety and be a boost to development of all types within the downtown, particularly attracting more residents to live downtown.

While the study provides thoughtful concepts, we recommend the following as conditions for advancement:

- Maintain one-way street along Main Avenue;
- Work to fully accommodate the needs of the proposed Central City Line and proposed bicycle lanes as outlined in the Master Bike Plan;
- Study and carefully consider traffic impacts on any proposed street lane changes or edits as a part of the downtown transportation network as a part of the Downtown Plan update process;
- Work to preserve, as much as possible, existing historic structures along Main;
- Continue to improve design and advance policy and investment to best connect the downtown to the University District;
- Work with DSP and City Parking Management to integrate any improvements and maximize parking efficiencies in alignment with the Downtown Parking Strategy plan to be completed in 2017; and
- Place a hold on any further design or implementation of street/transportation elements of this study until concepts are included as part of the community engagement and review process for updates to the Downtown Spokane Plan in 2018.

Moving forward, we are happy to maintain our role as a community stakeholder and appreciate the opportunity to support this moving forward. Thank you.

Sincerely,

Mark Richard, President  
Downtown Spokane Partnership





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

08/28/2017

**Date Rec'd**

8/8/2017

**Clerk's File #**

RES 2017-0078

OPR 2017-0595

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

WASTEWATER MANAGEMENT

**Contact Name/Phone**

MIKE COSTER 625-4640

**Contact E-Mail**

MCOSTER@SPOKANECITY.ORG

**Agenda Item Type**

Resolutions

**Agenda Item Name**

4320 RESOLUTION FOR BOERGER ROTARY LOBE PUMPS AND PARTS

**Cross Ref #****Project #****Bid #****Requisition #**

18645

**Agenda Wording**

Council approval of a Resolution declaring Goble Sampson & Associates a sole source provider of Boerger Rotary Lobe Pumps and parts, and authorization to purchase such pumps and parts for \$117,812.12 including shipping without public bidding.

**Summary (Background)**

The Riverside Park Water Reclamation Facility is in need of replacement pumps for its sludge treatment system. The type of pump placed in such service is subject to high rates of damage and wear due to continuous use under drastically changing flow conditions and wastewater containing high concentrations of abrasive materials. Boerger rotary lobe pumps are unique in their capacity to successfully meet such process challenges.

**Fiscal Impact**

Grant related? NO

Public Works? YES

**Budget Account**

Expense \$ \$117,812.12

# 4250-43387-94000-56401

Select \$

#

Select \$

#

Select \$

#

**Approvals****Dept Head**

COSTER, MICHAEL

**Division Director**

CONKLIN, CHUCK

**Finance**

DOVAL, MATTHEW

**Legal**

SCHOEDEL, ELIZABETH

**For the Mayor**

DUNIVANT, TIMOTHY

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

PW 8/14/17

**Distribution List**

kbustos@spokanecity.org

Tax &amp; Licenses

hbarnhart@spokanecity.org

lberry@spokanecity.org

janderson@spokanecity.org

**Additional Approvals****Purchasing**

## RESOLUTION 2017-0078

A SOLE SOURCE RESOLUTION declaring Boerger Rotary Lobe Pumps and Macerating Technology a sole source provider and authorizing the purchase of replacement pumps and parts from Goble Sampson & Associates for \$117,818.12 including shipping without public bidding.

WHEREAS, the City of Spokane's Riverside Park Water Reclamation Facility (RPWRF) is in need of replacement pumps for its Waste Water Treatment systems; and

WHEREAS, the Facility's pumps continuously undergo high rates of damage and wear because of the drastically changing flow rates and inherent characteristics of Spokane's Waste Water; and

WHEREAS, the type of pumps being replaced and serviced onsite at RPWRF are manufactured by Boerger, and are unique in their capacity, and handling characteristics of the Waste Water as it comes into the Plant; and

WHEREAS, Boerger has provided a June 15, 2017 letter delineating the only authorized municipal supplier of Boerger products and parts in the State of Washington is Goble Sampson & Associates, which is located at 2600 Water Tower Place, Chanhassen, MN 55317; and

WHEREAS, Goble Sampson & Associates are the only source for replacement Boerger pumps and parts, which if not used with the existing RPWRF systems results in any warranty on the pump systems being void due to use of non-factory parts; and

WHEREAS, the cost of the cost of the replacement parts exceeds the 2017 public bid limit of \$49,000 for the purchase of goods.

-- Now, Therefore,

BE IT RESOLVED by the City Council for the City of Spokane that it hereby declares Boerger Rotary Lobe Pumps and Macerating Technology for the Riverside Park Water Reclamation Facility (RPWRF) a sole source purchase; and

BE IT FURTHER RESOLVED that the City Council authorizes the purchase of Boerger Rotary Lobe Pumps and Macerating Technology from Goble Sampson & Associates for \$117,818.12 including shipping without public bidding.

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

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

Approved as to form:

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

17-635

**BRIEFING PAPER**  
**Public Works Committee**  
**Riverside Park Water Reclamation Facility**  
**August 14, 2017**

---

**Subject**

Council approval of a Resolution declaring Goble Sampson & Associates a sole source provider of Boerger Rotary Lobe Pumps and parts, and authorization to purchase such pumps and parts for \$117,812.12 including shipping without public bidding.

**Background**

The Riverside Park Water Reclamation Facility is in need of replacement pumps for its sludge treatment system. The type of pump placed in such service is subject to high rates of damage and wear due to continuous use under drastically changing flow conditions and wastewater containing high concentrations of abrasive materials. Boerger rotary lobe pumps are unique in their capacity to successfully meet such process challenges.

**Impact**

Purchase of Boerger pumps and parts ensures dependable and economical operation of a critical wastewater treatment process component.

**Action**

Recommend approval.

**Funding**

This contract is budgeted in the Wastewater budget.



Goble Sampson - Issaquah  
John Simon  
1275 12th Ave NW #5  
Issaquah, WA 98027  
USA

## Quotation

No.: 30002704

Date: 06/15/2017

RFQ Reference : Spokane RPWRF  
RFQ Date : 16:46 06/15/2017  
Recipient : John Simon  
E-Mail :  
Phone :  
Customer No. : 110024  
Payment Terms : TBD  
Std. Delivery ARO : 10Week(s)  
Inquire For Faster Delivery  
Shipping Type : To Be Determined  
Terms of Delivery : FOB (Free On Board Factory) /FOB

Outside Sales : Steve Doyle  
E-Mail : sdo@boerger.com  
Phone : 612-435-7327

Inside Sales : Jay Wilson  
E-Mail : jwi@boerger.com  
Phone : 612-435-7335  
Fax : 612-435-7301

Prepared By : JCWBDB  
Price Firm Until : 12/15/2017

Line	Part / Label	Quantity	Unit Price	Total Price
------	--------------	----------	------------	-------------

### Conveying Product

Product: Sludge  
Specific Product: Thk Primary & WAS  
Viscosity: 1 cp  
Solid Content: 6-10 %  
Solid Size: - in  
Density/SG: 1.0 -  
Product Temp.: 40-75 °F  
ph-value: Neutral  
Addl Notes:

### Operational Characteristics

Location: Closed Building, Dry  
Specific Location: -  
Hazardous Area: Not Classified  
Ambient Temp.: Ambient °F  
Operating Mode: Continuous -  
Suction Pressure: Flooded psi  
Discharge Pressure: - psi  
Differ. Pressure: - psi  
NPSHa: - ft  
Addl Notes:

### Performance Data

	<u>GPM</u>	<u>PSI</u>	<u>RPM</u>
Min. Capacity:	110	150	216
Nom. Capacity:	-	-	-
Max. Capacity:	300	150	343

### Additional Notes

1.00	7510000013 FL 518 Assembly Section 44 42 56.14 Rotary Lobe Pumps	2
1.05	PF5SARCFAAAAAGCCC14 Börger Rotary Lobe Pump FL518 2.02 One(1) Digester Feed Pump	2

# Quotation

No.: 30002704

Page: 2

Date: 05.10.2016

Line	Part / Label	Unit Price	Total Price
	<p>Product series: BLUEline Version: Classic</p> <p>The Boerger Classic rotary lobe pump product line has been wellproven for many years and is the basic model of our rotary lobe pumps with a large-dimensioned, pressureless fluid-filled intermediate chamber.</p> <p>Casing: One-piece Blockcasing from Grey Cast Iron ASTM A48-40 B with easily replaceable radial casing liners Axial casing protection liners from Hard Metal Radial casing protection liners from Hard Metal (MIP®)</p> <p>Rotor geometry: Tri-lobe, screw form, almost pulsation-free, baseparts from ASTM A536 60-40-10, with pushed-on tips, easily replaceable Rotor coating: Buna-N Nominal Solids Passing: 2.95" Displacement: 150.48 gal/100 rev</p> <p>Shaft seal: Maintenance free single acting mechanical seals, with quench and quench level control Seal rings from Duronit V / Duronit V Dynamic O-rings: Buna-N Stationary O-Rings: Buna-N</p>		
1.10	<p>3000000032</p> <p>2.02 - 6" ANSI - 125 FF</p> <p>1 pair per pump</p> <p>6" glass-lined ductile iron flanges w/ 90 degree elbows, 1 suction side / 1 discharge side</p>	4	
1.15	<p>5310002077</p> <p>Nord SK82-360TC-4.43</p> <p>Inline Helical Reducer</p> <p>1750rpm/395rpm</p> <p>Clockwise rotation stop (looking at shaft)</p> <p>Rotation counter-clockwise (looking at shaft)</p> <p>RLS - solid input shaft</p>	2	
1.20	<p>5130001489</p> <p>Toshiba 0754SDSR42A-P</p> <p>75hp,1800rpm,SevereDuty</p> <p>230/460V</p> <p>DE &amp; ODE insulated bearing</p> <p>AEGIS shaft - ground kit</p>	2	



# Quotation

No.: 30002704

Page: 3

Date: 05.10.2016

Line	Part / Label		Unit Price	Total Price
1.25	2500000015 FL In-Line Assembly >40 HP Galvanized Frame Flexible Coupling & Guard Galvanized Gearmotor Plate	2		

FL518-Inline Pump Assembly

\$ 115,418.12

7.00	Shipping & Handling Estimated Freight to Spokane, WA	2	\$ 2,400.00	\$ 2,400.00
------	--	---	-------------	-------------

Net Value	\$ 117,818.12
-----------	---------------

<b>Total Amount (USD)</b>	<b>\$ 117,818.12</b>
---------------------------	----------------------

- Optional Item(s) not Included -



Quotation  
No.: 30002704

Page: 4  
Date: 05.10.2016

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Line	Part / Label	Unit Price	Total Price
------	--------------	------------	-------------

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**Notes:**

1. BOERGER, LLC's standard Terms and Conditions apply and are an integral part of this quotation unless specifically noted otherwise in this proposal.
2. Installation, wiring, field painting, start-up and instructional services are not included unless specifically noted otherwise in this proposal.
3. Anchor bolts, pressure gauges, valves, drainage piping, starters, variable frequency drives and control equipment or any other items are not included unless specifically noted otherwise in this proposal.
4. BOERGER, LLC will review plans and specifications and will offer technical assistance and certified pump drawings for construction. The responsibility for pump station layout, access, seismic calculations including local PE stamp, etc., shall be by others.
5. This proposal is offered as an acceptable pumping system based upon descriptive items listed above. Deviations from the equipment described could result in price adjustment.
6. A BOERGER, LLC field engineer may be provided, as noted above, in a supervisory capacity only. Any and all costs associated with labor, set-up, etc., for the tests are to be by contractor.

---

Boerger, LLC  
2860 Water Tower Place  
Chanhassen, MN 55317  
USA

Phone: 612.435.7300  
Fax: 612.435.7301

E-Mail: [america@boerger.com](mailto:america@boerger.com)  
Website: [www.boerger.com](http://www.boerger.com)

June 15th, 2017

City of Spokane WWTP

To whom it may concern,

This letter is to inform you that Boerger, LLC has an agreement with Goble Sampson & Associates as our sole source representative in the state of Washington and no other company is allowed to sell Boerger Equipment Municipally. This agreement covers the sale and repair of all Boerger equipment, including pumps, macerating technologies, and spare parts.

Should you have any questions regarding this matter please contact me at (612) 435-7327

Sincerely,

Steve Doyle  
Northwest Regional Manager

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

07/24/2017

**Date Rec'd**

7/10/2017

**Clerk's File #**

ORD C35525

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

PUBLIC WORKS

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

SCOTT 625-6584

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

SMSIMMONS@SPOKANECITY.ORG

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

First Reading Ordinance

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

5200 - SENIOR OR DISABLED RESIDENTIAL CUSTOMER CREDIT

**Agenda Wording**

An ordinance relating to water, wastewater, stormwater and solid waste rates and the creation of Senior or Disabled Person Residential Customer Credit for utility services for low income senior and disabled property owners rate section in the Spokane

**Summary (Background)**

The ordinance adopts a monthly credit on the total City of Spokane utility bill for those residential customers who qualify as a senior or disabled property owner under state law and who have been approved for property tax exempt status by Spokane County.

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

Select \$

#

Select \$

#

Select \$

#

Select \$

#

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

SIMMONS, SCOTT M.

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

SIMMONS, SCOTT M.

**Other**

PWC 5/22/17 &amp; 7/10/17

**Finance**

HUGHES, MICHELLE

**Distribution List****Legal**

DALTON, PAT

eschoedel@spokanecity.org

**For the Mayor**

DUNIVANT, TIMOTHY

rhulvey@spokanecity.org

**Additional Approvals**

acline@spokanecity.org

**Purchasing**

cmorse@spokanecity.org

bpatrick@spokanecity.org





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

**Agenda Wording**

Municipal Code, adopting a new chapter 13.11 to title 13 of the Spokane Municipal Code; and setting an effective date.

**Summary (Background)**

**Fiscal Impact**

Select \$

Select \$

**Budget Account**

#

#

**Distribution List**


## ORDINANCE NO. C35525

AN ORDINANCE relating to water, wastewater, stormwater and solid waste rates and the creation of Senior or Disabled Person Residential Customer Credit for utility services for low income senior and disabled property owners rate section in the Spokane Municipal Code, adopting a new chapter 13.11 to title 13 of the Spokane Municipal Code; and setting an effective date.

WHEREAS, chapters 35.92 and 35.67 RCW authorize cities to “provide assistance to aid low-income persons in connection with services” provided municipal utilities; and

WHEREAS, Article 8, Section 7 of the Washington State Constitution permits “support of the poor and infirm”; and

WHEREAS, sixteen and eight tenths percent (16.8%) of households in the City of Spokane reported an income below the poverty line at the time of the 2010 Census and the City Council has recognized that any increase of utility rates has a profound impact on low-income customers; and

WHEREAS, the intent of the City of Spokane is to offer a monthly credit on the total City of Spokane utility bill for those residential customers who qualify as a senior or disabled property owner under state law and who have been approved for property tax exempt status by Spokane County; and

WHEREAS, currently rates for water, wastewater, stormwater and solid waste are spread throughout title 13 of the Spokane Municipal Code; and

WHEREAS, creating a new chapter within the Spokane Municipal Code dedicated to the senior or disabled person residential customer credit is more transparent and accessible to the citizen and ratepayer; --Now, Therefore,

The City of Spokane does ordain:

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

### **Chapter 13.11 Senior or Disabled Residential Customer**

Section 2. That there is adopted a new section 13.11.010 to chapter 13.11 of the Spokane Municipal Code to read as follows:

#### **13.11.010 General**

Reserved.

Section 3. That there is adopted a new section 13.11.020 to chapter 13.11 of the Spokane Municipal Code to read as follows:

**13.11.020 Qualifications**

An applicant must qualify as an individual with an active property tax exemption (submitted and approved in accordance with RCW 84.36.379-389) on file at the Spokane County Assessor's office for that residence.

- A. Qualifying property owners may request his/her primary residence receive a credit under the Senior or Disabled Person Residential Credit by submitting a written request to the City of Spokane, using the form prescribed and supplied by the City. If a property owner is unable to make his/her own request, it may be made by a duly authorized agent, guardian or other person charged with the care of the person or property of such person.
- B. The effective date for the credit shall be the month following the submission and acceptance of an accurate, complete, and signed request, regardless of date having received the property tax exemption on file with Spokane County. Any charges, along with any associated late penalties and interest that may have accrued for the residence prior to the effective date for the credit will still be due, as previously billed, and subject to collection in accordance with this chapter.
- C. If a qualifying customer moves to a new primary residence, he or she must submit a new request for a credit in accordance with subsection B of this section.
- D. In the event of death of a qualifying property owner, a surviving spouse may continue to receive the credit for their primary residence if:
  - 1. The surviving spouse has an approved request for property tax exemption at the Spokane County Assessor's office for an active property tax exemption; and
  - 2. If a request is not received from the surviving spouse within ninety (90) days, the residence will be billed the regular utility fees applicable to that type of residence.
- E. A qualifying property owner must maintain an active property tax exemption on file at the Spokane County Assessor's office for his/her primary residence to continue to qualify for the credit for his/her residence.
- F. The property owner is responsible for reporting any change (e.g., change of residence, change from "active" tax exemption status, death of qualifying spouse,



etc.) that may affect his/her qualifying for the credit. If the property owner fails to report any such change, the City shall have the right to pursue the billing and collection of any additional fees (the credit provided multiplied by the applicable number of months) that may be due to the City.

Section 4. That there is adopted a new section 13.11.030 to chapter 13.11 of the Spokane Municipal Code to read as follows:

**SMC 13.11.030 Senior or Disabled Residential Customer Credit**

The senior or disabled residential customer credit shall be ten dollars (\$10.00) per month and apportioned as follows to the owner occupied residential account:

One-third toward any monthly water charges,  
One-third toward any monthly wastewater charges, and  
One-third toward any monthly solid waste collection charges.

An account, which does not receive all three utility services, shall only receive partial credit as listed in the SMC 13.11.040 Application section.

Section 5. That there is adopted a new section 13.11.040 to chapter 13.11 of the Spokane Municipal Code to read as follows:

**SMC 13.11.040 Application**

The City provides water, wastewater, stormwater, and solid waste services to its citizens and customers. Not all utility service accounts within the City's service areas receive all services. For example, there are some accounts, which are served water only. Therefore, the application of the senior or disabled residential customer credit is on a proportionate basis with 1/3 of the credit being applied for water services; 1/3 of the credit being applied for wastewater services and 1/3 of the credit being applied for solid waste collection services. For those accounts, which only have one service, the credit would be 1/3 of the total designated amount.

Section 6. Effective Date. This ordinance shall take effect and be in force on January 1, 2018.

PASSED BY THE CITY COUNCIL ON \_\_\_\_\_

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

Attest:

Approved as to form:

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

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

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

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

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

08/21/2017

**Date Rec'd**

8/14/2017

**Clerk's File #**

ORD C35537

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

CITY COUNCIL

**Contact Name/Phone**

KAREN 6291

**Contact E-Mail**

KSTRATTON@SPOKANECITY.ORG

**Agenda Item Type**

First Reading Ordinance

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

0320 - AMENDMENTS TO HOUSING DISCRIMINATION PROHIBITION

**Agenda Wording**

An ordinance relating to human rights; amending sections 18.01.030, 18.01.050, and 18.03.020; and enacting a new section 18.03.025 of the Spokane Municipal Code.

**Summary (Background)**

This ordinance (1) clarifies definitions of "income" and "alternative source of income," (2) specifies complaint and investigation processes, and (3) states that certain landlord business practices are unaffected.

**Fiscal Impact**

Grant related? NO

Public Works? NO

**Budget Account**

Neutral

\$

#

Select

\$

#

Select

\$

#

Select

\$

#

**Approvals****Dept Head**

MCDANIEL, ADAM

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

CHE Comm., 8-14-2017

**Finance**

ORLOB, KIMBERLY

**Distribution List****Legal**

PICCOLO, MIKE

**For the Mayor**

DUNIVANT, TIMOTHY

**Additional Approvals****Purchasing**



## **ORDINANCE NO. C35537**

An ordinance relating to human rights; amending sections 18.01.030, 18.01.050, and 18.03.020; and enacting a new section 18.03.025 of the Spokane Municipal Code.

**WHEREAS**, the City Council recently enacted Title 18 of the Spokane Municipal Code, consolidating human rights protections; and

**WHEREAS**, one of these is a prohibition on discrimination in housing due to source of income, the enforcement of which was delayed until September 1, 2017; and

**WHEREAS**, Council members have met numerous times with stakeholders and the City administration concerning the investigation and enforcement provisions for source of income discrimination since passage of Title 18; and

**WHEREAS**, through those discussions, it is apparent that amendments to Title 18 were required for more effective, efficient, and clear enforcement and investigation; and

**WHEREAS**, it is also now clear that additional time is required for greater outreach and education for both tenants and landlords concerning the prohibition on source of income discrimination.

**NOW THEREFORE**, the City of Spokane does ordain:

Section 1. That section 18.01.030 of the Spokane Municipal Code is amended to read as follows:

### **Section 18.01.030 Definitions**

- A. "Commission" means the Spokane Human Rights Commission.
- B. "Data management protocols" means the procedures governing how data collected by surveillance equipment will be retained, stored, indexed and accessed. Information comprising data management protocols includes, at a minimum, the information required in SMC 18.04.020.
- C. "Disability" means the presence of a sensory, mental, or physical impairment that, whether temporary or permanent, common or uncommon, mitigated or unmitigated, a limitation or not on the ability to work generally or work at a particular job, or a limitation or not on the ability to engage in any other activity within the scope of this Title 18:
  - 1. is medically cognizable or diagnosable; or
  - 2. exists as a record or history; or
  - 3. is perceived to exist whether or not it exists in fact.
  - 4. For the purposes of reasonable accommodation in employment, an impairment must be known or shown through an interactive process to exist in fact and:

- a. The impairment must have a substantially limiting effect upon the individual's ability to perform his or her job, the individual's ability to apply or be considered for a job, or the individual's access to equal benefits, privileges, or terms or conditions of employment; or
  - b. The employee must have put the employer on notice of the existence of an impairment, and medical documentation must establish a reasonable likelihood that engaging in job functions without an accommodation would aggravate the impairment to the extent that it would create a substantially limiting effect.
- 5. For purposes of this definition, a limitation is not substantial if it has only a trivial effect.
- 6. For purposes of housing, a "reasonable accommodation" is an adjustment to a rule, policy, practice, or service that may be necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling, including public and common use spaces, where there is an identifiable relationship or nexus between the requested accommodation and the person's disability.
- D. "Discrimination" means different or unequal treatment because of race, religion, creed, color, sex, national origin, marital status, familial status, domestic violence victim status, age, sexual orientation, gender identity, honorably discharged veteran or military status, refugee status, disability, the use of a guide dog or service animal, or the use or eligibility for the use of housing choice or other subsidy program or alternative source of income. "Discriminate" means to treat differently or unequally because of race, religion, creed, color, sex, national origin, marital status, familial status, domestic violence victim status, age, sexual orientation, gender identity, honorably discharged veteran or military status, refugee status, the presence of any sensory, mental or physical disability as defined by the Americans with Disabilities Act and/or the Washington State Law Against Discrimination, or the use or eligibility for the use of housing choice or other subsidy program or alternative source of income. For purposes of this definition, it is discriminatory to fail to offer reasonable accommodation in housing or employment to an otherwise qualified applicant or employee with a disability, absent a showing that the accommodation would impose an undue hardship.
- E. "Dog guide" means a dog that is specifically trained for the purpose of guiding persons who are blind or a dog trained for the purpose of assisting persons with disabilities.
- F. "Domestic Violence Victim Status" means a family or household member, as defined in RCW 10.99.020 (3), who has been subjected to domestic violence as defined in RCW 10.99.020 (5) or who is a victim of sexual assault as defined in RCW 70.125.030.
- G. "Employee" means an individual who works for wages, salary or commission, or a combination thereof, in the service of an employer, but does not include a person employed by a parent, grandparent, brother, sister, spouse or child. The term includes an individual who is seeking or applying for employment. This definition does not include independent contractors.

- H. "Employer" means any person acting in the interest of an employer, directly or indirectly, who employs employees within the City, or who solicits individuals within the City to apply for employment within the City, including the City of Spokane and all its boards, commissions and authorities.
- I. "Entities under common ownership" means two or more legal entities, such as corporations, limited liability companies, partnerships, and the like which are: owned by the same person(s); in which the same person(s) serve as officers and/or directors; or the majority of one of which is owned by one or more of the others. For example, if a single person owns controlling interests in several limited liability companies, all of those limited liability companies are entities under common ownership.
- J. "Family with children status" means one or more individuals who have not attained the age of eighteen years being domiciled with a parent or another person having legal custody of such individual or individuals, or with the designee of such parent or other person having such legal custody, with the written permission of such parent or other person. Families with children status also applies to any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of eighteen years.
- K. "Federally-recognized tribe" means an entity listed on the Department of the Interior's list under the Federally Recognized Indian Tribe List Act of 1994, which the Secretary currently acknowledges as an Indian tribe and with which the United States maintains a government-to-government relationship.
- L. "Gender Identity" means having or being perceived as having a gender identity, self-image, appearance, behavior, or expression, whether or not that gender identity, self-image, appearance, behavior, or expression is different from that traditionally associated with the sex assigned to that person at birth.
- M. "Housing choice or other subsidy program(~~((or alternative source of income))~~)" means, without limitation: (i) any short or long term federal, state or local government, private nonprofit, or other assistance program in which a tenant's rent is paid either partially by the program (through a direct arrangement between the program and the owner or lessor of the real property), and partially by the tenant or completely by the program; or (ii) HUD-Veteran Affairs Supportive Housing (VASH) vouchers, Housing and Essential Needs (HEN) funds, and short-term rental assistance provided by Rapid Rehousing subsidies(~~((; and (iii) lawful, verifiable income derived from sources other than wages, salaries, or other compensation for employment, including, without limitation, funds received from Social Security benefits, supplemental security income, unemployment benefits, other retirement programs, child support, the Aged, Blind or Disabled Cash Assistance Program, Refugee Cash Assistance, and any federal, state, local government, private, or nonprofit administered benefit program, financial aid for college students, and per capita payments or distributions received from a federally-recognized tribe))~~).
- N. "Impairment" includes, without limitation, any:
1. physiological disorder, or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: Neurological, musculoskeletal, special sense organs, respiratory, including speech



- organs, cardiovascular, reproductive, digestive, genitor-urinary, hemic and lymphatic, skin and endocrine; or
2. mental, developmental, traumatic, or psychological disorder, including but not limited to cognitive limitation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.
- O. "Income" means lawful, verifiable income derived from all sources, including without limitation wages, salaries or other compensation for employment; Social Security benefits; supplemental security income; unemployment benefits; retirement programs; child support; payments from the Aged, Blind or Disabled Cash Assistance Program; Refugee Cash Assistance; any federal, state, local government, private, or nonprofit-administered benefit program, including without limitation payments from any housing choice or other subsidy program as defined in this chapter; financial aid for college students; and per capita payments or distributions received from a federally-recognized tribe.
- P. "Labor organization" means an organization which is constituted for the purpose, in whole or in part, of collective bargaining or for dealing with an employer concerning grievances, terms or conditions of employment, or for other mutual aid or protection in connection with an employer.
- Q. "Marital status" means the status of being married, single, separated, divorced or widowed.
- R. "National origin" includes ancestry.
- S. "Operational protocols" means the procedures governing how and when surveillance equipment may be used and by whom and includes, at a minimum, the information required in SMC 18.04.010.
- T. "Person" includes:
1. A natural individual, partnership, association, organization, corporation, cooperative, legal representative, trustee and receiver, and any group of persons acting in concert;
  2. an owner, lessee, proprietor, manager, agent or employee, of a person, whether consisting of one or more natural persons;
  3. entities under common ownership; and
  4. any political or civil subdivisions of the City and any agency or instrumentality of the City or of any political or civil subdivision thereof.

This definition does not include the federal government or any federally-recognized tribe.

- T. "Place of public resort, accommodation, assemblage or amusement" includes, but is not limited to, any place, licensed or unlicensed, kept for gain, hire or reward, or where charges are made for admission, service, occupancy, or use of any property or facilities, whether conducted for the entertainment, housing, or lodging of transient guests, or for the benefit, use, or accommodation of those seeking health, recreation, or rest, or for the burial or other disposition of human remains, or for the sale of goods, merchandise, services, or personal property, or for the rendering of personal services, or for public conveyance or transportation on land, water or in the air, including the stations and terminals thereof and the

garaging of vehicles, or where food or beverages of any kind are sold for consumption on the premises, or where public amusement, entertainment, sports, or recreation of any kind is offered with or without charge, or where medical service or care is made available, or where the public gathers, congregates, or assembles for amusement, recreation, or public purposes, or public halls, public elevators, and public washrooms of buildings and structures occupied by two or more tenants, or by the owner and one or more tenants, or any public library or educational institution, or schools of special instruction, or nursery schools, or day care centers or children's camps, provided that nothing contained in this definition shall be construed to include or apply to any institute, bona fide club, or place of accommodation, which is by its nature distinctly private, including fraternal organizations, though where public use is permitted that use shall be covered by this section; nor shall anything contained in this definition apply to any educational facility, columbarium, crematory, mausoleum, or cemetery operated or maintained by a bona fide religious or sectarian institution.

- U. "Profiling" means actions of the Spokane Police Department, its members, or officers commissioned by the Spokane Police Department to rely on actual or perceived race, religion, national origin, color, creed, age, citizenship status, immigration status, refugee status, gender, sexual orientation, gender identity, disability, socio-economic status, housing status, or membership in any protected class under federal, state or local law as the determinative factor in initiating law enforcement action against an individual, rather than an individual's behavior or other information or circumstances that links a person or persons to suspected unlawful activity.
- V. "Refugee status" means the status of a person who, under the provisions of 8 USC 1101(a)(42), is outside a country of that person's nationality or, in the case of a person having no nationality, is outside any country in which that person last habitually resided, and who is unable or unwilling to return to, and is unable or unwilling to avail himself or herself of the protection of, that country because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.
- W. "Service animal" means an animal that is trained for the purposes of assisting or accommodating a person with a disability.
- X. "Sex" means gender.
- Y. "Sexual orientation" means heterosexuality, homosexuality, bisexuality and gender expression or identity. As used in this definition, "gender expression or identity" means having or being perceived as having a gender identity, self-image, appearance, behavior, or expression, whether or not that gender identity, self-image, appearance, behavior, or expression is different from that traditionally associated with the sex assigned to that person at birth.
- Z. "Surveillance equipment" means equipment capable of capturing or recording data, including images, videos, photographs or audio operated by or at the direction of a City department that may deliberately or inadvertently capture activities of individuals on public or private property, regardless of whether "masking" or other technology might be used to obscure or prevent the

equipment from capturing certain views. "Surveillance equipment" includes drones or unmanned aircraft and any attached equipment used to collect data. "Surveillance equipment" does not include the following equipment which are in use by the City of Spokane as of March 1, 2017:

1. handheld or body-worn devices (e.g., "bodycams") used by law enforcement;
2. cameras installed in or on a police vehicle (e.g., "dashcams");
3. cameras installed in or on any City-owned vehicle, including without limitation fire trucks, emergency vehicles, utility vehicles and street maintenance vehicles, which are intended to ensure the safe operation of the vehicle;
4. cameras installed along a public right-of-way to record traffic patterns and/or traffic violations;
5. cameras intended to record activity inside or at the entrances to City buildings for security purposes; or
6. cameras installed to monitor and protect the physical integrity of City infrastructure, including without limitation fire stations and utility service facilities.

Section 2. That section 18.01.050 of the Spokane Municipal Code is amended to read as follows:

#### **Section 18.01.050 Administration**

##### **A. Initiation.**

An individual claiming to be aggrieved by a practice prohibited by SMC 18.01.040, chapter 18.02 SMC, or chapter 18.03, SMC may, within the time limit of SMC 18.01.070, file a complaint with the commission on forms made available for the purpose by ~~((the))~~commission staff~~((of the commission))~~.

##### **B. Complaint.**

A complaint filed by a person claiming to be aggrieved by a practice prohibited by SMC 18.01.040, chapter 18.02 SMC, or chapter 18.03 SMC, shall be immediately forwarded by the commission for ~~((is reviewed))~~ review by the City or an agency or organization with which the City maintains a contractual relationship for the purpose of reviewing such complaints (referred to in this section as the "reviewing agency"), to determine whether the allegations stated on the face of the complaint, if true, would be a prohibited practice as stated in SMC 18.01.040, chapter 18.02, SMC or chapter 18.03, SMC. Complaints shall be processed as follows:

1. The reviewing agency shall review the factual allegations of the complaint, interview the complainant, and take a statement from the complainant.
2. The reviewing agency then interviews the person accused of discrimination and documents that interview in a writing.
3. The reviewing agency shall also, if applicable, interview all participants and witnesses having relevant information regarding the allegation of discrimination, and document those interviews in writing.



4. If, as the result of the interviews described in subsections 1-3 of this paragraph B, the reviewing agency determines that the complaint states a violation of this chapter, the reviewing agency shall communicate that determination in writing to the complainant and the city attorney's office, with a copy to the commission.
  5. If the reviewing agency determines that the ~~((Complaints that do))~~ complaint does not state ~~((violations))~~ a violation of SMC 18.01.040, chapter 18.02 SMC, or chapter 18.03 SMC shall be dismissed immediately.
  6. Complaints that claim a violation of state or federal law shall be referred to the appropriate state or federal agency.
  7. Complaints that claim a violation of a prohibited practice established only in this Title 18 shall be referred to a Washington State Dispute Resolution Center established under chapter 7.75, RCW, or by a mediator agreed upon by all parties, within thirty days of the filing of the complaint. Mediation sessions are not open to the public. If the mediation resolves the complaint, the mediator will notify the City of the resolution and the complaint file will be closed.
  8. Complaints that are not resolved through mediation shall be ~~((evaluated by a third party entity to determine if there is a factual basis for the complaint. If such a factual basis exists, the complaint shall be))~~ submitted to the City Prosecutor for ~~((possible))~~ a determination whether a preponderance of the evidence supports ~~((prosecution as))~~ the filing of a civil infraction pursuant to chapter 1.05 SMC. ~~((If a third party review finds no factual basis for the complaint, the complaint shall be dismissed.))~~
- C. Administrative appeal.  
Any person whose complaint has been dismissed pursuant to SMC 18.01.050 B~~((4))~~(5) may appeal the dismissal to the hearing examiner, who shall review the complaint and the decision to dismiss the complaint under an abuse of discretion standard of review. The hearing examiner may affirm the dismissal, reverse the dismissal, or remand the complaint to be processed as set forth in SMC 18.01.050(B).
- D. Judicial review.  
Any person who is aggrieved by the decision of the hearing examiner on administrative appeal under this section may institute an action for judicial review in the Superior Court pursuant to RCW 49.60.330.
- E. The commission and its staff shall prioritize its resources to focus on resolving complaints which are not within the jurisdiction of government or non-profit agencies other than the commission.
- F. The City shall not take any enforcement action based on discrimination due to the use of "housing choice or other subsidy program or alternative source of income" as defined in this Title 18 before September 1, 2017. The City Council shall name an ad hoc stakeholder group to make recommendations to the City Council for amendments to Chapter 18.03, SMC, concerning the use of housing choice or other subsidy programs or alternative sources of income.

Section 3. That section 18.03.020 of the Spokane Municipal Code is amended to read as follows:

**Section 18.03.020 Exemptions from Housing Discrimination**

~~((A.))~~ The provisions of this chapter do not apply to the owner of a single-family house rented or leased by the owner if: (i) the owner does not own or have an interest in the proceeds of the rental or lease of more than one single-family house at one time; and (ii) the owner also occupies the single-family house rented or leased.

~~((B. Nothing in this Title 18 prohibits the denial of housing on the basis of reasonable, non-discriminatory factors, including, without limitation, rental history.))~~

Section 4. That there is enacted a new section 18.03.025 of the Spokane Municipal Code to read as follows:

**Section 18.03.025 Rental Housing Business Practices Unaffected**

- A. Nothing in this Title 18 prohibits the use of reasonable, non-discriminatory factors in housing decisions, including, without limitation, criminal background or rental history.
- B. Nothing in this chapter mandates that leases shall be of any particular duration.
- C. Nothing in this chapter prohibits the use of income screening for rental applicants, provided that all sources of income defined in this Title 18 are included.

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

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

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date

DRAFT



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

08/28/2017

**Date Rec'd**

8/14/2017

**Clerk's File #**

ORD C35539

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

DEVELOPER SERVICES CENTER

**Contact Name/Phone**

ELDON BROWN 625-6305

**Contact E-Mail**

EBROWN@SPOKANECITY.ORG

**Agenda Item Type**

Hearings

**Agenda Item Name**

4700 - ELM STREET VACATION

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

Vacation of Elm Street from the North line of 5th Avenue to the South line of the railroad right-of-way, as requested by Avista.

**Summary (Background)**

At its legislative session held on July 24, 2017, the City Council set a hearing on the above vacation for Elm Street from the North line of 5th Avenue to the South line of the railroad right-of-way. Staff has solicited responses from all concerned parties.

**Fiscal Impact**

Grant related? NO

Public Works? NO

**Budget Account**

Neutral

\$

#

Select

\$

#

Select

\$

#

Select

\$

#

**Approvals****Dept Head**

BECKER, KRIS

**Division Director**

MALLAHAN, JONATHAN

**Finance**

ORLOB, KIMBERLY

**Legal**

RICHMAN, JAMES

**For the Mayor**

DUNIVANT, TIMOTHY

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

PCED 7/10/17

**Distribution List**

ebrown@spokanecity.org

edjohnson@spokanecity.org

kbecker@spokanecity.org

sbishop@spokanecity.org

**Additional Approvals****Purchasing**

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

## ORDINANCE NO. C35539

An ordinance vacating Elm Street from the North line of 5<sup>th</sup> Avenue to the South line of the railroad right-of-way

WHEREAS, a petition for the vacation of Elm Street from the North line of 5<sup>th</sup> Avenue to the South line of the railroad right-of-way 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 Elm Street from the North line of 5<sup>th</sup> Avenue to the South line of the railroad right-of-way is hereby vacated. Parcel number not assigned.

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

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

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

Approved as to Form:

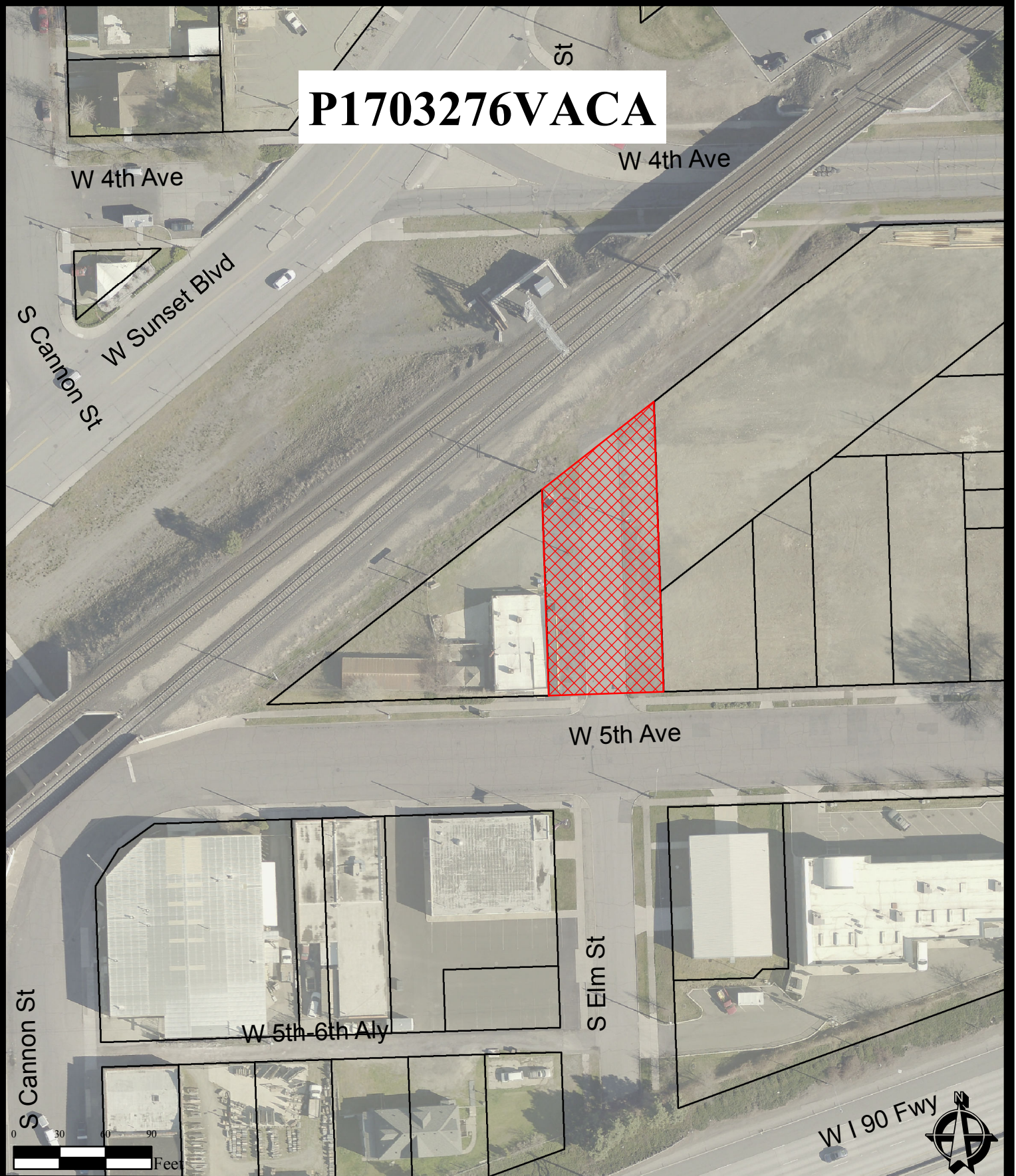
\_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Mayor

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

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

**P1703276VACA**



**Right of Way Description:**

**Vacation of Elm Street from the north line  
of 5th Avenue to the south line of the railroad rw**

**Legend**

 **Vacation Area**

THIS IS NOT A LEGAL DOCUMENT.  
The information shown on this map is compiled  
from various sources and is subject to constant  
revision. Information shown on this map should  
not be used to determine the location of facilities  
in relationship to property lines, section lines,  
streets, etc.







**CITY OF SPOKANE  
PLANNING & DEVELOPMENT**

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

**STREET VACATION REPORT  
07/25/17**

**LOCATION:** Elm Street – 5<sup>th</sup> Ave to the RR right-of-way

**PROPONENT:** Avista

**PURPOSE:** To expand their downtown campus

**HEARING:** August 28, 2017

**REPORTS:**

**AVISTA UTILITIES** – No comments.

**COMCAST** – Comcast has reviewed the vacation request and have no problem with the vacation.

**CENTURYLINK** – CenturyLink has a few aerial drops in this area. We are good with vacating the area just need access to our poles.

**XO COMMUNICATIONS** – XO Comm is clear of this location, other than that we have no comment.

**ASSET MANAGEMENT - CAPITAL PROGRAMS** – No comments.

**FIRE DEPARTMENT** – No Objection

**INLAND POWER & LIGHT** - Inland Power & Light has no facilities in the proposed area to be vacated.

**INTEGRATED CAPITAL MANAGEMENT** - No comments.

**NEIGHBORHOOD SERVICES** - No comments.

**PARKS DEPARTMENT** - No comments.

**PLANNING & DEVELOPMENT – DEVELOPER SERVICES** – No Concerns

**PLANNING & DEVELOPMENT – TRAFFIC DESIGN** – No comments.

**PLANNING & DEVELOPMENT – PLANNING** – No comments.

**POLICE DEPARTMENT** - No comments.

**SOLID WASTE MANAGEMENT** - No comments.

**STREET DEPARTMENT** – No objections

**WASTEWATER MANAGEMENT** - No comments.

**WATER DEPARTMENT** - No comments.

**BICYCLE ADVISORY BOARD** - No comments.

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

1. Unless their facilities are moved out of the vacation area, an easement as requested by Century Link, shall be retained to protect existing utilities.
2. Adequate emergency vehicle access shall be maintained to existing and future buildings.
3. 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 \$93,819.85 and is to be deposited to Budget Account #3200 49199 99999 39510.
4. The plans for termination and closure must be submitted and accepted by Planning and Development, prior to construction, and the improvements must be satisfactorily constructed before final vacation approval.
5. 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 31, 2018.

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

