

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

- D. The open forum is a limited public forum; all matters discussed in the open forum shall relate to the affairs of the City. No person shall be permitted to speak regarding items on the current or advance agendas, pending hearing items, or initiatives or referenda in a pending election. Individuals speaking during the open forum shall address their comments to the Council President and shall not use profanity, engage in obscene speech, or make personal comment or verbal insults about any individual.
- E. To encourage wider participation in open forum and a broad array of public comment and varied points of view, no person shall be permitted to speak at open forum more often than once per month. However, there is no limit on the number of items on which a member of the public may testify, such as legislative items, special consideration items, hearing items, and other items before the City Council and 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

- A. 5.4.1 The City Council shall take public testimony on all matters included on its legislative agenda, with those exceptions stated in Rule 5.4(B). Public testimony shall be limited to the final Council action. Public testimony shall be limited to three (3) minutes per speaker, unless, at his or her discretion, the Chair determines that, because of the number of speakers signed up to testify, less time will need to be allocated per speaker in order to accommodate all of the speakers. The Chair may allow additional time if the speaker is asked to respond to questions from the Council.
- B. No public testimony shall be taken on consent agenda items, amendments to legislative agenda items, or procedural, parliamentary, or administrative matters of the Council.
- C. For legislative or hearing items that may affect an identifiable individual, association, or group, the following procedure may be implemented:
 1. Following an assessment by the Chair of factors such as complexity of the issue(s), the apparent number of people indicating a desire to testify, representation by designated spokespersons, etc., the Chair shall, in the absence of objection by the majority of the Council present, impose the following procedural time limitations for taking public testimony regarding legislative matters:
 - a. There shall be up to fifteen (15) minutes for staff, board, or commission presentation of background information, if any.
 - b. The designated representative of the proponents of the issue shall speak first and may include within his or her presentation the testimony of expert witnesses, visual displays, and any other reasonable methods of presenting the case. Up to thirty (30) minutes shall be granted for the proponent's presentation. If there be more than one designated representative, they shall allocate the 30 minutes between or among themselves.

- c. Three minutes shall be granted for any other person not associated with the designated representative who wishes to speak on behalf of the proponent's position.
 - d. The designated representative, if any, of the opponents of the issue shall speak following the presentation of the testimony of expert witnesses, visual displays, and any other reasonable methods of presenting the case. The designated representative(s) of the opponents shall have the same time allotted as provided for the proponents.
 - e. Three minutes shall be granted for any other person not associated with the designated representative who wishes to speak on behalf of the opponents' position.
 - f. Up to ten minutes of rebuttal time shall be granted to the designated representative for each side, the proponents speaking first, the opponents speaking second.
- 2. In the event the party or parties representing one side of an issue has a designated representative and the other side does not, the Chair shall publicly ask the unrepresented side if they wish to designate one or more persons to utilize the time allotted for the designated representative. If no such designation is made, each person wishing to speak on behalf of the unrepresented side shall be granted three minutes to present his/her position, and no additional compensating time shall be allowed due to the fact that the side has no designated representative.
 - 3. In the event there appears to be more than two groups wishing to advocate their distinct positions on a specific issue, the Chair may grant the same procedural and time allowances to each group or groups, as stated previously.
- D. The time taken for staff or Council member questions and responses thereto shall be in addition to the time allotted for any individual or designated representative's testimony.

THE CITY OF SPOKANE



ADVANCE COUNCIL AGENDA

MEETING OF MONDAY, NOVEMBER 12, 2018

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 MIKE FAGAN

COUNCIL MEMBER CANDACE MUMM

COUNCIL MEMBER KATE BURKE

COUNCIL MEMBER LORI KINNEAR

COUNCIL MEMBER KAREN STRATTON

**CITY COUNCIL CHAMBERS
CITY HALL**

**808 W. SPOKANE FALLS BLVD.
SPOKANE, WA 99201**

CITY COUNCIL BRIEFING SESSION

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

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

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

ADDRESSING THE COUNCIL

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

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

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

AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION: The City of Spokane is committed to providing equal access to its facilities, programs and services for persons with disabilities. The Spokane City Council Chamber in the lower level of Spokane City Hall, 808 W. Spokane Falls Blvd., is wheelchair accessible and also is equipped with an infrared assistive listening system for persons with hearing loss. Headsets may be checked out (upon presentation of picture I.D.) at the City Cable 5 Production Booth located on the First Floor of the Municipal Building, directly above the Chase Gallery or through the meeting organizer. Individuals requesting reasonable accommodations or further information may call, write, or email Human Resources at 509.625.6383, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or msteinolfson@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 Chambers Lower Level of City Hall)
(No Public Testimony Taken)**

Roll Call of Council

Council Reports

Staff Reports

Committee Reports

Advance Agenda Review

Current Agenda Review

ADMINISTRATIVE SESSION

CONSENT AGENDA

REPORTS, CONTRACTS AND CLAIMS

RECOMMENDATION

- | | |
|---|------------------------------|
| 1. Contract extensions for the Waste to Energy Facility from January 1, 2019 through December 31, 2019, with: | Approve
All |
| a. Knight Construction & Supply, Inc. (Deer Park, WA) for the rebuild of gearboxes—\$50,000 (incl. tax). | OPR 2015-0014
WTEF-07 |
| b. Konecranes, Inc. (Spokane Valley, WA) for quarterly crane/hoist/trolley and lifeline preventative maintenance, inspections and service—\$60,000 (incl. tax). | OPR 2015-0092
RFP4075-15 |
| c. Online Cleaning Services (Marysville, CA) for boiler blast cleaning services—\$300,000 (incl. tax). | OPR 2015-0095
RFP 4062-14 |
| d. Zampell Refractories, Inc. (Newburyport, MA), for refractory installation and sandblasting services—\$850,000 (incl. tax). | OPR 2015-0097
RFP 4069-14 |

e. Bay Valve Service, LLC (Longview, WA) for on-site repair services—\$130,000 (incl. tax).

OPR 2015-0098
RFP 4091-14

f. Hydrotech Generator Repair Plus, Inc. (Spokane Valley, WA.) for off-site rebuilding of hydraulic and pneumatic cylinders—annual estimate \$100,000 (incl. tax).

OPR 2016-0913
RFP 4303-16

David Paine

2. Purchase of a Bearcat armored vehicle from Lenco Industries (Pittsfield, MA) for the Police Department's SWAT unit using Federal GSA contract #GS-07F-169DA—Estimated purchase amount \$305,000. (Deferred from October 29, 2018, Agenda).

Approve

OPR 2018-0656

Kevin King

3. Report of the Mayor of pending:

Approve &
Authorize
Payments

CPR 2018-0002

- a. Claims and payments of previously approved obligations, including those of Parks and Library, through _____, 2018, total \$_____, with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$_____.

- b. Payroll claims of previously approved obligations through _____, 2018: \$_____.

CPR 2018-0003

4. City Council Meeting Minutes: _____, 2018.

Approve
All

CPR 2018-0013

EXECUTIVE SESSION

(Closed Session of Council)

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

CITY COUNCIL SESSION

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

(Council Briefing Center)

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

LEGISLATIVE SESSION

(6:00 P.M.)

(Council Reconvenes in Council Chamber)

WORDS OF INSPIRATION

PLEDGE OF ALLEGIANCE

ROLL CALL OF COUNCIL

ANNOUNCEMENTS

(Announcements regarding Changes to the City Council Agenda)

NO BOARDS AND COMMISSIONS APPOINTMENTS

(Includes Announcements of Boards and Commissions Vacancies)

ADMINISTRATIVE REPORT

COUNCIL COMMITTEE REPORTS

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

OPEN FORUM

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

Note: No person shall be permitted to speak at Open Forum more often than once per month (Council Rule 2.2.E).

LEGISLATIVE AGENDA

NO SPECIAL BUDGET ORDINANCES

NO EMERGENCY ORDINANCES

RESOLUTIONS & FINAL READING ORDINANCES

(Require Four Affirmative, Recorded Roll Call Votes)

- RES 2018-0093 Granting Comcast Cable Communications Management, LLC, a franchise extension through June 30, 2019.
Marlene Feist
- ORD C35694 (To be considered under Hearings Item H3.)
Chris Green
- ORD C35695 (To be considered under Hearings Item H2.)
Crystal Marchand
- ORD C35696 Providing for procedures for impoundment of abandoned or unauthorized vehicles and making related technical corrections; amending section 16A.61.790 of the Spokane Municipal Code.
Council Member Kinnear
- ORD C35697 Reaffirming that the first floor lobby of City Hall is open to all members of the public; enacting a new section 12.05.050 of the Spokane Municipal Code.
Council Member Burke
- ORD C35698 Updating the annual City of Spokane property tax levy for 2019.
Crystal Marchand

NO FIRST READING ORDINANCES

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. | Hearing for review of the 2019 Proposed Budget.
Crystal Marchand | Hold Hrg. & Then Cont. to 11/19/2018 | FIN 2018-0001 |
| H2. | a. Hearing on Citywide Capital Improvement Program 2019-2024. | Hold Hrg. & Then Close Hrg. | |
| | b. Final Reading Ordinance C35695 adopting a Six-year Citywide Capital Improvement Program for the years 2019-2024 and amending section 5.5 Capital Facilities Program of the City's Comprehensive Plan.
Cyrstal Marchand | Pass Upon Roll Call Vote | ORD C35695 |
| H3. | a. Hearing on the intention to change certain assessment rates within the Downtown Parking and Business Improvement Area, including changes for residential condominiums, hotel rooms and parking, and non-profit organizations | Hold Hrg. & Then Close Hrg. | |

- b. Hearing on the intention to expand the boundary of the Downtown and Business Improvement Area to include additional property in the northwest quadrant.

Hold Hrg.
& Then
Close Hrg.

- c. Final Reading Ordinance C35694 relating to the Downtown Parking and Business Improvement Area regarding changing certain assessment rates and modifying the boundary; amending SMC sections 4.31.020, 4.31.040 and 4.31.080.

Pass Upon ORD C35694
Roll Call
Vote

Chris Green / Mike Piccolo

**Motion to Approve Advance Agenda for November 12, 2018
(per Council Rule 2.1.2)**

OPEN FORUM (CONTINUED)

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

Note: No person shall be permitted to speak at Open Forum more often than once per month (Council Rule 2.2.E).

ADJOURNMENT

The November 12, 2018, Regular Legislative Session of the City Council is adjourned to November 19, 2018.

NOTES

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

11/12/2018

Date Rec'd

10/15/2018

Clerk's File #

OPR 2015-0014

Renews #**Cross Ref #****Submitting Dept**

SOLID WASTE DISPOSAL

Contact Name/Phone

DAVID PAINE 625-6878

Project #**Contact E-Mail**

DPAINE@SPOKANECITY.ORG

Bid #

WTEF-07

Agenda Item Type

Contract Item

Requisition #

2019 FUNDS

Agenda Item Name

4490-EXTENSION OF CONTRACT FOR GEARBOX REBUILD AT THE WTE

Agenda Wording

Extension of contract with Knight Construction & Supply, Inc. (Deer Park, WA) for the rebuild of gearboxes at the WTE Facility. Term begins January 1, 2019 and will run through December 31, 2019 for a total cost of \$50,000.00 (Incl. Tax).

Summary (Background)

An informal request for bids, WTEF-07, was issued in October of 2014 for the rebuild of various gearboxes throughout the WTE Facility. Rebuilding these gearboxes will extend their life and allow the WTE to continue uninterrupted operations at a lower cost than replacing them once they fail. Knight Construction & Supply, Inc., was awarded the contract for this service. The initial contract was for one year with four (4) one-year extensions possible. This will be the last of those extensions.

Fiscal Impact

Grant related? NO

Public Works? YES

Budget Account

Expense \$ 50,000.00

4490-44100-37148-54803-34002

Select \$

#

Select \$

#

Select \$

#

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

CONKLIN, CHUCK

Study Session

PIES 10/22

Division Director

SIMMONS, SCOTT M.

Other**Finance**

ALBIN-MOORE, ANGELA

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mdorgan@spokanecity.org

For the Mayor

ORMSBY, MICHAEL

jsalstrom@spokanecity.org

Additional Approvals

tprince@spokanecity.org

Purchasing

PRINCE, THEA

rrinderle@spokanecity.org

Briefing Paper

Public Infrastructure, Environment and Sustainability Committee

Division & Department:	Public Works Division; Solid Waste Disposal
Subject:	Contract Extension for Rebuilding Gear Boxes at the WTE
Date:	October 22, 2018
Contact (email & phone):	David Paine, dpaine@spokanecity.org , 625-6878
City Council Sponsor:	
Executive Sponsor:	
Committee(s) Impacted:	Public Infrastructure, Environment and Sustainability Committee
Type of Agenda item:	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	
Strategic Initiative:	Innovative Infrastructure-Sustainability of the WTEF Operation
Deadline:	
Outcome: (deliverables, delivery duties, milestones to meet)	Council approval of this extension to allow the WTE to continue uninterrupted operations at a lower cost than replacing the gearboxes.
Background/History: <p>An informal request for bids, WTEF-07, was issued in October of 2014 for the rebuild of various gearboxes throughout the WTE Facility. Rebuilding these gearboxes will extend their life and allow the WTE to continue uninterrupted operations at a lower cost than replacing them once they fail.</p> <p>Knight Construction & Supply, Inc., was awarded the contract for this service. The initial contract was for one year with four (4) one-year extensions possible. This will be the last of those extensions.</p>	
Executive Summary: <ul style="list-style-type: none"> Extension #4 of 4 with cost for the rebuilding of gearboxes with Knight Construction & Supply, Inc. Contract term begins January 1, 2019 and ends on December 31, 2019. Annual cost not expected to exceed \$50,000.00. Pricing to remain unchanged in 2019. 	
Budget Impact: Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Annual/Reoccurring expenditure? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A If new, specify funding source: Other budget impacts: (revenue generating, match requirements, etc.)	
Operations Impact: Consistent with current operations/policy? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Requires change in current operations/policy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A Specify changes required: Known challenges/barriers:	



City of Spokane

CONTRACT EXTENSION 4 OF 4

Title: **REBUILD GEARBOXES OFF-SITE FOR
THE WASTE TO ENERGY FACILITY**

This Contract Extension including additional compensation is made and entered into by and between the **City of Spokane** as ("City"), a Washington municipal corporation, and **KNIGHT CONSTRUCTION & SUPPLY, INC.**, whose address is 28308 North Cedar Road, Deer Park, Washington 99006 as ("**Company**"), individually hereafter referenced as a "party", and together as the "parties".

*WHEREAS, the parties entered into a Contract wherein the **Company** agreed to provide for the City Rebuild Gearboxes Off-Site for the Waste to Energy Facility; and*

WHEREAS, the contract was amended to provide four (4) additional one-year extensions, with this being the 4th of those extensions.

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

1. CONTRACT DOCUMENTS.

The original Contract, dated December 30, 2014, any previous amendments, addendums and / or extensions / renewals thereto, are incorporated by reference into this document as though written in full and shall remain in full force and effect except as provided herein.

2. EFFECTIVE DATE.

This Contract Extension shall become effective on January 1, 2019.

3. EXTENSION.

The contract documents are hereby extended and shall run through December 31, 2019.

4. COMPENSATION.

The City shall pay an additional amount not to exceed **FIFTY THOUSAND AND NO/100 (\$50,000.00)** plus tax if applicable, for everything furnished and done under this Contract Extension.

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 Extension by having legally-binding representatives affix their signatures below.

KNIGHT CONSTRUCTION & SUPPLY, INC. CITY OF SPOKANE

By _____
Signature Date

By _____
Signature Date

Type or Print Name

Type or Print Name

Title

Title

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

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

11/12/2018

Date Rec'd

10/29/2018

Clerk's File #

OPR 2015-0092

Renews #**Cross Ref #****Submitting Dept**

SOLID WASTE DISPOSAL

Contact Name/Phone

DAVID PAINE 625-6878

Project #**Contact E-Mail**

DPAINE@SPOKANECITY.ORG

Bid #

RFP 4075-15

Agenda Item Type

Contract Item

Requisition #

2019 FUNDS

Agenda Item Name

4490 EXTENSION OF CONTRACT FOR CRANE & HOIST MAINTENANCE AT WTE

Agenda Wording

Extension of contract with Konecranes, Inc., of Spokane Valley, for quarterly crane/hoist/trolley and lifeline preventative maintenance, inspections and service at the WTE. Term from Jan. 1, 2019 through Dec. 31, 2019 for \$60,000.00 incl. tax.

Summary (Background)

The WTE Facility utilizes five cranes which require quarterly inspections and as-needed repairs by certified inspectors and technicians. In November of 2014, Konecranes Inc., of Spokane Valley was awarded the contract for these inspection services. The original contract was for one year with the option of four (4) one-year extensions. This will be the last of those extensions. With the installation of new cranes in Q1 of 2019, we are only needing these services for the first half of the year.

Fiscal Impact

Grant related? NO

Public Works? YES

Budget Account

Expense \$ 60,000.00

4490-44100-37148-54803-34002

Select \$

#

Select \$

#

Select \$

#

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

CONKLIN, CHUCK

Study Session

PSCHC 11/5

Division Director

SIMMONS, SCOTT M.

Other**Finance**

ALBIN-MOORE, ANGELA

Distribution List**Legal**

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For the Mayor

ORMSBY, MICHAEL

jsalstrom@spokanecity.org

Additional Approvals

tprince@spokanecity.org

Purchasing

PRINCE, THEA

rrinderle@spokanecity.org

Briefing Paper

Public Safety & Community Health Committee

Division & Department:	Public Works Division; Solid Waste Disposal
Subject:	Extension of Contract For Crane & Hoist Maintenance at the WTE
Date:	November 5, 2018
Contact (email & phone):	David Paine, dpaine@spokanecity.org , 625-6878
City Council Sponsor:	
Executive Sponsor:	
Committee(s) Impacted:	Public Safety & Community Health /Public Infrastructure, Environment and Sustainability Committee
Type of Agenda item:	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget , Comp Plan, Policy, Charter, Strategic Plan)	
Strategic Initiative:	Innovative Infrastructure-Sustainability of the WTEF Operation
Deadline:	
Outcome: (deliverables, delivery duties, milestones to meet)	Council approval of this extension which will allow for the continued safe operations of the cranes/hoist/trolley and lifelines at the WTE facility.
Background/History: <p>The WTE Facility utilizes five cranes, including double girder top-riding cranes, in-house monorail cranes and two lifeline cranes in its operations. All of this equipment requires quarterly inspections and as-needed repairs by certified inspectors and technicians.</p> <p>In November of 2014, Konecranes Inc., of Spokane Valley was awarded the contract for these inspection services. The original contract was for one year with the option of four (4) one-year extensions. This will be the last of those extensions. With the installation of new cranes in the beginning of 2019, we are only needing these services for the first half of the year.</p>	
Executive Summary: <ul style="list-style-type: none"> Extension #4 of 4 for crane inspections and repairs with Konecranes, Inc. Contract term will begin on January 1, 2019 and end on June 30, 2019. Services only required for first half of the year due to the installation of new cranes in the first half of 2019. Annual cost not expected to exceed \$60,000.00. 	
Budget Impact: Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Annual/Reoccurring expenditure? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A If new, specify funding source: Other budget impacts: (revenue generating, match requirements, etc.)	
Operations Impact: Consistent with current operations/policy? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Requires change in current operations/policy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A Specify changes required: Known challenges/barriers:	



City of Spokane

**CONTRACT EXTENSION 4 OF 4
WITH COST**

Title: PREVENTATIVE MAINTENANCE INSPECTIONS
AND UNSCHEDULED SERVICE CALL REQUESTS AT
THE CITY'S WASTE TO ENERGY (WTE) FACILITY

This Contract Extension including additional compensation is made and entered into by and between the **City of Spokane** as ("City"), a Washington municipal corporation, **KONECRANES INC.**, whose address is 3020 North Sullivan Road, Suite C, Spokane Valley, Washington 99216, as ("Contractor"), individually hereafter referenced as a "party", and together as the "parties".

WHEREAS, the parties entered into a Contract wherein the Contractor agreed to provide for the City Quarterly Crane/Hoist/Trolley And Lifeline Preventative Maintenance Inspections and Unscheduled Service Call Requests at The City's Waste To Energy (WTE) Facility; and

WHEREAS, the initial contract provided for 4 additional one-year extensions, with this being the 4th of those extensions.

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

1. CONTRACT DOCUMENTS.

The Contract, dated March 31, 2015, and April 21, 2015, any previous amendments, addendums and / or extensions / renewals thereto, are incorporated by reference into this document as though written in full and shall remain in full force and effect except as provided herein.

2. EFFECTIVE DATE.

This Contract Extension shall become effective on January 1, 2019.

3. EXTENSION.

The contract documents are hereby extended and shall run through December 31, 2019.

COMPENSATION.

The City shall pay an additional amount not to exceed **SIXTY THOUSAND AND NO/100 DOLLARS (\$60,000.00)**, for everything furnished and done under this Contract Extension.

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 Extension by having legally-binding representatives affix their signatures below.

KONECRANES INC.

CITY OF SPOKANE

By _____
Signature Date

By _____
Signature Date

Type or Print Name

Type or Print Name

Title

Title

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

From: [Rinderle, Rick](#)
To: [Paine, David](#); [Dorgan, Michelle](#)
Cc: [Rinderle, Rick](#); [Averyt, Chris](#)
Subject: Please Take Contract Actions Konecranes (FW: 4th Opt (1/1/2019 - 6/30/2019) Kindly Sought OPR 2015-0093, City of Spokane, Solid Waste Disposal
Date: Monday, October 15, 2018 11:03:06 AM
Attachments: [image001.png](#)

David,
Michelle,

Below is Konecranes' pricing; please take contract actions.

Rick Rinderle, C.P.M.
Procurement Specialist
City of Spokane Solid Waste Disposal
2900 S. Geiger Blvd
Spokane WA 99224-5400
Phone 509.625.6527
RRinderle@spokanecity.org

From: Michael McDermott [mailto:michael.mcdermott@konecranes.com]
Sent: Monday, October 15, 2018 10:31 AM
To: Rinderle, Rick <rrinderle@spokanecity.org>
Cc: Jeff Schweizer <Jeff.Schweizer@konecranes.com>
Subject: RE: 4th Opt (1/1/2019 - 6/30/2019) Kindly Sought OPR 2015-0093, City of Spokane, Solid Waste Disposal

Rick,

See below for updated pricing. Please feel free to call me if you have any questions.

-

Jan 1, 2019 through June 1, 2019:

Quarterly Crane Inspections:

Hourly Rates for Quarterly Preventative Maintenance Inspections 1/1/2019 - 6/30/2019: **\$122/HR**

Total Number of Hours required for two ~~all four~~ Quarterly Inspections: **60**

Total Labor Cost for two ~~all four~~ Quarterly Inspections: **\$7,320**

Total Equipment & Materials plus Cost for two ~~all four~~ Quarterly Inspections: **\$0**

Applicable Sales Tax per Month: (8.8%) **\$644.16**

Extended Total Cost for two ~~all four~~ Quarterly Crane Inspections: **\$7964.16**

Unscheduled Crane Service Calls Requested By WTEF:

Prevailing Wage Hourly Rate: **\$178/HR**

Standard Equipment & Materials plus Cost: **+15%**

Response Time to WTE after Notification **Less than 4 hours**

Quarterly Lifeline Inspections:

Hourly Rates for Quarterly Preventative Maintenance Inspections 1/1/2019 – 6/30/2019:	<u>\$122/HR</u>
Total Number of Hours required for two all four Quarterly Inspections:	<u>30</u>
Total Labor Cost for two all four Quarterly Inspections:	<u>\$2440.00</u>
Total Equipment & Materials plus Cost for two all four Quarterly Inspections:	<u>\$0.00</u>
Applicable Sales Tax per Month: (8.8%)	<u>\$ 212.72</u>
Extended Total Cost for two all four Quarterly Lifeline Inspections:	<u>\$2654.72</u>

Thank you,

Michael McDermott
Service Planner
Konecranes

8735 S 212th Street
Kent, WA 98031

O (253)872-9696
C (253)457-0590

From: TJ Rubright
Sent: Monday, October 15, 2018 8:38 AM
To: Michael McDermott <michael.mcdermott@konecranes.com>
Subject: FW: 4th Opt (1/1/2019 - 6/30/2019) Kindly Sought OPR 2015-0093, City of Spokane, Solid Waste Disposal
Importance: High

Mike,
I let Rick know that you would be providing the below information to him.

Thanks,
TJ

From: Rinderle, Rick <rrinderle@spokanecity.org>
Sent: Wednesday, October 10, 2018 12:56 PM
To: TJ Rubright <tj.rubright@konecranes.com>
Cc: Rinderle, Rick <rrinderle@spokanecity.org>; Paine, David <dpaine@spokanecity.org>; Dorgan, Michelle <mdorgan@spokanecity.org>

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

11/12/2018

Date Rec'd

10/15/2018

Clerk's File #

OPR 2015-0095

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

RFP 4062-14

Requisition #

2019 FUNDS

Submitting Dept

SOLID WASTE DISPOSAL

Contact Name/Phone

DAVID PAINE 625-6878

Contact E-Mail

DPAINE@SPOKANECITY.ORG

Agenda Item Type

Contract Item

Agenda Item Name

4490-CONTRACT EXTENSION FOR BOILER BLAST SERVICES AT THE WTE

Agenda Wording

Extension of contract with Online Cleaning Services (Marysville, CA) for boiler blast cleaning services at the WTE. Term is January 1, 2019 to December 31, 2019 for a total cost of \$300,000.00 (Incl. taxes).

Summary (Background)

Prior to maintenance outages, blasting with explosives is done in the boilers to facilitate more efficient cleaning and repairs. Online Cleaning Services of Marysville, CA was awarded the contract for these services at the WTE Facility in March of 2015 for one year, with the option of four (4) additional one-year renewals. This will be the last of those renewals with an anticipated cost of \$300,000.00 and will run from January 1, 2019 through December 31, 2019.

Fiscal Impact

Grant related? NO

Public Works? YES

Budget Account

Expense \$ 300,000.00

4490-44100-37148-54803-34002

Select

\$

#

Select

\$

#

Select

\$

#

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

CONKLIN, CHUCK

Study Session

PIES 10/22

Division Director

SIMMONS, SCOTT M.

Other**Finance**

ALBIN-MOORE, ANGELA

Distribution List**Legal**

ODLE, MARI

mdorgan@spokanecity.org

For the Mayor

ORMSBY, MICHAEL

jsalstrom@spokanecity.org

Additional Approvals

tprince@spokanecity.org

Purchasing

PRINCE, THEA

rrinderle@spokanecity.org

Briefing Paper

Public Infrastructure, Environment and Sustainability Committee

Division & Department:	Public Works Division; Solid Waste Disposal
Subject:	Extension of Contract for Boiler Blasting Services at the WTE Facility
Date:	October 22, 2018
Contact (email & phone):	David Paine, dpaine@spokanecity.org , 625-6878
City Council Sponsor:	
Executive Sponsor:	
Committee(s) Impacted:	Public Infrastructure, Environment and Sustainability Committee
Type of Agenda item:	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	
Strategic Initiative:	Sustainable Resources-Sustainable Practices; Innovative Infrastructure-Affordable Services
Deadline:	
Outcome: (deliverables, delivery duties, milestones to meet)	Council approval of the extension for Boiler Blasting Services; without which the WTE facility would not be able to continue uninterrupted operations.
Background/History: Prior to maintenance outages, blasting with explosives is done in the boilers to facilitate more efficient cleaning and repairs. Online Cleaning Services of Marysville, CA was awarded the contract for these services at the WTE Facility in March of 2015 for one year, with the option of four (4) additional one-year renewals. This will be the last of those renewals with an anticipated cost of \$300,000.00 and will run from January 1, 2019 through December 31, 2019.	
Executive Summary: <ul style="list-style-type: none"> Contract renewal #4 of 4 for boiler blasting services with Online Cleaning Services. Contract term to begin on January 1, 2019 and end on December 31, 2019. Annual cost not expected to exceed \$300,000.00. Pricing to remain unchanged in 2019. 	
Budget Impact: Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Annual/Reoccurring expenditure? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A If new, specify funding source: Other budget impacts: (revenue generating, match requirements, etc.)	
Operations Impact: Consistent with current operations/policy? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Requires change in current operations/policy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A Specify changes required: Known challenges/barriers:	



City of Spokane

CONTRACT EXTENSION 4 OF 4

Title: BOILER BLAST CLEANING SERVICES

This Contract Extension is made and entered into by and between the **City of Spokane** as ("City"), a Washington municipal corporation, and **ONLINE CLEANING SERVICES**, whose address is 2689 Highway 20, Marysville, California 95901, as ("Contractor"), individually hereafter referenced as a "party", and together as the "parties".

WHEREAS, the parties entered into a Contract wherein the Contractor agreed to provide Boiler Blast Cleaning Services for the City's Waste to Energy Facility; and

WHEREAS, the initial contract provided for 4 additional one-year extensions, with this being the 4th of those extensions.

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

1. CONTRACT DOCUMENTS.

The original Contract, dated March 30, 2015, any previous amendments, addendums and / or extensions / renewals thereto, are incorporated by reference into this document as though written in full and shall remain in full force and effect except as provided herein.

2. EFFECTIVE TERM.

This Contract Extension shall become effective on January 1, 2019 and shall run through December 31, 2019.

3. COMPENSATION.

The City shall pay an additional amount not to exceed **THREE HUNDRED THOUSAND AND NO/100 DOLLARS (\$300,000.00)** for everything furnished and done under this Contract Extension. This is the maximum amount to be paid under this Extension, and shall not be exceeded without the prior written authorization of the City, memorialized with the same formality as the original Contract and this 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 Extension by having legally-binding representatives affix their signatures below.

ONLINE CLEANING SERVICES

CITY OF SPOKANE

By _____
Signature Date

By _____
Signature Date

Type or Print Name

Type or Print Name

Title

Title

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

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

11/12/2018

Date Rec'd

10/15/2018

Clerk's File #

OPR 2015-0097

Renews #**Cross Ref #****Submitting Dept**

SOLID WASTE DISPOSAL

Contact Name/Phone

DAVID PAINE 625-6878

Project #**Contact E-Mail**

DPAINE@SPOKANECITY.ORG

Bid #

RFP 4069-14

Agenda Item Type

Contract Item

Requisition #

2019 FUNDS

Agenda Item Name

4490-CONTRACT EXTENSION FOR REFRACTORY INSTALLATION SERVICES AT THE WTE

Agenda Wording

Contract Extension with Zampell Refractories, Inc. (Newburyport, MA), for refractory installation and sandblasting services at the WTE Facility. Contract term from January 1, 2019 through December 31, 2019 with a total cost of \$850,000.00 (Incl. tax)

Summary (Background)

During scheduled maintenance outages, sandblasting of the tube areas in the boilers is needed. Also, refractory demolition, tile installation and miscellaneous anchor welding must be performed. Zampel Refractories, inc. was awarded the contract for these services in 2015. The initial contract was for one year with the option of four (4) additional one year extensions/renewals. This is the last of those extensions.

Fiscal Impact

Grant related? NO

Public Works? YES

Budget Account

Expense \$ 850,000.00

4490-44100-37148-54803-34002

Select \$

#

Select \$

#

Select \$

#

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

CONKLIN, CHUCK

Study Session

PIES 10/22

Division Director

SIMMONS, SCOTT M.

Other**Finance**

ALBIN-MOORE, ANGELA

Distribution List**Legal**

ODLE, MARI

mdorgan@spokanecity.org

For the Mayor

ORMSBY, MICHAEL

jsalstrom@spokanecity.org

Additional Approvals

tprince@spokanecity.org

Purchasing

PRINCE, THEA

rrinderle@spokanecity.org

Briefing Paper

Public Infrastructure, Environment and Sustainability Committee

Division & Department:	Public Works Division; Solid Waste Disposal
Subject:	Extension of Contract for Refractory Installation and Sandblasting Services at the WTE Facility
Date:	October 22, 2018
Contact (email & phone):	David Paine, dpaine@spokanecity.org , 625-6878
City Council Sponsor:	
Executive Sponsor:	
Committee(s) Impacted:	Public Infrastructure, Environment and Sustainability Committee
Type of Agenda item:	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	
Strategic Initiative:	Innovative Infrastructure- Sustainability of the WTEF operations
Deadline:	
Outcome: (deliverables, delivery duties, milestones to meet)	Council approval of this extension to keep the facility's boilers in good working order for continued uninterrupted operations.
Background/History: During scheduled maintenance outages, sandblasting of the tube areas in the boilers is needed. Also, refractory demolition, tile installation and miscellaneous anchor welding must be performed. Zampel Refractories, inc. was awarded the contract for these services in 2015. The initial contract was for one year with the option of four (4) additional one year extensions/renewals. This is the last of those extensions. This extension with cost is anticipated to not exceed \$850,000.00 and will run from January 1, 2019 through December 31, 2019.	
Executive Summary: <ul style="list-style-type: none"> Extension #4 of 4 for refractory installation and sandblasting services with Zampell Refractories, Inc. Contract term to begin on January 1, 2019 and end on December 31, 2019. Annual cost not expected to exceed \$850,000.00. 2019 rate increases based on posted prevailing wage rates as of August 2018. 	
Budget Impact: Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Annual/Reoccurring expenditure? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A If new, specify funding source: Other budget impacts: (revenue generating, match requirements, etc.)	
Operations Impact: Consistent with current operations/policy? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Requires change in current operations/policy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A Specify changes required: Known challenges/barriers:	



City of Spokane

CONTRACT EXTENSION 4 of 4

Title: **REFRACTORY INSTALLATION AND
SANDBLASTING SERVICES**

This Contract Extension including additional compensation is made and entered into by and between the **City of Spokane** as ("City"), a Washington municipal corporation, and **ZAMPELL REFRACTORIES, INC.**, whose address is 3 Stanley Tucker Drive, Newburyport, Massachusetts 01950-4017, as ("Contractor"), individually hereafter referenced as a "party", and together as the "parties".

WHEREAS, the parties entered into a Contract wherein the Contractor agreed to provide for the City REFRACTORY INSTALLATION AND SANDBLASTING SERVICES AT THE CITY'S WASTE TO ENERGY FACILITY; and

WHEREAS, the initial contract provided for 4 additional one-year extensions, with this being the 4th of those extensions.

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

1. CONTRACT DOCUMENTS.

The original Contract, dated June 4, 2015, and June 18, 2015, any previous amendments, addendums and/ or extensions/renewals thereto, are incorporated by reference into this document as though written in full and shall remain in full force and effect except as provided herein.

2. EFFECTIVE DATE.

This Contract Extension shall become effective on January 1, 2019.

3. EXTENSION.

The contract documents are hereby extended and shall run through December 31, 2019.

4. COMPENSATION.

The City shall pay an additional amount not to exceed **EIGHT HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$850,000.00)** for everything furnished and done under this Contract Extension.

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 Extension by having legally-binding representatives affix their signatures below.

ZAMPELL REFRACTORIES, INC.

CITY OF SPOKANE

By _____
Signature Date

By _____
Signature Date

Type or Print Name

Type or Print Name

Title

Title

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

18-188

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

11/12/2018

Date Rec'd

10/25/2018

Clerk's File #

OPR 2015-0098

Renews #**Cross Ref #****Submitting Dept**

SOLID WASTE DISPOSAL

Contact Name/Phone

DAVID PAINE 625-6878

Project #**Contact E-Mail**

DPAINE@SPOKANECITY.ORG

Bid #

RFP 4091-14

Agenda Item Type

Contract Item

Requisition #

2019 FUNDS

Agenda Item Name

4490 EXTENSION OF CONTRACT FOR ON-SITE VALVE REPAIR AT THE WTE

Agenda Wording

Extension of contract with Bay Valve Service, LLC (Longview, WA) for on-site repair services at the Waste to Energy Facility. Contract term is January 1, 2019 through December 31, 2019 with a cost of \$130,000.00 (Including tax).

Summary (Background)

The Waste to Energy Facility has numerous valves, many of which are critical to the operation of the plant. Maintaining these valves is required for safe and efficient operation. Failure of these critical valves could result in a forced plant outage. In December of 2014, Bay Valve Services was awarded the contract for these services for one year and allowed for four (4) additional one year extensions. This will be the last of those extensions.

Fiscal Impact

Grant related? NO

Public Works? YES

Budget Account

Expense \$ 130,000.00

4490-44100-37148-54803-34002

Select \$

#

Select \$

#

Select \$

#

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

CONKLIN, CHUCK

Study Session

PSCHC 11/5/18

Division Director

SIMMONS, SCOTT M.

Other**Finance**

ALBIN-MOORE, ANGELA

Distribution List**Legal**

ODLE, MARI

mdorgan@spokanecity.org

For the Mayor

ORMSBY, MICHAEL

jsalstrom@spokanecity.org

Additional Approvals

tprince@spokanecity.org

Purchasing

PRINCE, THEA

rrinderle@spokanecity.org

Briefing Paper

Public Safety & Community Health Committee

Division & Department:	Public Works Division; Solid Waste Disposal
Subject:	Extension of Contract for On-Site Valve Repairs
Date:	November 5, 2018
Contact (email & phone):	David Paine, dpaine@spokanecity.org , 625-6878
City Council Sponsor:	
Executive Sponsor:	
Committee(s) Impacted:	Public Safety & Community Health /Public Infrastructure, Environment and Sustainability Committee
Type of Agenda item:	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget , Comp Plan, Policy, Charter, Strategic Plan)	
Strategic Initiative:	Innovative Infrastructure-Sustainability of the WTEF Operations
Deadline:	
Outcome: (deliverables, delivery duties, milestones to meet)	Council approval for on-site valve repairs; without which the WTE facility would not be able to continue uninterrupted operations.
Background/History: The Waste to Energy Facility has many types of valves which are critical to the operation of the plant. On-site maintenance is required for safe and efficient operation. Any number of valve failures could result in a plant shutdown. In December of 2014, these valve repair services were awarded to Bay Valve Services, LLC. The original contract was for 1 year and allowed for four (4) additional one-year extensions. This will be the last of those extensions with an anticipated cost of \$130,000.00.	
Executive Summary: <ul style="list-style-type: none"> Contract extension #4 of 4 for on-site valve repairs at the WTE Facility. Rates to remain unchanged from 2018 through 2019. Contract term from January 1, 2019 through December 31, 2019 Annual cost not to exceed \$130,000.00 including taxes. 	
Budget Impact: Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Annual/Reoccurring expenditure? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A If new, specify funding source: Other budget impacts: (revenue generating, match requirements, etc.)	
Operations Impact: Consistent with current operations/policy? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Requires change in current operations/policy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A Specify changes required: Known challenges/barriers:	



City of Spokane

**CONTRACT EXTENSION 4 of 4
WITH COST**

Title: **ON-SITE VALVE REPAIR SERVICES**

This Contract Extension including additional compensation is made and entered into by and between the **City of Spokane** as ("City"), a Washington municipal corporation, **BAY VALVE SERVICE, LLC.**, whose address is 213 Douglas Street, Longview, Washington 98632, as ("Contractor"), individually hereafter referenced as a "party", and together as the "parties".

WHEREAS, the parties entered into a Contract wherein the Contractor agreed to provide for the City On-Site Valve Repair Services; and

WHEREAS, the initial contract provided for 4 additional one-year extensions, with this being the 4th of those extensions.

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

1. CONTRACT DOCUMENTS.

The Contract, dated March 25, 2015, any previous amendments, addendums and / or extensions / renewals thereto, are incorporated by reference into this document as though written in full and shall remain in full force and effect except as provided herein.

2. EFFECTIVE DATE.

This Contract Extension shall become effective on January 1, 2019.

3. EXTENSION.

The contract documents are hereby extended and shall run through December 31, 2019.

4. COMPENSATION.

The City shall pay an additional amount not to exceed **ONE HUNDRED THIRTY THOUSAND AND NO/100 DOLLARS (\$130,000.00)**, for everything furnished and done under this Contract Extension.

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 Extension by having legally-binding representatives affix their signatures below.

BAY VALVE SERVICE, LLC.

CITY OF SPOKANE

By _____
Signature Date

By _____
Signature Date

Type or Print Name

Type or Print Name

Title

Title

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

18-191

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

11/12/2018

Date Rec'd

10/29/2018

Clerk's File #

OPR 2016-0913

Renews #**Cross Ref #****Submitting Dept**

SOLID WASTE DISPOSAL

Contact Name/Phone

DAVID PAINE 625-6878

Project #**Contact E-Mail**

DPAINE@SPOKANECITY.ORG

Bid #

RFP 4303-16

Agenda Item Type

Contract Item

Requisition #

2019 FUNDS

Agenda Item Name

4490 EXTENSION OF CONTRACT FOR REBUILD OF HYDRAULIC CYLINDERS

Agenda Wording

Extension of contract with Hydrotech Generator Repair Plus, Inc.(Spokane Valley, WA.) for off-site rebuilding of hydraulic and pneumatic cylinders. Term from Jan. 1, 2019 through Dec. 31, 2019. Anticipated expenditure is \$100,000.00 including taxes.

Summary (Background)

The WTE uses various hydraulic and pneumatic cylinders throughout the facility. Rebuilding these cylinders with OEM parts extends their life and is more cost effective than purchasing all new cylinders. In October of 2016 the contract for these services was awarded to Hydrotech Generator Repair Plus, Inc. The initial term was one year with the option to extend for four (4) additional one-year periods. This the second of those extensions. Rates for 2019 will remain the same.

Fiscal Impact

Grant related? NO

Public Works? NO

Budget Account

Expense \$ 100,000.00

4490-44100-37148-54803-34002

Select \$

#

Select \$

#

Select \$

#

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

CONKLIN, CHUCK

Study Session

PSCHC 11/5

Division Director

SIMMONS, SCOTT M.

Other**Finance**

ALBIN-MOORE, ANGELA

Distribution List**Legal**

ODLE, MARI

mdorgan@spokanecity.org

For the Mayor

ORMSBY, MICHAEL

jsalstrom@spokanecity.org

Additional Approvals

tprince@spokanecity.org

Purchasing

PRINCE, THEA

rrinderle@spokanecity.org

Briefing Paper

Public Safety & Community Health Committee

Division & Department:	Public Works Division; Solid Waste Disposal
Subject:	Extension of Contract for Off-Site Hydraulic and Pneumatic Cylinder Rebuilding.
Date:	November 5, 2018
Contact (email & phone):	David Paine, dpaine@spokanecity.org , 625-6878
City Council Sponsor:	
Executive Sponsor:	
Committee(s) Impacted:	Public Safety & Community Health /Public Infrastructure, Environment and Sustainability Committee
Type of Agenda item:	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget , Comp Plan, Policy, Charter, Strategic Plan)	
Strategic Initiative:	Innovative Infrastructure-Sustainability of the WTEF operations
Deadline:	
Outcome: (deliverables, delivery duties, milestones to meet)	Council approval to extend the contract for cylinder rebuilding to allow the WTE Facility to continue uninterrupted operations at a lower cost than replacing the cylinders.
Background/History: <p>The WTE uses various hydraulic and pneumatic cylinders throughout the facility. Rebuilding these cylinders with OEM parts extends their life and is more cost effective than purchasing all new cylinders.</p> <p>In October of 26 RFP #4303-16 responses were received for these services and Hydrotech Generator Repair Plus, Inc., was awarded the contract. The initial term was one year with the option to extend for four (4) additional one-year periods. This is the second of those extensions. The contract term will be from January 1, 2019 to December 31, 2019 with an annual cost of \$100,000.00 including taxes.</p>	
Executive Summary: <ul style="list-style-type: none"> Extension #2 of 4 for rebuilding of hydraulic and pneumatic cylinders at the WTE Facility. Repairs done off-site with OEM parts only. Contract term from January 1, 2019 through December 31, 2019. Annual cost of \$100,000.00 including taxes. 	
Budget Impact: Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Annual/Reoccurring expenditure? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A If new, specify funding source: Other budget impacts: (revenue generating, match requirements, etc.)	
Operations Impact: Consistent with current operations/policy? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Requires change in current operations/policy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A Specify changes required: Known challenges/barriers:	



City of Spokane

**CONTRACT EXTENSION 2 OF 4
WITH COST**

**Title: OFF-SITE REBUILD OF
HYDRAULIC AND PNEUMATIC CYLINDERS**

This Contract Extension including additional compensation is made and entered into by and between the **City of Spokane** as ("City"), a Washington municipal corporation, and **HYDROTECH GENERATOR REPAIR PLUS, INC. (d/b/a HYDRAULICS PLUS, INC.)**, whose address is 5507 East Broadway Avenue, Spokane, Washington, 99212 as ("Company"), individually hereafter referenced as a "party", and together as the "parties".

*WHEREAS, the parties entered into a Contract wherein the Company agreed to provide for the City **Off-Site Rebuild Of Hydraulic and Pneumatic Cylinders with OEM Parts Only**; and*

WHEREAS, the initial contract provided for 4 additional one-year extensions, with this being the 2nd of those extensions.

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

1. CONTRACT DOCUMENTS.

The Contract, dated December 22, 2016, any previous amendments, addendums and / or extensions / renewals thereto, are incorporated by reference into this document as though written in full and shall remain in full force and effect except as provided herein.

2. EFFECTIVE DATE.

This Contract Extension shall become effective on January 1, 2019.

3. EXTENSION.

The contract documents are hereby extended and shall run through December 31, 2019.

4. COMPENSATION.

The City shall pay an additional amount not to exceed **ONE HUNDRED THOUSAND AND NO/100 DOLLARS (\$100,000.00)** for everything furnished and done under this Contract Extension.

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 Extension by having legally-binding representatives affix their signatures below.

HYDROTECH GENERATOR REPAIR PLUS, INC. CITY OF SPOKANE
(d/b/a HYDRAULICS PLUS, INC.)

By _____
Signature Date

By _____
Signature Date

Type or Print Name

Type or Print Name

Title

Title

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Rick,

We will go with the pricing on the original contract again this year.

Thank you,

Loretta Roberts

Hydraulics Plus Inc.

(509) 536-9464

From: Rinderle, Rick [<mailto:rrinderle@spokanecity.org>]

Sent: Wednesday, October 10, 2018 10:38 AM

To: Iroberts

Cc: Rinderle, Rick; Dorgan, Michelle

Subject: Feedback Needed (RE: 2nd Opt Year Pricing Kindly Sought OPR 2016-0913, City of Spokane, Solid Waste Disposal

Importance: High

Ms. Loretta Roberts

LRoberts@hydraulicsplusinc.com

Phone 509 536 9464

In regards to the below email sent Aug 6, 2018; feedback has yet to be provided.

Kindly respond to this email advising:

- if Hydrotech Generator Repairs Plus, Inc DBA Hydraulics Plus, Inc want to renew
- if below depicted pricing will remain unchanged.

Thanks in advance for your "needed" quick response Ms. Roberts.

Rick Rinderle, C.P.M.

Procurement Specialist

City of Spokane Solid Waste Disposal

2900 S. Geiger Blvd

Spokane WA 99224-5400

Phone 509.625.6527

RRinderle@spokanecity.org

From: Rinderle, Rick

Sent: Monday, August 06, 2018 9:53 AM

To: Iroberts <lroberts@hydraulicsplusinc.com>

Cc: Rinderle, Rick <rrinderle@spokanecity.org>; Dorgan, Michelle <mdorgan@spokanecity.org>

Subject: 2nd Opt Year Pricing Kindly Sought OPR 2016-0913, City of Spokane, Solid Waste Disposal

Hydrotech Generator Repairs Plus, Inc

DBA Hydraulics Plus, Inc

5507 E. Broadway Ave.

Spokane Valley, WA 99212

Phone (509) 536 9464

Ms. Loretta Roberts
LRoberts@hydraulicsplusinc.com
Phone 509 536 9464

Good Day Ms. Roberts,

In regards to Off Site Rebuild of Hydraulic and Pneumatic Cylinders...

The attached Contract OPR 2016-0913, First Option Year is set to expire 12/31/2018.

The City of Spokane is looking at exercising the Second Option Year, that would span from 1/1/2019 thru 12/31/2019.

Would you kindly respond advising if Hydraulics Plus Inc is interested in exercising the Second Option Year and if the below pricing would remain valid for the Second Option Year that would span from 1/1/2019 thru 12/31/2019.

COST PROPOSAL

1. Hourly Labor Rate 75.00 Includes operating expenses and profit margin
2. Percentage Increase on Parts 15%
3. Additional Cylinders will be billed at normal rate (see above)
4. We accept responsibility for all normal shipping charges. We cannot however, absorb any additional charges such as overnight red or orange charges. It would be your choice to use accelerated delivery.
5. Repair costs will not exceed 75% of new cylinder cost.
6. Appropriate sales tax will be added to invoice.
7. We offer a 2% discount on net 10
8. Subcontractor cost for re-chroming .78 per square inch.

Thanks in advance for your quick response as it takes the City 10 -12 weeks to exercise contract, once pricing is received.

Rick Rinderle, C.P.M.
Procurement Specialist
City of Spokane Solid Waste Disposal
2900 S. Geiger Blvd
Spokane WA 99224-5400
Phone 509.625.6527
RRinderle@spokanecity.org



Agenda Sheet for City Council Meeting of:
10/29/2018

Date Rec'd	10/15/2018
Clerk's File #	OPR 2018-0656
Renews #	
Cross Ref #	
Project #	
Bid #	
Requisition #	VB - 2019 SIP

Submitting Dept	POLICE
Contact Name/Phone	KEVIN KING 835-4515
Contact E-Mail	KKING@SPOKANEPOLICE.ORG
Agenda Item Type	Purchase w/o Contract
Agenda Item Name	0680-LENCO BEARCAT PURCHASE

Agenda Wording

Bearcat armored vehicle purchase from LENCO INDUSTRIES(PITTSFIELD, MA)for the Police Department's SWAT unit using Federal GSA contact # GS-07F-169DA Estimated purchase amount is \$305,000.00.

Summary (Background)

The Police Department (SPD)currently shares an old armored vehicle with Spokane County Sheriff's Office (SCSO)for response to tactical situations. SPD also has a 1033 military surplus vehicle from the Department of Defense that is no longer functional. The new Bearcat will be used to replace the 1033 asset. This purchase will ensure a modern armored vehicle is available for SPD SWAT to utilize at all times and to reduce SPD's reliance on other agencies' armored vehicles.

<u>Fiscal Impact</u>	Grant related? NO	<u>Budget Account</u>
	Public Works? NO	

Expense	\$ 305,000.00	# 5901-79115-94000-56404
Select	\$	#
Select	\$	#
Select	\$	#

<u>Approvals</u>		<u>Council Notifications</u>	
<u>Dept Head</u>	LUNDGREN, JUSTIN	<u>Study Session</u>	PSCHC Meeting
<u>Division Director</u>	LUNDGREN, JUSTIN	<u>Other</u>	
<u>Finance</u>	SCHMITT, KEVIN	<u>Distribution List</u>	
<u>Legal</u>	ODLE, MARI	spdfinance	
<u>For the Mayor</u>	SANDERS, THERESA	cwahl	
<u>Additional Approvals</u>		mdoval	
<u>Purchasing</u>	WAHL, CONNIE		



Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

Summary (Background)

Fiscal Impact

Select \$

Select \$

Budget Account

#

#

Distribution List

matt.johnson@otto-usa.com

sabrina.bowling@otto-usa.com

Tax & Licenses

Briefing Paper

(Public Safety & Community Health Committee)

Division & Department:	Police
Subject:	SWAT Bearcat vehicle purchase
Date:	10/01/2018
Contact (email & phone):	Justin Lundgren jclundgren@spokanepolice.org 625-4115
City Council Sponsor:	
Executive Sponsor:	
Committee(s) Impacted:	Public Safety & Community Health
Type of Agenda item:	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	
Strategic Initiative:	
Deadline:	
Outcome: (deliverables, delivery duties, milestones to meet)	Approval for purchase of bearcat armored vehicle from Lenco Industries, Inc.
<p>Background/History: The Spokane Police SWAT team currently has one armored vehicle that is shared with the SCSO for response to tactical situations. About two years ago, SWAT had a second military surplus armored vehicle that had mechanical issues and offered substandard ballistic protection. This purchase will provide for a dedicated SPD armored vehicle to respond to tactical situations. The current Bearcat was used approximately 40 times during SWAT calls and another 20-30 times to respond to tactical situations supporting Patrol. This purchase will ensure a modern armored vehicle is available for SPD SWAT to utilize at all times. SPD has utilized armor provided by the Kootenai County SO, Post Falls PD, Spokane County SO, and Bonner County SO to safely resolve situations within the City of Spokane due to a lack of an available armored vehicle.</p> <p>A contract between Lenco Industries, Inc. and the GSA Federal Acquisition Service will be accessed and piggybacked for procurement of the bearcat vehicle. The contract is on Federal GSA schedule 84 that allows cooperative purchasing for local agencies. Contract number is GS-07F-169DA. Estimated amount will be \$305,000</p>	
<p>Executive Summary:</p> <ul style="list-style-type: none"> <i>Purchase of Bearcat Vehicle to be used by SWAT</i> <i>This vehicle is required to replace an antiquated military surplus vehicle that was no longer mechanically reliable and was retired two years ago. The addition of a new armored vehicle will ensure that SPD has one available to respond to tactical situations. SPD SWAT utilizes an armored vehicle 60-70 times per year and currently relies on several other agencies for armored vehicles when one is not available for their use.</i> <i>Purchase by piggyback of GSA Federal Acquisition Service Contract #GS-07F-169DA</i> <i>Contract is on the GSA schedule 84 that allows cooperative purchasing for local agencies</i> <i>Funding source is 2019 Police SIP Loan capital funds</i> <i>Estimated amount will be \$305,000, to be finalized before contracting</i> 	
<p>Budget Impact:</p> <p>Approved in current year budget? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Annual/Reoccurring expenditure? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>If new, specify funding source:</p>	

Other budget impacts: (revenue generating, match requirements, etc.)

Operations Impact:

Consistent with current operations/policy? ☐ Yes ☐ No ☐ N/A

Requires change in current operations/policy? ☐ Yes ☒ No ☐ N/A

Specify changes required:

Known challenges/barriers:



Protecting Our Nation's Defenders™

10 Betnr Industrial Drive – Pittsfield, MA 01201
PH (413) 443-7359 – FAX (413) 445-7865

Quotation 15684C

Quotation Date: September 27, 2018
Lenco Tax ID#: 04-2719777

SP005 Spokane Police Department 1100 W. Mallon Ave. Spokane, WA 99260	F.O.B.: Origin, Pittsfield, MA
	Ship Via: Customer Pick Up
	Payment Terms: Payment Upon Pick Up
	Estimated Completion: 52 Weeks ARO (Est.)
	Inspection & Acceptance: At Lenco's Facility, Pittsfield, MA

Terms and Conditions: 1) Transfer of Vehicle Certificate of Origin to New Owner Done Upon Receipt of Payment in Full. 2) Lenco Does Not Collect Tax or Register Vehicles with DMV. 3) Cooperative Purchasing available under Lenco's GSA Contract# GS-07F-169DA (Schedule 84) or the 1122 Program. 4) Acceptance of this Quotation or entering into a purchase agreement with Lenco, the purchaser agrees to Lenco's full Terms and Conditions of Sale, available upon request.

Item:	Product #	Commercial	Net Price
Lenco BearCat (4WD, Rotating Hatch; Counter Balanced)	BC55003	\$209,255.79	\$198,793.00
NIJ IV & Multi-hit .50 CAL BMG Armor Protection			
Options:			
Diesel Engine, 6.7L Turbo	BCDLEN	8,557.89	8,130.00
4-Door Configuration (Rear Flip Seats Included)	BC4DR	8,271.58	7,858.00
(3) Roof Mounted Remote Control Spot Lights LED	BCSLLED	4,433.67	4,212.00
Rear A/C-Heating System: Auxiliary High Capacity (Ceiling Mounted)	BCHAC	3,128.42	2,972.00
Intercom System; Inside to Outside	BCINT	3,022.11	2,871.00
AC-DC Power Inverter 2K Watt w/ Battery Charge Feature	BCINV2000	5,728.42	5,442.00
Back up Camera System with Monitor	BCBU	2,417.89	2,297.00
Radio Prep Package (1)	BCINSRA	528.42	502.00
VSP Style Low Profile & Scene Lighting Pkg (8 mini fwd-4 Per side wall)	BCVSPL	4,282.11	4,068.00
Heated Windshield Upgrade	BCHGW	2,266.32	2,153.00
22.5" Tire and Wheel Upgrade	BCTWU	9,263.16	8,800.00
(2) Ballistic Skip Round Shields	BCBSRS	4,075.78	3,872.00
Ford F550 Service Manuals	BCFMNL	657.89	455.00
Hydraulic Ram Upgrade wFront Mounted Receiver with Ram Post and Plate	BCHYDRAM	13,135.79	12,479.00
Bedrock Paint (Below Gunports on Side Walls to reduce scuffing)	BCPJ	2,166.32	2,058.00
(2) Plasma Rope	BCPLAS1	1,058.94	1,006.00
Recon Throwbot 2	Non Contract	15,645.00	15,645.00
Net Savings	\$14,282.50	\$297,895.50	\$283,613.00
Total Cost of (1) Lenco BearCat FOB Origin, Pittsfield, MA			\$283,613.00

Specifications Subject to Change

PROPRIETARY

WARNING: Information Subject to Export Control Laws

The technical data in this document is restricted by the Arms Export Control Act (Title 22, U.S.C., Sec 2751, et seq.) or the Export Administration Act of 1979, as amended, Title 50, U.S.C., App. 2401 et seq. and which may not be exported, released or disclosed to non-U.S. persons (i.e. persons who are not U.S. citizens or lawful permanent residents ["green card" holders]) inside or outside the United States, without first obtaining an export license. Violations of these export laws are subject to severe civil, criminal and administrative penalties.

THE WRITTEN APPROVAL OF THE DIRECTORATE OF US DEFENSE TRADE CONTROLS AND LENCO INDUSTRIES, INC. MUST BE OBTAINED BEFORE RESELLING, TRANSFERRING, TRANSSHIPPING, OR DISPOSING OF A DEFENSE ARTICLE TO ANY END USER, END USE OR DESTINATION OTHER THAN AS STATED ON THIS LENCO QUOTE OR THE SHIPPER'S EXPORT DECLARATION IN CASES WHERE AN EXEMPTION IS CLAIMED UNDER THIS SUBCHAPTER 123.9(A).

WE ARE PLEASED TO SUBMIT THE ABOVE QUOTATION FOR YOUR CONSIDERATION. SHOULD YOU PLACE AN ORDER, BE ASSURED IT WILL RECEIVE OUR PROMPT ATTENTION. THIS QUOTATION IS VALID FOR 30 DAYS. THEREAFTER, IT IS SUBJECT TO CHANGE WITHOUT NOTICE.

ACCEPTANCE OF PROPOSAL – The above prices are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

LENCO INDUSTRIES, INC.

Authorized

Signature: _____

Please sign and return

Authorized

Signature: _____

James J. Massery
James J. Massery

Thank You



Agenda Sheet for City Council Meeting of:
11/12/2018

Date Rec'd	10/31/2018
Clerk's File #	RES 2018-0093
Renews #	
Cross Ref #	RES 2018-0067
Project #	
Bid #	
Requisition #	

Submitting Dept	COMMUNICATIONS
Contact Name/Phone	MARLENE FEIST X6505
Contact E-Mail	MFEIST@SPOKANECITY.ORG
Agenda Item Type	Resolutions
Agenda Item Name	0320 COMCAST CABLE FRANCHISE EXTENSION

Agenda Wording

Resolution granting Comcast Cable Communications Management, LLC, a franchise extension through June 30, 2019.

Summary (Background)

This resolution grants a cable franchise contract extension to Comcast through June 30, 2019. Negotiations are ongoing, and the franchise can be renewed prior to the end of the extension.

<u>Fiscal Impact</u>	Grant related? NO	<u>Budget Account</u>
	Public Works? NO	
Select \$		#
Select \$		#
Select \$		#
Select \$		#
<u>Approvals</u>	<u>Council Notifications</u>	
<u>Dept Head</u>	FLEIGER, NATHAN	<u>Study Session</u>
<u>Division Director</u>	FEIST, MARLENE	<u>Other</u>
<u>Finance</u>	DOVAL, MATTHEW	<u>Distribution List</u>
<u>Legal</u>	DALTON, PAT	
<u>For the Mayor</u>	ORMSBY, MICHAEL	
<u>Additional Approvals</u>		
<u>Purchasing</u>		
<u>CITY COUNCIL</u>	MCDANIEL, ADAM	

RESOLUTION NO. 2018-0093

**RESOLUTION OF THE CITY OF SPOKANE, WASHINGTON
GRANTING COMCAST CABLE COMMUNICATIONS MANAGEMENT, LLC
A FRANCHISE EXTENSION THROUGH JUNE 30, 2019**

WHEREAS, on or about November 21, 2005, the City of Spokane, Washington granted a Cable Communications Franchise Agreement ("Franchise"), which is currently held by Comcast Cable Communications Management, LLC ("Comcast"); and

WHEREAS, Comcast has requested renewal of the Franchise; and

WHEREAS, the initial term of the Franchise expired on or about December 23, 2017; and

WHEREAS, an extension was approved by resolution to extend the franchise until October 31, 2018; and

WHEREAS, both the City and Comcast desire to reserve all of their respective rights under state and federal law regarding the franchise renewal process, specifically all rights provided by 47 U.S.C. Section 546.

NOW, THEREFORE, the City of Spokane, Washington hereby resolves as follows:

1. The Franchise is hereby amended by extending the term of the Franchise from October 31, 2018 through the date on which Comcast's Franchise is renewed or until and including June 30, 2019, whichever shall first occur.

2. Except as specifically modified hereby, the Franchise shall remain in full force and effect.

3. The City and Comcast hereby agree that neither party waives any rights either may have under the Franchise or applicable law.

4. This Resolution shall become effective upon the occurrence of both of the following conditions: (1) The Resolution being passed and approved by the City and (2) Comcast's acceptance of this Resolution.

Approved by the City Council of the City of Spokane, Washington this ____ day of _____, 2018.

CITY OF SPOKANE, WASHINGTON

_____, Mayor

ATTEST:

_____, City Clerk

ACCEPTANCE AND AGREEMENT

Comcast Cable Communications Management, LLC hereby accepts this Resolution No. _____ ("Resolution") and hereby accepts the terms, provisions and recitals of the Resolution and agrees to be bound by the Franchise.

Dated this ____ day of _____, 2018.

**COMCAST CABLE COMMUNICATIONS
MANAGEMENT, LLC**

By: _____

Its: _____

SWORN TO BEFORE ME this
____ day of _____, 2018.

NOTARY PUBLIC



Agenda Sheet for City Council Meeting of:
11/05/2018

Date Rec'd	10/17/2018
Clerk's File #	ORD C35696
Renews #	
Cross Ref #	
Project #	
Bid #	
Requisition #	

Submitting Dept	CITY COUNCIL
Contact Name/Phone	LORI KINNEAR 6261
Contact E-Mail	LKINNEAR@SPOKANECITY.ORG
Agenda Item Type	First Reading Ordinance
Agenda Item Name	0320 - ORDINANCE AMENDING PROCESS FOR TOWING OR IMMOBILIZING VEHICLES

Agenda Wording

An ordinance providing for procedures for impoundment of abandoned or unauthorized vehicles and making related technical corrections; amending section 16A.61.790 of the Spokane Municipal Code.

Summary (Background)

This ordinance adds provisions for the immobilization and impoundment of abandoned vehicles. It allows code enforcement to tow abandoned vehicles. Under the ordinance, "unauthorized vehicle" means a vehicle that may be towed if left unattended in a way that is an accident or a traffic hazard, is located on a highway and tagged, in a publicly owned or controlled parking facility, or in a way prohibited by the city's rules of the road ordinances. The ordinance also provides for appropriate notice.

<u>Fiscal Impact</u>	Grant related? NO	<u>Budget Account</u>
	Public Works? NO	
Neutral	\$	#
Select	\$	#
Select	\$	#
Select	\$	#

<u>Approvals</u>		<u>Council Notifications</u>	
<u>Dept Head</u>	MCDANIEL, ADAM	<u>Study Session</u>	
<u>Division Director</u>		<u>Other</u>	PSCH Comm., 2/5/2018
<u>Finance</u>	BUSTOS, KIM	<u>Distribution List</u>	
<u>Legal</u>	PICCOLO, MIKE		
<u>For the Mayor</u>	ORMSBY, MICHAEL		
<u>Additional Approvals</u>			
<u>Purchasing</u>			
<u>CITY COUNCIL</u>	MCDANIEL, ADAM		

ORDINANCE NO. C35696

An ordinance providing for procedures for impoundment of abandoned or unauthorized vehicles and making related technical corrections; amending section 16A.61.790 of the Spokane Municipal Code.

NOW, THEREFORE, the City of Spokane does ordain:

Section 1. That section 16A.61.790 of the Spokane Municipal Code is amended to read as follows:

Section 16A.61.790 Vehicle Immobilization and Impoundment

A. Definitions

1. “Boot” means a device which clamps and locks on to a wheel of the vehicle and impedes movement of the vehicle.
2. “Impound” means to take and hold a vehicle in legal custody. There are two types of impounds—public and private.
3. “Public impound” means that the vehicle has been impounded at the direction of a law enforcement officer or by a public official having jurisdiction over the public property upon which the vehicle was located.
4. “Public Property” means any street, road, public highway or other publicly owned property.
5. “Scofflaw” means a vehicle which has been involved in four (4) or more parking tickets which remain unpaid more than forty-five (45) days after the issuance of the ticket.
6. “Unauthorized vehicle” means a vehicle that is subject to impoundment after being left unattended in one of the following circumstances:
 - a. Constituting an accident or a traffic hazard as defined in RCW 46.55.113;
 - b. On a highway and tagged as described in RCW 46.55.085;
 - c. In a publicly owned or controlled parking facility, properly posted under RCW 46.55.070; or
 - d. In violation of any of the restrictions subject to vehicle impoundment under Chapter 16A.61 SMC.

- B. If a vehicle is in violation of the time restrictions of RCW 46.55.010(14) as set forth in subsections (4)(a) or (4)(c) above, it may be immediately impounded by a registered tow truck operator at the direction of a law enforcement officer or other public official with jurisdiction if the vehicle is on public property. Vehicles in violation of (4)(b) above may be impounded within twenty-four (24) hours.
- C. If a vehicle is in violation of any of the restrictions subject to vehicle impoundment set forth in section (4)(d) above, it may be impounded by a registered tow truck operator at the direction of a law enforcement officer or other public official with jurisdiction if the vehicle is on public property.
- D. In addition to law enforcement officers, the Director of the Office of Neighborhood Services and Code Enforcement, or his or her designee, is a public official with jurisdiction over the public property and with authority to authorize impoundment of unauthorized vehicles on public property.
- E. The impoundment of unauthorized vehicles on public property under this section shall incorporate all procedures related to vehicle impoundment as set forth in Chapter 46.55 RCW. Chapter 46.55 RCW, as now enacted or hereinafter amended, is hereby adopted by reference as if fully set forth herein.
- F. ~~((Creation of))~~ Scofflaw List.
As frequently as practicable, parking services, working in conjunction with Spokane Municipal Court and the City's contracted collection agency, shall prepare, maintain and update a scofflaw list ~~((consisting of all vehicles involved in four or such greater number of parking tickets unpaid more than forty five days after their issuance))~~.
1. Civil Penalties to Cover Administrative Costs.
There is imposed upon the owner of every vehicle on the scofflaw list a civil penalty of the amount specified in SMC 8.02.083 to cover costs of administering the scofflaw list. There is also imposed upon the owner of every vehicle on the scofflaw list that is immobilized or impounded hereunder a civil penalty of the amount specified in SMC 8.02.083 to cover the additional administrative costs of immobilization and/or impoundment.
 2. Notice.
 - a. The City's contracted collection agency shall give notice by first class mail to the last known registered owner of the vehicle, as disclosed by the vehicle license number and as provided by the Washington state department of licensing or equivalent vehicle licensing agency of the state in which the vehicle is registered for each vehicle on the scofflaw list, stating that the vehicle is on the scofflaw list; and
 - i. the date and the nature of each ticket overdue and the amount due on each;

- ii. that a scofflaw list fee in the amount specified in subsection ~~((B))~~1 of this section has been imposed to cover administrative costs;
 - iii. the total amount currently due;
 - iv. a specific deadline for response, no less than ten (10) days after the date of mailing;
 - v. that the owner shall, by said deadline, respond to the notice. Response shall be by paying the total amount due, scheduling a hearing with the Spokane Municipal Court, or by arranging a payment schedule with the City's contracted collection agency for payment of the total amount due; and
 - vi. that if the vehicle owner fails to respond within the prescribed time period, the listed vehicle will be subject to immediate immobilization or impoundment pursuant to the procedures in SMC ~~((16A.61.790(D) Immobilization and SMC 16A.61.790(E) Impoundment))~~16A.61.790(F)(3) and (4), payment of the civil penalties imposed under subsection in SMC 8.02.083 and payment of the costs of immobilization, towing and storage.
- b. The notice required by this subsection is sufficient if mailed to the address provided by the Washington state department of licensing; provided, however, that if the City's contracted collection agency, after exercising due diligence, to discover any mailing address, then notice is sufficient if it is posted on the vehicle, or personally served on the vehicle owner or driver, or provided by any other means reasonably calculated to provides notice to vehicle owner or driver.
 - c. If the vehicle owner or an agent of the owner pays the fines and fees, including the amount(s) specified in SMC 8.02.083, and all towing and storage charges, if any, schedules a hearing with the Spokane Municipal Court, or arranges a payment plan through the City's contracted collection agency, parking services shall remove the vehicle from the scofflaw list. If any parking ticket not included on the scofflaw list for which the owner is liable becomes overdue before the owner or agent appears to pay or sets a hearing with the Spokane Municipal Court, such subsequent tickets shall also be paid or bond shall be posted therefore before the vehicle is removed from the scofflaw list.
 - d. The owner of a vehicle that is subject to the procedures of this section and in SMC ~~((16A.61.790(D) Immobilization and SMC 16A.61.790(E) Impoundment))~~16A.61.790(F)(3) and (4), is entitled to a hearing in the Spokane municipal court pursuant to RCW 46.55.120 (2)(b) to contest the validity of the immobilization, impoundment or the amount of towing and storage charges. Any request for a hearing and the resolution thereof shall be as set forth

in RCW 46.55.120 (3), which are hereby adopted by reference as now exist or hereafter may be amended.

- e. Failure to appear for a scheduled hearing or to remain current and in good standing on any arranged payment plan with the City's contracted collection agency, will result in the vehicle returning to the scofflaw list and being eligible for immediate immobilization.
3. Immobilization.
- a. If the owner of a vehicle to whom notice has been sent pursuant to SMC ~~((16A.61.790(C)))~~ 16A.61.790(F)(2) fails to respond to the notice within the deadline therein specified by paying all fines, fees, towing, storage and administrative charges then due, including but not limited to the amount(s) specified in SMC 8.02.083, or posting a bond to cover such fines, fees and charges such that the vehicle can be removed from the scofflaw list under SMC ~~((16A.61.790(C)))~~ 16A.61.790(F)(2)(c), then, at the discretion of a limited commissioned or commissioned City officer, the vehicle may be immobilized by installing a boot on the vehicle ~~((a device known as a "boot," which clamps and locks on to a wheel of the vehicle and impedes movement of the vehicle))~~.
 - b. The person installing the boot shall leave under the windshield wiper or otherwise attach to such vehicle a notice advising the owner that:
 - i. the vehicle has been immobilized by the City of Spokane for failure to pay four or more uncontested parking tickets within forty-five (45) days of their issuance,
 - ii. that release of the boot may be obtained by paying the fines, fees and civil penalties due,
 - iii. that unless such payments are made within two (2) business days of the date of the notice, the vehicle will be impounded, and
 - iv. that it is unlawful for any person to remove or attempt to remove the boot, to damage the boot, or to move the vehicle with the boot attached.
 - c. No parking restriction otherwise applicable to the vehicle applies while the vehicle is immobilized by a boot installed under the provisions of this section.
 - d. Before the vehicle may be released from immobilization, the vehicle owner or an agent of the owner shall:
 - i. pay all fines and fees then due, including but not limited to the amounts specified in SMC 8.02.083; or
 - ii. post a bond to cover such fines, fees, and charges, or
 - iii. arrange any combination of payment and bond to cover the total due.

Upon such payment, the vehicle shall be removed from the scofflaw list, and a limited commissioned parking services officer shall promptly remove the boot from the vehicle.

If any parking ticket not included on the scofflaw list for which the owner is liable becomes overdue before the owner or agent pays, the subsequent tickets shall also be paid before the vehicle may be removed from the scofflaw list or released from immobilization.

4. Impoundment.

- a. At the discretion of a limited commissioned or commissioned City officer, the following vehicles may be impounded:
 - i. A vehicle that was involved in eight (8) or more parking tickets that are unpaid forty-five (45) or more days after the date of their issuance, where the registered owner of the vehicle was sent a notice pursuant to SMC 16A.61.790(C) and the owner fails to respond to the notice within the deadline therein specified by paying all fines, fees, towing, storage and administrative charges or posting a bond to cover such fines, fees and charges such that the vehicle can be removed from the scofflaw list under SMC ~~((16A.61.790(C)))~~ 16A.61.790(F)(2)(c); or
 - ii. A vehicle that was immobilized pursuant to SMC 16A.61.790(D) and the vehicle's owner failed to pay all fines, fees, and administrative charges or post a bond to cover such fines, fees and charges within two (2) business days of the date the vehicle was immobilized such that the vehicle can be removed from the scofflaw list under SMC ~~((16A.61.790(C)))~~ 16A.61.790(F)(2)(c); or
 - iii. As otherwise authorized by the model traffic code as adopted by reference in SMC 16A.02.010.
- b. Limited commissioned City officers, as applicable, shall use the uniform impound authorization and inventory form provided for by administrative rule by the Washington state patrol pursuant to RCW 46.55.075.
- c. If a vehicle has been impounded pursuant to SMC ~~((16A.61.790(E)))~~ 16A.61.790(F)(4), before the vehicle may be released from impound, the vehicle owner or an agent of the owner shall pay all fines and fees then owing, including but not limited to the amounts specified in SMC 8.02.083; and all towing and vehicle storage charges. Upon such payment, the vehicle shall be removed from the scofflaw list. If any parking ticket not included on the scofflaw list for which the owner is liable becomes overdue before the owner or agent pays, such subsequent tickets shall also be paid before the vehicle may be removed from the scofflaw list or released from impoundment.

PASSED by the City Council on _____.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date

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

11/05/2018

Date Rec'd

10/22/2018

Clerk's File #

ORD C35697

Renews #**Cross Ref #****Submitting Dept**

CITY COUNCIL

Contact Name/Phone

KATE BURKE 625-6275

Project #**Contact E-Mail**

KATEBURKE@SPOKANECITY.ORG

Bid #**Agenda Item Type**

Final Reading Ordinance

Requisition #**Agenda Item Name**

0320 - ORDINANCE CONCERNING PUBLIC ACCESS TO PUBLIC SPACES AT CITY HALL

Agenda Wording

An ordinance reaffirming that the first floor lobby of City Hall is open to all members of the public; enacting a new section 12.05.050 of the Spokane Municipal Code.

Summary (Background)

This ordinance provides that the first floor of City Hall is a publicly-accessible space during working hours, and that members of the public are welcome unless they are obstructing or interfering with the work of City employees.

Fiscal Impact

Grant related? NO

Public Works? NO

Budget Account

Neutral \$

#

Select \$

#

Select \$

#

Select \$

#

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

MCDANIEL, ADAM

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

PIES Comm., 8/22/2018

Finance

BUSTOS, KIM

Distribution List**Legal**

DALTON, PAT

For the Mayor

ORMSBY, MICHAEL

Additional Approvals**Purchasing****CITY COUNCIL**

MCDANIEL, ADAM

ORDINANCE NO. C35697

An ordinance reaffirming that the first floor lobby of City Hall is open to all members of the public; enacting a new section 12.05.050 of the Spokane Municipal Code.

WHEREAS, City Hall is a publicly-owned building; and

WHEREAS, the City of Spokane strives to be a transparent government body, and seeks to encourage greater public participation in our local government activities; and

WHEREAS, one of the City's goals, as outlined in its strategic plan, is to "[c]reate a compassionate community so that all people can feel safe, empowered, and welcome"; and

WHEREAS, our strategic plan also calls on the City to "protect vulnerable populations," some of whom are people in Spokane who may have nowhere else to go during the coldest times of the year; and

WHEREAS, the recent "#spokind" City initiative tells the world that "[i]n Spokane, we strive to be a city of kindness," "no matter what you look like"; and

WHEREAS, the lobby of City Hall, on the first, floor, has a designated seating area where people can sit and rest without disturbing the work of City employees; and

WHEREAS, the City Council has determined that a specific statement that certain areas of City Hall are always accessible to the public is required.

NOW THEREFORE, the City of Spokane does ordain:

Section 1. That there is enacted a new section 12.05.050 of the Spokane Municipal Code to read as follows:

Section 12.05.050 Public Access to City Hall

- A. City Hall is a public building, owned by the City of Spokane and its people, for the access of, and provision of services to, the people of Spokane.
- B. In addition to other areas to which the public has access during the City's office hours (defined in SMC 03.02.010 as 8 a.m. to 5 p.m., Monday through Friday, public holidays excepted), the first-floor lobby of City Hall is a public area, and any member of the public may enter and remain there during office hours, without time limit. A member of the public may be removed from the first-floor lobby of City Hall if he or she engages in violent or threatening behavior or causes a disturbance which impairs the ability of City employees to conduct City business.

- C. Other areas of City Hall may, by appropriate administrative policy, be designated as non-public areas, to which public access may be restricted during normal City office hours.
- D. All administrative policies which are in conflict with this section are superseded to the extent of the conflict.

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:
11/12/2018

Date Rec'd	10/31/2018
Clerk's File #	ORD C35698
Renews #	
Cross Ref #	
Project #	
Bid #	
Requisition #	

Submitting Dept	FINANCE & ADMIN
Contact Name/Phone	CRYSTAL 625-6369 MARCHAND
Contact E-Mail	CMARCHAND@SPOKANECITY.ORG
Agenda Item Type	Final Reading Ordinance
Agenda Item Name	0410 - PROPERTY TAX ORDINANCE (2019 TAXES)

Agenda Wording

An Ordinance making the annual City of Spokane property tax levy for 2019.

Summary (Background)

Each year per RCW 84.52.070, the City Council must pass the annual property tax levy and transmit to the County Assessor and the Board of County Commissioners the amount of property taxes levied on property in the City.

<u>Fiscal Impact</u>		Grant related?	NO	<u>Budget Account</u>	
		Public Works?	NO		
Select	\$			#	
Select	\$			#	
Select	\$			#	
Select	\$			#	
<u>Approvals</u>			<u>Council Notifications</u>		
<u>Dept Head</u>		MARCHAND, CRYSTAL		<u>Study Session</u>	Budget Study Session Revenue Estimates 10/4/18
<u>Division Director</u>		STOPHER, SALLY		<u>Other</u>	Revenue Hearing 10/29/18
<u>Finance</u>		STOPHER, SALLY		<u>Distribution List</u>	
<u>Legal</u>		DALTON, PAT		cmarchand@spokanecity.org	
<u>For the Mayor</u>		ORMSBY, MICHAEL		mdoval@spokanecity.org	
<u>Additional Approvals</u>			mhughes@spokanecity.org		
<u>Purchasing</u>					
<u>CITY COUNCIL</u>		MCDANIEL, ADAM			

ORDINANCE NO. C35698

An ordinance updating the annual City of Spokane property tax levy for 2019.

WHEREAS, the Spokane City Council, the governing body of the City of Spokane, a taxing district ("District" or "City") of the State of Washington, has met and considered its budget for the calendar year 2019, holding public hearings thereon; and

WHEREAS, the District's actual regular levy amount from the previous year (2018) was \$58,933,450.15 exclusive of administrative refunds and the 2014 Library Levy Lid Lift which expired at the end of 2017; and

WHEREAS, the City Council, after hearing and after duly considering all relevant evidence and testimony presented, has determined that the City of Spokane requires a regular levy as provided hereafter, as well as an EMS levy as provided hereafter, both of which include an increase in property tax revenue from the previous year, and amounts resulting from the addition of new construction and improvements to property and any increase in the value of state-assessed property, and amounts authorized by law as a result of any annexations that have occurred and refunds made, and authorized refunds, in order to discharge the expected expenses and obligations of the City and in its best interest; and

WHEREAS, the District population is more than 10,000; Now, Therefore,

The City of Spokane does ordain:

Section 1. Regular Levy.

- A. An increase in the regular annual property tax levy is hereby authorized for the levy to be collected in the 2019 tax year, said increase to be in the amount of \$589,334.50, which is a percentage increase of 1% from the previous year's actual levy, prior to the inclusion of administrative refunds and the 2014 library lift in the 2018 levy.
- B. This increase is exclusive of additional revenue in 2019 resulting from new construction, improvements to property, newly constructed wind turbines, increases in the value of state assessed property, and any annexations that have occurred and refunds made or amounts as required or permitted by law.
- C. Resolution No. 2016-0093 concerning a levy for library services, passed by the Spokane City Council on November 14, 2016 and approved by the voters in the election of April 25, 2017, provides for an increase in the regular property tax levy in excess of state law beginning in 2018. The voter approved Measure authorizes an increase in the regular property tax levy of \$0.07 per \$1,000 of assessed valuation. Based on preliminary assessed value figures, voter approval of Measure 1 allows for an estimated \$1,354,650.65 to be collected and used specifically for library services. This voter approved levy will remain in

effect for a period of seven years and is in addition to the Regular Levy amounts listed in Sections 1A and 1B above.

- D. The total regular property tax levy for 2019, including amounts estimated for new construction, annexations, refunds, any other add-ons, and the voter approved levy for library services, is estimated at \$60,414,600 and is a percentage increase of 2.51% from the previous year's actual levy prior to the inclusion of 2018 administrative refunds and the 2014 library levy. Inclusive of 2018 administrative refunds and the expiring library levy, the 2019 levy represents a 2.35% increase.

Section 2. Existing GO Bonds.

In the case of the tax levied to raise \$8,653,676 for Principal and Interest on the City of Spokane's outstanding General Obligation Bonds, the County Assessor, in spreading the tax upon the rolls shall determine the dollar rate required.

Section 3. EMS Levy.

Ordinance C-35366 concerning a levy for emergency medical services (EMS), passed by the Spokane City Council on February 22, 2016 and approved by the voters in the election of April 26, 2016, provides for a levy for six consecutive years beginning in 2017, with the rate in the first year being 50 cents per \$1,000 of assessed valuation.

- A. As required by RCW 84.55.120, this ordinance must specifically state the dollar increase requested, as well as the percent change from the previous year. For 2019 the City is requesting an increase of \$85,505.57 which is a 1% increase over the 2018 EMS Levy.
- B. This increase is exclusive of additional revenue in 2019 resulting from new construction, improvements to property, newly constructed wind turbines, increase in the value of state assessed property, and any annexations that have occurred and refunds made or amounts as required or permitted by law. The total EMS levy for 2019, including amounts we have estimated for new construction, annexations, refunds, and other add-ons, is estimated at \$8,750,000 and is a percentage increase of 2.33% from the previous year levy of \$8,550,556.84.

Section 4. Certification; Filing.

The City Council certifies all information as stated herein. Appropriate City staff is directed to transmit all required information required to the Clerk of Spokane County Board of County Commissioners and County Assessor, including budget estimates of amounts to be raised by taxation on assessed value of property (RCW 84.55.020), estimated beginning and ending cash balances (RCW 84.52.025), and the amount of taxes levied on assessed value within the City (RCW 84.52.070). Pursuant to Section

19 of the City Charter, this measure takes effect immediately on first reading and passage.

Passed by the City Council on _____.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

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

10/22/2018

Date Rec'd	10/10/2018
Clerk's File #	FIN 2018-0001
Renews #	
Cross Ref #	
Project #	
Bid #	
Requisition #	

Submitting Dept	FINANCE & ADMIN
Contact Name/Phone	CRYSTAL 625-6369
Contact E-Mail	CMARCHAND@SPOKANECITY.ORG
Agenda Item Type	Hearings
Agenda Item Name	0410 - SET BUDGET HEARINGS

Agenda Wording

Setting the Hearings for review of the 2019 Proposed Budget beginning Monday, October 29, 2018 and continuing thereafter at the regular Council meetings during the month of November.

Summary (Background)

As part of the annual budget process, the City Council will hold public Hearings on the Proposed 2019 Budget for the City of Spokane. Public testimony is welcome on all sections of the Budget at each Hearing. The first Hearing will be held on October 29, 2018 and are currently scheduled to continue each Monday during the month of November. The Council may continue the Hearing up to the 25th day prior to the beginning of the next fiscal year.

<u>Fiscal Impact</u>	Grant related? NO	<u>Budget Account</u>
	Public Works? NO	
Select \$		#
Select \$		#
Select \$		#
Select \$		#
<u>Approvals</u>		<u>Council Notifications</u>
<u>Dept Head</u>	STOPHER, SALLY	<u>Study Session</u>
<u>Division Director</u>	MARCHAND, CRYSTAL	<u>Other</u>
<u>Finance</u>	BUSTOS, KIM	<u>Distribution List</u>
<u>Legal</u>	DALTON, PAT	cmarchand@spokanecity.org
<u>For the Mayor</u>	SANDERS, THERESA	pingiosi@spokanecity.org
<u>Additional Approvals</u>		
<u>Purchasing</u>		

APPROVED BY
SPOKANE CITY COUNCIL:

10/22/2018
Lem L. [Signature]
CITY CLERK

NOTICE



FIN 2018-0001 – The 2019 Proposed Budget can be viewed online at:

<http://www.myspokanebudget.org>.

In addition the Program will be available for viewing at the City Clerk's Office – 5th Floor, City Hall (clerks@spokanecity.org or 509.625.6350).



Agenda Sheet for City Council Meeting of:
11/05/2018

Date Rec'd	10/24/2018
Clerk's File #	ORD C35695
Renews #	

Submitting Dept	FINANCE & ADMIN	Cross Ref #	
Contact Name/Phone	CRYSTAL 625-6369	Project #	
Contact E-Mail	CMARCHAND@SPOKANECITY.ORG	Bid #	
Agenda Item Type	First Reading Ordinance	Requisition #	
Agenda Item Name	0410 - CITYWIDE CIP ORDINANCE 2019-2024		

Agenda Wording

An ordinance adopting a six-year Citywide Capital Improvement Program for the years 2019-2024 and amending section 5.5 Capital Facilities Program of the City's Comprehensive Plan.

Summary (Background)

City of Spokane's Municipal Code chapter 7.17 indicates the City must adopt and annually update a Citywide Six-Year Capital Improvement Program (CIP). A Plan Commission workshop was held on September 12, 2018. A Plan Commission hearing was held on October 10, 2018. The 2019-2024 CIP was found to be consistent with the City's Comprehensive Plan per the attached City Plan Commission Findings of Fact, Conclusions, and Recommendations. The CIP can be viewed on line at www.myspokanebudget.org.

<u>Fiscal Impact</u>		Grant related?	NO	<u>Budget Account</u>	
		Public Works?	NO		
Select	\$			#	
Select	\$			#	
Select	\$			#	
Select	\$			#	
<u>Approvals</u>			<u>Council Notifications</u>		
<u>Dept Head</u>		MARCHAND, CRYSTAL		<u>Study Session</u>	Sustainable Resources
<u>Division Director</u>		MARCHAND, CRYSTAL		<u>Other</u>	
<u>Finance</u>		STOPHER, SALLY		<u>Distribution List</u>	
<u>Legal</u>		DALTON, PAT		cmarchand@spokanecity.org	
<u>For the Mayor</u>		ORMSBY, MICHAEL		pingiosi@spokanecity.org	
<u>Additional Approvals</u>			kemiller@spokanecity.org		
<u>Purchasing</u>					
<u>CITY COUNCIL</u>		MCDANIEL, ADAM			

ORDINANCE NO. C35995

AN ORDINANCE OF THE CITY OF SPOKANE, WASHINGTON, ADOPTING A SIX-YEAR CITYWIDE CAPITAL IMPROVEMENT PROGRAM FOR THE YEARS 2019 THROUGH 2024, AND AMENDING SECTION 5.5 CAPITAL FACILITIES PROGRAM (CFP) OF THE CITY OF SPOKANE COMPREHENSIVE PLAN.

WHEREAS, in accordance with the Growth Management Act ("GMA"), the City of Spokane previously adopted a Comprehensive Plan that includes a Capital Facilities Program that includes an inventory, analysis, and a six-year financing plan for needed capital facilities; and

WHEREAS, the City formed a Capital Facilities Technical Team which has assembled proposed amendments to Section 5.5 Capital Facilities Program (CFP) of the City of Spokane Comprehensive Plan ("Comprehensive Plan"), which amendments consist of an updated six-year plan (years 2019 through 2024) identifying the proposed locations and capacities of expanded or new capital facilities and a plan to finance such capital facilities within projected funding capacities (the "Six-Year Citywide Capital Improvement Program" or "CIP"); and

WHEREAS, the City previously adopted the Six-Year Street Program (RCW 35.77.010) on June 18, 2018 by Council Resolution 2018-0045, and that program is incorporated into the CIP; and

WHEREAS, GMA provides that proposed amendments to a comprehensive plan may be considered by the governing body of a city no more frequently than once per year, but further provides that amendments to the capital facilities element of a comprehensive plan may be considered outside of this annual process where the amendment is considered concurrently with the adoption or amendment of a city budget; and

WHEREAS, on August 8, 2018, the City's responsible official issued a Determination of Non-Significance for the CIP; and

WHEREAS, the Spokane City Plan Commission conducted a public workshop regarding the CIP on September 12, 2018; and

WHEREAS, after providing appropriate public notices, on October 10, 2018, the Spokane City Plan Commission, conducted a public hearing to take testimony on the CIP, and at the close of the hearing, and after considering public input, the SEPA determination, and required decision criteria, found that the CIP is consistent with the Comprehensive Plan and voted unanimously to recommend that the City Council approve the CIP; and

WHEREAS, on August 1, 2018, the City provided the State of Washington the required sixty (60) day notification under RCW 36.70A.106 of the City's proposed amendment to the CIP. The 60-day notice period has lapsed; and

Now, Therefore,

The City of Spokane does ordain:

Section 1. Amendment. The City of Spokane Comprehensive Plan and its capital facilities element are hereby amended to reflect a six-year plan for capital improvement projects (2019-2024), as set forth in the attached Citywide Capital Improvement Program (2019-2024).

Section 2. Authorization to Seek Funding. City staff are authorized to apply for state and federal grants and low-interest loans in support of the projects identified in the Citywide Capital Improvement Program (2019-2024).

Section 3. Effective Date. This ordinance shall take effect and be in force on _____.

PASSED BY THE CITY COUNCIL ON _____.

Terri Pfister, City Clerk

Approved as to Form:

Assistant City Attorney

CITY PLAN COMMISSION FINDINGS OF FACT, CONCLUSIONS, AND RECOMMENDATIONS ON THE 2019-2024 CITYWIDE CAPITAL IMPROVEMENT PROGRAM

A Recommendation of the City Plan Commission certifying that the 2019-2024 Six Year Citywide Capital Improvement Program (CIP) is in conformance with the City of Spokane's Comprehensive Plan.

FINDINGS OF FACT:

A. In May 2001, the City of Spokane adopted its Comprehensive Plan under the Growth Management Act (Chapter 36.70A RCW or "GMA").

B. The City's Comprehensive Plan is required to be consistent with the GMA.

C. The GMA requires that the City's annual CIP shall be in conformance with the City's Comprehensive Plan.

D. The 2019-2024 Six Year Citywide CIP identifies capital project activity which has implications on the growth of the community.

E. The City Plan Commission held one workshop on September 12, 2018, to obtain public comments on the 2019-2024 Six Year Citywide CIP.

F. The City Council must receive a recommendation from the City Plan Commission to verify that the 2019-2024 Six Year Citywide CIP is in conformance with the City's Comprehensive Plan in effect on the day of certification.

CONCLUSIONS:

A. The 2019-2024 Six Year Citywide CIP has been prepared in full consideration of the City's Comprehensive Plan.

B. The 2019-2024 Six Year Citywide CIP has been reviewed by the City Plan Commission and found to be in conformance with the goals and policies of the City's 2001 Comprehensive Plan, as well as the Arterial Street Plan.

RECOMMENDATIONS:

A. The Spokane City Plan Commission is certifying that the 2019-2024 Six Year Citywide CIP is in full compliance with the existing Spokane Comprehensive Plan as required by RCW 36.70A and RCW 35.77.010 and is recommended for adoption by the Spokane City Council.

B. By a vote of 10 to 0, the Plan Commission recommends the approval of these amended documents by the City Council.

A handwritten signature in black ink, appearing to read "Dennis Dellwo", written over a horizontal line.

**Dennis Dellwo, President
Spokane Plan Commission**

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

11/05/2018

Date Rec'd

10/23/2018

Clerk's File #

ORD C35694

Renews #**Submitting Dept**

PLANNING

Cross Ref #**Contact Name/Phone**

CHRIS GREEN 625-6194

Project #**Contact E-Mail**

CGREEN@SPOKANECITY.ORG

Bid #**Agenda Item Type**

First Reading Ordinance

Requisition #**Agenda Item Name**

0650-DT PARKING & BUSINESS IMPROVEMENT AREA ORDINANCE

Agenda Wording

An ordinance relating to the Downtown Parking and Business Improvement Area regarding changing certain assessment rates and modifying the boundary; amending SMC sections 4.31.020, 4.31.040 and 4.31.080.

Summary (Background)

To finance the programs authorized in the Downtown BID, the City levies an annual assessment upon businesses, real properties, multi-family residential, mixed-use projects, hotels, motels, and government property within the BID. This ordinance will change certain assessment rates and modify the boundary as recommended by the Ratepayer Advisory Board.

Fiscal Impact

Grant related? NO

Budget Account

Public Works? NO

Neutral

\$

#

Select

\$

#

Select

\$

#

Select

\$

#

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

TRAUTMAN, HEATHER

Study Session**Division Director**

TRAUTMAN, HEATHER

Other

Urban Experience

Finance

ORLOB, KIMBERLY

Distribution List**Legal**

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For the Mayor

ORMSBY, MICHAEL

mpiccolo@spokanecity.org

Additional Approvals

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Purchasing

ghankal@downtownspokane.net

CITY COUNCIL

MCDANIEL, ADAM

jhensley@spokanecity.org

htrautman@spokanecity.org

sbishop@spokanecity.org

ORDINANCE NO. C- 35694

An ordinance relating to the Downtown Parking and Business Improvement Area regarding changing certain assessment rates and modifying the boundary; amending SMC sections 4.31.020, 4.31.040 and 4.31.080.

The City of Spokane does ordain:

Section 1. That SMC section 4.31.020 is amended to read as follows:

4.31.020 BID BOUNDARIES

The BID shall be within the boundaries described below and as shown on the map attached as [Appendix A](#), which is incorporated herein by reference:

~~((Beginning at a point at the northwest corner of Spokane Falls Boulevard and Division Street; thence west along the north line of Spokane Falls Boulevard to the northwest corner of Spokane Falls Boulevard and Browne Street; thence south along the west line of Browne Street to the northwest corner of Brown Street and Sprague Avenue; thence west along the north line of Sprague Avenue to the northwest corner of Sprague Avenue and Bernard Street; thence south along the west line of Bernard Street to the northwest corner of Bernard Street and First Avenue; thence west along the north line of First Avenue to the northwest corner of First Avenue and Washington Street; thence south along the west line of Washington Street to the intersection of Washington Street and the Railroad Viaduct; thence west along the north line of the Railroad Viaduct to the intersection of the Railroad Viaduct and the east line of Walnut Street; thence north along the east line of Walnut Street to the northeast corner of Walnut Street and Riverside Avenue; thence east along the north line of Riverside Avenue to the northwest corner of Riverside Avenue and Wright Street; thence north along the west line of Wright Street to the southwest corner of Wright Street and Main Avenue; thence east along the south line of Main Avenue to the Northeast Corner of Lot 34, Block 4, Glovers Addition; thence north along said east property line extended to the south line of the Spokane River; thence northeast along the south line of the Spokane River to Monroe Street; thence north along the east line of Monroe Street to the southeast corner of Monroe Street and Bridge Avenue; thence west across Monroe Street to the west line of Monroe Street; thence north along the west line of Monroe Street to the Southeast corner of County Assessor Parcel No. 35183.0095; thence west along the south line of said parcel to the Southwest corner of said parcel; thence north along the west property line of said parcel to the Southwest corner of County Assessor Parcel No. 35183.1302; thence east along the south line of said parcel to the southeast corner of said parcel; thence north along the east property line of said parcel to Broadway Avenue; thence east along the south line of Broadway Avenue to the southeast corner of Broadway Avenue and Post Street; thence north along the east line of Post Street to the southeast corner of Post Street and Mallon Avenue; thence east along the south line of Mallon Avenue to the southeast corner of Mallon Avenue and Howard Street; thence north~~

~~along the east line of Howard Street to the southwest corner of Lot 33, Block 8, Keystone Addition; thence east along the south line of said lot to the southwest corner of Lot 27, Block 8, Keystone Addition; thence north along the west line of said lot to the south line of Cataldo Avenue; thence east along the south line of Cataldo Avenue to the northeast corner of Lot 17, Block 8, Keystone Addition; thence south along the east line of said lot to the southeast corner of said lot; thence east along the south line of Block 8, Keystone Addition to the northeast corner of County Assessor Parcel No. 35181.0032; thence south along the east line of said parcel to the southeast corner of said parcel; thence east along the south line of County Parcel No. 35181.4410 to the east line of Washington Street; thence north along the east line of Washington Street to the southeast corner of Washington Street and North River Drive; thence east along the south line of North River Drive to the southwest corner of North River Drive and Division Street; thence south along the west line of Division Street to the point of beginning.))~~

Beginning at the intersection of N Washington St and W North River Dr, thence east along W North River Dr to N Division St, thence south to the intersection of W Spokane Falls Blvd and N Division St, thence west along W Spokane Falls Blvd to N Browne St, thence south to W Sprague Ave, to N Bernard St, thence south to W 1st Ave, thence west to S Washington St, thence south to the Railroad, thence west along the railroad to S Walnut St, thence north to W Riverside Ave, thence northeast to the southwestern corner of lot 15 block 4 of the Glover's Addition, thence north to W Main Ave, thence east to a point 294 feet west of the intersection of N Monroe St and W Main Ave, thence north for a distance of 187.8 feet, thence east for a distance of 115.6 feet, thence north to the Spokane River, thence northeast to N Monroe St, thence north to a point 222.3 feet north of the intersection of N Monroe St and W Summit Parkway, thence west to the western boundary of parcel 35183.0095, thence north to the Broadway-College Alley, thence east a distance of 50.1 feet, thence north to W Broadway Ave, thence east to N Monroe St, thence north to W Mallon Ave, thence east to N Howard St, thence northwest for a distance of 85.6 feet, thence east to the southwest corner of Lot 28 Block 8 of the Keystone Addition, thence north to W Cataldo Ave, thence east for a distance of 294.5 feet, thence south to the northern boundary of parcel 35181.0032, thence east to the northeast corner of said parcel, thence south to the southeast corner of said parcel, thence north to the intersection of N Washington St and W North River Dr.

The above description will hereafter be referred to as the "business improvement district" or "BID." Businesses, as described in RCW 35.87A.020, real properties (including improvement thereon), multifamily residential, mixed-use projects, hotels, motels, government property and parking lots available to the public which are occupied for a fee located within the BID shall be subject to special assessments as authorized by RCW 35.87A.010.

Section 2. That SMC section 4.31.040 is amended to read as follows:

4.31.040 Levy of Special Assessments

- A. To finance the programs set forth in [SMC 4.31.030](#), there shall be levied and collected an annual special assessment upon the “businesses” and “multifamily residential or mixed-use” projects, as defined in RCW 35.87A.020(3) (including real property improvements thereon) as set forth on the special assessment formula for the BID, which shall be adopted annually by ordinance and incorporated by this reference as if fully set forth herein.
- B. For purposes of levying and collecting special assessments within the BID, the BID will be divided into ~~((six))~~ four zones (the boundaries of which are set forth in [Appendix A](#) hereto and incorporated herein by this reference). Within each such zone, the City will levy and collect special assessments at different rates based on whether the entity being assessed is a tenant (and, if so, the type of tenant) or a property owner, and whether the property to which such assessment applies is a governmentally-owned park. The City will levy and collect special assessments on an annual basis within the BID.
- C. The rates at which special assessment within the BID will be imposed for calendar year ~~((2002))~~ 2019 are set forth in [Appendix B](#) hereto (which is incorporated herein by reference and which shall be annually adopted as amended as part of the ordinance approving and confirming the assessment roll). The city council finds that the benefit to the property owners, businesses and multifamily residential or mixed-used projects subject to the special assessment is a special benefit which would not otherwise accrue, but for the activities, programs and services carried out with the funds provided by the special assessments authorized pursuant to this chapter.
- D. ~~((The City anticipates that any s))~~ Subsequent increases in the amounts of the special assessments for all flat-fee assessments will be adjusted based on the increase, if any, of the Consumer Price Index ((CPI)) of the U.S. City Average for all urban consumers (CPI-U). The percentage increase in the assessment formula shall be computed as follows:
1.
$$\frac{[(\text{Ending CPI-U} - \text{Beginning CPI-U}) \div \text{Beginning CPI-U}] \times 100}{\text{Percentage Increase}} =$$
- E. Any change in the assessment rate shall only be made by ordinance and as authorized in RCW 35.87A.130 through RCW 35.87A.140. No increase shall occur in the assessment rate unless recommended by the ratepayer advisory board.

Section 3. That SMC section 4.31.080 is amended to read as follows:

4.31.080 Ratepayer Advisory Board

- A. Pursuant to RCW 35.87A.110, there is hereby created a nineteen-member BID advisory board, to be known as the “Ratepayer Advisory Board.” The ratepayer advisory board shall not exceed a membership of nineteen persons, who, if they are ratepayers, are in good standing either residing within the BID, owning property, or operating a “business” or “multifamily residential or mixed-use” projects in the BID. “Persons in good standing” are those ratepayers who are not more than sixty days delinquent on any BID assessment unless the ratepayer has appealed the BID assessment and is in the appeal process, in which case the ratepayer retains his or her “in good standing” status through completion of the appeal process.
- B. Board positions are designated by geography, business, and property type to ensure that the BID’s interests are well represented and served. To the extent individuals are willing to serve, Ratepayer Advisory Board positions consist of:
1. ~~((one))~~ six individuals ~~((each))~~ from zones one through ~~((six))~~ four, ~~((respectively (six positions)))~~ with at least one individual from each zone;
 2. one individual from a retail business within the BID occupying more than twenty thousand square feet;
 3. one individual from a retail business located within the BID occupying less than twenty thousand square feet;
 4. the Superintendent of School District 81 or his/her designee;
 5. four individuals representing professional service businesses located within the BID, including such as legal services, accounting, and architecture;
 6. one individual from a non-profit organization which is either located within, or provides services inside, the BID;
 7. one individual from a small business located within the BID with up to twenty-five employees;
 8. one individual from a business located within the BID with more than twenty-five employees;
 9. two individuals who reside within the BID area; and
 10. one appointee from the City Council.

The program manager shall provide administrative staff to the ratepayer advisory board.

- C. Each member of the ratepayer advisory board will be elected by businesses and property owners within the BID for a term of two years from the date of election (unless such member is appointed by the ratepayer advisory board to fulfill the remaining unexpired term of a prior member).

1. A subcommittee of ratepayer advisory board members will receive nomination applications and will select a slate of candidates for open ratepayer advisory board positions to be presented at the annual meeting.
2. New ratepayer advisory board members will be elected by a majority vote of ratepayers in good standing who attend the annual meeting.
3. The initial ratepayer advisory board shall consist of the ratepayer advisory board for the City's previous PBIA that was created pursuant to Ordinance C32438. All subsequent Board elections shall be pursuant to the ratepayer advisory board's bylaws.
4. The city council hereby approves through the adoption of this chapter the revised "Bylaws of the Downtown Spokane Business Improvement District" which are attached to the ordinance codified in this section (ORD C32923 and Recodification Ordinance C33995) as Appendix C. Subsequent proposed amendments shall be brought before City Council for approval on or before November 25th of each year in which the amendments are proposed.

D. The ratepayer advisory board shall:

1. establish and maintain a database which includes a list and classification of all ratepayers;
2. represent the interests of ratepayers by developing projects, programs, and budgets; proposing assessments; monitoring service delivery; and planning for the future of the BID; and
3. make determinations regarding ratepayer disputes as provided in [SMC 04.31.120](#), including, as appropriate, the adjustment of assessment rates, methods, classification, special benefits, and all matters reasonably related thereto. For the purpose of considering ratepayer disputes, the ratepayer advisory board may act through a committee comprised of ratepayer advisory board members.
4. make recommendations to the program manager on matters relating to the BID budget, expenditures, and programs for the purpose of monitoring the contract to administer the BID.

PASSED by the City Council on _____.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date

[illegible]

**DOWNTOWN SPOKANE
BUSINESS IMPROVEMENT DISTRICT
Special Assessment Matrix**

I. TENANT ASSESSMENT FORMULA

All tenant assessments are based upon square footage of space per lease except where noted. *There is an annual minimum assessment of \$~~9~~110.00 per tenant.*

Type of Tenant	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6*
Retail Tenants -Ground floor and skywalk	\$0.22 0.27	\$0.12 0.15	\$0.10 0.12	\$0.10	\$0.10	-0-
Office Tenants -Ground floor and skywalk	\$0.12 0.15	\$0.11 0.14	\$0.09 0.11	\$0.09	\$0.09	-0-
Office and Retail Tenants -Upper floors and basement	\$0.09 0.11	\$0.08 0.10	\$0.07 0.09	\$0.07	\$0.07	-0-
Manufacturing Tenants -outside a C-1 zoning district	\$0.09 0.11	\$0.08 0.10	\$0.07 0.09	\$0.07	\$0.07	-0-
-within a C-1 zoning district	\$0.03 0.04	\$0.03 0.04	\$0.03 0.04	\$0.03	\$0.03	-0-
Commercial Parking -per space assessment	\$3.00 3.75	\$2.50 3.12	\$2.00 2.50	\$2.00	\$2.00	-0-
Commercial Theaters -per seat assessment	\$2.50 3.12	\$1.90 2.37	\$1.60 2.00	\$1.60	\$1.60	-0-
Apartments -per unit assessment	\$4.00 5.00	\$3.50 4.37	\$3.00 3.75	\$3.00	\$3.00	-0-

Combined Tenant/Owner	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6
Hotels and Motels	\$20.00 25.00	\$20.00 25.00	\$20.00 25.00	\$20.00	\$20.00	-0-

II. PROPERTY OWNER ASSESSMENT FORMULA

Type of Owner	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6
Private Property	\$1.10	\$1.10	\$0.70	\$0.70	\$0.70	-0-
Government	\$0.80	\$0.80	\$0.60	\$0.60	\$0.60	-0-
Non Profit	\$0.60	\$0.60	\$0.40	\$0.40	\$0.40	0
Residential/Condominiums -per unit assessment	\$0.60 /\$1,000 up to a max of \$215	\$0.60 /\$1,000 up to a max of \$215	\$0.40 /\$1,000 up to a max of \$215	\$0.40	\$0.40	-0-
Public Facilities District	\$0.31	\$0.31	\$0.31	\$0.31	\$0.31	-0-

Property owner assessments are based upon current values for land plus improvements, no exemptions, and are calculated at a rate per \$1,000 of total assessed value. Each property including its tenants shall be assessed under both the tenant and property owner formulas.

There is an annual minimum assessment of \$~~9~~110.00 per property parcel.

III. GOVERNMENT PARK PROPERTY ASSESSMENT FORMULA

Type	Zone 6*
Public parks	\$150.00 per acre

IV. GENERAL EXEMPTIONS

The following will be exempt from special assessments:

1. Organizations and property owners recognized under Section 501 (c) (3) of the Internal Revenue Code as a tax exempt non-profit charitable organization;
- ~~2. Residences (other than apartment complexes or other multi-family residences where the management organization or owner is assessed);~~
32. Government agencies exempt from taxation pursuant to state or federal law;
- ~~43. Vendors or concessionaires, including machines, licensed by the City, located and doing business in or on the street right of way;~~
- ~~54. Theaters that principally present live performances; and~~
- ~~65.~~ Organizations conducting business in the Bid less than 30 days per year.

V. TENANT EXEMPTIONS

The following tenants will be exempt from special assessments:

- ~~1. Concessionaires at public events;~~
- ~~2. Vendors or entertainers in the district streets;~~
- ~~3. Theaters which principally present live performances and not video or film shows;~~
- 4.1. Businesses in the district less than 30 days per year;
- ~~— Businesses incorporated under state or federal law as a non-profit organization;~~
- ~~5. Emergency City services such as fire, police and medical care.~~

~~VI. PROPERTY OWNER EXEMPTIONS.~~

~~Property owners which are religious, charitable or social welfare non-profit organizations shall be exempt from special assessments.~~

ASSESSMENT GUIDELINES

~~City Ordinance C-33781 passed December 12, 2005 amending Ordinance C-33418 passed May 3, 2004 amending Ordinance C-32923 enacted by City Council on November 12, 2001~~ Chapter 4.31 of the Spokane Municipal Code (SMC), as originally adopted in Ordinance No. C-32923 and as subsequently amended by the City Council, provides for the levy of special assessments upon businesses and properties within the area designated as the Downtown Business Improvement District (BID). The Ratepayer Advisory Board of Directors submits to City Council an annual BID Management Plan including a proposed budget and special assessment matrix. In early December, City Council holds a public hearing to hear all protests and receives evidence for or against the proposed action.

The following guidelines are provided as a supplement to the assessment matrix:

- Assessment rates are annual and are based upon gross leasable space (including storage) except where noted. If a ratepayer elects to pay the assessment in two installments there will be a \$10.00 service charge levied.
- A pro-rated assessment shall be available to tenant ratepayers upon request.
 - The pro-rated assessment shall be based on a full month, i.e. If a ratepayer leaves the district March 15th they will be invoiced for three full months.
 - A pro-rated assessment shall be available only to tenant ratepayers who move out of the district. When a tenant moves within the district, that tenant will be responsible for the assessment based on their previous location until the change is made for the next year's assessment roll.
- Assessments are based upon ~~six~~ four "benefit zones", each of which pays a different level of assessment based upon the services it receives.
- A minimum assessment of ~~\$91~~ \$110.00 is levied for each tenant and/or property parcel.
- The following will be exempt from assessment: Organizations and property owners recognized ~~by the State of Washington as Charitable Organizations; businesses recognized by the State of Washington as Non-Profit organizations recognized under Section 501 (c)(3) of the Internal Revenue Code as a tax exempt non-profit charitable organization;~~ Governmental agencies exempt from taxation pursuant to State and Federal law, ~~Vendors and Concessionaires, theaters which principally present live performances;~~ organizations conducting business in the BID less than 30 days per year, ~~or as per Section 5A4 as amended.~~
- No historic tax credit or other exemptions that would decrease the assessed value of land or improvements will be used to calculate the annual property assessment.
- The Downtown Spokane Partnership office should be contacted immediately to discuss any situations not covered in the above guidelines.
- Manufacturing businesses should have their businesses classified, and assessments applied, consistent with other uses in the District. Business classifications (i.e., office/manufacturing) should not be prorated for a single business operation. Per Section 4, Part E, "if multiple activities or uses are undertaken in a single business space, the predominant activity or usage shall determine the business classification. The predominant usage is that use that has the greatest proportional square footage of a building compared to other uses.

DISPUTES

The majority of assessment questions are quickly resolved by the billing agency or the Downtown Spokane Partnership office. If a satisfactory conclusion is not reached, a ratepayer aggrieved by the amount of an assessment or delinquency charge, shall request, **within sixty (60) days of the assessment or charge**, a hearing before the Ratepayer Advisory Board. An Assessment Resolution Policy, which fully outlines the appeal process, is available from the Downtown Spokane Partnership office.

SPECIAL ASSESSMENTS

The City of Spokane will levy a special assessment on each business, organization, building and a property within the area by applying an assessment rate according to the current assessment formula approved by City Council.

Tenant Exemptions

- ~~5. Concessionaires at public events.~~
- ~~5. Vendors or entertainers in the district streets and parks.~~
- ~~5. Theaters which principally present live performances and not video or film shows.~~
- ~~5. Businesses in the district less than 30 days per year.~~
- ~~5. Businesses incorporated as a non-profit organization.~~
- ~~5. Emergency City services such as fire, police and medical care.~~

Property Owner Exemptions

- ~~0. Religious, charitable or social welfare non-profit organizations.~~

Assessment Rate Increases

Proposals with regards to assessment rate changes (including minimums, maximums, exemptions and increases) are all subject to approval by City Council per RCW 35.87A.

~~It is anticipated that s~~Subsequent increases of the amount of the special assessments for all flat-fee assessments will be adjusted based on the increase, if any, of the Consumer Price Index ~~(CPI)~~ of the U.S. City Average for all urban ~~consumers~~ (CPI-U). The percentage increase in the assessment formula shall be computed as follows:

$$\frac{[(\text{Ending CPI-U} - \text{Beginning CPI-U}) \div \text{Beginning CPI-U}] \times 100}{\text{Beginning CPI}} = \text{Percentage of Increase}$$

Assessment Policies

- 1. Hotels and motels will be assessed for both property and tenancy at one rate per number of rooms.
- ~~1-2.~~ All parking that is open and accessible to the public, including hotel lots and garages, for which a fee is charged shall be assessed on the same basis as commercial parking. For purposes of this assessment, commercial parking is defined as a parking space that is open and accessible to the public for which a charge is assessed for the privilege of parking a vehicle in the parking space for a set period of time.
- ~~2-3.~~ Public parks will be assessed for both property and tenancy at one rate per number of acres.
- ~~3-4.~~ A minimum assessment of ninety one hundred and ten dollars (~~\$90.00~~ 110.00) will be applied to every business or property parcel within the boundaries.
- ~~4-5.~~ Square footage will be combined for office or retail tenants occupying multiple spaces in one building.