

## **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, APRIL 29, 2019

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

**AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION:** The City of Spokane is committed to providing equal access to its facilities, programs and services for persons with disabilities. The Spokane City Council Chamber in the lower level of Spokane City Hall, 808 W. Spokane Falls Blvd., is wheelchair accessible and also is equipped with an infrared assistive listening system for persons with hearing loss. Headsets may be checked out (upon presentation of picture I.D.) at the City Cable 5 Production Booth located on the First Floor of the Municipal Building, directly above the Chase Gallery or through the meeting organizer. Individuals requesting reasonable accommodations or further information may call, write, or email Human Resources at 509.625.6383, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or [msteinolfson@spokanecity.org](mailto: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. Set Hearing for May 20, 2019, for Appeal by Winston & Cashatt, representing the Applicant, Greenstone, and Kelly Puzio, Citizen, of the Hearing Examiner's January 15, 2019, decision on a preliminary plat/PUD Application (Z18-598PPUD).<br><b>Mike Piccolo</b>       | Approve        | LGL 2019-0016                |
| 2. Renewal of existing Value Blanket Order with Neptune Technologies Group, Inc. (Tallassee, AL) for annual supply of water meters, registers, and parts on an as-needed basis for the Water Department—estimated annual expenditure of \$1,000,000.<br><b>Loren Searl</b> | Approve        | OPR 2016-0352<br>BID 4109-15 |
| 3. Value Blanket Order Renewal with LN Curtis (Seattle, WA) for firefighter turnout gear —\$400,000.<br><b>Rex Strickland</b>  | Approve        | OPR 2016-0120<br>RFP 4210-15 |
| 4. Annual Value Blanket Orders for the Street Department with:   | Approve<br>All |                              |
| a. National Barricade Co. (Spokane, WA) for aluminum sign blanks—not to exceed \$80,000.   |                | OPR 2019-0311<br>RFQ 778-19  |

- |   |                                    |                              |
|---|------------------------------------|------------------------------|
| b. Traffic Safety Supply (Portland, OR) for perforated square steel tubes (traffic sign posts)—not to exceed \$60,000 (incl. tax).  |                                    | OPR 2019-0312<br>RFQ 781-19  |
| c. Ennis-Flint Trading Co. (Greensboro, NC) for preformed thermosplastic products—not to exceed \$85,000 (incl. tax).   |                                    | OPR 2019-0313<br>RFQ 783-19  |
| <b>Gary Kaesmeyer</b>   |                                    |                              |
| 5. Consultant Agreement with KPFF Consulting Engineers, Inc. (Seattle, WA) for continued design of the Post Street Pedestrian and Utility Bridge—not to exceed \$1,500,000.   | Approve                            | OPR 2019-0296<br>ENG 2017105 |
| <b>Mark Serbousek</b>   |                                    |                              |
| 6. Lowest Responsive Bid of Two Rivers Terminal, LLC (Pasco, WA) to supply approximately 65,000 gallons of liquid nitrate oxygen odor control solution at \$1.89 per gallon from April 1, 2019 through March 30, 2022—\$401,350.95.                         | Approve                            | OPR 2019-0315                |
| <b>Mike Cannon</b>  |                                    |                              |
| 7. Contract with Lime (Neutron Holdings, Inc.) for Shared Mobility (Bikeshare)—amount to be determined.   | Approve &<br>Authorize<br>Contract | OPR 2019-0316                |
| <b>Kevin Picano</b>   |                                    |                              |
| 8. Contract Amendment with Safway Services, LLC, for scaffolding services at the Waste to Energy Plant through March of 2019—additional amount \$60,000 (incl. tax).  | Approve                            | OPR 2017-0155<br>RFB 4308-16 |
| <b>David Paine</b>  |                                    |                              |
| 9. Contract Amendment with Collette Leland and the firm Winston Cashatt to provide representation in an arbitration involving a contract dispute with IMCO Construction Co.—additional amount of \$170,000. Total contract amount: \$644,000.               | Approve                            | OPR 2018-0072                |
| <b>Mike Ormsby</b>  |                                    |                              |
| 10. Report of the Mayor of pending:   | Approve &<br>Authorize<br>Payments | CPR 2019-0002                |
| a. Claims and payments of previously approved obligations, including those of Parks and Library, through _____, 2019, 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 _____, 2019: \$_____.  |                                    | CPR 2019-0003                |
| 11. City Council Meeting Minutes: _____, 2019.  | Approve<br>All                     | CPR 2019-0013                |

## **EXECUTIVE SESSION**

(Closed Session of Council)

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

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## **CITY COUNCIL SESSION**

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

(Council Briefing Center)

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

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## **LEGISLATIVE SESSION**

(6:00 P.M.)

(Council Reconvenes in Council Chamber)

**WORDS OF INSPIRATION**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL OF COUNCIL**

**ANNOUNCEMENTS**

(Announcements regarding Changes to the City Council Agenda)

**NO BOARDS AND COMMISSIONS APPOINTMENTS**

**ADMINISTRATIVE REPORT**

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## **COUNCIL COMMITTEE REPORTS**

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

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## **OPEN FORUM**

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

## SPECIAL BUDGET ORDINANCE

(Require Five Affirmative, Recorded Roll Call Votes)

Ordinance 35763 amending Ordinance No. C35703 passed by the City Council December 10, 2018, and entitled, "An Ordinance adopting the Annual Budget of the City of Spokane for 2019, making appropriations to the various funds, departments and programs of the City of Spokane government for the fiscal year ending December 31, 2019, and providing it shall take effect immediately upon passage," and declaring an emergency and appropriating funds in:

Office of Performance Management

FROM: IF Revenue, \$494,055;

TO: Miscellaneous accounts, same amount.

(This action budgets costs to the Office of Performance Management.)

**Dusty Fredrickson**

## NO EMERGENCY ORDINANCES

### RESOLUTIONS

(Require Four Affirmative, Recorded Roll Call Votes)

RES 2019-0031 Providing for the sale of surplus City property at 4017 E. Hartson Avenue and 4023 E. Hartson Avenue.

**Council President Stuckart**

RES 2019-0032 Declaring Oracle America, Inc. (Oracle) a sole source provider and  
OPR 2019-0314 authorizing staff to negotiate and enter into a contract with Oracle for the purchase of technical support services which include upgrade support and issue resolution at a cost of \$211,157.12 (incl. tax.).

**Michael Sloon**

## NO FINAL READING ORDINANCES

### FIRST READING ORDINANCES

(No Public Testimony Will Be Taken)

ORD C35764 Clarifying the role of the City Administrator concerning the City of Spokane's state and federal legislative agendas and advocacy efforts; amending section 03.01A.110 of the Spokane Municipal Code.

**Council Member Mumm**

ORD C35765 Relating to commercial vehicles; amending SMC section 16A.44.100.

**Council Member Kinnear**

ORD C35766 Strengthening the City's revenue stabilization and contingency reserve accounts; amending section 07.08.010 of the Spokane Municipal Code.

**Council Member Mumm**

FURTHER ACTION DEFERRED

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## NO SPECIAL CONSIDERATIONS

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### HEARING

(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 on the intention of the City Council to adopt<br>Spokane's Community Empowerment Zone<br>Strategic Plan and designate a Community<br>Empowerment Zone Boundary.<br><b>Terri Stripes</b> | Approve | RES 2019-0030 |
|-----|---|---------|---------------|
- 

**Motion to Approve Advance Agenda for April 29, 2019**  
(per Council Rule 2.1.2)

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### OPEN FORUM (CONTINUED)

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

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

### ADJOURNMENT

The April 29, 2019, Regular Legislative Session of the City Council is adjourned to May 6, 2019.

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### NOTES

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

04/29/2019

<u>Date Rec'd</u>	4/16/2019
<u>Clerk's File #</u>	LGL 2019-0016
<u>Renews #</u>	

Submitting Dept	HEARING EXAMINER	Cross Ref #	
Contact Name/Phone	KIM 625-6010	Project #	
Contact E-Mail	KRTHOMPSON@SPOKANECITY.ORG	Bid #	
Agenda Item Type	Hearings	Requisition #	
Agenda Item Name	0570, GREENSTONE/PUZIO APPEALS, Z18-598PPUD		

Agenda Wording

Set Appeal Hearing for 05/20/2019 at 6 pm, for appeal by Winston & Cashatt, representing the Applicant, Greenstone, and Kelly Puzio, Citizen of the Hearing Examiner's 01/15/2019 decision on a preliminary plat/PUD Application (Z18-598PPUD)

Summary (Background)

On 1/15/19, the Hearing Examiner (Pro Tem) approved with conditions the application of Greenstone for a proposed preliminary long plat and planned unit development. On 1/31/19, Greenstone (Applicant), represented by Winston & Cashatt appealed this decision. On 2/1/19, Mr. Kelly Puzio, citizen with standing, also appealed this decision. All parties are in agreement as to the appeal hearing date (5/20/19). Packet Material will be available the week of 5/6/19.

<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>	MCGINN, BRIAN	<u>Study Session</u>	
<u>Division Director</u>		<u>Other</u>	
<u>Finance</u>	BUSTOS, KIM	<u>Distribution List</u>	
<u>Legal</u>	DALTON, PAT		
<u>For the Mayor</u>	ORMSBY, MICHAEL		

Additional Approvals

<u>Purchasing</u>		

# City of Spokane Receipt

Receipt Number: 955920



Planning Services Department  
808 W Spokane Falls Blvd  
Spokane, WA 99201  
Phone: (509) 625-6060  
Fax: (509) 625-6013  
www.spokaneplanning.org

<b>Site Information:</b>		Date Issued:	01/31/2019
Parcel #:		Permit Type:	Appeal
Address:	SPOKANE, WA	Parent Permit :	
Permit #:	Z19-044APPL	Processed By:	MSEVERNS

## Applicant:

Winston & Cashatt  
601 W Riverside Ave. STE 1900  
Spokane, WA 99201

RECEIVED

JAN 31 2019

HEARING EXAMINER

509-838-6131

## Description of Work: Garden District Appeal

Fee Item	Quantity	Units	Amount
Appeal to City Council	1		\$500.00
Miscellaneous Fees	75		\$75.00
<b>Total Fees:</b>			<b>\$575.00</b>

Payments:	Payment Comment:	Date Paid:	Cashier:	Ref #:	Amount:
Check		01/31/2019	MSEVERNS	152103	\$575.00
Payor: Winston & Cashatt					

**Estimated Balance Due: \$0.00**

# This Is Not A Permit

RECEIVED

JAN 31 2019

PLANNING & DEVELOPMENT

CITY COUNCIL FOR THE CITY OF SPOKANE

IN THE MATTER OF ) FILE NO. Z18-598PPUD  
)  
) APPEAL OF HEARING  
GARDEN DISTRICT ) EXAMINER'S FINDINGS OF  
PRELIMINARY ) FACT, CONCLUSIONS OF LAW  
PLAT AND PUD APPLICATION ) AND DECISION DATED  
) JANUARY 15, 2019  
)

1. INTRODUCTION

Appellant/Applicant, Greenstone, by and through its attorneys, Elizabeth A. Tellessen and Winston & Cashatt, submits this memorandum in support of its appeal of the City of Spokane Hearing Examiner Pro Tem's Findings of Fact, Conclusions of Law and Decision ("Decision"), dated January 15, 2019. The Decision conditionally approved Greenstone's application for a planned unit development (PUD) and preliminary plat (collectively the "Application"). Greenstone requests the City Council reverse the erroneous findings, conclusions, and conditions, and affirm the balance of the Decision subject to modified conditions.

2. FACTS THAT ESTABLISH APPELLANT'S RIGHT TO THE RELIEF REQUESTED

Greenstone is the applicant and has standing to bring this appeal as provided in Spokane Municipal Code (SMC) 17G.050.310.

*Winston & Cashatt*  
A PROFESSIONAL SERVICE CORPORATION  
Bank of America Financial Center  
601 West Riverside Avenue, Suite 1900  
Spokane, Washington 99201-0695  
(509) 838-6131



1       **3.       ERRORS IN FACTS OR CONCLUSIONS**

2               Greenstone takes exception and objects to the findings and conclusions set out in Section  
3       II of the Decision as follows:

4               3.1       The entire design review board (DRB) hearing, including deliberations and  
5       unanimous vote, are part of the record and the contrary finding in the Decision is in error.  
6       (Decision II.F, p. 7, ll. 3-4; see Memorandum, December 6, 2018, Attachment C)

7               3.2       The Decision is inconsistent, finding that compliance with the recommendations  
8       of the DRB is a condition of approval, but then leaving open the probability of extending  
9       Crestline Street past 32<sup>nd</sup> Avenue, which would eliminate open space and cause the loss of urban  
10       forest, which is contrary to the DRB's conditions. (Decision II.F, p. 7, ll. 4-6)

11              3.3       The Decision erroneously interprets the DRB decision. (Decision II.F, p. 7, ll. 11-  
12       18) The DRB approved the site plan without a Crestline extension and imposed conditions to  
13       preserve open space and the mature trees, which cannot be satisfied if the extension of Crestline  
14       is required. The DRB explicitly approved the site plan without the extension of Crestline, despite  
15       staff's recommendation that Crestline be extended.  
16       17

17              3.4       The Hearing Examiner erroneously concluded that because the DRB asked that  
18       the PUD project be "returned to the DRB for review" if Crestline was extended that this  
19       language permits the City to condition the PUD to require the Crestline extension. This is an  
20       error of fact and law. (Decision II.F, p. 7, ll. 12-18)  
21       22  
22       23  
23       24

1           3.5     The Hearing Examiner erroneously concludes, “the extension of Crestline Street  
2 through the proposed development to Southeast Boulevard, may be imposed as a condition of  
3 approval by Spokane City,” but, that “[t]he Hearing Examiner Pro Tem lacks jurisdiction to  
4 require that the applicant follow any particular path in extending Crestline Street...” (Decision  
5 II.F, p. 7, ll. 11-22) The Hearing Examiner has clear authority to condition the approval of the  
6 application, and is required to impose the conditions unanimously approved by the DRB.  
7 SMC17G.040.080(D)  
8

9           3.6     The Hearing Examiner finds that “All parties agree...that an extension of  
10 Crestline...would result in removal and destruction of the mature trees” through the center of the  
11 site. (Decision II.G, p. 8, ll. 9-12) This finding is consistent with the DRB decision to approve  
12 the site plan without the Crestline extension, and is inconsistent with the conclusion that the  
13 staff’s recommendation for Crestline extension through the site must be required.  
14

15           3.7     The Hearing Examiner erroneously concluded without substantial evidence that  
16 the extension of Crestline is required to meet the “connectivity” requirements of the City  
17 development code and Comprehensive Plan. (Decision II.H, p. 11, ll. 14-18)  
18

19           3.8     The Hearing Examiner erroneously concluded “If the connection between  
20 Crestline Street and Southeast Boulevard and 29<sup>th</sup> Avenue is eliminated...the policies for  
21 connection with surrounding existing streets and multiple routes through the development would  
22 be frustrated.” (Decision II.F, p. 11, ll. 19-24) This conclusion ignores the Comprehensive Plan,  
23 PUD purpose, and PUD guidelines all of which encourage expanding mobility options beyond  
24 those dependent on the automobile.

*Winston & Cashatt*  
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1           3.9     The Decision erroneously concludes that “the question of whether Crestline Street  
2 between 32<sup>nd</sup> and Southeast Boulevard would be an arterial is not yet resolved.” (Decision II.H,  
3 p. 14, ll. 5-6)

4           3.10    The Hearing Examiner erred in finding that Exhibit #4 was not proposed as an  
5 alternative traffic route for automobile connectivity that could be implemented as a modification  
6 to the plat. (Decision II.H, p. 14, ll. 11-13) The Hearing Examiner correctly concludes that  
7 connectivity can be achieved by the traffic alternative offered in Exhibit #4. (Decision II.H,  
8 p. 12, ll. 7-9)

9           3.11    The conclusion that “the preliminary plat and PUD as proposed do not comply  
10 with all applicable standards of Title 17G SMC” is vague, contrary to the evidence, and an  
11 erroneous application of the law to the facts. (Decision II.H, p. 14, ll. 12-13) Expert testimony  
12 provided in the hearing concluded that additional road connections were not required to provide  
13 road “connectivity” and the existing street system would support the housing density in the area.  
14 The Hearing Examiner erroneously concluded that the project does not meet the applicable  
15 standards of PUD ordinance in SMC 17.G.

16           3.12    The Decision is incongruous in its incorporation of the DRB recommendations as  
17 conditions, which are at odds with the extension of Crestline Street. (Decision II.H, p. 14, ll. 14-  
18 15)

19           3.13    The Decision is vague in its reference to “the requirement of compliance with the  
20 applicable standards of Title 17G SMC” as the evidence establishes the project meets the  
21 concurrency requirements, and there is no reference to which standards the application does not  
22 comply. (Decision II.H, p. 14, ll. 16-20)

1           3.14   The Decision correctly finds the proposal protects the on-site resources, which  
2 cannot be accomplished if there is an extension of Crestline Street. (Decision II.H, p. 15, ll. 2-7)

3           3.15   The conclusion that “the extension of Crestline Street from 32<sup>nd</sup> Avenue to  
4 Southeast Boulevard is required” is contrary to the evidence in the record in regard to the  
5 applicable law, and various other findings in the Decision. (Decision II.H, p. 15, ll. 19-20)

6           3.16   The conclusion that 17G.060.170(D)(4)(a) is not met is inconsistent with the  
7 Decision approving the application. (Decision II.H, p. 15, ll. 20-22)

8           3.17   The finding that the proposal meets the requirement for open space is inconsistent  
9 with the conclusion that Crestline Street must be extended. (Decision II.H, p. 16, ll. 21-24)

10           3.18   The finding that the applicant withdrew its request for vacation of ROWs is not  
11 supported by the record as the platted ROWs for 30<sup>th</sup> and 31<sup>st</sup> Avenue will be vacated and  
12 realigned as shown on the plan. (Decision II.H, p. 16, ll. 17-20)

13           3.19   The Hearing Examiner erroneously concluded that a design variance would be  
14 required in order to utilize a 27’ road section. (Decision II.H, p. 16, ll. 21-24)

15  
16  
17 **4.       EXCEPTIONS/OBJECTIONS TO THE DECISION AS CONDITIONED**

18           Greenstone takes exception and objects to the conditions the Hearing Examiner imposed  
19 in the Decision as follows:

20           4.1    The approval of the application subject to the condition “that a street connection  
21 for vehicles be provided between the intersection of Crestline Street and 34<sup>th</sup> Avenue to the  
22 intersection of Southeast Boulevard and 31<sup>st</sup> Avenue” is not supported by the evidence in the  
23 record, is a misapplication of the law to the facts, and inconsistent with numerous findings.  
24 (Decision III.A.2, p. 18, l. 20-22)

1           4.2     The Decision improperly modifies the conditions unanimously adopted by the  
2 DRB without making a finding that the DRB's decision was improper. SMC 17G.040.080(D)

3           4.3     The Decision imposes a condition that "the location of the street connection shall  
4 be agreed upon between the City of Spokane and the applicant." This condition is improper and  
5 outside the Hearing Examiner's jurisdiction. (Decision III.A.2, p. 19, ll. 2-3)

6           4.4     The Decision concludes that the street connection's designation is based on the  
7 legislative action contemplated in Resolution No. 2018-0061, which is outside the Hearing  
8 Examiner's jurisdiction, as well as an erroneous application of law to the facts. (Decision  
9 III.A.2, p. 19, ll. 4-5)

10           4.5     The Decision is vague to the extent it requires the streets be built to "City of  
11 Spokane street standards," but does not specify the applicable standard. (Decision III.A.3, p. 19,  
12 ll. 6-7)

13           4.6     The Decision improperly requires an exchange of property for use as right of way  
14 for a credit to offset Transportation Impacts Fees, where there is no evidence in the record of the  
15 value or analysis of just compensation, nor any evidence that additional right of way is needed to  
16 accommodate the impacts of the project. (Decision III.A.8, p. 19, l. 22 – p. 20, l. 2)

17           4.7     The Decision is vague to the extent it requires the streets be built to City of  
18 Spokane street standards without specifying the applicable standards, which permit a 27' road  
19 section. (Decision III.A.11, p. 19, ll. 6-7)

20           4.8     The applicant objects to Condition No. 18, which is contrary to the requested  
21 deviations and not supported by the record. (Decision III.A.18, p. 21, ll. 13-20)

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24  
*Winston & Cashatt*  
A PROFESSIONAL SERVICE CORPORATION  
Bank of America Financial Center  
601 West Riverside Avenue, Suite 1900  
Spokane, Washington 99201-0695  
(509) 838-6131

1           4.9     Condition No. 41 is inconsistent with the finding that Crestline Street must extend  
2 past 32<sup>nd</sup> Avenue as Crestline cannot be extended and preserve the open space and urban canopy.  
3 (Decision III.A.41, p. 26, ll. 3-17)


4           4.10    The Decision imposes a condition that the applicant return to the Design Review  
5 Board regarding the location of the street connection. This is outside the Hearing Examiner's  
6 jurisdiction, an erroneous application of the law to the facts, and not supported by substantial  
7 evidence in the record. (Decision III.A.41, p. 26, ll. 14-17) The Decision misinterprets the  
8 DRB's condition, which only applies if Crestline is extended, but would not apply to an alternate  
9 connection that did not involve extending Crestline.  
10

11          4.11    The Decision does not make a finding, conclusion, or condition in relation to the  
12 applicant's request for deviations as set forth in its development standards matrices for the CC1  
13 and RSF zones.  
14

## 15       **5.     REQUESTED RELIEF**

16           The Decision purports to approve the application subject to mutually exclusive conditions  
17 regarding Crestline Street. In short, the project cannot conform to the design and conditions  
18 approved by the DRB and accommodate the extension of Crestline. Accordingly, Greenstone  
19 requests the City Council reverse the erroneous findings, conclusions, and conditions identified  
20 in this appeal. Following reversal the City Council should modify the conditions consistent with  
21 the correct finding that the proposal satisfies the requirements for connectivity or that Exhibit #4  
22 illustrates a suitable means of enhancing connectivity.  
23  
24

1 DATED this 31<sup>st</sup> day of January, 2019.

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3   
4 ELIZABETH A. TELLESSEN  
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10 Attorneys for Greenstone  
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**CITY OF SPOKANE HEARING EXAMINER PRO TEM**

**GARDEN DISTRICT PRELIMINARY PLAT  
AND PUD APPLICATION**

**APPLICANT: GREENSTONE**

**FILE NO. Z18-598PPUD**

**FINDINGS OF FACT,  
CONCLUSIONS OF LAW,  
AND DECISION**

**I. SUMMARY OF DECISION**

**Hearing Matter:** The matter before the Hearing Examiner Pro Tem is an application for a Preliminary Plat and Preliminary Planned Unit Development (PUD) to construct 236 residential units and 38,000 square feet of office, retail, and other commercial uses on roughly 24.59 acres in the Lincoln Heights neighborhood. The applicant, Greenstone, submitted the application on behalf of Sonneland Properties, LLC.

**Summary of Decision:** Approved, subject to *revised* conditions.

**II. FINDINGS AND CONCLUSIONS**

**A. Procedural Matters:**

A Community Meeting was held on March 1, 2018. Spokane Municipal Code (SMC) 17G.060.050. An application was submitted on June 27, 2018. A Request for Comments notice was sent to departments and agencies on July 16, 2018, and the applicant was notified in writing on October 25, 2018, of the technically complete status of application. Notice of Application and Public Hearing was posted/mailed on November 1, 2018. SMC 17G.060.100. Notice of Application and Public Hearing was printed in the Spokesman on November 2, 2018, and November 9, 2018. The Public Comment Period ended on November 16, 2018. A State Environmental Protection Act (SEPA) Determination of Non-Significance (DNS) was issued on November 19, 2018, and was not appealed. SMC 17G.060.140.

The applicant is Greenstone c/o Ben Scandalis whose address is 1421 N. Meadowwood Lane, Suite 200, Liberty Lake WA 99019. The property owners are Sonneland Commercial Properties LLC & Sonneland Residential Properties LLC whose address is PO Box 562, Colbert WA 99005.

The Hearing Examiner Pro Tem conducted a site visit on December 10, 2018.

The hearing for this matter was scheduled, as noted in the Notice of Hearing, for 1:30 p.m. on December 12, 2018, in the Commissioner's Hearing Room, 1026 East Broadway, Spokane, Washington.



1 On December 12, 2018, at 1:30 p.m., the Hearing Examiner Pro Tem opened the  
2 hearing on this matter, the hearing being held until 4:00 p.m., at which time the hearing was  
3 recessed for one week for completion on December 19, 2018, beginning at 9:00 a.m., in the  
4 Commissioner's Hearing Room, 1026 East Broadway, Spokane, Washington. The hearing on  
the application concluded and was adjourned at or about 11:50 a.m. on December 19, 2018.  
The hearing was conducted pursuant to the Spokane Hearing Examiner Ordinance codified  
in SMC Section 02.005.040.

5 The following persons testified at the hearing, under an oath administered by the  
6 Hearing Examiner Pro Tem:

7 Tami Palmquist, Principal Planner  
City of Spokane  
808 W. Spokane Falls Boulevard  
8 Spokane WA 99201

Inga Note, Sr. Traffic Engineer  
City of Spokane  
808 W. Spokane Falls Boulevard  
Spokane WA 99201

9 James Richman, Assistant City Attorney  
City of Spokane  
10 808 W. Spokane Falls Boulevard  
Spokane WA 99201

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

11 Carol Ellis  
12 2015 E. 36th Avenue  
Spokane WA 99203

Leonard Butters  
2006 E. 64th Avenue  
Spokane WA 99223

13 Summer Beers  
14 4003 E. Sumac Drive  
Spokane WA 99223

Kevin Edwards  
2206 E. 32nd Avenue  
Spokane WA 99203

15 Trent Shino  
16 3211 S. Crestline Street  
Spokane WA 99203

Carol Tomsic  
3303 E. 27th Avenue  
Spokane WA 99223

17 Kelly Puzio  
18 3525 S. Crestline Street  
Spokane WA 99203

Scott Tschirgi  
2615 E. 38th Avenue  
Spokane WA

19 Rick Boal  
20 2026 E. 30th Avenue  
Spokane WA 99203

Andy Hoye  
4219 E. 42nd Avenue  
Spokane WA 99223

21 Pat McElgunn  
22 4227 S. Magnolia Street  
Spokane WA 99203

Dick Edwards  
312 W. 32nd Avenue  
Spokane WA 99203

23 Richard Van Orden  
24 2211 E. 34th Avenue  
Spokane WA 99203

Charles Milani  
2204 E. 34th Avenue  
Spokane WA 99203

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Todd Whipple  
Whipple Consulting Engineers  
21 S. Pines Road  
Spokane Valley WA 99206

Rick Dullanty  
2007 E. 30th Avenue  
Spokane WA 99203

Richard Sola  
3605 S. Crestline Street  
Spokane WA 99203

Paul Kropp  
3311 E. Donora Court  
Spokane WA 99223

Brian Duncan  
1717 E. 38th Avenue  
Spokane WA 99203

Stewart Hart  
4123 S. Sherman Street  
Spokane WA 99203

Jim Flott  
2020 E. 36 Avenue  
Spokane WA 99203

Teresa Kafentzis  
4102 E. Sumac Drive  
Spokane WA 99223

Sam Magee  
2214 E. 32nd Avenue  
Spokane WA 99203

Albert Lundbeck  
2003 E. 34th Avenue  
Spokane WA 99203

John Saywers, Sr. Water Engineer  
City of Spokane  
808 W. Spokane Falls Boulevard  
Spokane WA 99201

The following persons were present at the hearing, but did not testify:

For the City of Spokane:  
Louis Mueller, Principal Planner  
Andy Schenk, Principal Engineer  
Eldon Brown, City Engineer

From the public:  
Dennis Wagner  
Lizzie Frank  
Ron Cord  
William Grimes  
Rita Ketz  
Marcia Milani  
M. Reichman  
John Hollett

The following persons/groups submitted comments to the file prior to the close of the hearing:

Southgate Neighborhood Council  
TJ O'Dell  
Justin McNamara  
Ann Hough  
Joycelyn Caton  
Kate Statz  
Drew & Lisa Repp

Danny O'Dell  
Brenda Cord  
Suzanne Janes  
Erin Rushworth  
Kaitlin Re  
Theresa Bidowski  
Katie Chisholm

1	Wayne Stronk	Brad & Ramona Pearson
	Sharon Niblock	Andy Wittwer
2	Kathy Bixler	Jerry Boyd
	Laine Lambarth	Chad Rigsby
3	Diane Birginal	William Bidowski
	Lincoln Heights Neighborhood Council	Marilyn & Henry Reimann
4	Merri Hartse	Maxine Lammers
	Alan Curryer, Rockwood South Hill	Amy Heppler
5	Heather Stewner	Diana Roberts
	Adrian Rigsby	Jean Simmons
6	Amy McCaffree	Linda Warner
	Douglas Hagood	Malika Oudes
7	Mark VanDam	Chris Barton
	Sharon Christoph-Kelly	Tim & Rachel Devlin
8	Elaine Snouwaert	Leanne Ozaine-Smith
	Jim & Anne Pearson	Kim & Mary Kay Anderson
9	Roger Branz	Michael McBride
	Tom Kearney	Russ Reser
10	Penny Hencz	Pablo Monsivais
	Amanda Gable	Dean Gable
11	Amy Heppler	Sheri Engelken

The following exhibits were admitted to the record during the hearing:

- Exhibit 1: City Building & Planning Staff Report PowerPoint Presentation, 42 pages
- Exhibit 2: Applicant's PowerPoint Presentation, 43 pages
- Exhibit 3: Letter from Kelly Puzio, 1 page
- Exhibit 4: Applicant's Garden District Street Exhibit, 1 page
- Exhibit 5: Lincoln Heights Neighborhood District Center Plan, submitted by Jim Frank, 3 pages
- Exhibit 6: Statement by Paul Kropp, 1 page
- Exhibit 7: Testimony materials from Stewart Hart, 7 pages
- Exhibit 8: Written statement by Albert Lundbeck, 1 page

The record includes the electronic recording of the public hearing, the documents in the application file at the time of the hearing up to and including December 19, 2018, at 9:00 a.m., the sign-in sheet for the hearing, and the items taken notice of by the Hearing Examiner Pro Tem in this decision and at the hearing.

1 The Hearing Examiner Pro Tem takes notice of the Spokane Comprehensive Plan  
2 (“Comprehensive Plan”), the SMC, other applicable development regulations, and previous  
land use decisions for the site and area.

3 **B. Description of Site:**

4 The subject property is located south of 29<sup>th</sup> Avenue, behind the Quail Run Office  
5 Park, west of Southeast Boulevard, north of 33<sup>rd</sup> Avenue, and east of Napa Street. The  
6 proposed project encompasses multiple parcels totaling approximately 25.49 acres. A portion  
7 of the site is currently developed with a general office building and a Rockwood primary care  
8 medical center. The remainder of the site is undeveloped. The topography of the site is  
9 generally sloping down north to south to approximately the middle of the site where the site  
10 levels off somewhat with some undulation through the southeast side of the site, which  
11 slopes up again toward 32<sup>nd</sup> Avenue to the south. There is a hill in the northwest side of the  
site that slopes down toward the east and south ending at approximately the line of the  
Crestline Street right-of-way (ROW) on the east and 32<sup>nd</sup> Avenue on the south. This hill area  
is where the City of Spokane is planning to construct a water tower as part of the potable  
water system of the area. Most of the site is still naturally vegetated with established trees,  
shrubs, and grasses. Utilities exist in the unimproved platted ROWs of Crestline Street and  
30<sup>th</sup>, 32<sup>nd</sup>, and 33<sup>rd</sup> Avenues.

12 The site is bounded on the northwest by residential development and commercial  
13 development immediately north on 29<sup>th</sup> Avenue. South of the site is residential single-family  
14 housing. To the west is residential multi-family development. East of the site is commercial  
development along Southeast Boulevard and the Lincoln Heights shopping area further east  
across Southeast Boulevard.

15 **C. Description of Proposed Project:**

16 The proposed development is described by the applicant as “a walkable mixed-use  
17 urban neighborhood with a combination of office, retail, and residential uses” that will  
18 “create a free-flowing public realm, emphasizing flexible plazas and a ribbon of green parks  
19 and gardens with a mobility network primarily serving pedestrians and cyclists.” The  
20 applicant asserts that the PUD Site Plan illustrates how the “green garden corridor will  
connect the urban mixed-use core of the neighborhood and serve as a transition to the lower  
density residential neighborhoods on the southern edge of the Lincoln Heights neighborhood  
and into the Southgate neighborhood further south.”

21 The applicant proposes to construct 236 residential units, composed of a mix of  
22 apartments, townhomes, cottages, and detached single-family homes, across the entire  
23 development site. The project will also include up to 38,000 square feet of office, retail, and  
24 other commercial located north of 30<sup>th</sup> Avenue. The PUD site includes two different base zone  
classifications: CC1 zone classification and Residential Single-Family (RSF) zone  
classification. A total of 110 residential units are proposed in the CC1 zone classification, and  
126 residential units are proposed in the RSF zone classification. Residential development

1 along 32<sup>nd</sup> Avenue, east of Crestline Street, will be “estate lots” designed to match the size of  
2 lots on the south side of 32<sup>nd</sup> Avenue outside of the proposed PUD. The commercial uses are  
all proposed to be developed in the CC1 zone classification.

3 Deviations from the zoning development standards for setbacks, lot coverage, roof  
4 forms, etc. are being requested under the PUD application. The application also proposes a  
5 deviation from the standard for connectivity, specifically elimination of a connection of  
6 Crestline Street northward to 29<sup>th</sup> Avenue and/or eastward to Southeast Boulevard. The  
7 vacation of several ROWs, dedicated as part of the final plat of “Estate Development” filed in  
8 1970, is also proposed in the applications for the plat and for the PUD. During the hearing,  
9 the applicant stated that it would no longer ask for the vacation of the ROWs, primarily due  
to the existence of various utility facilities that already exist in the ROWs. The applicant  
clarified that though it was no longer requesting that the ROWs be vacated, it was still  
requesting that the connection of 30<sup>th</sup> Avenue and 31<sup>st</sup> Avenue, from Martin Street to  
Southwest Boulevard, and that 32<sup>nd</sup> Avenue and Crestline Street be modified as proposed in  
the PUD Site Plan.

#### 10 **D. Land Use Designations and Surrounding Conditions for Site and Neighboring** 11 **Land:**

12 The adjacent zoning to the north is CC1-DC (Center and Corridor Type 1 – District  
13 Center); to the northeast is O-35 (Office); to the northwest is RMF (Residential Multi-  
14 Family); and to the south, east, and west is RSF. Prior to 2006, the RSF portion of the site  
was zoned R1. The CC1-DC portion of the site was zoned Office (O) and Office Retail (OR),  
but was changed to CC1-DC in 2013 as part of a Comprehensive Plan Amendment, File  
Z1200046COMP.

15 Adjacent land uses to the south are single-family homes. The Touchmark Retirement  
16 Community is to the west of the site; they recently received a Conditional Use Permit (CUP)  
17 to build a memory care center and a health and fitness building. The City of Spokane intends  
to build a water tower on the vacant, L-shaped parcel to the west. Commercial uses border  
the north of the site.

18 The land use map designation is Residential 4-10 and CC Core, per the current  
Comprehensive Plan adopted in 2017.

19 Applicable zoning regulations include SMC 17C.110 – Residential Development; SMC  
20 17G.060 – Land Use Application Procedures; SMC 17G – Planned Unit Developments; and  
SMC 17G.080 – Subdivisions.

#### 21 **E. Department Reports:**

22 Notice and request for comments were sent to the City departments and outside  
23 agencies concerned with land development on July 16, 2018. Copies of reports from those  
24 who responded to the notice and request for comments are a part of the file for reference. See  
File Z18-598PPUD. Department and agency comments have been considered and referred to  
in creating the conditions set forth below.

1 **F. Design Review Board:**

2 Pursuant to SMC 17G.040, the Design Review Board (DRB) convened the required  
3 hearings and submitted its recommendations regarding the proposed preliminary plat and  
4 PUD. See File No. Z18-598PPUD. Both the applicant and Spokane City assert that the  
5 DRB's recommendations were adopted by unanimous vote of the DRB. This is not stated in  
6 the DRB's recommendations and there appears to be no evidence of that in the record other  
7 than the assertions of the parties. Pursuant to SMC 17G.040.080(D), the recommendations of  
8 the DRB, dated June 13, 2018, are incorporated herein by this reference and compliance  
9 therewith shall be a condition of approval by this decision.

10 The applicant asserts that the recommendation of the DRB is to approve the proposed  
11 PUD as submitted relative to the termination of Crestline Street at 32<sup>nd</sup> Avenue. Thus, the  
12 applicant argues, the Hearing Examiner Pro Tem is bound to adopt the DRB's  
13 recommendation and approve the applications, including the termination of Crestline Street  
14 at 32<sup>nd</sup> Avenue. Spokane City argues that even though the DRB's recommendation is  
15 unanimous it does not recommend approval of the termination of Crestline Street at 32<sup>nd</sup>  
16 Avenue without continuing through the development site to Southeast Boulevard. The City  
17 further asserts that the DRB's recommendation is merely a recommendation and is not  
18 binding upon the Hearing Examiner Pro Tem.

19 The Hearing Examiner Pro Tem agrees with Spokane City regarding the language  
20 contained in the recommendation of the DRB. The language of the recommendation that is in  
21 question reads:

22 "In the event that the City of Spokane requires that the Crestline  
23 connection be established, the applicant shall return to the Design Review  
24 Board to address traffic calming, along with any disruptions to the  
pedestrian friendly environment and urban forest canopy." DRB  
Recommendation, dated June 13, 2018, paragraph #8.

This language clearly anticipates that the extension of Crestline Street through the  
proposed development to Southeast Boulevard, may be imposed as a condition of approval by  
Spokane City. If the extension of Crestline Street is required by the City, then the DRB asks  
that the applicant return to the DRB for review of the proposed extension. Id.

The Hearing Examiner Pro Tem lacks jurisdiction to require that the applicant follow  
any particular path in extending Crestline Street through the proposed preliminary plat and  
PUD; however, it is the Hearing Examiner Pro Tem's opinion that the path of said  
connection between Crestline Street from 32<sup>nd</sup> Avenue and Southeast Boulevard that is  
illustrated by Exhibit #4, as submitted by the applicant, may be sufficient to make the  
required connection.

23 **G. Public Comments:**

24 Written public comment and testimony at the hearing regarding the proposed  
preliminary plat and PUD is voluminous. Public comments regarding the proposal fall into

1 several categories; those in favor of the proposal including the termination of Crestline Street  
2 at 32<sup>nd</sup> Avenue, those in favor of the proposal but requesting that the extension of Crestline  
Street be included, and those opposed to the proposal entirely.

3 Individuals and neighborhood associations advocating the termination of Crestline  
4 Street at 32<sup>nd</sup> Avenue were resoundingly concerned with the prospect of inviting even more  
5 traffic into and through their neighborhoods if Crestline Street is extended through the PUD  
6 to Southeast Boulevard. A significant number of comments describe the condition of  
7 Crestline Street between 32<sup>nd</sup> Avenue and 57<sup>th</sup> Avenue as having no sidewalks, causing  
8 school children to walk along an already busy street without the protection of sidewalks and  
inadequate pedestrian crossings at intersecting streets. Other concerns describe allegedly  
inadequate traffic controls at intersections along Crestline Street and steep inclines  
approaching those intersections that cause dangerous stopping and crossing conditions in the  
winter season.

9 A significant number of comments opposed to the extension of Crestline Street  
10 express an opposition to the extension of Crestline Street along the path at or near that  
11 shown in the Final Plat of Estate Development (1970). All parties agree, as alleged by the  
commenters, that an extension of Crestline Street along that path, currently a walking path  
12 through the site and proposed to remain as such, would result in removal and destruction of  
the mature trees that now line that path and are proposed to remain as part of the green,  
open space in the proposed development.

13 Comments requesting the extension of Crestline Street through the PUD to Southeast  
14 Boulevard generally focus on the fact that the proposed preliminary plat and PUD would  
15 create as many as 126 residential units in a very compact area; thus, creating a burden on  
the already allegedly crowded Crestline Street as it travels south from 32<sup>nd</sup> Avenue. These  
16 comments also cite the lack of sidewalks on south Crestline Street and the danger that poses  
to school children as well as adults who walk along Crestline Street.

17 Several comments were received that oppose the proposal in its entirety, alleging that  
18 the density is too high for the area in which it is to be built. Those comments highlight the  
19 fact that the surrounding neighborhood to the south of the proposed preliminary plat and  
20 PUD consists of lots larger than those proposed for the cottage-style dwelling units and  
certainly lower density than the multi-family structures that are proposed. They also  
expressed concerns for the added traffic, much like the other comments in favor or in  
opposition to the extension of Crestline Street north of 32<sup>nd</sup> Avenue.

21 A noticeable number of comments from citizens living in the surrounding  
22 neighborhoods to the south, west, and even to the north across 29<sup>th</sup> Avenue, express strong  
23 concerns for the added traffic on 29<sup>th</sup> Avenue, Southeast Boulevard, Crestline Street, Regal  
24 Street, and 37<sup>th</sup> Avenue. The expressed concerns spring from a fear that the already crowded  
traffic on those streets would be exacerbated by the proposed development. Complaints  
centered not just on the difficulty of driving in the area due to the high volume of traffic, but  
also the danger to pedestrians who attempt to cross 29<sup>th</sup> Avenue at the intersections of 29<sup>th</sup>

1 Avenue and Pittsburgh Street, 29<sup>th</sup> Avenue and Martin Street, 29<sup>th</sup> Avenue and Southeast  
2 Boulevard, as well as the issues already described along Crestline Street.

3 Notwithstanding the Traffic Distribution Letter submitted by the applicant and the  
4 anecdotal nature of the comments submitted during the review and hearing process, the  
5 people who commented, people who live and circulate in the area surrounding the proposed  
6 development, describe a situation relative to the pedestrian experience on 29th Avenue and  
7 on Crestline Street that would warrant further attention by Spokane City. However, relative  
8 to the review of the proposed preliminary plat and PUD for compliance with the  
9 Comprehensive Plan and SMC, the record lacks evidence to contest the professional opinions  
10 in the Traffic Distribution Letter and the testimony of engineers on behalf of Spokane City  
11 who agree that transportation concurrency is met for the proposed project, as that term is  
12 used in SMC 17D.010.020(C). The comments and testimony submitted regarding the  
13 proposal have all been considered by the Hearing Examiner in reaching this decision.

#### 9 **H. Consistency with Comprehensive Plan and Zoning:**

##### 10 SMC 17G.060.170 Decision Criteria:

##### 11 *C.1. Allowed under the provisions of land use codes.*

12 The proposals for a preliminary plat and PUD are allowed under the Residential  
13 Zoning Standards, SMC 17C.110; CC1 Zoning Standards, SMC 17C.122; PUD process,  
14 17G.070.030; and review by the DRB, SMC 17C.122.060.

15 SMC 17G.070.030(A)(5) allows permitted uses of either the RSF or CC1 zone to be  
16 allocated across the entire site of the proposed plat, proportionate to the land devoted for  
17 each zoning district. The density of residential units is less than the highest allowed density  
18 and higher than the minimum density. SMC 17C.110; 17C.122. As conditioned, the proposal  
19 complies with this requirement.

##### 16 *C.2. Consistency with the Comprehensive Plan designation and goals, objectives, and policies 17 for the property.*

18 Several Comprehensive Plan goals, objectives, and policies are relevant to the  
19 proposed preliminary plat and PUD. Those include LU 1.3, LU 1.12, LU 4.3, LU 4.4, LU 4.5,  
20 LU 5, LU 5.5, DP 1.2, TR 2, and TR 7. Of specific concern to the City of Spokane Planning  
21 Staff and many citizens residing in the surrounding areas are LU 4.4, LU 4.5, TR 2, TR 4.5,  
22 and TR 7. Several public comments and testimony at the hearing also indicate concerns  
23 related to LU 1.3, LU 5, LU 5.5, and DP 1.2.

24 LU 4.4, LU 4.5, TR 2, TR 4.5, and TR 7 envision a connected network of facilities that  
provide safe, direct, and convenient access for all users, including pedestrians, bicycles, and  
automobiles. The facilities are to be designed to allow safe travel through the proposed  
development and are to be generally laid out in a grid pattern with more street intersections,  
shorter block lengths, increased street connectivity, and access to and from the surrounding  
areas. This interconnected system of facilities should allow travel on multiple routes by



1 multiple modes with consideration of and alignment with the existing and planned land use  
2 context of each corridor and major street segment.

3 The original proposal, considered by the applicant and presented to the public during  
4 the required pre-application Community Meeting, included the extension of Crestline Street  
5 to the north from 32<sup>nd</sup> Avenue along the alignment shown in the Final Plat of Estate  
6 Development (November 1970) with a slight variation as it turned to the east and connected  
7 with 31<sup>st</sup> Avenue and on to Southeast Boulevard. That section of Crestline Street (from 37<sup>th</sup>  
8 Avenue to 31<sup>st</sup> Avenue and Southeast Boulevard) is currently designated in the Proposed  
Arterial Network Map TR 12 (of the Comprehensive Plan) as a future major collector  
arterial; though by Resolution No. 2018-0061, an amendment to the Proposed Arterial  
Network Map TR 12 is under consideration, which amendment would possibly “remove the  
proposed new urban major collector arterial on Crestline Street between 37<sup>th</sup> Avenue and  
Southeast Boulevard at 31<sup>st</sup> Avenue.” Testimony of Inga Note.

9 Public response at the Community Meeting was strongly in favor of eliminating the  
10 Crestline Street extension from 32<sup>nd</sup> Avenue to Southeast Boulevard and 31<sup>st</sup> Avenue. The  
11 reasons expressed for the opposition to the extension of Crestline Street north of 32<sup>nd</sup> Avenue  
12 can be summed up as an expectation that such an extension of Crestline Street would bring  
13 traffic from an already crowded Crestline Street into the neighborhood surrounding the  
14 proposed preliminary plat and PUD site and through the site, thus causing overwhelming  
15 traffic congestion, raise safety issues for pedestrians in the area, and destroy the “alternative  
to automobiles” design of the PUD. In contrast, there is public comment and testimony  
provided at the hearing before the Hearing Examiner Pro Tem that cites concerns for the  
added traffic and threat to safety that will be generated by the development of the PUD as  
proposed, with the 126 apartments and other residential units proposed in the PUD that will  
use Crestline Street southbound as their primary ingress and egress to and from the PUD.

16 In support of the proposal to terminate Crestline Street at 32<sup>nd</sup> Avenue, the applicant  
17 argues that transportation concurrency relative to the proposed development in the PUD is  
18 met without Crestline Avenue being extended north of 32<sup>nd</sup> Avenue and is thus unnecessary;  
19 that as indicated by the public comment and the Traffic Distribution Letter (Testimony of  
20 Jim Frank and testimony of Todd Whipple), the extension of Crestline Street would  
21 exacerbate the already congested and allegedly dangerous traffic conditions on Crestline  
Street south of 32<sup>nd</sup> Avenue; that the PUD code provisions allow for the deviation from the  
specific municipal code requirements in favor of a design that complies with and furthers the  
goals and policies of the Comprehensive Plan; and that the Proposed Arterial Network Map  
TR 12 is not a binding ordinance but is more in the nature of a suggestion. Testimony of Jim  
Frank.

22 In response, Spokane City cites to several Comprehensive Plan goals and policies that  
23 they argue dictate the connectivity between the established streets surrounding the proposed  
24 preliminary plat and PUD. They also cite provisions of the SMC that allegedly require  
extension of Crestline Street north of 32<sup>nd</sup> Avenue even in a PUD. Although Spokane City  
agrees that the transportation concurrency is met for the proposed preliminary plat and PUD

1 without the extension of Crestline Street, they point out that concurrency does not eliminate  
2 the requirement to comply with the Comprehensive Plan and applicable municipal code.  
3 Finally, Spokane City argues that prudent engineering practices indicate the need for the  
4 extension and that the Proposed Arterial Network Map TR 12 is a binding document that is  
5 adopted by ordinance. Testimony of Inga Note and testimony of James Richman.

6 The disagreement between Spokane City and the applicant regarding the location and  
7 design of the streets within the proposed preliminary plat and PUD centers on the extension  
8 of Crestline Street such that it connects with Southeast Boulevard and 31<sup>st</sup> Avenue. The  
9 alignment and design of 30<sup>th</sup> Avenue extending east from Martin Street then south to 31<sup>st</sup>  
10 Avenue and east again to Southeast Boulevard is not challenged by Spokane City. Also  
11 uncontested at this point in time is the location of and dedication of the ROW that is depicted  
12 in the Final Plat of Estate Development (1970). During the hearing the applicant indicated  
13 that: 1) the request for the vacation of ROWs within the proposed preliminary plat and PUD  
14 is withdrawn by the applicant; and 2) that the streets and avenues within the proposed  
15 preliminary plat and PUD would all be constructed and dedicated as public streets. The  
16 reason stated for the withdrawal of the request to vacate ROWs was in part that there exists  
17 in the ROW, and may be installed future, utility facilities that must remain and will be  
18 maintained from time to time.

19 The mitigation measures stated in the Mitigated Determination of Nonsignificance  
20 (MDNS) relative to Spokane City File Z1200046-COMP, dated July 29, 2013, are sufficiently  
21 addressed and complied with by the proposed preliminary plat and PUD as conditioned  
22 hereinafter.

23 Comprehensive Plan policies LU 4.4, LU 4.5, TR 2, and TR 7 specifically refer to  
24 connectivity and travel to, from, and within the proposed preliminary plat and PUD. The key  
elements of the policies are safety of pedestrians and non-automobile use, along with an  
increase in connectivity of streets and multiple routes relative to major streets. The proposed  
preliminary plat and PUD is located adjacent to 29<sup>th</sup> Avenue and Southeast Boulevard and  
Crestline Street, each of which are major streets. The elimination of the connection between  
Crestline Street and Southeast Boulevard or 29<sup>th</sup> Avenue would not comply with the policies  
of the Comprehensive Plan relative to connectivity and transportation.

If the connection between Crestline Street and Southeast Boulevard and 29<sup>th</sup> Avenue  
is eliminated, the residents in the southern portion of the development would have only one  
avenue of ingress and egress to and from the development for automobile traffic, that being  
south on Crestline Street. Although traffic could use 34<sup>th</sup> Avenue, 35<sup>th</sup> Avenue, or 37<sup>th</sup>  
Avenue to then travel east or west from Crestline, the most direct route to the east or west  
would be south on Crestline Street to 37<sup>th</sup> Avenue. Even though the design as proposed  
would encourage bicycle or pedestrian traffic for access to the commercial enterprises on 29<sup>th</sup>  
Avenue and/or Southeast Boulevard, the policies for connection with surrounding existing  
streets and multiple routes through the development would be frustrated.

1 Although it is not directly applicable to Crestline Street (a major collector arterial),  
2 policy LU 4.3 provides a possible solution to the connectivity policy faced here and is  
3 consistent with an illustration provided by the applicant as Exhibit #4 at the hearing. The  
4 discussion portion of policy LU 4.3 reads: "Principal arterials that bisect neighborhoods  
5 create undesirable barriers to pedestrian circulation and adversely impact adjoining  
6 residences. Whenever possible, principal arterials should be located on the outer edge of  
7 neighborhoods." Exhibit #4 illustrates a possible route for the connection between Crestline  
8 Street and Southeast Boulevard that meets in large part the other policies identified above  
9 and directs the connecting street around the outer edge of the development (neighborhood).  
10 It is understood that this alternative route may attract traffic from the northern portion of  
11 the development, though that possibility has been considered in the original Traffic  
12 Distribution Letter prepared by Whipple Consulting Engineers, Inc. (January 3, 2018). Such  
13 an alternative design would accomplish the intent of the cited policies and provide a second  
14 route for the residents of the proposed residential dwelling units in the southern portion of  
15 the development.

16 *C.3. The proposal meets the concurrency requirements of Chapter 17D.010 SMC.*

17 The Traffic Distribution Letter dated January 3, 2018, and the Revised Traffic  
18 Distribution Letter, dated August 14, 2018, both generated by Whipple Consulting  
19 Engineers, Inc., regarding the automobile traffic expected to be generated by the proposed  
20 preliminary plat and PUD, conclude that "... the proposed project while adding trips to local  
21 intersections, will not reduce the intersections in the immediate area below an acceptable  
22 level of service." The staff report filed by Spokane City indicates that "The application was  
23 circulated on July 16, 2018, for department and agency comments. Comments were received  
24 and are included in the file. Adequate utilities exist in the area to serve the proposed  
25 project." The applicant's materials, Garden District Preliminary Plat – Subdivision Design  
26 Criteria section contains the following statement under numbered paragraph 9: "A  
27 demographic analysis of similar developments indicates that the Garden District community  
28 will have about 40 school-aged children (under 19 years). Spokane School District No. 81  
29 serves the site and has capacity to serve the additional students."

30 There are no comments from the public or from any agency asserting that the  
31 concurrency requirements for this application have not been met. All evidence in the record  
32 on the subject indicates that the concurrency requirements for this application are met.

33 *C.4. Suitability for proposed use.*

34 As stated above, the site of the proposed preliminary plat and PUD is located within a  
35 Final Plat – Estate Development that was recorded in approximately November 1970. As  
36 such, the property is suitable for redevelopment as infill development. The property is  
37 surrounded by urban development including professional businesses, commercial retail  
38 businesses, medical care providers, multi-family dwelling units, single-family dwelling units,  
39 and is bounded on at least two sides by major urban streets. The property is zoned  
40 appropriately for the proposed development. The topography of the site is well suited for

1 development as proposed. Cultural consideration has been provided by the Spokane Tribe of  
2 Indians indicating a desire for a cultural survey of the site and a discovery plan in the event  
3 that archeological artifacts are discovered on the property during development and  
construction. No objection to the suitability of development of the site has been offered.

4 *C.5. Absence of significant adverse environmental impact.*

5 A SEPA DNS was issued by Spokane City on November 19, 2018. The DNS was not timely  
6 appealed.

7 *D.4. PUD criteria.*

8 In addition to the above criteria found in SMC 17G.060.170(C), approval of the  
9 proposed PUD must meet the following criteria:

10 a. Compliance with applicable standards.

11 The proposed development and uses must comply with all applicable standards of the  
12 title, except where adjustments are being approved as part of the concept plan application,  
13 pursuant to the provisions of SMC 17G.070.200(F)(2). SMC 17G.060.170(D)(4). Construction  
of the PUD is proposed to take place in three phases, and the proposed PUD meets the  
requirement of SMC 17G.070.200(F)(2).

14 Relying upon SMC 17G.070.010, the applicant requests deviation from the standards  
15 of Title 17G SMC, specifically regarding the extension of Crestline Street through the  
16 proposed PUD from 32<sup>nd</sup> Avenue to Southeast Boulevard.

17 SMC 17G.070.010(A) explains that the purpose of the PUD provisions is to encourage  
18 innovative planning and flexible design standards that results in more infill and mixed use  
19 development; economically diverse and affordable housing options; improved protection of  
20 open space and critical areas and transportation options and preserve the existing landscape  
21 and amenities that may not otherwise be protected through conventional development. The  
22 PUD provisions in that code section are: 1) Flexibility, 2) Efficiency, 3) Affordable Housing, 4)  
Diverse Housing, 5) Open Space, 6) Economic Feasibility, and 7) Resource Preservation.

23 The applicant argues that extending Crestline Street through the proposed PUD to  
24 Southeast Boulevard along the path of the dedicated ROW in the Final Plat of Estate  
Development (1970) would diminish if not destroy the designed open space and would  
significantly hinder the resource preservation designed into the proposed PUD. Construction  
of an extension of Crestline Street along the dedicated ROW to Southeast Boulevard would  
cut a wide path through the planned pedestrian pathway designed for that ROW and would  
require the removal of the colonnade of mature trees that borders the proposed pathway  
currently. The proposed design would leave the existing trees and make that area part of the  
green open space designed for the PUD.

25 In response, Spokane City argues that the extension of Crestline Street from 32<sup>nd</sup>  
26 Avenue to Southeast Boulevard is not only included in the Proposed Arterial Network Map  
TR 12, but is also required by the Comprehensive Plan and development standards and

1 street standards contained in the SMC. Upon questioning during the hearing, Spokane City  
2 indicated that the location of the extension of Crestline Street to Southeast Boulevard need  
3 not follow the path of the dedicated ROW in the Final Plat of Estate Development (1970);  
4 however, the City's position is that the extension and connection to Southeast Boulevard  
5 must be made. Spokane City also indicated during the hearing that the extension of  
6 Crestline Street to Southeast Boulevard would not be required to be an arterial as indicated  
on the Proposed Arterial Network Map TR 12; however, no indication was given regarding  
whether that was a final decision and amendment to the Proposed Arterial Network Map TR  
12, thus the question of whether Crestline Street between 32<sup>nd</sup> Avenue and Southeast  
Boulevard would be an arterial is not yet resolved.

7 As noted above, during the hearing the applicant submitted an illustration marked as  
8 Exhibit #4 that shows a possible alternate route for a connection between Crestline Street at  
9 32<sup>nd</sup> Avenue and Southeast Boulevard. That possible alternate route would follow 32<sup>nd</sup>  
10 Avenue to the east from Crestline Street and then turn north at the now existing cul-de-sac  
11 to connect to 31<sup>st</sup> Avenue and then proceed along 31<sup>st</sup> Avenue to Southeast Boulevard. The  
12 alternate route in Exhibit #4 would comply with the standards in Title 17G SMC. See SMC  
17G.070.145. The applicant's briefing before the Hearing Examiner emphasizes that the  
proposed preliminary plat and PUD only proposes to terminate Crestline Street at 32<sup>nd</sup>  
Avenue without extending it through the PUD. At the hearing the applicant did not propose  
the illustration in Exhibit #4 as a modification to the proposed preliminary plat and PUD.

13 For the reasons stated above in this section, the preliminary plat and PUD as  
14 proposed do not comply with all applicable standards of Title 17G SMC.

14 b. Architectural and Site Design.

15 The applicant has completed the Design Review process and the recommendations of  
16 the DRB are incorporated into this decision.

16 c. Transportation System Capacity.

17 As demonstrated by the uncontested Traffic Distribution Letters dated January 3,  
18 2018, and August 14, 2018, there is sufficient capacity on the arterial system and  
19 intersections surrounding the proposed preliminary plat and PUD. The capacity of the  
20 arterial system and intersections surrounding the proposed preliminary plat and PUD,  
however, do not relieve the requirement of compliance with the applicable standards of Title  
17G SMC.

21 d. Availability of Public Services.

22 Both the applicant and Spokane City assert that there is sufficient capacity within  
23 the public services to adequately serve the proposed preliminary plat and PUD upon build  
24 out of the project. This is supported in the record by evidence in the file that the application  
was submitted to departments and agencies who provide those services and the responses  
from those agencies and departments are contained in the file. Failure of an agency or

1 department to respond to the application or to otherwise object is taken as an indication of  
adequate capacity.

2 e. Protection of designated resources such as historic landmarks, view sheds, street trees,  
3 urban forests, critical areas, or agricultural lands.

4 The proposed preliminary plat and PUD is designed to leave in a substantially  
natural state the rock outcropping on the east side of the site and to preserve as much as  
5 possible the mature trees throughout the site. The proposal also maintains much of the  
walking trails that already exist on the property including improvement to the pedestrian  
6 path that currently exists in the area of the ROW for the extension of Crestline Street  
through the Final Plat of Estate Development (1970). There are no agricultural areas within  
7 the site.

8 f. Compatibility with adjacent uses.

9 The site of the proposed preliminary plat and PUD is surrounded by varying uses,  
including commercial development on the northwest and east boundaries. To the west the  
10 site is bounded by multi-family apartment style residential development and to the south by  
single-family residential development on urban sized lots. The proposed commercial and  
11 residential development in the northern portion of the site, with a CC1 zoning classification,  
is compatible with the existing commercial development immediately adjacent to the site. In  
12 the southern portion of the site, with a RSF zoning classification, the proposal indicates a  
total of approximately 126 residential dwelling units across a combination of multi-family  
13 residential structures similar to those to the west of the site, single-family cottage-style  
residential dwellings in the south and east side of the site, and single-family dwellings on  
14 urban sized lots similar to the development immediately across the street in the south and  
east side of the site. The proposed development is within the density requirements for the  
15 site and represents a reasonable buffer and transition from the development on the site to  
the surrounding areas.

16 g. Mitigation of off-site impacts, such as litter, noise, shading, glare, and traffic.

17 As conditioned the proposed preliminary plat and PUD will offer mitigation measures  
relative to this requirement. Although mitigation for traffic is not necessary, based upon the  
18 Traffic Distribution Letters submitted and accepted by Spokane City, the extension of  
Crestline Street from 32<sup>nd</sup> Avenue to Southeast Boulevard is required by the policies of the  
19 Comprehensive Plan and the applicable design and street standards.

20 In summary, as indicated above in this section, the criteria identified in SMC  
21 17G.060.170(D)(4)(b-g) are met by the proposed preliminary plat and PUD. Criteria (a) is not  
met.

1 *D.5 (a-j). Plat, Short Plat, and Binding Site Plan – Capacity and Concurrence.*

2 a. Public health, safety and welfare.

3 As conditioned the proposed preliminary plat and PUD makes appropriate provision  
4 for the public health, safety and welfare.

5 b. Open spaces.

6 The proposal under consideration includes approximately 9.18 acres of common area  
7 tracts that will be used for parks, open spaces, and shared community facilities including  
8 community gardens, a neighborhood park, a community center building, and fitness center.

9 c. Drainage ways.

10 All stormwater and surface drainage generated on-site shall be disposed of on-site in  
11 accordance with SMC 17D.060 "Stormwater Facilities," the 2008 Spokane Regional  
12 Stormwater Manual ("2008 SRSW"), Special Drainage Districts, and City Design Standards.

13 d. Streets, roads, alleys, and other public ways.

14 Public and private streets, including paving, curb, sidewalk, signs, storm drainage  
15 structures/facilities, and swales/planting strips necessary to serve the proposed plat, shall be  
16 designed and constructed in accordance with City standards. During testimony at the  
17 hearing, the applicant indicated that all streets constructed within the proposed preliminary  
18 plat and PUD would be public streets meeting all applicable code requirements and  
19 standards.

20 Notwithstanding a modification of the location of the streets from that illustrated in  
21 the Final Plat of Estate Development (1970), the proposed preliminary plat and PUD  
22 provides a street connection between Martin Street at 30<sup>th</sup> Avenue and Southeast Boulevard  
23 at 31<sup>st</sup> Avenue, consistent with the SEPA mitigation requirements of the Sonneland  
24 Comprehensive Plan Amendment Z1200046-COMP.

At the time of the original application it had been proposed that the existing ROWs  
within the Final Plat of Estate Development (1970) be vacated. During the hearing before  
the Hearing Examiner Pro Tem, the applicant withdrew its request for vacation of the ROWs  
within the earlier plat upon the request of Spokane City. The reason for the withdrawal of  
the request to vacate ROWs and agreement to withdraw was based upon the existence within  
the ROWs of several utility facilities and the significant future possibility of other utility  
facilities being placed within the existing ROWs.

Narrower streets with parking on one side and two, 10-foot lanes have been requested  
indicating a total curb-to-curb width of 28 feet. The alignment and location of the narrower  
section was not identified in the request. The residential standard curb-to-curb width is 36  
feet while the arterial standard curb-to-curb width is 40 feet (SMC 17H.010.050). A design  
variance request must be submitted and approved prior to the submittal of engineering plans  
for review if an alternative width is to be used (SMC 17H.010.020).

1 e. Transit stops.

2 A Spokane Transit Authority (STA) route is currently available along 29<sup>th</sup> Avenue and  
3 Southeast Boulevard, with a bus stop along 29<sup>th</sup> Avenue at Martin Street. There is also a  
4 Park and Ride facility across Southeast Boulevard at the intersection with 31<sup>st</sup> Avenue.  
5 There are no stops or routes proposed internal to the development.

6 f. Potable water supplies.

7 Domestic water services are available at the site of the proposed preliminary plat and  
8 PUD. All water services shall follow the "City of Spokane Water Department Rules and  
9 Regulations for Water Service Installations." The following changes to the applicant's PUD  
10 Development Standards Matrix are required by Spokane City.

11 PUD Development Standards Matrix – CC1 Zone:

12 Utilities – All water services shall follow the "City of Spokane Water  
13 Department Rules and Regulations for Water Service Installations."

14 Manifold meters or bullhead assemblies are not allowed. All sewer services  
15 shall follow the Regulations Governing Sewer Construction in the City of  
16 Spokane and City of Spokane Design standards.

17 PUD Development Standards Matrix – RSF Zone:

18 Utilities – All water services shall follow the "City of Spokane Water  
19 Department Rules and Regulations for Water Service Installations."

20 Manifold meters or Bullhead assemblies are not allowed. All sewer services  
21 shall follow the Regulations Governing Sewer Construction in the City of  
22 Spokane and City of Spokane Design standards.

23 g. Sanitary sewers.

24 All sewer services shall follow the Regulations Governing Sewer Construction in the  
City of Spokane and City of Spokane Design Standards. The sanitary sewer system,  
including individual connections to each lot, shall be constructed and accepted for services  
prior to the City Engineer signing the final plat.

h. Parks, recreation and playgrounds.

See b. Open spaces, above. In addition, Hamblen Park is located roughly a quarter of  
a mile south on Crestline Street from the southern boundary of the proposed preliminary  
plat and PUD. The parks department did not offer any comments on this proposal.

h. Schools and school grounds.

The site is located within the Spokane Public School District #81, roughly a third of a  
mile from Hamblen Elementary School. There are no provisions for public schools or school  
grounds as a part of this proposal. The school district did not provide any comments on this  
proposal.



- 1 i. Sidewalks, pathways, and other features that assure safe walking conditions.

2 The applicant is proposing a trail system through the community common area and  
3 along streets to provide a comprehensive pedestrian system throughout the site that  
4 connects to the surrounding roadway system and neighborhoods. Separated sidewalks with  
street trees will be required on both sides of each new street.

5 **I. City Recommendations:**

6 The City recommends approval of this application subject to the conditions of  
7 approval. The City believes that, as the proposal is currently configured, it does not achieve  
8 the connectivity envisioned by the Comprehensive Plan and does not comply with the City's  
9 development regulations, which implement the Comprehensive Plan. The conditions of  
approval are necessary to ensure that the project is consistent with the Comprehensive Plan  
and Development Regulations, and compliance with the conditions should be a condition of  
approval of the project.

10 Any finding of fact above that is a conclusion of law is deemed a conclusion of law.  
Any conclusion of law above that is a finding of fact is deemed a finding of fact.

11 **III. DECISION**

12 Based on the Findings of Fact and Conclusions of Law above, the application for a  
13 preliminary plat and PUD, on a 24.59-acre site to construct 236 residential units and 38,000  
14 square feet of office, retail, and other commercial uses, is hereby approved, subject to  
compliance with the conditions specified below.

15 Any conditions of approval of public agencies that have been added or significantly  
16 altered by the Examiner are *italicized*. This approval does not waive the applicant's  
obligation to comply with all other requirements of other public agencies with jurisdiction  
over land development.

17 **A. Conditions of Approval:**

- 18 1. Development should adhere to plans, drawings, illustrations, and/or specifications on file  
with the Development Services Center as modified by the conditions below.
- 19 2. *As presently configured, the proposed preliminary plat and PUD is not consistent with the*  
20 *applicable goals and policies of the Comprehensive Plan and does not comply with the*  
21 *applicable standards, specifically related to connectivity of streets surrounding and*  
22 *through the proposed development. The applicable policies and standards require that a*  
*street connection for vehicles be provided between the intersection of Crestline Street and*  
*34th Avenue to the intersection of Southeast Boulevard and 31st Avenue.*
- 23 • This vehicular connection shall be built to City of Spokane Street Standards.
  - 24 • This connection shall be *dedicated* as a public ROW.

- 1       • All proposed intersections, corners, or curves must meet the Fire Department's  
2       design standards.
- 3       • *The location of the street connection shall be agreed upon between the City of*  
4       *Spokane and the applicant.*
- 5       • *Whether the street connection between Crestline Street and Southeast Boulevard*  
6       *shall be an arterial street or otherwise is dependent upon the proposed amendment*  
7       *of the Proposed Arterial Network Map (Map TR 12) found in Resolution No. 2018-*  
8       *0061, dated July 9<sup>th</sup>, 2018.*
- 9       3. *The proposed residential public street connection for vehicles between the intersection of*  
10      *Martin Street at 30<sup>th</sup> Avenue and Southeast Boulevard at 31st Avenue shall:*
  - 11       • Be built to City of Spokane street standards;
  - 12       • Be dedicated as a public ROW; and
  - 13       • All proposed intersections, corners or curves must meet the Fire Department's  
14       design standards.
- 15      4. Bike connections must be provided between the three intersections 1) Crestline Street at  
16      34th Avenue, 2) Martin Street at 30<sup>th</sup> Avenue, and 3) Southeast Boulevard at 31st  
17      Avenue.
- 18      5. Pedestrian connections must also be provided between *the three intersections identified in*  
19      *#4 above*, and additionally to the proposed trail in the 32<sup>nd</sup> Avenue alignment to Pittsburg  
20      Street.
- 21      6. *Any new intersection/driveway at 29th Avenue and Stone Street (south side of 29th*  
22      *Avenue) shall be limited to "right-in, right-out only" to maintain the function of 29th*  
23      *Avenue and Southeast Boulevard intersection, pursuant to the Mitigated Determination of*  
24      *Nonsignificance "MDNS" for File No. Z1200046-COMP, dated July 29, 2013.*
- 25      7. Additional clarification shall be provided regarding the following items:
  - 26       • Provide a key to describe or delineate on the topographical map what the  
27       numbered lots and tracts reference.
  - 28       • Modify the plan to indicate the uses proposed and their locations in this plat (SFR,  
29       multifamily, mixed use, etc.) or for the tract uses (open space, stormwater  
30       management, multi-modal and pedestrian access, etc.).
- 31      8. The applicant shall dedicate 7.5 feet of ROW along the south side of 29th Avenue  
32      immediately adjacent to the proposed preliminary plat and PUD, between Martin Street  
33      and the east property boundary to allow for future widening work on 29<sup>th</sup> Avenue.

1     *Dedication of the ROW can be used as a credit to offset the cost of Transportation Impact*  
2     *Fees required due to the development of the site.*

3     9. Intersection improvements of 31st Avenue and Southeast Boulevard will be required to  
4     include minor restriping work, to add a northbound left turn pocket and crosswalk  
5     amenities.

6     10. Transportation impact fees will be assessed per SMC 17D.075.

7     11. All public or private streets, paving, curbs, sidewalks, utilities, stormwater, lights, and  
8     similar facilities shall be developed according to City standards, unless specifically  
9     modified by the city engineer. Waivers, variances, or modifications to the private or  
10    public street standards, utilities, and other infrastructure through a PUD shall be  
11    approved by the city engineer. No waivers, variances, or modifications to the private or  
12    public street standards have been approved for this plat.

13    12. *Any proposed vacation of 32<sup>nd</sup> Avenue shall be conducted by the Spokane City Council*  
14    *(SMC17G.080.020.D.2.a).*

- 15       • The existing 32nd Avenue ROW, west of Crestline Street is the planned route for  
16       the new water main that will provide the water supply to the new High System  
17       Reservoir. This ROW is also planned to be the emergency overflow path for the  
18       new reservoir tank. A sufficient no build easement for both of these needs is  
19       required for the vacation to be considered.
- 20       • All existing public water mains and public sewer mains require a minimum no  
21       build easement of 30 feet. If the easements overlap due to the large size of these  
22       mains, the easement shall extend a minimum 15 feet from the outside edge of the  
23       utility on each side. The no build easements shall apply to all structures, patios, or  
24       swimming pools, etc. The City of Spokane shall not be responsible for any surface  
      restoration except grass or asphalt if utility repairs are required. Foundations  
      shall have a minimum 20-foot separation from public water and sewer mains.
- Adequate access shall be provided to surface facilities (e.g., manholes, valves, etc.)  
      within the easement(s).
- If existing public ROW is vacated, the applicant will need to compensate the City  
      of Spokane if there is a net loss of overall platted public ROWs.

25    13. *All existing and proposed easements, both public and private, shall be shown and/or*  
26    *referenced on the preliminary plat face.*

- 27       • Crestline Street was vacated from 29th Avenue to 30th Avenue in 1994 with the  
28       condition of an "unobstructed paved easement" reserved for Washington Water  
29       Power Company, Cox Cable TV, and the City of Spokane for existing and future  
30       utilities. Reference Ordinance C31317, amending C30538, recording number  
31       9503140282.

- 1       • There are existing water service lines to the existing buildings addressed as 2202,  
2       2204, and 2230 E. 29th Avenue. Easements for the water services will need to be  
3       established or water services will need to be relocated as to not cross property  
4       lines.
- 5       14. No structures will be allowed within the existing easement areas of vacated Crestline and  
6       Stone Streets.
- 7       15. Maintain all existing water and sewer services, provide easements and access as needed.
- 8       16. The following items are required to be shown on the preliminary plat per SMC  
9       17G.080.040(B)(2) via SMC 17G.080.050(C)(2):
- 10       • Locations and widths of streets, alleys, ROWs, easements (both public and  
11       private), turn around and emergency access, parks and open spaces will need to be  
12       shown on the preliminary plat. (SMC 17G.080.040 (2)(r)).
- 13       • The location and sizes of all permanent buildings, ... structures, overhead and  
14       underground utilities, ... and other features existing upon, over or under the land  
15       proposed to be subdivided, and identifying any which are to be retained or  
16       removed.
- 17       17. Clearly identify the outer boundary limits of the proposed preliminary plat.
- 18       18. All water services shall comply with the "City of Spokane Water Department Rules and  
19       Regulations for Water Service Installations." All sewer services shall comply with the  
20       Regulations Governing Sewer Construction in the City of Spokane and City of Spokane  
21       Design standards.
- 22       • CC1 Zone: Utilities – All water services shall follow the "City of Spokane Water  
23       Department Rules and Regulations for Water Service Installations." Manifold  
24       meters or Bullhead assemblies are not allowed. All sewer services shall follow the  
25       Regulations Governing Sewer Construction in the City of Spokane and City of  
26       Spokane Design standards.
- 27       • RSF Zone: Utilities – All water services shall follow the "City of Spokane Water  
28       Department Rules and Regulations for Water Service Installations." Manifold  
29       meters or Bullhead assemblies are not allowed. All sewer services shall follow the  
30       Regulations Governing Sewer Construction in the City of Spokane and City of  
31       Spokane Design standards.
- 32       19. All manholes and valves shall require a 12-foot-wide, all-weather driving surface to each  
33       location for access with either a turn-around or through access and must be accessible at  
34       all hours.
- 35       20. Each lot must include addresses on the face of the final plat. Application for addresses  
36       should be made at the time of sewer and water services permits.

- 1 21. Plan review fees for sanitary sewer, water, street, and stormwater improvements will be  
2 determined at the time of plan submittal and must be paid prior to the start of review.
- 3 22. General Facility Charges (GFCs) must be paid at the time of water and sewer permits,  
4 including connections to private systems.
- 5 23. Construction plans for public street, sewer, water, and stormwater systems must be  
6 designed by a Professional Engineer, licensed in the State of Washington, and submitted  
7 to Development Services for review and acceptance prior to construction.
- 8 • The developer will be responsible for all costs associated with constructing street  
9 improvements necessary to serve the proposed plat.
  - 10 • Signing and striping plans, where appropriate, shall be included as part of the  
11 design submittal.
  - 12 • Street designs for the proposed plat shall include supporting geotechnical  
13 information on the adequacy of soils underneath to support vehicular design loads.
  - 14 • Any requests to deviate from the City standards (curb, sidewalk and planting strip  
15 locations/widths, right-of-way widths, etc.) must be submitted in writing and will  
16 be addressed at the time of Developer Services' review of the street engineering  
17 plans.
  - 18 • Minimum 20-foot radii are required at all residential intersections. A minimum of  
19 30-foot radii are required for residential and arterial intersections.
  - 20 • Garages shall be setback a minimum of 20 feet from a sidewalk to fully  
21 accommodate a parked vehicle without obstructing the sidewalk.
  - 22 • Americans with Disabilities Act (ADA) ramps must be constructed as necessary.
  - 23 • All street identification and traffic control signs required due to the proposed plat  
24 shall be installed by the developer at the time of street improvements. They shall  
be installed and inspected to the satisfaction of the City's Construction  
Management Office in accordance with City standards prior to the occupancy of  
any structures within the phase being developed.
- 24 24. There are multiple public sanitary sewer mains within the proposed plat/PUD as well as  
in 29th Avenue available to provide service to this plat/PUD.
- Any new sewer main lines constructed outside public ROW shall be private.
  - Any additional sewers necessary to serve the proposed plat shall be designed and  
constructed to City standards. Review and permit fees are applicable.
  - The developer will be responsible for all costs associated with constructing  
sanitary sewer improvements necessary to serve the proposed plat. Additionally,

- 1 inspection fees are applicable for sewer improvements to the lots and are subject  
2 to be paid prior to the start of construction.
- 3 • Sanitary sewer shall be constructed, inspected, and tested prior to the City  
4 Engineer signing the final plat.
- 5 25. There are multiple public water mains within the proposed plat/PUD as well as in 29th  
6 Avenue available to provide service to this plat/PUD.
- 7 • Any new water mains constructed outside of the public ROW shall be private.
- 8 • Any additional water mains necessary to serve the proposed plat shall be designed  
9 and constructed to City standards. Review and permit fees are applicable.
- 10 • The developer will be responsible for all costs associated with constructing water  
11 improvements necessary to serve the proposed plat. Additionally, inspection fees  
12 are applicable for water improvements to the lots and are subject to be paid prior  
13 to the start of construction.
- 14 • Water improvements shall be constructed, inspected, and tested prior to the City  
15 Engineer signing the final plat.
- 16 • A pressure of 45 pounds per square inch (psi) minimum to the property line is  
17 required for service connections supplying domestic flows. Pressures shall not drop  
18 below 20 psi at any point in the system during a fire situation. Pressures over 80  
19 psi will require that pressure relief valves be installed at the developer's expense.  
20 Where minimum domestic and fire flows cannot be provided from the existing  
21 water system, the developer will be required to design and construct  
22 improvements necessary to serve the proposed plat in accordance with City  
23 standards.
- 24 26. A hydraulic analysis is required for the proposed removal of any water mains from the  
water system, to ensure the operation of the water system is not compromised by the  
removal.
27. All stormwater and surface drainage generated on-site shall be disposed of on-site in  
accordance with SMC 17D.060 "Stormwater Facilities" and the Project Engineer's  
recommendations, based on the drainage plan accepted for the final plat. A surface  
drainage plan shall be prepared for each lot and shall be submitted to Development  
Services for review and acceptance prior to issuance of a building permit.
- The Dedication of the plat must address who has responsibility for operation and  
maintenance of the proposed drainage facilities. If drainage tracts are proposed, a  
homeowner's association (HOA) must be established and appointed as having  
responsibility for said stormwater facilities in the tracts. An Operation and  
Maintenance Manual is required which will identify and list the operation and  
maintenance tasks associated with the drainage facilities with the tracts. The

- 1 Operations and Maintenance Manual must be referenced in the Dedication of the  
2 plat.
- 3 • All stormwater facilities necessary to serve the proposed plat shall be designed  
4 and constructed in accordance with City standards. Review and permit fees are  
5 applicable.
  - 6 • Prior to construction, a grading and drainage plan showing finished one-foot  
7 contours and supporting calculations shall be submitted to Development Services  
8 for review and acceptance.
  - 9 • An erosion/sediment control plan, detailing how dust and runoff will be handled  
10 during and after construction, shall be submitted to Development Services for  
11 review and acceptance. Erosion and sediment control measures must be in place,  
12 on the project site, prior to the issuance of any building permits and any  
13 construction (including any grading/earth-moving).
  - 14 • One copy plus a pdf of a final drainage report, including supporting geotechnical  
15 site characterization, calculations and documentation, shall be submitted to  
16 Developer Services for review and acceptance prior to the City Engineer signing  
17 the final plat.
  - 18 • Acceptance of a conceptual drainage report does not imply that the concept  
19 proposed is inherently accepted as the final design. Acceptance only implies that  
20 the applicant (or agent) has demonstrated that stormwater disposal is  
21 manageable. It does not relieve the applicant from changes to the design that may  
22 be necessary in order to comply with the City's stormwater ordinance and design  
23 standards.
  - 24 • If drywells are utilized, they will be tested insure design infiltration rates are met.  
A minimum factor of safety of two will be required. You must register all new dry  
wells and other injection wells with the Underground Injection Control program  
(UIC) at Washington State Department of Ecology (WSDOW) prior to use. In  
addition, discharge from the well(s) must comply with the ground water quality  
requirement (nonendangerment standard) at the top of the ground water table.  
Contact the Eastern Regional Office UIC Coordinator, Llyn Doremus at (509) 329-  
3518 or via email at Llyn.Doremus@ecy.wa.gov. You may also go to  
[https://ecology.wa.gov/Regulations-Permits/Guidance-technical-](https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Underground-injection-control-program)  
[assistance/Underground-injection-control-program](https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Underground-injection-control-program) for registration forms and  
further information. Proof of registration must be provided prior to plan  
acceptance.
  - The developer is responsible for all costs associated with constructing stormwater  
improvements necessary to serve the proposed plat.

28. *An unpaved trail shall connect between the Garden District and Touchmark development  
at the intersection of vacated 32nd Avenue and Napa Street.*

- 1 29. All water services after the required Protectus meter as shown in City of Spokane  
2 Standard Plan Y-118 shall be private. All vault locations shall be per Standard Plan Y-  
3 118.
- 4 30. A \$250.00 deposit will be required for each monument to be installed as part of the final  
5 plat.
- 6 31. Civil engineered plans and profiles shall use NAVD88 datum (City of Spokane datum  
7 minus 13.13 feet).
- 8 32. In accordance with the City's Financial Guarantee Policy, a financial guarantee will be  
9 required for all street, drainage, and erosion / sediment control improvements not  
10 constructed prior to approval of the final plat.
- 11 33. Site fire flow will be required to be provided and maintained during construction.
- 12 34. Fire hydrant spacing shall not be more than 500 feet (along an acceptable path of travel),  
13 within 500 feet of the property line for non-sprinklered buildings and 750 feet of the  
14 property line for fire sprinklered buildings (SMC 17F.080.030).
- 15 35. For commercial buildings, fire hydrants are required to be along an acceptable path of  
16 travel within 400 feet to all points around the building without fire sprinklers  
17 (International Fire Code [IFC] 507.5.1), and 600 feet for commercial buildings with fire  
18 sprinklers (IFC 507.5.1, exception 2).
- 19 36. Fire Department Connections for new fire sprinkler system installations shall be located  
20 no more than five hundred feet from a fire hydrant along an accessible path of travel  
21 unless where approved by the fire official.
- 22 37. Fire Department approved all-weather access must be provided to within 150 feet of any  
23 point around the outside of a building (IFC 503.1.1). For fully sprinklered buildings, this  
24 is extended to 165 feet (IFC 503.1.1, exception 1). Dead-end roads longer than 150 feet  
need approved fire apparatus turn-arounds (IFC 503.2.5). Fire apparatus turning radius  
is 50 feet external, 28 feet internal (SMC 17F.080.030.D.3). Minimum height clearance is  
13 feet-6 inches (IFC 503.2.1). Fire lanes will have a maximum slope of 10 percent (based  
on IFC 503.2.7). Minimum width for fire access is 20 feet, unobstructed (IFC 503.2.1).
38. Buildings exceeding 30 feet in height and will be required to have a Fire Aerial Access  
lane of 26 feet wide along at least one full side of each building (IFC D105.2).
39. Fire access will be maintained during construction. The fire lanes will be maintained  
with an all-weather surface (IFC 3310.1).



1 40. Single-family and duplex residential developments that exceed 30 dwelling units on any  
2 single road with no additional access are required to have a second fire access road (IFC  
D107.1).

3 41. *Pursuant to the DRB recommendation dated June 13, 2018:*

- 4 • The Design Review Board finds that the site design and architecture as presented  
5 demonstrates the use of innovative, aesthetic, and energy-efficient design.
- 6 • The Design Review Board supports the requested design departure to provide a 6-  
7 foot separated sidewalk with a 6-foot planting strip (in the CC1 zoned portion)
- 8 • The project as proposed preserves the healthy urban forest canopy and supports a  
9 pedestrian friendly environment.
- 10 • The applicant shall preserve the existing allee of trees in the center of the site.
- 11 • The applicant shall consider opportunities for a terminated vista at South  
12 Crestline Street and East 32nd Avenue with an amenity or art.
- 13 • The applicant shall consider opportunities for greater variation of the roof form of  
14 the two story multifamily housing units on the south end of the site to better blend  
15 with the existing neighborhood.
- 16 • The project as proposed will better meet the buffer requirement if conifers are  
17 integrated into the southern landscape buffer.
- 18 • *Based upon the condition imposed by this decision, requiring that a connection be  
19 established between the intersection of Crestline Street and 32<sup>nd</sup> Avenue and  
20 Southeast Boulevard and 31<sup>st</sup> Avenue, upon agreement between Spokane City and  
21 the applicant regarding the location of said connection, the applicant shall return  
22 to the Design Review Board to address traffic calming, along with any disruptions  
23 to the pedestrian friendly environment and urban forest canopy.*

24 42. Pursuant to the WSDOE comment:

- The operator of a construction site that disturbs one acre or more of total land area, and which has or will have a discharge of stormwater to a surface water or to a storm sewer, must apply for coverage under WSDOE's Baseline General Permit for Stormwater Discharges Associated with Construction Activities.

43. Pursuant to the STA comments:

- As the Garden District project moves forward, Spokane Transit requests that we continue to be involved in the design of the transit stop and associated amenities. In particular, the stop and amenities should be planned to support the implementation of High Performance Transit elements, with planned improvements on the 29th Avenue corridor beginning in 2019. Specifically, we are interested in improving (and/or slightly relocating) the existing eastbound stop at

1 Southeast Boulevard. Such improvements should accommodate raised boarding  
2 platforms and power/communication conduits to support High Performance  
Transit infrastructure.

- 3 • Spokane Transit further requests that pedestrian crossing improvements at the  
4 intersection of East 31st Avenue and South Southeast Boulevard be considered as  
part of the project.

5 44. Pursuant to the Spokane Tribe comments:

- 6 • An inadvertent disturbance plan be created and submitted to Spokane City prior  
to commencement of construction on the project.

7 45. The following statements shall be included in the Dedicatory Language on the face of the  
8 final plat:

- 9 • 10-foot-wide easements for "Dry" utilities (electric, gas, phone, fiber, cable TV) as  
10 shown on the herein described plat are hereby dedicated for the use of serving  
11 utility companies for the construction, reconstruction, maintenance, protection,  
12 inspection and operation of their respective facilities, together with the right to  
13 prohibit changes in grade over installed underground facilities and the right to  
14 prohibit, trim and/or remove trees, bushes, landscaping without compensation and  
to prohibit brick, rock or masonry structures that may interfere with the  
construction, reconstruction, reliability, maintenance, and safe operation of same.  
Storm drain dry wells and Water Meter boxes shall not be placed within the "Dry"  
easements; however, lateral crossings by storm drain, water and sewer lines are  
permitted. Serving utilities are also granted the right to install utilities across  
sidewalk easements, common areas or Tracts and future acquisition areas.
- 15 • Utility easements shown here on the described plat are hereby dedicated to the  
16 City and its permittees for the construction, reconstruction, maintenance, and  
17 operation of utilities and cable television, together with the right to inspect said  
utilities and to trim and/or remove brush and trees which may interfere with the  
construction, maintenance, and operation of the same.
- 18 • All storm water and surface drainage generated on-site shall be disposed of on-site  
19 in accordance with SMC 17D.060 "Storm water Facilities", City standards, and as  
20 per the Project Engineer's recommendations, based on the drainage plan accepted  
21 for the final plat. Pre-development flow of any off-site runoff passing through the  
proposed plat shall not be increased (rate or volume) or concentrated due to  
development of the plat, based on a 50-year design storm. An escape route for an  
"a 100-year design storm event" must be identified.
- 22 • Slope easements for cut and fill, as deemed necessary by Engineering Services, in  
23 accordance with the City's Design Standards, are hereby granted to the City of  
Spokane for the construction and maintenance of public streets adjoining this plat.
- 24 • This plat is not in an irrigation district. The property owner shall maintain the  
drainage swale/planting strip in the public right-of-way, adjacent to the property

owner's property, with a permanent live cover of lawn turf, with optional shrubbery and/or trees, which do not obstruct the flow and percolation of storm drainage water in the drainage swale as indicated by the approved plans. Any re-grading of the lots shall not alter the drainage of such facilities. The City of Spokane and its authorized agents are hereby granted the right to ingress and egress to, over, and from all public and private drainage easements and tracts for the purposes of inspection and emergency maintenance of drainage swales and other drainage facilities. The property owner or his/her representative shall inform each succeeding purchaser of all drainage easements on the property and his/her responsibility for maintain drainage facilities within said easements.

- The City of Spokane does not accept the responsibility of maintaining the stormwater drainage facilities on private property nor the responsibility for any damage whatsoever, including, but not limited to, inverse condemnation to any properties due to deficient construction and/or maintenance of stormwater drainage easements on private property.
- All improvements (street, sewer, storm sewer, and water) shall be constructed to City standards by the developer prior to the occupancy of any structures served by said improvements.
- All required improvements serving the plat, including streets, sanitary sewer, stormwater, and water shall be designed and constructed at the developer's expense. The improvements must be constructed to City Standards by the developer prior to the occupancy of any structures within the development.
- No building permit shall be issued for any lot in this subdivision/PUD until evidence satisfactory to the City Engineer has been provided showing that the recommendations of chapter 17D.060 SMC, Stormwater Facilities, and the Project Engineer's recommendation, based on the drainage plan accepted for the final subdivision/PUD, have been complied with.
- No garage shall be permitted within twenty feet from the front property line.
- All parking areas and driveways shall be hard surfaced.
- Only City of Spokane Water shall serve the plat. The use of individual on-site wells is prohibited.
- Only City of Spokane Sewer shall serve the plat. The use of individual on-site sanitary disposal systems is prohibited.
- A Transportation Impact Fee will be collected for each lot per SMC 17D.075.
- Development of the subject property, including grading and filling, are required to follow an erosion/sediment control plan that has been submitted to and accepted by Development Services prior to the issuance of any building and/or grading permits.

- Prior to the issuance of any building permits, the lots shall be connected to a functioning public or private water system complying with the requirements of the Engineering Services Department and having adequate pressure for domestic and fire uses, as determined by the Water and Hydroelectric Services Development.
- Prior to the issuance of any building permits, the lots shall be served by fire hydrants and shall have appropriate access to streets as determined by the requirements of the City Fire Department and the Engineering Services Department.
- Water mains and fire hydrants must be installed at the developer's expense, in locations approved by the City Fire Department and in accordance with applicable State and Federal provisions.
- The water system shall be designed and constructed in accordance with City Standards. A pressure of 45 psi minimum at the property line is required for services connections supplying domestic flows. Pressures shall not drop below 20 psi at any point in the system during a fire situation. Pressures over 80 psi will require that pressure relief valves be installed at the developer's expense.
- All private improvements constructed within the boundaries of a PUD are required to be maintained by a homeowner's association or comparable entity established for this PUD.

DATED this 15<sup>th</sup> day of January, 2019

CITY OF SPOKANE HEARING EXAMINER  
PRO TEM

  
David W. Hubert, WSBA #16488

#### **NOTICE OF FINAL DECISION AND NOTICE OF RIGHT TO APPEAL**

Appeals of decisions by the Hearing Examiner are governed by SMC 17G.060.210, 17G.060.210.C, 17G.060.210.F, and 17G.050.

Decisions by the Hearing Examiner regarding preliminary long plats and PUDs are final. The Hearing Examiner's decision may be appealed to the Spokane City Council. All appeals must be filed with the Planning Department within fourteen (14) calendar days of the issuance of the decision.

Pursuant to Revised Code of Washington (RCW) Chapter 36.70C, the date of issuance of the Hearing Examiner's decision is three (3) days after it is mailed.

On January 15, 2019, a copy of this decision will be by first class mail to the Applicant, the Property Owner, and the Agent and by email or first class mail to other

1 parties of record. The date of issuance of the Hearing Examiner's decision is January 18,  
2019.

2 THE LAST DAY FOR APPEAL OF THIS DECISION TO THE SPOKANE CITY  
3 COUNCIL IS FEBRUARY 1, 2019.

4 In addition to paying the appeal fee to appeal the decision, the ordinance requires  
5 payment of a transcript fee to the Office of the Hearing Examiner to cover the costs of  
6 preparing a verbatim transcript and otherwise preparing a full record for the City Council.

7 Pursuant to RCW 36.70B.130, affected property owners may request a change in  
8 valuation for property tax purposes notwithstanding any program of revaluation.  
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# Appeal

**Record/Permit Number: Z19-047APPL**



**Planning Services  
Department**  
808 W Spokane Falls Blvd  
Spokane, WA 99201  
Phone: (509) 625-6060  
www.spokaneplanning.org

**Job Title: Garden District Appeal - Neighborhood**

**Expires:**

**Site Information:**

Address:

Parcel #:

**Applicant**

**Kelly Puzio  
3525 S Crestline St  
SPOKANE WA 99203**

Permit Status

Application Accepted

Status Date:

02/01/2019

Parent Permit:

**Owner**

**RECEIVED**

**FEB 01 2019**

**HEARING EXAMINER**

**Description of Work:**

**Garden District Appeal - Neighborhood**

**Contractor(s)**

**Fees:**

Appeal to City Council

**Qty:**

1

**Amount:**

\$500.00

**Payments:**

02/01/2019

Check

**Ref#**

1112

**Amount:**

\$500.00

\$500.00

\$500.00

**Estimated Balance Due :**

**Amount:**

\$0.00

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**CONDITIONS OF APPROVAL**



# Request for Appeal or Reconsideration

## Application

Rev. 20170927

Please answer each question completely. If more space is needed, attach additional paper.

**RECEIVED**

### Appellant:

Name: Kelly Puzio

FEB 01 2019

Address: 3525 S. Crestline St. Spokane, WA 99203

HEARING EXAMINER

Phone: 202-468-5501

Email: kgpuzio@gmail.com

### Respondent:

Name: Spokane City

Address: 808 W Spokane Falls Blvd., Spokane, WA. 99201

Phone: 509-755-2489

Email:

File Number (of application or permit, if applicable): Z18-598PPUD

This is an appeal or reconsideration of:

**RECEIVED**

FEB 01 2019

- ☒ Hearing Examiner
- ☐ Planning Commission
- ☐ City Engineer
- ☐ City Council
- ☐ Junk Vehicle Determination

- ☐ Planning Director
- ☐ Director of Building
- ☐ Traffic Engineer
- ☐ Homeless Encampment Decision
- ☐ Other: \_\_\_\_\_

PLANNING & DEVELOPMENT

This is an appeal or reconsideration to the:

- ☒ City Council
- ☐ Planning Examiner

- ☐ Hearing Examiner
- ☐ Other: \_\_\_\_\_

**What is the decision being appealed or request for reconsideration?**

(i.e. approval or denial of a special permit or issuance of a building permit, etc.)

Garden District Preliminary Plat and PUD Application, Findings of Fact, Conclusions of Law, and Decision (Jan. 15, 2019).

**Why is the decision wrong?**

- ☒ Error or misinterpretation of FACT      ☐ Error in PROCEDURE  
☒ Error or misinterpretation of LAW or COMPREHENSIVE PLAN

Please identify the specific factual, legal or procedural errors or misinterpretations that you believe resulted in the decision being wrong and how correcting the error would result in a different decision. If you believe a misinterpretation of the law or Comprehensive Plan or procedural error was made, please identify the specific laws, code sections or plan policies that you believe were misapplied, misinterpreted, or violated:

See attached document

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**What is the harm to you resulting from the decision?**

See attached document

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**What relief do you seek? What would you have the decision maker do?**

See attached document

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SUBMITTED BY:

Kelly Puzio

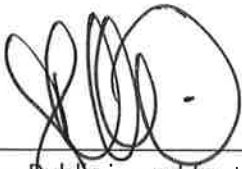


2/1/19

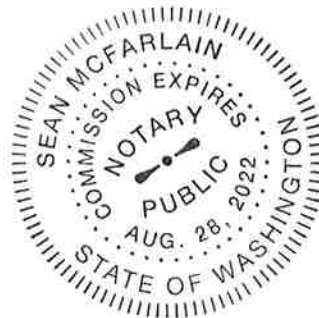
**ACKNOWLEDGEMENT**

I certify that I know or have satisfactory evidence that Kelly Puzio signed this instrument and acknowledged it to be his/her own free and voluntary act for the uses and purposes mentioned in this instrument.

DATE:

2/1/2019


Notary Public in and for the City of Spokane,  
State of Washington  
My commission expires: 08/28/2022

**For Staff Use Only**

Date appeal filed:  
Was appeal timely filed?  
Appeal fee?  
Transcript fee?

Date appeal period ends:  
Is appellant a party of record?  
Fee paid?  
Fee paid?

**Co-appellants:**

Adrian	Rigsby	2214 E 35th
Alan	DeLong	3525 South Lee St.
Amanda	Gable	3705 S Crestline St.
Amy	Heppler	4516 S Altamont
Andy	Ketza	2203 East 34th Avenue
Andy	Wittwer	3617 S Smith
Barbara	Safranek	2315 E 34th Ave
Bing	Preston	3305 S. Crestline St.
Brad	Pearson	3410 S Napa
Cade	Mowry	4327 S. Crestline St
Chad	Rigsby	2214 E 35th
Charles	Milani	2204 E 34th Avenue
Dean	Gable	3705 S Crestline St.
Desiree	Mowry	4327 S. Crestline St
Diane	Van Orden	2211 E. 34th Ave
Diane	Birginal	2025 E 36th
Drew	Repp	2024 E 36th
Duane	Swinton	2319 East 34th Ave
Erin	Rushworth	3525 S Crestline
Heather	Stewner	1926 E 36 Ave
Holly	Bozo	1926 East 34th Ave.
Jan	Swinton	2319 East 34th Ave
John	Bozo	1926 East 34th Ave.
Katherine	Woodfield	2224 E 36th Ave
Kelly	Puzio	3525 S Crestline
Kevin	Edwards	2206 E. 32nd Ave
Kirk	Jackson	4302 S. Crestline St.
Laine	Lam Barth	2310 E 34th Ave
Laura	DeLong	3525 South Lee St.
Lindsay	Edwards	2206 E. 32nd Ave
Lisa	Repp	2024 E 36th
Marcia	Milani	2204 E 34th Avenue

Mark	Safranek	2315 E 34th Ave
Martin	Woodfield	2224 E 36th Ave
Mayla	Edwards	2206 E. 32nd Ave
Michael	Syon	3505 South Lee Street
Nathan	Taylor	1810 E 35th
Pablo	Monsivais	2128 E 35th
Rachel	Devlin	1508 E 34th Ave
Ramona	Pearson	3410 S Napa
Richard	Sola	3605 S. Crestline
Richard	Van Orden	2211 E. 34th Ave
Rick	Boal	2026 E. 30th
Rita	Ketza	2203 East 34th Avenue
Roberta	Jackson	2102 E 30th Ave
Sandi	Jackson	4302 S. Crestline St.
Sharma Shields	Mills	2223 E 36th Ave
Shirley	Marpe	2025 E 34th Ave
Simeon	Mills	2223 E 36th Ave
Temeria	Hatch	2111 E 36th Ave
Theodore	Edwards	2206 E. 32nd Ave
Theresa	Bidowski	2014 East 35th Avenue
Tiffany	Syron	3505 South Lee Street
Tim	Devlin	1508 E 34th Ave
Wendy	Holcomb	1805 E 18th Ave.
William	Bidowski	2014 East 35th Avenue
William	Edwards	2206 E. 32nd Ave
Wu	Xiaodan	2203 E 35th Avenue

**Please identify the specific factual, legal or procedural errors or misinterpretations that you believe resulted in the decision being wrong and how correcting the error would result in a different decision. If you believe a misinterpretation of the law or Comprehensive Plan or procedural error was made, please identify the specific laws, code sections or plan policies that you believe were misapplied, misinterpreted, or violated:**

In his decision of January 15, 2019, the Hearing Examiner approved the Garden District PUD and subdivision, but imposed a condition requiring Crestline Street to be extended and connected to Southeast Boulevard, just south of the intersection of Southeast and 29<sup>th</sup> Avenue (the

“Crestline Extension”). The Crestline Extension is opposed by the surrounding Lincoln Heights Neighborhood, the developer (Greenstone), and the Lincoln Heights Neighborhood Council (see the official comments from the Lincoln Heights Neighborhood Council included below). The City Council has also expressed concern over extending Crestline to Southeast Boulevard, as stated in Council Resolution 2018-0061.

The Hearing Examiner based this condition on his conclusion that, absent the Crestline Extension, the PUD and subdivision would conflict with the development code and Comprehensive Plan. Specifically, the Hearing Examiner held that omitting the Crestline Extension would violate policies LU 4.4., LU 4.5, TR 2, and TR7. With respect to the development code, the Hearing Examiner did not cite specific regulatory requirements with which the project would conflict (absent the extension). However, the city’s staff report cited SMC 17H.010.030, SMC 17H.010.080, SMC 17G.080.070, and SMC 17G.070.145 as the basis for the alleged conflict with the code.

However, as documented in the developer’s response to the staff report, the Crestline Extension is not required to ensure consistency with these elements of the Comprehensive Plan and development code. Not only are these provisions too general and vague (and, in some instances, irrelevant) to require the specific action of extending Crestline to Southeast Boulevard, substantial testimony was presented at the hearing that there is already adequate street connectivity in the neighborhood. In short, the Hearing Examiner erred in his conclusion that the Crestline Extension is necessary to ensure compliance with the code and Comprehensive Plan. As a result, the Examiner erred in imposing that requirement as a condition of approval.

In contrast, the Crestline Extension would conflict with provisions of the Comprehensive Plan favoring preservation of neighborhood character and compatibility of in-fill development—specifically, Comprehensive Plan policy LU 1.3 and goal LU 5. In this case, the neighborhood is strongly opposed to the Crestline Extension as it would lead to more traffic in areas where pedestrian safety is already an issue, and would have a dramatic and negative impact on the existing character of the neighborhood.

Correcting these erroneous legal conclusions would result in a decision approving the Garden District PUD and subdivision without the requirement to extend Crestline to Southeast Boulevard. Absent a conflict with the Comprehensive Plan and development code, such a condition would not be justified.

In addition to his erroneous conclusion that the Crestline Extension is necessary for consistency with the Comprehensive Plan and development code, the Examiner also erred in how he chose to implement that condition. At the hearing, the developer demonstrated that there are at least two viable routes for connecting Crestline to Southeast Boulevard, and the Examiner himself opined that both routes would be consistent with the Comprehensive Plan and code. The Examiner even observed that the less impactful route would be consistent with policy LU

4.3 of the Comprehensive Plan, whereas the more impactful route preferred by the city would not.

However, instead of allowing the developer to select the preferred route, and then propose that route for approval by the Examiner, the Examiner's decision requires the developer and city to "agree" on which route will be implemented. In essence, this gives the city veto authority over any proposed alignment for the Crestline Extension. The city need only withhold its "agreement," and the project will die. Yet, where two or more options would equally comply with the code, the city does not have authority to force a developer to choose one option over another.

Finally, the Examiner's decision requires the developer to return to the Design Review Board for further consideration of the proposal after a specific alignment is chosen for the Crestline Extension. However, under the Spokane Municipal Code, the Design Review Board is an advisory body without final decision-making authority and the decision does not specify how the Design Review Board's future recommendations will be effectuated. In this way, too, the Decision was made in error. At the very least, the decision must specify a mechanism for enforcing the Board's future recommendations.

#### **What is the harm to you resulting from the decision?**

The appellant and co-appellants live in the neighborhood directly adjacent (or near) the proposed site. We are members of the Lincoln Heights Neighborhood community and council.

The harm resulting to the Lincoln Heights Neighborhood is three-fold:

First, the construction of this arterial will require the destruction of important trees and urban canopy. When considering Greenstone's project, the Spokane Design Review Board (2018) unanimously voted to preserve this urban canopy. Previously, the South Hill Coalition (2014) identified preserving and enhancing the tree canopy as a critical goal. The destruction of these trees and urban canopy will be an extraordinary loss to the entire neighborhood.

Second, this decision requires the developer (Greenstone) to build an arterial through an existing neighborhood. This activity is explicitly rejected in the Spokane Comprehensive Plan: "Existing neighborhoods will be preserved or enhanced ... principle arterials that bisect neighborhoods create undesirable barriers to pedestrian circulation and adversely impact adjoining residences." This arterial will reduce the walkability of our neighborhood, which is already devoid of sidewalks. Only 23% of the streets in this neighborhood have sidewalks.

Third, the construction of this arterial will increase vehicle traffic along Crestline directly adjacent to an Elementary School (Hamblen Elementary), which has over 550 students. Many of these students walk and bike across Crestline on their way to school. This increased traffic strongly increases the likelihood that a young child will be hit or struck by a car.

**What relief do you seek? What would you have the decision maker do?**

We request that the City Council modify the challenged decision to allow Greenstone to develop this property as proposed – without connecting Crestline to Southeast Boulevard or requiring any other street connections (such as a street connection between 31<sup>st</sup> and Southeast) to Southeast Boulevard. In the alternative, we request reversal of the decision insofar as it found a conflict between the proposed PUD and subdivision with the Comprehensive Plan and development code, and/or remand to consider the application absent those erroneous legal conclusions.

**Palmquist, Tami**

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**From:** Carol Tomsic <carol\_tomsic@yahoo.com>  
**Sent:** Thursday, November 15, 2018 11:44 PM  
**To:** Palmquist, Tami  
**Cc:** Beggs, Breean; Kinnear, Lori; Stuckart, Ben; Wittstruck, Melissa; DOUGLAS & MARILYN LLOYD; Sally Phillips; Laine Pitcher; Makaya Judge  
**Subject:** Lincoln Heights Neighborhood Council official comments on Garden District PUD

Official Comments of the  
Lincoln Heights Neighborhood Council  
On the Garden District PUD

The Lincoln Heights Neighborhood Council supports the Garden District PUD as recommended to the City by the Design Review Board.

Our residents have expressed confidence in the Greenstone developer's willingness to construct a quality project and their plan to set aside land for a common, publicly accessible natural area.

The Lincoln Heights Neighborhood Council executive board met to provide this response, which is based on remarks made at Council meetings by council members and concerned neighbors. A vote by the neighborhood council is not possible before the open comment deadline. Per Council bylaws, this response will be presented at the next Council meeting.

At several of our Council meetings attendees have expressed concerns about project aspects. Most of the neighborhood concerns were focused on an extension of Crestline to SE Blvd.

The Lincoln Heights Neighborhood Council is concerned about an increase of volume and speed of traffic on Crestline, especially north of 37<sup>th</sup> where it is currently a residential street without sidewalks. The safety of residents and school children walking to Hamblen elementary would be endangered by the Crestline extension because of the lack of sidewalks and increased traffic. In addition, side roads with noticeable downgrades and limited visibility, especially in the snow and ice, will become dangerous with the increased traffic.

The Lincoln Heights Neighborhood Council is concerned about the safety of the intersection at SE Blvd with the Crestline extension. An increase in car turning movements along with existing bus turning movements will congest an already overburdened intersection. The STA Monroe to Regal High Transit will increase connectivity in our neighborhood, but not if traffic deters it.

The Lincoln Heights Neighborhood Council is concerned about the density of the PUD. Our residents have voiced concerns about crime, multi-family housing and apartments rather than owner-occupied homes. The PUD should continuously address the safety of the residents.

The Lincoln Heights Neighborhood District Plan supports a pedestrian friendly and walkable economically vibrant neighborhood. The Garden District PUD is designed to integrate into the neighborhood and improve connectivity and safety in a manner that complements the existing area. The long-existing pedestrian and bicycle paths on the development will be kept intact by the preservation of an urban forest, open space and residential traffic calming in the development. The Garden District PUD was reviewed by the Design Review Board. The board unanimously recommended the hearing examiner protect the mature tree canopy and stated the PUD preserves the healthy urban forest canopy and supports a pedestrian friendly environment.

The Lincoln Heights Neighborhood Council also notes a reversal of the arterial designation of Crestline was unanimously passed by city council vote to the Comp Plan amendment docket.

The Lincoln Heights Neighborhood Council also notes it does not want an arterial to split its district center. The development will play a strong role in establishing the districts character and long-term success, as cited by our district plan.

The Lincoln Heights Neighborhood Council also supports a walking path through the PUD that connects with the Touchmark walking trail.

The Lincoln Heights Neighborhood Council believes the Garden District PUD provides a non-motorized connectivity to the neighborhood and harmonizes with the South Hill Coalition and Lincoln Heights District Plan.

Thank you

Carol Tomsic

Lincoln Heights Neighborhood Chair

Tami - Please send email confirmation of the comments.



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

04/29/2019

<u>Date Rec'd</u>	4/16/2019
<u>Clerk's File #</u>	
<u>Renews #</u>	OPR 2016-0352

Submitting Dept	WATER & HYDROELECTRIC SERVICES	Cross Ref #	
Contact Name/Phone	LOREN SEARL X7851	Project #	
Contact E-Mail	LSEARL@SPOKANECITY.ORG	Bid #	4109-15
Agenda Item Type	Purchase w/o Contract	Requisition #	VALUE BLANKET
Agenda Item Name	4100-VALUE BLANKET ORDER RENEWAL - NEPTUNE TECHNOLOGIES GROUP		

Agenda Wording

Renewal of existing value blanket order with Neptune Technologies Group, Inc. (Tallassee, AL) for an estimated annual expenditure of \$1,000,000.00

Summary (Background)

Bid #4109-15 was awarded in 2015 to Neptune Technologies Group Inc. for an annual supply of Neptune water meters, registers and parts on an "as needed" basis via value blanket order. The bid allowed for four (4) one-year renewals at mutual agreement, of which this is the fourth. No price changes will take effect upon renewal. Products may be added to support current design at no charge to estimated annual expenditure

<u>Fiscal Impact</u>	Grant related? NO	<u>Budget Account</u>
	Public Works? NO	
Expense	\$ 1,000,000.00	# various
Select	\$	#
Select	\$	#
Select	\$	#
<u>Approvals</u>		<u>Council Notifications</u>
<u>Dept Head</u>	KEGLEY, DANIEL	<u>Study Session</u>
<u>Division Director</u>	SIMMONS, SCOTT M.	<u>Other</u>
<u>Finance</u>	ALBIN-MOORE, ANGELA	URBAN 4/15/19
<u>Legal</u>	ODLE, MARI	Distribution List
<u>For the Mayor</u>	ORMSBY, MICHAEL	TPRINCE
<u>Additional Approvals</u>		SJOHNSON
<u>Purchasing</u>	PRINCE, THEA	WATERACCOUNTING

## Briefing Paper

### Finance, Administration, & Sustainable Resources Committee

<b>Division &amp; Department:</b>	Public Works, 4100 Water & Hydroelectric Services
<b>Subject:</b>	Value Blanket Renewal – Neptune Technology Group, Inc.
<b>Date:</b>	4/15/2019
<b>Author (email &amp; phone):</b>	Loren Searl, <a href="mailto:lsearl@spokanecity.org">lsearl@spokanecity.org</a> x7851
<b>City Council Sponsor:</b>	---
<b>Executive Sponsor:</b>	---
<b>Committee(s) Impacted:</b>	PIES
<b>Type of Agenda item:</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
<b>Alignment:</b> (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	Funding for these purchases has been included in the Water & Hydroelectric Services department budget.
<b>Strategic Initiative:</b>	Innovative Infrastructure
<b>Deadline:</b>	Products needed to support 2019 construction/repair season
<b>Outcome:</b> (deliverables, delivery duties, milestones to meet)	This order supports continued efficient procurement of Neptune water meters, registers, and parts needed to support new and maintenance projects over the next year.
<b>Background/History:</b> <i>Invitation for Bids #4109-15 was awarded in 2015 to Neptune Technology Group, Inc. (Tallassee, AL) for an annual supply of Neptune water meters, registers, and parts on an as-needed basis via value blanket order. The bid allowed for four (4) one-year renewals at mutual agreement. This represents the fourth and final renewal at no change in cost from 2018.</i>	
<b>Executive Summary:</b> <ul style="list-style-type: none"> <li><i>Renewal of Existing Value Blanket Order for Neptune Water Meters, Registers, and Parts</i></li> <li><i>Estimated Annual Expenditure of \$1,000,000.00</i></li> <li><i>Fourth and Final Annual Renewal Option at Mutual Agreement</i></li> </ul>	
<b>Budget Impact:</b> Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Annual/Reoccurring expenditure? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If new, specify funding source: --- Other budget impacts: ---	
<b>Operations Impact:</b> Consistent with current operations/policy? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Requires change in current operations/policy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Specify changes required: N/A Known challenges/barriers: N/A	

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

04/29/2019

<u>Date Rec'd</u>	4/15/2019
<u>Clerk's File #</u>	OPR 2016-0120
<u>Renews #</u>	

<u>Submitting Dept</u>	FIRE	<u>Cross Ref #</u>	
<u>Contact Name/Phone</u>	REX 625-7004	<u>Project #</u>	
<u>Contact E-Mail</u>	RSTRICKLAND@SPOKANECITY.ORG	<u>Bid #</u>	RFP #4210-15
<u>Agenda Item Type</u>	Purchase w/o Contract	<u>Requisition #</u>	VALUE BLANKET
<u>Agenda Item Name</u>	0440 - RENEW VALUE BLANKET ORDER FOR FIREFIGHTING TURNOUT GEAR		

Agenda Wording

Approve one-year renewal on Value Blanket Order with LN Curtis (Seattle, Wa) for Firefighter Turnout Gear - \$400,000.00

Summary (Background)

On 2/29/16 City Council approved a three (3) year Value Blanket Order with LN Curtis for Firefighter turnout gear (OPR 2016-0120) based on RFP #4210-15. The RFP called for two (2) one-year renewals. This is the first renewal and LN Curtis has held their pricing. Total cost for one set (pants & coat) of turnout gear is approximately \$2,566.36.

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

Expense	\$ 400,000.00	# various
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Select	\$	#
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Select	\$	#
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Select	\$	#
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<u>Approvals</u>	<u>Council Notifications</u>
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<u>Dept Head</u>	SCHAEFFER, BRIAN	<u>Study Session</u>	
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<u>Division Director</u>	SCHAEFFER, BRIAN	<u>Other</u>	PS&CH 3/25/19
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<u>Finance</u>	BUSTOS, KIM	<u>Distribution List</u>
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<u>Legal</u>	ODLE, MARI	TPRINCE
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<u>For the Mayor</u>	ORMSBY, MICHAEL	PPETERSON
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<u>Additional Approvals</u>	FIREACCOUNTING
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<u>Purchasing</u>	PRINCE, THEA	
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# Briefing Paper

## Public Safety and Community Health

<b>Division &amp; Department:</b>	Fire
<b>Subject:</b>	Extension of VB for Structural Firefighting Turnouts
<b>Date:</b>	March 20, 2019
<b>Contact (email &amp; phone):</b>	<a href="mailto:rstrickland@spokanecity.org">rstrickland@spokanecity.org</a> (509) 625-7004
<b>City Council Sponsor:</b>	
<b>Executive Sponsor:</b>	
<b>Committee(s) Impacted:</b>	Public Safety and Community Health Committee
<b>Type of Agenda item:</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
<b>Alignment:</b> (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	
<b>Strategic Initiative:</b>	Public Safety and Community Health
<b>Deadline:</b>	
<b>Outcome:</b> (deliverables, delivery duties, milestones to meet)	Extend current VB for up to one year for purchase of firefighting turnouts
<p><b>Background/History:</b> Our current VB with LN Curtis (VB300722) was approved by the City Council on February 29, 2016 for three years with (2) one-year optional renewals. The Original VB approval in 2016 was OPR 2016-0120. This will be the first optional renewal. We are currently conducting operational testing of several brands of turnouts for future purchase. LN Curtis will extend the VB for one year at the current prices.</p>	
<p><b>Executive Summary:</b></p> <ul style="list-style-type: none"> <li><b>Fair and Competitive</b> – This renewal is allowable based on the VB currently in effect.</li> <li><b>Cost</b> – Total cost for one set of turnouts (coat and pants) will be \$2566.36, including WA State sales tax. This includes \$1276.56 for the coat, \$1082.23 for the pants, and \$207.57 for sales tax.</li> <li><b>Delivery</b> – Time for production and delivery is approximately 4-6 weeks for a set of turnouts, based on custom sizing.</li> </ul>	
<p><b>Budget Impact:</b></p> <p>Approved in current year budget?    <input checked="" type="checkbox"/> Yes    <input type="checkbox"/> No    <input type="checkbox"/> N/A</p> <p>Annual/Reoccurring expenditure?    <input checked="" type="checkbox"/> Yes    <input type="checkbox"/> No    <input type="checkbox"/> N/A</p> <p>If new, specify funding source:</p> <p>Other budget impacts: (revenue generating, match requirements, etc.)</p>	
<p><b>Operations Impact:</b></p> <p>Consistent with current operations/policy?    <input checked="" type="checkbox"/> Yes    <input type="checkbox"/> No    <input type="checkbox"/> N/A</p> <p>Requires change in current operations/policy?    <input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No    <input type="checkbox"/> N/A</p> <p>Specify changes required:</p> <p>Known challenges/barriers:</p>	

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

04/29/2019

<u>Date Rec'd</u>	4/16/2019
<u>Clerk's File #</u>	OPR 2019-0311
<u>Renews #</u>	

Submitting Dept	STREETS	Cross Ref #	
Contact Name/Phone	GARY 232-8810	Project #	
Contact E-Mail	GKAESEMEYER@SPOKANECITY.ORG	Bid #	RFQ #778-19
Agenda Item Type	Purchase w/o Contract	Requisition #	VALUE BLANKET
Agenda Item Name	1100-VALUE BLANKET ORDER WITH NATIONAL BARRICADE		

Agenda Wording

Approve annual value blanket order with National Barricade Co. (Spokane, WA) for aluminum sign blanks - not to exceed \$80,000.00

Summary (Background)

Quotes were received on 3/21/19 with five (5) responses being received - National Barricade being the lowest responsive bidder. The Signs and Markers Section is responsible for installation, maintenance and timely replacement of traffic signing that has become worn out or damaged. Signs and Markers manufactures over 4,000 traffic signs each year. The production, installation and maintenance of the 91,042 traffic signs is part of Street Department's Signs and Markers annual tasks.

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

Expense	\$ 85,000.00	# various
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Select	\$	#
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Select	\$	#
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Select	\$	#
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Approvals	Council Notifications
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<u>Dept Head</u>	KAESEMEYER, GARY	<u>Study Session</u>	
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<u>Division Director</u>	SIMMONS, SCOTT M.	<u>Other</u>	PIES 3/25/19
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<u>Finance</u>	ORLOB, KIMBERLY	<u>Distribution List</u>	
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<u>Legal</u>	ODLE, MARI	TPRINCE	
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<u>For the Mayor</u>	ORMSBY, MICHAEL	MEVELAND	
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Additional Approvals	
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<u>Purchasing</u>	PRINCE, THEA	
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## Briefing Paper

### Public Infrastructure, Environment & Sustainability Committee

<b>Division &amp; Department:</b>	Street Department
<b>Subject:</b>	Approval of a 1-year Value Blanket Order for aluminum Sign Blanks, from National Barricade and Sign Co., Spokane, WA, using City of Spokane Quote #778-19, not to exceed \$80,000.00.
<b>Date:</b>	
<b>Contact (email &amp; phone):</b>	Gary Kaesemeyer ( <a href="mailto:gkaesemeyer@spokanecity.org">gkaesemeyer@spokanecity.org</a> X8810)
<b>City Council Sponsor:</b>	
<b>Executive Sponsor:</b>	Scott Simmons
<b>Committee(s) Impacted:</b>	PIES
<b>Type of Agenda item:</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
<b>Alignment:</b>	Strategic Plan
<b>Strategic Initiative:</b>	
<b>Deadline:</b>	Previous Value Blanket expired May 1 <sup>st</sup> , 2018.
<b>Outcome:</b> (deliverables, delivery duties, milestones to meet)	Maintain infrastructure.
<b>Background/History:</b>  The Street Department worked with the Purchasing Department in producing a Request For Quote (#778-19); which was awarded to National Barricade and Sign Co. The initial contract will be for one (1) year. There are up to four (4) one-year optional renewal periods.	
<b>Executive Summary:</b> The Signs and Markers Section is responsible for installation, maintenance and timely replacement of traffic signing that has become worn out or damaged. Signs and Markers manufactures over 4,000 traffic signs each year. The production, installation and maintenance of the 91,042 traffic signs is part of Street Department's Signs and Markers annual tasks.	
<b>Budget Impact:</b> 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.)	
<b>Operations Impact:</b> 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:	

QUOTE #778-19		
ALUMINUM SIGN BLANKS		
ITEM	QTY	DESCRIPTION
1	lt	See Pricing Sheet
SALES TAX - 8.8%		
GRAND TOTAL		
<p>Exceptions:</p> <p>P-Card</p>		
ADDITIONAL ITEMS		

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

04/29/2019

<u>Date Rec'd</u>	4/16/2019
<u>Clerk's File #</u>	OPR 2019-0312
<u>Renews #</u>	

Submitting Dept	STREETS	Cross Ref #	
Contact Name/Phone	GARY 232-8810	Project #	
Contact E-Mail	GKAESEMEYER@SPOKANECITY.ORG	Bid #	RFQ #781-19
Agenda Item Type	Purchase w/o Contract	Requisition #	VALUE BLANKET
Agenda Item Name	1100 - VALUE BLANKET ORDER WITH TRAFFIC SAFETY SUPPLY		

Agenda Wording

Approve annual Value Blanket Order with Traffic Safety Supply (Portland, OR) for Perforated Square Steel Tubes (traffic sign posts) - not to exceed \$60,000.00 including tax

Summary (Background)

Quotes were received on 2/19/19 for Perforated Squate Steel Tubes - Three responses were received with Traffic Safety Supply being the lowest responsive bidder. These devices have been approved as crashworthy break away sign post, meeting FHWA's 1993 NCHRP 350 Report. The Signs and Markers Section is responsible for installation, maintenance and timely replacement of traffic signing that has become worn out, damaged or removed.

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

Expense	\$ 60,000.00	# various
Select	\$	#
Select	\$	#
Select	\$	#

<u>Approvals</u>		<u>Council Notifications</u>	
<u>Dept Head</u>	KAESEMEYER, GARY	<u>Study Session</u>	
<u>Division Director</u>	SIMMONS, SCOTT M.	<u>Other</u>	PIES 3/25/19
<u>Finance</u>	ORLOB, KIMBERLY	<u>Distribution List</u>	
<u>Legal</u>	ODLE, MARI	TPRINCE	
<u>For the Mayor</u>	ORMSBY, MICHAEL	MEVELAND	

<u>Additional Approvals</u>		
<u>Purchasing</u>	PRINCE, THEA	



QUOTE #781-19		
PERFORATED SQUARE STEEL TUBE (PSST)		
ITEM	QTY	DESCRIPTION
1	200	2"X9' PSST 12GA
2	200	2"X10' PSST 12GA
3	200	2"X11' PSST 12GA
4	200	2"X12' PSST 12GA
5	200	1-3/4"X12' PSST 14GA
SALES TAX - 8.8%		
GRAND TOTAL		
Exceptions:		
P-Card		
ADDITIONAL ITEMS		

## Briefing Paper

### Public Infrastructure, Environment & Sustainability Committee

<b>Division &amp; Department:</b>	Street Department
<b>Subject:</b>	Approval of a 1-year Value Blanket Order for Perforated Square Steel Tube (traffic sign posts), from Traffic Safety Supply Co., Portland, OR, using City of Spokane Quote #781-19, not to exceed \$60,000.00.
<b>Date:</b>	
<b>Contact (email &amp; phone):</b>	Gary Kaesemeyer ( <a href="mailto:gkaesemeyer@spokanecity.org">gkaesemeyer@spokanecity.org</a> X8810)
<b>City Council Sponsor:</b>	
<b>Executive Sponsor:</b>	Scott Simmons
<b>Committee(s) Impacted:</b>	PIES
<b>Type of Agenda item:</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
<b>Alignment:</b> (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	Strategic Plan
<b>Strategic Initiative:</b>	
<b>Deadline:</b>	
<b>Outcome:</b> (deliverables, delivery duties, milestones to meet)	Maintain infrastructure.
<b>Background/History:</b> The Street Department worked with the Purchasing Department in producing a Request For Quote (#781-19); which was awarded to Traffic Safety Supply Co. These devices have been approved as crashworthy break away sign post, meeting FHWA's 1993 NCHRP 350 Report. There are up to four (4) one-year optional renewal periods.	
<b>Executive Summary:</b> The Signs and Markers Section is responsible for installation, maintenance and timely replacement of traffic signing that has become worn out, damaged or removed. Signs and Markers performs over 10,000 maintenance functions each year. The production, installation and maintenance of the 91,042 traffic signs is part of Street Department's Signs and Markers annual tasks.	
<b>Budget Impact:</b> 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.)	
<b>Operations Impact:</b> 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:	

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

04/29/2019

<u>Date Rec'd</u>	4/16/2019
<u>Clerk's File #</u>	OPR 2019-0313
<u>Renews #</u>	

Submitting Dept	STREETS	Cross Ref #	
Contact Name/Phone	GARY 232-8810	Project #	
Contact E-Mail	GKAESEMEYER@SPOKANECITY.ORG	Bid #	QUOTE #783-19
Agenda Item Type	Purchase w/o Contract	Requisition #	VALUE BLANKET
Agenda Item Name	1100 - VALUE BLANKET ORDER WITH FLINT TRADING INC.		

Agenda Wording

Approve annual Value Blanket Order with Ennis - Flint Trading (Greensboro, NC) for preformed thermoplastic products - not to exceed \$85,000.00 including tax.

Summary (Background)

Quotes were received for preformed thermoplastic products on 3/7/19 - with Ennis-Flint being the lowest responsive bidder. The Signs and Markers Section is responsible for the maintenance of 557 marked crossings, 432 stop bars, and 487 roadway stencils, in thermoplastic, each year. The installation and maintenance of the combined 1476 thermoplastic markings is part of Street Department's annual tasks. Roadway markings provide important information to all roadway users.

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

Expense	\$ 85,000.00	# various
Select	\$	#
Select	\$	#
Select	\$	#

<u>Approvals</u>		<u>Council Notifications</u>	
<u>Dept Head</u>	KAESEMEYER, GARY	<u>Study Session</u>	
<u>Division Director</u>	SIMMONS, SCOTT M.	<u>Other</u>	PIES 3/25/19
<u>Finance</u>	ORLOB, KIMBERLY	<u>Distribution List</u>	
<u>Legal</u>	ODLE, MARI	TPRINCE	
<u>For the Mayor</u>	ORMSBY, MICHAEL	MEVELAND	

Additional Approvals

<u>Purchasing</u>	PRINCE, THEA	

## Briefing Paper

### Public Infrastructure, Environment & Sustainability Committee

<b>Division &amp; Department:</b>	Street Department
<b>Subject:</b>	Approval of a 1-year Value Blanket Order for Preformed Thermoplastic products, from Flint Trading Inc., Greensboro, N.C., using City of Spokane Quote #783-19 not to exceed \$85,000.00.
<b>Date:</b>	
<b>Contact (email &amp; phone):</b>	Gary Kaesemeyer ( <a href="mailto:gkaesemeyer@spokanecity.org">gkaesemeyer@spokanecity.org</a> X8810)
<b>City Council Sponsor:</b>	
<b>Executive Sponsor:</b>	Scott Simmons
<b>Committee(s) Impacted:</b>	PIES
<b>Type of Agenda item:</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
<b>Alignment:</b> (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	Strategic Plan
<b>Strategic Initiative:</b>	
<b>Deadline:</b>	
<b>Outcome:</b> (deliverables, delivery duties, milestones to meet)	Maintain infrastructure.
<b>Background/History:</b> The Street Department worked with the Purchasing Department in producing a Request For Quote (#783-19); which was awarded to Flint Trading Inc. There are up to four (4) one-year optional renewal periods.	
<b>Executive Summary:</b> The Signs and Markers Section is responsible for the maintenance of 557 marked crossings, 432 stop bars, and 487 roadway stencils, in thermoplastic, each year. The installation and maintenance of the combined 1476 thermoplastic markings is part of Street Department's annual tasks. Roadway markings provide important information to all roadway users while allowing minimal diversion of attention from the roadway. Thermoplastic installation and maintenance costs are greater than that of painted markings. Paint only last about one year whereas the estimated lifespan of thermoplastic is 3 to 5 years; this adds to year-round visibility for the roadway users, reduces exposure for workers in the roadway and allows workers to accomplish more signing and striping tasks on an annual basis.	
<b>Budget Impact:</b> 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.)	
<b>Operations Impact:</b> 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:	

QUOTE #783-19		
PREFORMED THERMOPLASTIC		
ITEM	QTY	DESCRIPTION
1	1	PER PRICE PAGE IN RFQ
SALES TAX - 8.8%		
GRAND TOTAL		
Exceptions:		
P-Card		
ADDITIONAL ITEMS		

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

04/29/2019

<u>Date Rec'd</u>	4/15/2019
<u>Clerk's File #</u>	OPR 2019-0296
<u>Renews #</u>	

Submitting Dept	ENGINEERING SERVICES	Cross Ref #	RES 2019-0029 /
Contact Name/Phone	MARK 625-6154	Project #	2017105
Contact E-Mail	MSERBOUSEK@SPOKANECITY.ORG	Bid #	
Agenda Item Type	Contract Item	Requisition #	CR 20451
Agenda Item Name	0370 - SOLE SOURCE DESIGN CONTRACT - KPFF CONSULTING ENGINEERS, INC.		

Agenda Wording

Consultant agreement with KPFF Consulting Engineers, Inc., for continued design of the Post Street Pedestrian and Utility Bridge for an amount not to exceed \$1,500,000.00.

Summary (Background)

The City of Spokane has been working with Kiewit Infrastructure West under contract on the Progressive Design Build process for the Post Street Bridge replacement. During the validation phase of this contract the City and Kiewit team were unable to come up with an agreeable Guaranteed Maximum Price and therefore the contract was terminated. The Kiewit team was able to produce approximately 50% completed design drawings for the new structure during the validation process. Therefore due to

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

Expense	\$ 1,500,000.00	# 4250 43387 94350 56501 14392
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Select	\$	#
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Select	\$	#
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Select	\$	#
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Approvals	Council Notifications
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<u>Dept Head</u>	TWOHIG, KYLE	<u>Study Session</u>	
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<u>Division Director</u>	SIMMONS, SCOTT M.	<u>Other</u>	PIES 4/22/19
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<u>Finance</u>	ORLOB, KIMBERLY	Distribution List
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<u>Legal</u>	ODLE, MARI	eraea@spokanecity.org
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<u>For the Mayor</u>	ORMSBY, MICHAEL	mserbousek@spokanecity.org
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Additional Approvals	aduffey@spokanecity.org
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<u>Purchasing</u>	PRINCE, THEA	publicworksaccounting@spokanecity.org
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Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

Summary (Background)

the high level at which the design of the bridge has been completed to this point, the Engineering Services Department would like to obtain the services of KPFF Engineering, a subcontractor to Kiewit on the original PDB contract. This would allow KPFF to continue on with the design of the bridge and provide the City with set of biddable documents at the end of this process.

Fiscal Impact

Select \$

Budget Account

#

Select \$

#

Distribution List


## Briefing Paper

### Public Infrastructure, Environment and Sustainability

<b>Division &amp; Department:</b>	Public Works – Engineering Services
<b>Subject:</b>	Contract with KPFF Inc. for Post Street Bridge Design
<b>Date:</b>	4/22/2019
<b>Contact (email &amp; phone):</b>	Mark Serbousek x6154
<b>City Council Sponsor:</b>	Councilmember Beggs
<b>Executive Sponsor:</b>	Scott Simmons
<b>Committee(s) Impacted:</b>	PIES/Urban Experience
<b>Type of Agenda item:</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
<b>Alignment:</b> (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	This project is funded and approved in the City-Wide program.  <i>“This project meets 50 goals in Chapter 4 of the Comprehensive Plan. Specifically in TR 1-8 and TR 10.”</i>
<b>Strategic Initiative:</b>	PIES - Repurposing of Public Property and Assets to Stimulate Private Investment – Leverage Riverfront Park Investments  Urban Experience – Develop and Formalize World Class River Trail System
<b>Deadline:</b>	N/A
<b>Outcome:</b>	Award of contract – April 2019
<p><u>Background/History:</u> The City of Spokane has been working with Kiewit Infrastructure West under contract on the Progressive Design Build process for the Post St. Bridge replacement. During the validation phase of this contract the City and Kiewit team were unable to come up with an agreeable Guaranteed Maximum Price and therefore the contract was terminated. As part of this validation process the Kiewit team was able to go through 3 different design type iterations before settling on the final structure type of reusing the existing arches. This provides a constructible bridge and the most cost effective structure to meet the cities needs.</p> <p>The Kiewit team was also able to produce approximately 50% completed design drawings for the new structure during the validation process. Therefore, due to the high level at which the design of the bridge has been completed to this point, the Engineering Services Department would like to obtain the services of KPFF Engineering, a subcontractor to Kiewit on the original PDB contract. This would allow KPFF to continue on with the design of the bridge and provide the city with set of biddable documents at the end of this process.</p> <p>The city would then go out to competitive bid late 2019 or early 2020. To complete this process the city will have to sole source KPFF and by doing this the city will save money and time on the project. If the sole source process is not used, the city will have to go out for a new RFP. This process would bring in a new design firm which would basically have to start the whole design all over. This will increase the design time and dramatically increase the design cost. The bridge construction is funded with State, Federal and Local utility dollars.</p>	



Executive Summary:

The contract amount of \$1,411,600.00 is for full compensation of the designing and bidding of the Post St. Bridge Project.

The Design/Bid/Build contracting process will proceed as follows:

**Award Design Contract**

- April 22<sup>nd</sup> – Council to approve Contract with KPFF for project design
- End April – Signed contract with KPFF
- May 6<sup>th</sup> – Notice to Proceed for KPFF on completing project design

**Design**

- May – November – Complete Design Phase
- Bid Project – end of 2019 or Beginning of 2020

**Construction**

- Award low bid early 2020
- Start Bridge Construction early 2020
- Bridge Construction 2020 - 2021

*\*\* Quarterly updates to PIES committee - design evolution and construction progress.*

Budget Impact:

Approved in current year budget? ☒ Yes ☐ No ☐ N/A

Annual/Reoccurring expenditure? ☐ Yes ☒ No ☐ N/A

If new, specify funding source: Utility Rates, Federal Bridge Funds, and Sec. 129 (in City-Wide program and budget)

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

Operations Impact:

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

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

Specify changes required: N/A

Known challenges/barriers: N/A



**City of Spokane**  
**CONSULTANT AGREEMENT**  
**Title: PROFESSIONAL DESIGN SERVICES**  
**FOR THE POST STREET BRIDGE**

This Consultant Agreement is made and entered into by and between the **CITY OF SPOKANE** as ("City"), a Washington municipal corporation, and **KPFF CONSULTING ENGINEERS, INC.**, whose address is 1601 Fifth Avenue, Suite 1600, Seattle, Washington 98101 as ("Consultant"), individually hereafter referenced as a "party", and together as the "parties".

*WHEREAS, the purpose of this Agreement is for **PROFESSIONAL DESIGN SERVICES FOR THE POST STREET BRIDGE** and*

*WHEREAS, the Consultant was declared a sole source provider by City Council.*

*-- NOW, THEREFORE, in consideration of the terms, conditions, covenants and performance of the Scope of Work contained herein, the City and Consultant mutually agree as follows:*

**1. TERM OF AGREEMENT.**

The term of this Agreement begins on May 1, 2019, and ends on May 1, 2020, unless amended by written agreement or terminated earlier under the provisions.

**2. TIME OF BEGINNING AND COMPLETION.**

The Consultant shall begin the work outlined in the "Scope of Work" ("Work") on the beginning date, above. The City will acknowledge in writing when the Work is complete. Time limits established under this Agreement shall not be extended because of delays for which the Consultant is responsible, but may be extended by the City, in writing, for the City's convenience or conditions beyond the Consultant's control.

**3. SCOPE OF WORK.**

The General Scope of Work for this Agreement is described in Exhibit B, which is attached to and made a part of this Agreement. In the event of a conflict or discrepancy in the contract documents, the City Agreement controls.

The Work is subject to City review and approval. The Consultant shall confer with the City periodically, and prepare and present information and materials (e.g. detailed outline of completed Work) requested by the City to determine the adequacy of the Work or Consultant's progress.

#### 4. COMPENSATION.

Total compensation for Consultant's services under this Agreement shall not exceed **ONE MILLION FOUR HUNDRED ELEVEN THOUSAND FIVE HUNDRED THIRTY EIGHT AND NO/100 DOLLARS (\$1,411,538.00)**, including tax, if applicable, unless modified by a written amendment to this Agreement. This is the maximum amount to be paid under this Agreement for the work described in Section 3 above, and shall not be exceeded without the prior written authorization of the City in the form of an executed amendment to this Agreement.

#### 5. PAYMENT.

The Company shall submit its applications for payment to City of Spokane Engineering Services Department 808 W. Spokane Falls Blvd., Second Floor, Spokane, WA 99201. **Payment will be made via direct deposit/ACH** within thirty (30) days after receipt of the Company's application except as provided by state law. If the City objects to all or any portion of the invoice, it shall notify the Company and pay that portion of the invoice not in dispute. In that event, the parties shall immediately make every effort to settle the disputed amount.

#### 6. REIMBURSABLES

The reimbursables under this Agreement are to be included, and considered part of the maximum amount not to exceed (above), and require the Consultant's submittal of appropriate documentation and actual itemized receipts, the following limitations apply.

- A. City will reimburse the Consultant at actual cost for expenditures that are pre-approved by the City in writing and are necessary and directly applicable to the work required by this Contract provided that similar direct project costs related to the contracts of other clients are consistently accounted for in a like manner. Such direct project costs may not be charged as part of overhead expenses or include a markup. Other direct charges may include, but are not limited to the following types of items: travel, printing, cell phone, supplies, materials, computer charges, and fees of subconsultants.
- B. The billing for third party direct expenses specifically identifiable with this project shall be an itemized listing of the charges supported by copies of the original bills, invoices, expense accounts, subconsultant paid invoices, and other supporting documents used by the Consultant to generate invoice(s) to the City. The original supporting documents shall be available to the City for inspection upon request. All charges must be necessary for the services provided under this Contract.
- C. The City will reimburse the actual cost for travel expenses incurred as evidenced by copies of receipts (excluding meals) supporting such travel expenses, and in accordance with the City of Spokane Travel Policy, details of which can be provided upon request.
- D. **Airfare:** Airfare will be reimbursed at the actual cost of the airline ticket. The City will reimburse for Economy or Coach Fare only. Receipts detailing each airfare are required.
- E. **Meals:** Meals will be reimbursed at the Federal Per Diem daily meal rate for the city in which the work is performed. *Receipts are not required as documentation.* The invoice shall state "the meals are being billed at the Federal Per Diem daily meal rate", and shall detail how many of each meal is being billed (e.g. the number of breakfasts, lunches, and dinners). The City will not reimburse for alcohol at any time.
- F. **Lodging:** Lodging will be reimbursed at actual cost incurred up to a maximum of the published General Services Administration (GSA) Index for the city in which the work is performed (*the current maximum allowed reimbursement amount can be provided upon request*). Receipts detailing each day / night lodging are required. The City will not reimburse for ancillary expenses charged to the room (e.g. movies, laundry, mini bar, refreshment center, fitness center, sundry items, etc.)

- G. **Vehicle mileage:** Vehicle mileage will be reimbursed at the Federal Internal Revenue Service Standard Business Mileage Rate in affect at the time the mileage expense is incurred. Please note: payment for mileage for long distances traveled will not be more than an equivalent trip round-trip airfare of a common carrier for a coach or economy class ticket.
- H. **Rental Car:** Rental car expenses will be reimbursed at the actual cost of the rental. Rental car receipts are required for all rental car expenses. The City will reimburse for a standard car of a mid-size class or less. The City will not reimburse for ancillary expenses charged to the car rental (e.g. GPS unit).
- I. **Miscellaneous Travel** (e.g. parking, rental car gas, taxi, shuttle, toll fees, ferry fees, etc.): Miscellaneous travel expenses will be reimbursed at the actual cost incurred. Receipts are required for each expense of \$10.00 or more.
- J. **Miscellaneous other business expenses** (e.g. printing, photo development, binding): Other miscellaneous business expenses will be reimbursed at the actual cost incurred and may not include a mark up. Receipts are required for all miscellaneous expenses that are billed.

**Subconsultant:** Subconsultant expenses will be reimbursed at the actual cost incurred and a four percent (4%) markup. Copies of all Subconsultant invoices that are rebilled to the City are required

## 7. PAYMENT PROCEDURES.

The Consultant may submit invoices to the City as frequently as once per month during progress of work, for partial payment for work completed to date. Payment shall be made by the City to the Consultant upon the City's receipt of an invoice containing the information listed below.

Invoices shall be submitted to:	
CITY OF SPOKANE Engineering Services Department 808 W. Spokane Falls Blvd., Second Floor Spokane, WA 99201	
Invoices under this Contract shall clearly display the following information (sub-consultants' invoices shall also include this information):	
<ul style="list-style-type: none"> <li>• Invoice Date and Invoice Number</li> <li>• Engineering Services Department</li> <li>• Project Coordinator: Mark M. Serbousek (Please do not put name in the address portion of the invoice)</li> <li>• Department Contract No. OPR # _____</li> <li>• Contract Title: <b>PROFESSIONAL DESIGN SERVICES FOR THE POST STREET BRIDGE</b></li> <li>• Period covered by the invoice</li> <li>• Employee's name and classification</li> <li>• Employee's all-inclusive hourly rate excluding fixed fee and # of hours worked</li> <li>• Total labor costs per Project</li> <li>• Itemization of direct, non-salary costs (per Project, if so allocated)</li> </ul>	

- The following Sub-Consultant payment information will be provided [*if needed*] (attach Sub-Consultant invoices as backup):
  - Amount Paid to all Sub-Consultants for the invoice period (list separate totals for each Sub-Consultant).
  - Cumulative To-Date amount paid to all Sub-Consultants (list separate totals for each Sub-Consultant).
- Cumulative costs per Project and for the total Agreement

## **8. TAXES, FEES AND LICENSES.**

- A. Consultant shall pay and maintain in current status, all necessary licenses, fees, assessments, permit charges, etc. necessary to conduct the work included under this Agreement. It is the Consultant's sole responsibility to monitor and determine changes or the enactment of any subsequent requirements for said fees, assessments, or changes and to immediately comply.
- B. Where required by state statute, ordinance or regulation, Consultant shall pay and maintain in current status all taxes necessary for performance. Consultant shall not charge the City for federal excise taxes. The City will furnish Consultant an exemption certificate where appropriate.
- C. The Director of Finance and Administrative Services may withhold payment pending satisfactory resolution of unpaid taxes and fees due the City.
- D. The cost of any permits, licenses, fees, etc. arising as a result of the projects included in this Agreement shall be included in the project budgets.

## **9. CITY OF SPOKANE BUSINESS LICENSE.**

Section 8.01.070 of the Spokane Municipal Code states that no person may engage in business with the City without first having obtained a valid annual business registration. The Consultant shall be responsible for contacting the State of Washington Business License Services at <http://bls.dor.wa.gov> or 1-800-451-7985 to obtain a business registration. If the Contractor does not believe it is required to obtain a business registration, it may contact the City's Taxes and Licenses Division at (509) 625-6070 to request an exemption status determination.

## **10. ADDRESSES FOR NOTICES AND DELIVERABLE MATERIALS.**

Deliver all official notices under this Agreement to:

<b>If to the City:</b>	<b>If to the Consultant:</b>
CITY OF SPOKANE Engineering Services Department 808 W. Spokane Falls Blvd., Second Floor Spokane, WA 99201	KPFF CONSULTING ENGINEERS, INC. 1601 Fifth Avenue, Suite 1600 Seattle, Washington 98101

## **11. SOCIAL EQUITY REQUIREMENTS.**

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

all subcontractors comply with, Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act, as applicable to the Consultant. Consultant shall seek inclusion of woman and minority business for subcontracting. A woman or minority business is one that self-identifies to be at least 51% owned by a woman and/or minority. Such firms do not have to be certified by the State of Washington.

## **12. INDEMNIFICATION.**

The Consultant shall defend, indemnify, and hold the City and its officers and employees harmless from all claims, demands, or suits at law or equity asserted by third parties for bodily injury (including death) and/or property damage which arise from the Consultant's negligence or willful misconduct under this Agreement, including attorneys' fees and litigation costs; provided that nothing herein shall require a Consultant to indemnify the City against and hold harmless the City from claims, demands or suits based solely upon the negligence of the City, its agents, officers, and employees. If a claim or suit is caused by or results from the concurrent negligence of the Consultant's agents or employees and the City, its agents, officers and employees, this indemnity provision shall be valid and enforceable to the extent of the negligence of the Consultant, its agents or employees. The Consultant specifically assumes liability and agrees to defend, indemnify, and hold the City harmless for actions brought by the Consultant's own employees against the City and, solely for the purpose of this indemnification and defense, the Consultant specifically waives any immunity under the Washington State industrial insurance law, or Title 51 RCW. The Consultant recognizes that this waiver was specifically entered into pursuant to the provisions of RCW 4.24.115 and was the subject of mutual negotiation. The indemnity and agreement to defend and hold the City harmless provided for in this section shall survive any termination or expiration of this agreement.

## **13. INSURANCE.**

The Consultant shall comply with all federal, state and local laws and ordinances applicable to the work to be done under this Agreement. This Agreement shall be interpreted and construed in accord with the laws of Washington.

During the period of the Agreement, the Consultant shall maintain in force at its own expense, each insurance noted below with companies or through sources approved by the State Insurance Commissioner pursuant to RCW Title 48;

A. Worker's Compensation Insurance in compliance with RCW 51.12.020, which requires subject employers to provide workers' compensation coverage for all their subject workers and Employer's Liability Insurance in the amount of \$1,000,000;

B. General Liability Insurance on an occurrence basis, with a combined single limit of not less than \$1,000,000 each occurrence for bodily injury and property damage. It shall include contractual liability coverage for the indemnity provided under this agreement. It shall provide that the City, its officers and employees are additional insureds but only with respect to the Consultant's services to be provided under this Agreement; and

C. Automobile Liability Insurance with a combined single limit, or the equivalent of not less than \$1,000,000 each accident for bodily injury and property damage, including coverage for owned, hired and non-owned vehicles.

D. Professional Liability Insurance with a combined single limit of not less than \$1,000,000 each claim, incident or occurrence. This is to cover damages caused by the error, omission, or

negligent acts related to the professional services to be provided under this Agreement. The coverage must remain in effect for at least two (2) years after the Agreement is completed.

There shall be no cancellation, material change, reduction of limits or intent not to renew the insurance coverage(s) without sixty (60) days written notice from the Consultant or its insurer(s) to the City. As evidence of the insurance coverage(s) required by this Agreement, the Consultant shall furnish acceptable Certificates Of Insurance (COI) to the City at the time it returns this signed Agreement. The certificate shall specify the City of Spokane as "Additional Insured" specifically for Consultant's services under this Agreement, as well as all of the parties who are additional insureds, and include applicable policy endorsements, the sixty (60) day cancellation clause, and the deduction or retention level. The Consultant shall be financially responsible for all pertinent deductibles, self-insured retentions, and/or self-insurance.

#### **14. DEBARMENT AND SUSPENSION.**

The Contractor has provided its certification that it is in compliance with and shall not contract with individuals or organizations which are debarred, suspended, or otherwise excluded from or ineligible from participation in Federal Assistance Programs under Executive Order 12549 and "Debarment and Suspension", codified at 29 CFR part 98.

#### **15. AUDIT.**

Upon request, the Consultant shall permit the City and any other governmental agency ("Agency") involved in the funding of the Work to inspect and audit all pertinent books and records. This includes work of the Consultant, any subconsultant, or any other person or entity that performed connected or related Work. Such books and records shall be made available upon reasonable notice of a request by the City, including up to three (3) years after final payment or release of withheld amounts. Such inspection and audit shall occur in Spokane County, Washington, or other reasonable locations mutually agreed to by the parties. The Consultant shall permit the City to copy such books and records at its own expense. The Consultant shall ensure that inspection, audit and copying rights of the City is a condition of any subcontract, agreement or other arrangement under which any other persons or entity may perform Work under this Agreement.

#### **16. INDEPENDENT CONSULTANT.**

- A. The Consultant is an independent Consultant. This Agreement does not intend the Consultant to act as a City employee. The City has neither direct nor immediate control over the Consultant nor the right to control the manner or means by which the Consultant works. Neither the Consultant nor any Consultant employee shall be an employee of the City. This Agreement prohibits the Consultant to act as an agent or legal representative of the City. The Consultant is not granted express or implied rights or authority to assume or create any obligation or responsibility for or in the name of the City, or to bind the City. The City is not liable for or obligated to pay sick leave, vacation pay, or any other benefit of employment, nor to pay social security or other tax that may arise from employment. The Consultant shall pay all income and other taxes as due. The Consultant may perform work for other parties; the City is not the exclusive user of the services that the Consultant provides.
- B. If the City needs the Consultant to Work on City premises and/or with City equipment, the City may provide the necessary premises and equipment. Such premises and equipment are exclusively for the Work and not to be used for any other purpose.
- C. If the Consultant works on the City premises using City equipment, the Consultant remains an independent Consultant and not a City employee. The Consultant will notify the City Project Manager if s/he or any other Workers are within ninety (90) days of a consecutive 36-

month placement on City property. If the City determines using City premises or equipment is unnecessary to complete the Work, the Consultant will be required to work from its own office space or in the field. The City may negotiate a reduction in Consultant fees or charge a rental fee based on the actual costs to the City, for City premises or equipment.

#### **17. KEY PERSONS.**

The Consultant shall not transfer or reassign any individual designated in this Agreement as essential to the Work, nor shall those key persons, or employees of Consultant identified as to be involved in the Project Work be replaced, removed or withdrawn from the Work without the express written consent of the City, which shall not be unreasonably withheld. If any such individual leaves the Consultant's employment, the Consultant shall present to the City one or more individuals with greater or equal qualifications as a replacement, subject to the City's approval, which shall not be unreasonably withheld. The City's approval does not release the Consultant from its obligations under this Agreement.

#### **18. ASSIGNMENT AND SUBCONTRACTING.**

The Consultant shall not assign or subcontract its obligations under this Agreement without the City's written consent, which may be granted or withheld in the City's sole discretion. Any subcontract made by the Consultant shall incorporate by reference this Agreement, except as otherwise provided. The Consultant shall require that all subconsultants comply with the obligations and requirements of the subcontract. The City's consent to any assignment or subcontract does not release the consultant from liability or any obligation within this Agreement, whether before or after City consent, assignment or subcontract.

#### **19. CITY ETHICS CODE.**

- A. Consultant shall promptly notify the City in writing of any person expected to be a Consultant Worker (including any Consultant employee, subconsultant, principal, or owner) and was a former City officer or employee within the past twelve (12) months.
- B. Consultant shall ensure compliance with the City Ethics Code by any Consultant Worker when the Work or matter related to the Work is performed by a Consultant Worker who has been a City officer or employee within the past two (2) years.
- C. Consultant shall not directly or indirectly offer anything of value (such as retainers, loans, entertainment, favors, gifts, tickets, trips, favors, bonuses, donations, special discounts, work or meals) to any City employee, volunteer or official that is intended, or may appear to a reasonable person to be intended, to obtain or give special consideration to the Consultant. Promotional items worth less than \$25 may be distributed by the Consultant to a City employee if the Consultant uses the items as routine and standard promotional materials. Any violation of this provision may cause termination of this Agreement. Nothing in this Agreement prohibits donations to campaigns for election to City office, so long as the donation is disclosed as required by the election campaign disclosure laws of the City and of the State.

#### **20. NO CONFLICT OF INTEREST.**

Consultant confirms that the Consultant or workers have no business interest or a close family relationship with any City officer or employee who was or will be involved in the consultant selection, negotiation, drafting, signing, administration or evaluation of the Consultant's work. As used in this Section, the term Consultant includes any worker of the Consultant who was, is, or will be, involved in negotiation, drafting, signing, administration or performance of the Agreement. The term "close family relationship" refers to: spouse or domestic partner, any dependent parent,



parent-in-law, child, son-in-law, daughter-in-law; or any parent, parent in-law, sibling, uncle, aunt, cousin, niece or nephew residing in the household of a City officer or employee described above.

## **21. ERRORS AND OMISSIONS, CORRECTIONS.**

Consultant is responsible for professional quality, technical accuracy, and the coordination of all designs, drawings, specifications, and other services furnished by or on the behalf of the Consultant under this Agreement in the delivery of a final work product. The standard of care applicable to Consultant's services will be the degree of skill and diligence normally employed by professional engineers or Consultants performing the same or similar services at the time said services are performed. The Final Work Product is defined as a stamped, signed work product. Consultant, without additional compensation, shall correct or revise errors or mistakes in designs, drawings, specifications, and/or other consultant services immediately upon notification by the City. The obligation provided for in this Section regarding acts or omissions resulting from this Agreement survives Agreement termination or expiration.

## **22. INTELLECTUAL PROPERTY RIGHTS.**

- A. Copyrights. The Consultant shall retain the copyright (including the right of reuse) to all materials and documents prepared by the Consultant for the Work, whether or not the Work is completed. The Consultant grants to the City a non-exclusive, irrevocable, unlimited, royalty-free license to use copy and distribute every document and all the materials prepared by the Consultant for the City under this Agreement. If requested by the City, a copy of all drawings, prints, plans, field notes, reports, documents, files, input materials, output materials, the media upon which they are located (including cards, tapes, discs, and other storage facilities), software program or packages (including source code or codes, object codes, upgrades, revisions, modifications, and any related materials) and/or any other related documents or materials developed solely for and paid for by the City to perform the Work, shall be promptly delivered to the City.
- B. Patents: The Consultant assigns to the City all rights in any invention, improvement, or discovery, with all related information, including but not limited to designs, specifications, data, patent rights and findings developed with the performance of the Agreement or any subcontract. Notwithstanding the above, the Consultant does not convey to the City, nor does the City obtain, any right to any document or material utilized by the Consultant created or produced separate from the Agreement or was pre-existing material (not already owned by the City), provided that the Consultant has identified in writing such material as pre-existing prior to commencement of the Work. If pre-existing materials are incorporated in the work, the Consultant grants the City an irrevocable, non-exclusive right and/or license to use, execute, reproduce, display and transfer the pre-existing material, but only as an inseparable part of the work.
- C. The City may make and retain copies of such documents for its information and reference with their use on the project. The Consultant does not represent or warrant that such documents are suitable for reuse by the City or others, on extensions of the project or on any other project, and the City releases the Consultant from liability for any unauthorized reuse of such documents.

## **23. CONFIDENTIALITY.**

Under Washington State Law RCW Chapter 42.56) all materials received or created by the City of Spokane are **public records** which are subject to review and copying pursuant to a public records request. These records include but are not limited to bid or proposal submittals, agreement documents, contract work product, and other bid material. Some records or portions

of records may be legally exempt from disclosure and can be redacted or withheld. RCW Ch. 42.56 describes those exemptions. Consultant must familiarize themselves with state law and the City of Spokane's process for managing records.

The City will endeavor to redact anything that clearly should be redacted under the law. For example, the City will generally redact Social Security Numbers, tax records, and financial account numbers before records are made available to a requestor. Consultant may identify any materials Consultant believes to be not subject to release under the Public Records Act. City will not be bound by Consultant's determination of whether any particular record or records are legally exempt from release under the Public Records Act.

If the City receives a public records request for records involving Consultant or Consultant's work product, City will release the records unless City determines that there are obvious exemptions or redactions (which City will make prior to release of the records). If City determines that there are exemptions that can be asserted only by Consultant, City will endeavor to notify Consultant and Consultant will be given ten days to obtain a Court order preventing the City from releasing the requested records. **If no Court order is procured by Consultant, the City will release the requested records.**

#### **24. DISPUTES.**

Any dispute or misunderstanding that may arise under this Agreement, concerning the Consultant's performance, shall first be through negotiations, if possible, between the Consultant's Project Manager and the City's Project Manager. It shall be referred to the Director and the Consultant's senior executive(s). If such officials do not agree upon a decision within a reasonable period of time, either party may decline or discontinue such discussions and may then pursue the legal means to resolve such disputes, including but not limited to mediation, arbitration and/or alternative dispute resolution processes. Nothing in this dispute process shall mitigate the rights of the City to terminate the Agreement. Notwithstanding all of the above, if the City believes in good faith that some portion of the Work has not been completed satisfactorily, the City may require the Consultant to correct such work prior to the City payment. The City will provide to the Consultant an explanation of the concern and the remedy that the City expects. The City may withhold from any payment otherwise due, an amount that the City in good faith finds to be under dispute, or if the Consultant provides no sufficient remedy, the City may retain the amount equal to the cost to the City for otherwise correcting or remedying the work not properly completed. Waiver of any of these rights is not deemed a future waiver of any such right or remedy available at law, contract or equity.

#### **25. TERMINATION.**

- A. For Cause: The City or Consultant may terminate the Agreement if the other party is in material breach of this Agreement, and such breach has not been corrected to the other party's reasonable satisfaction in a timely manner. Notice of termination under this Section shall be given by the party terminating this Agreement to the other, not fewer than thirty (30) business days prior to the effective date of termination.
- B. For Reasons Beyond Control of Parties: Either party may terminate this Agreement without recourse by the other where performance is rendered impossible or impracticable for reasons beyond such party's reasonable control, such as, but not limited to, an act of nature, war or warlike operation, civil commotion, riot, labor dispute including strike, walkout or lockout, except labor disputes involving the Consultant's own employees, sabotage, or superior governmental regulation or control. Notice of termination under this Section shall be given by

the party terminating this Agreement to the other, not fewer than thirty (30) business days prior to the effective date of termination.

- C. For City's Convenience: The City may terminate this Agreement without cause and including the City's convenience, upon written notice to the Consultant. Notice of termination under this Section shall be given by the party terminating this Agreement to the other, not fewer than ninety (90) business days prior to the effective date of termination.
- D. Actions upon Termination: if termination occurs not the fault of the Consultant, the Consultant shall be paid for the services properly performed prior to the actual termination date, with any reimbursable expenses then due, but such compensation shall not exceed the maximum compensation to be paid under the Agreement. The Consultant agrees this payment shall fully and adequately compensate the Consultant and all subconsultants for all profits, costs, expenses, losses, liabilities, damages, taxes and charges of any kind (whether foreseen or unforeseen) attributable to the termination of this Agreement.
- E. Upon termination, the Consultant shall provide the City with the most current design documents, contract documents, writings and other products the Consultant has produced to termination, along with copies of all project-related correspondence and similar items. The City shall have the same rights to use these materials as if termination had not occurred; provided however, that the City shall indemnify and hold the Consultant harmless from any claims, losses, or damages to the extent caused by modifications made by the City to the Consultant's work product.

## **26. EXPANSION FOR NEW WORK.**

This Agreement scope may be expanded for new work. Any expansion for New Work (work not specified within the original Scope of Work Section of this Agreement, and/or not specified in the original RFP as intended work for the Agreement) must comply with all the following limitations and requirements: (a) the New Work is not reasonable to solicit separately; (b) the New Work is for reasonable purpose; (c) the New Work was not reasonably known either the City or Consultant at time of contract or else was mentioned as a possibility in the solicitation (such as future phases of work, or a change in law); (d) the New Work is not significant enough to be reasonably regarded as an independent body of work; (e) the New Work would not have attracted a different field of competition; and (f) the change does not vary the essential identified or main purposes of the Agreement. The City may make exceptions for immaterial changes, emergency or sole source conditions, or other situations required in City opinion. Certain changes are not New Work subject to these limitations, such as additional phases of Work anticipated at the time of solicitation, time extensions, Work Orders issued on an On-Call contract, and similar. New Work must be mutually agreed and issued by the City through written Addenda. New Work performed before an authorizing Amendment may not be eligible for payment.

## **27. MISCELLANEOUS PROVISIONS.**

- A. Amendments: No modification of this Agreement shall be effective unless in writing and signed by an authorized representative of each of the parties hereto.
- B. Binding Agreement: This Agreement shall not be binding until signed by both parties. The provisions, covenants and conditions in this Agreement shall bind the parties, their legal heirs, representatives, successors and assigns.
- C. Americans with Disabilities Act (ADA): Specific attention by the designer is required in association with the Americans with Disabilities Act (ADA) 42 U.S.C. 12101-12213 and 47 U.S.C. 225 and 611, its requirements, regulations, standards and guidelines, which were updated in 2010 and are effective and mandatory for all State and local government facilities and places of public accommodation for construction projects including alteration of existing

facilities, as of March 15, 2012. The City advises that the requirements for accessibility under the ADA, may contain provisions that differ substantively from accessibility provisions in applicable State and City codes, and if the provisions of the ADA impose a greater or equal protection for the rights of individuals with disabilities or individuals associated with them than the adopted local codes, the ADA prevail unless approval for an exception is obtained by a formal documented process. Where local codes provide exceptions from accessibility requirements that differ from the ADA Standards; such exceptions may not be permitted for publicly owned facilities subject to Title II requirements unless the same exception exists in the Title II regulations. It is the responsibility of the designer to determine the code provisions.

- D. The Consultant, at no expense to the City, shall comply with all laws of the United States and Washington, the Charter and ordinances of the City of Spokane; and rules, regulations, orders and directives of their administrative agencies and officers. Without limiting the generality of this paragraph, the Consultant shall comply with the requirements of this Section.
- E. This Agreement shall be construed and interpreted under the laws of Washington. The venue of any action brought shall be in the Superior Court of Spokane County.
- F. Remedies Cumulative: Rights under this Agreement are cumulative and nonexclusive of any other remedy of law or in equity.
- G. Captions: The titles of sections or subsections are for convenience only and do not define or limit the contents.
- H. Severability: If any term or provision is determined by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Agreement shall not be affected, and each term and provision shall be valid and enforceable to the fullest extent permitted by law.
- I. Waiver: No covenant, term or condition or the breach shall be deemed waived, except by written consent of the party against whom the waiver is claimed, and any waiver of the breach of any covenant, term or condition shall not be deemed a waiver of any preceding or succeeding breach of the same or any other covenant, term of condition. Neither the acceptance by the City of any performance by the Consultant after the time the same shall have become due nor payment to the Consultant for any portion of the Work shall constitute a waiver by the City of the breach or default of any covenant, term or condition unless otherwise expressly agreed to by the City in writing.
- J. Additional Provisions: This Agreement may be modified by additional terms and conditions ("Special Conditions") which shall be attached to this Agreement as Exhibit D. The parties agree that the Special Conditions shall supplement the terms and conditions of the Agreement, and in the event of ambiguity or conflict with the terms and conditions of the Agreement, these Special Conditions shall govern.
- K. Entire Agreement: This document along with any exhibits and all attachments, and subsequently issued addenda, comprises the entire agreement between the City and the Consultant. If conflict occurs between contract documents and applicable laws, codes, ordinances or regulations, the most stringent or legally binding requirement shall govern and be considered a part of this contract to afford the City the maximum benefits.
- L. Negotiated Agreement: The parties acknowledge this is a negotiated agreement, that they have had this Agreement reviewed by their respective legal counsel, and that the terms and conditions of this Agreement are not to be construed against any party on the basis of such party's draftsmanship.
- M. No personal liability: No officer, agent or authorized employee of the City shall be personally responsible for any liability arising under this Contract, whether expressed or implied, nor for any statement or representation made or in any connection with this Agreement.

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

**KPFF CONSULTING ENGINEERS, 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

**Attachments:** Exhibit A – Certificate Regarding Debarment  
Exhibit B – Scope of Services

19-077

## EXHIBIT A

### CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION

1. The undersigned (i.e., signatory for the Subrecipient / Contractor / Consultant) certifies, to the best of its knowledge and belief, that it and its principals:
  - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;
  - b. Have not within a three-year period preceding this contract been convicted or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, making false claims, or obstruction of justice;
  - c. Are not presently indicted or otherwise criminally or civilly charged by a government entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and,
  - d. Have not within a three-year period preceding this contract had one or more public transactions (federal, state, or local) terminated for cause or default.
2. The undersigned agrees by signing this contract that it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction.
3. The undersigned further agrees by signing this contract that it will include the following clause, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions:

#### Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions

1. The lower tier contractor certified, by signing this contract that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.
  2. Where the lower tier contractor is unable to certify to any of the statements in this contract, such contractor shall attach an explanation to this contract.
4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, person, primary covered transaction, principal, and voluntarily excluded, as used in this exhibit, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. The undersigned may contact the City for assistance in obtaining a copy of these regulations.
  5. I understand that a false statement of this certification may be grounds for termination of the contract.

<hr/> Name of Subrecipient / Contractor / Consultant (Type or Print)	<hr/> Program Title (Type or Print)
<hr/> Name of Certifying Official (Type or Print)	<hr/> Signature
<hr/> Title of Certifying Official (Type or Print)	<hr/> Date (Type or Print)

## EXHIBIT B

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

04/29/2019

<u>Date Rec'd</u>	4/15/2019
<u>Clerk's File #</u>	OPR 2019-0315
<u>Renews #</u>	

Submitting Dept	WASTEWATER MANAGEMENT	Cross Ref #	
Contact Name/Phone	MIKE CANNON 625-4642	Project #	
Contact E-Mail	MCANNON@SPOKANECITY.ORG	Bid #	
Agenda Item Type	Contract Item	Requisition #	
Agenda Item Name	4320 LIQUID NITRATE OXYGEN ODOR CONTROL SOLUTION		

Agenda Wording

Award of BID #773-19 to Two Rivers Terminal, LLC (Pasco, WA) who is the lowest responsive bidder to supply approximately 65,000 gallons of liquid Nitrate Oxygen Odor Control Solution at \$1.89 per gallon, for a total three-year cost \$401,350.95.

Summary (Background)

RPWRF has used nitrate oxygen odor control chemicals to control odors and corrosion at Northwest Terrace Lift Station (which is located adjacent to Riverside State Park) for many years, with excellent results. This is a three-year contract tentatively scheduled to begin on April 1, 2019 and to end on March 31, 2022. The contract may be extended for two additional one-year contract periods with the total contract period not to exceed five years.

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

Expense	\$ \$401,350.95	# 4320.43240.35148.53203
Select	\$	#
Select	\$	#
Select	\$	#

<u>Approvals</u>		<u>Council Notifications</u>	
<u>Dept Head</u>	CONKLIN, CHUCK	<u>Study Session</u>	
<u>Division Director</u>	SIMMONS, SCOTT M.	<u>Other</u>	PIES 4/22/19
<u>Finance</u>	ALBIN-MOORE, ANGELA	Distribution List	
<u>Legal</u>	ODLE, MARI	hbarnhart@spokanecity.org	
<u>For the Mayor</u>	ORMSBY, MICHAEL	kkeck@spokanecity.org	
Additional Approvals		mhughes@spokanecity.org	
<u>Purchasing</u>		cwahl@spokanecity.org	
		Tax & Licenses	



## Briefing Paper

### Public Infrastructure, Environment, and Sustainability

<b>Division &amp; Department:</b>	Public Works and Utilities		
<b>Subject:</b>	Contract to supply liquid Nitrate Oxygen Odor Control Solution to Riverside Park Water Reclamation Facility.		
<b>Date:</b>	April 22, 2019		
<b>Contact (email &amp; phone):</b>	Michael Cannon, Assistant Plant Manager 625-4642 <a href="mailto:mcannon@spokanecity.org">mcannon@spokanecity.org</a>		
<b>City Council Sponsor:</b>			
<b>Executive Sponsor:</b>			
<b>Committee(s) Impacted:</b>	PIES		
<b>Type of Agenda item:</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative		
<b>Alignment:</b>			
<b>Strategic Initiative:</b>	Innovative Infrastructure – Affordable Utility Rates		
<b>Deadline:</b>			
<b>Outcome:</b> (deliverables, delivery duties, milestones to meet)	Council approval to award contract with Two Rivers Terminal, LLC to supply liquid Nitrate Oxygen Odor Control Solution to Riverside Park Water Reclamation Facility, 6602 North AL White Parkway.		
<p><u>Background/History:</u> RPWRF has used nitrate oxygen odor control chemicals to control odors and corrosion at Northwest Terrace Lift Station (which is located adjacent to Riverside State Park) for many years, with excellent results.</p> <p>This is a three-year contract tentatively scheduled to begin on April 1, 2019 and to end on March 31, 2022. The contract may be extended for two additional one-year contract periods with the total contract period not to exceed five years.</p>			
<p><u>Executive Summary:</u></p> <p>The department will use this chemical to reduce and control odors and corrosion at the Northwest Terrace Lift Station.</p> <p>Award of BID #773-19 to Two Rivers Terminal, LLC (Pasco, WA) who is the lowest responsive bidder who met our requirements to supply approximately 65,000 gallons of liquid Nitrate Oxygen Odor Control Solution at \$1.89 per gallon, for a total three-year contract cost of \$401,350.95, which includes 8.9% sales tax for the period April 1, 2019 to March 31, 2022. Total cost including sales tax \$401,350.95. (\$133,783.65 per year).</p>			
<p><u>Budget Impact:</u></p> <p>Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Annual/Reoccurring expenditure? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>If new, specify funding source: Department</p> <p>Other budget impacts: (revenue generating, match requirements, etc.)</p>			
<p><u>Operations Impact:</u></p> <p>Consistent with current operations/policy? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Requires change in current operations/policy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Specify changes required:</p> <p>Known challenges/barriers:</p>			

QUOTE #773-19		
NITRATE OXYGEN ODOR CONTROL SOLUTION		
ITEM	QTY	DESCRIPTION
1	65000	Nitrate Oxygen Odor Control Solutions - 4000 gallons per delivery
SALES TAX - 8.8%		
GRAND TOTAL		
Exceptions:		



**City of Spokane**

**PURCHASE AGREEMENT**

**Title: NITRATE OXYGEN ODOR  
CONTROL FOR SOLUTION RPWRF**

THIS AGREEMENT is between the **CITY OF SPOKANE**, a Washington State municipal corporation, as ("City"), and **TWO RIVERS TERMINAL, LLC**, whose address is 3300-C North Glade Road, Pasco, Washington 99031, as ("Vendor"), individually hereafter referenced as a "party", and together as the "parties".

The parties agree as follows:

1. **GOODS.** The Vendor agrees to sell to the City **Nitrate Oxygen Odor Control Solution**, subject to these terms and conditions.
2. **CONTRACT DOCUMENTS.** This Agreement, RFQ No. 773-19, and the Vendor's Response to RFP constitute the contract documents. If there is a discrepancy between these documents, this Agreement controls. Federal and state requirements and the terms of this Agreement, respectively, supersede other inconsistent provisions. These contract documents are on file with the Riverside Park Water Reclamation Facility, 4401 North Aubrey L. White Parkway, Spokane, Washington 99205-3939, and are incorporated into this Agreement by reference as if they were set forth at length.
3. **TERM.** The Agreement shall begin April 1, 2019 and run through March 31, 2022, unless terminated earlier. The Agreement may be extended, upon mutual written agreement of both parties, for two (2) additional one year Agreement periods with the total contract period not to exceed five (5) years.
4. **DELIVERY TIME.** Truck deliveries will be accepted only between 7:30 a.m. and 3:00 p.m., Monday through Friday. If the goods are not delivered within the terms and established delivery time, the City may procure comparable goods from another source and the Vendor will be required to pay any differences in cost.
5. **DELIVERY LOCATION.** The Vendor shall deliver the goods within seven (7) days from receipt of order to the Riverside Park Water Reclamation Facility, 4401 North Aubrey L. White Parkway, Spokane, Washington 99205-3939. In case of emergency, Vendor shall deliver the goods within twenty-four (24) hours after receipt of order.
6. **COMPENSATION.** The City will pay **ONE HUNDRED THIRTY THREE THOUSAND SEVEN HUNDRED EIGHTY THREE AND 65/100 DOLLARS (\$133,783.65)**, including tax, per year, for a total of **FOUR HUNDRED ONE THOUSAND THREE HUNDRED FIFTY AND 95/100 DOLLARS (\$401,350.95)**, including tax for everything furnished and done under this Agreement.
7. **PAYMENT.** The Vendor will send its applications for payment to the Riverside Park Water Reclamation Facility, 4401 North Aubrey L. White Parkway, Spokane, Washington 99205-3939. Payment will be made within thirty (30) days after receipt of the Vendor's application except as

provided in RCW 39.76. **Payment will be made via direct deposit/ACH** within thirty (30) days after receipt of the Company's application except as provided by state law.

8. TITLE. Title to the goods purchase under this Agreement remains with the Vendor until they are delivered to the City's delivery location.

9. RISK OF LOSS. The risk of any damage to or destruction of the goods will be borne by the Vendor at all times until delivery.

10. UNIFORM COMMERCIAL CODE. This Agreement is subject to the Uniform Commercial Code, Title 62A Revised Code of Washington.

11. INSPECTION. All goods purchased are subject to inspection, test and approval at destination by the City, notwithstanding prior payments or inspections at the source. The City, without limitation to its other rights under this Agreement, may reject any goods that contain defective material or workmanship, do not meet the specifications, or otherwise do not conform to this Agreement. Defective goods or goods not in accordance with the City's specifications will be held for the Vendor's instructions and at the Vendor's risk and expense. The City reserves the right to inspect before shipment or during the process of manufacture, any goods on this Agreement.

12. OVERSHIPMENT. Quantities delivered by the Vendor in excess of that shown in this Agreement, if rejected, will be returned at the Vendor's risk and expense. Any excess quantities that the City accepts shall be the price stated in this Agreement.

13. WARRANTY. The Vendor warrants that the items furnished will conform to its description and any applicable specifications shall be of good merchantable quality and fit for the known purpose for which sold. This warranty is in addition to any standard warranty or service guarantee by the Vendor to the City.

14. UNLAWFUL OVERCHARGES. The Vendor assigns to the City all claims for anti-trust violations and overcharges relating to the goods purchased by the City.

15. TERMINATION.

- A. Time is of the essence of this Agreement.
- B. The City reserves the right to cancel this Agreement or any portion thereof without penalty in the event that deliveries are not made within the specified time, without liability for deliveries previously made and accepted by the City.
- C. The City may also cancel this Agreement or any portion thereof without penalty if the Vendor breaches any of the terms of the Agreement.
- D. The City may cancel this Agreement or any portion thereof without penalty if the Vendor is adjudged as bankrupt, files petition, application or other pleading seeking or consenting to any relief under the Bankruptcy Act, makes or attempts to make an assignment for the benefit of creditors or to effect a plan of compromise with respect to its debts. All further obligations automatically terminate, but obligations incurred are not discharged.

16. INDEMNIFICATION.

The Vendor shall defend, indemnify, and hold the City and its officers and employees harmless from all claims, demands, or suits at law or equity asserted by third parties for bodily injury (including death) and/or property damage which arise from the Vendor's negligence or willful misconduct under this Agreement, including attorneys' fees and litigation costs; provided that

nothing herein shall require a Vendor to indemnify the City against and hold harmless the City from claims, demands or suits based solely upon the negligence of the City, its agents, officers, and employees. If a claim or suit is caused by or results from the concurrent negligence of the Vendor's agents or employees and the City, its agents, officers and employees, this indemnity provision shall be valid and enforceable to the extent of the negligence of the Vendor, its agents or employees. The Vendor specifically assumes liability and agrees to defend, indemnify, and hold the City harmless for actions brought by the Vendor's own employees against the City and, solely for the purpose of this indemnification and defense, the Vendor specifically waives any immunity under the Washington State industrial insurance law, or Title 51 RCW. The Vendor recognizes that this waiver was specifically entered into pursuant to the provisions of RCW 4.24.115 and was the subject of mutual negotiation. The indemnity and agreement to defend and hold the City harmless provided for in this section shall survive any termination or expiration of this agreement.

17. **INSURANCE.**

During the period of the Agreement, the Vendor shall maintain in force at its own expense, each insurance noted below with companies or through sources approved by the State Insurance Commissioner pursuant to RCW 48:

- A. **Worker's Compensation Insurance** in compliance with RCW 51.12.020, which requires subject employers to provide workers' compensation coverage for all their subject workers and Employer's Liability Insurance in the amount of \$1,000,000;
- B. **General Liability Insurance** on an occurrence basis, with a combined single limit of not less than \$1,000,000 each occurrence for bodily injury and property damage. It shall include contractual liability coverage for the indemnity provided under this Agreement. It shall provide that the City, its officers and employees are additional insureds but only with respect to the Vendor's services to be provided under this Agreement;
  - i. Acceptable **supplementary Umbrella insurance** coverage combined with Company's General Liability insurance policy must be a minimum of \$1,000,000, in order to meet the insurance coverage limits required in this Agreement; and
- C. **Automobile Liability Insurance** with a combined single limit, or the equivalent of not less than \$1,000,000 each accident for bodily injury and property damage, including coverage for owned, hired and non-owned vehicles; and
- D. **Property Insurance** if materials and supplies are furnished by the Vendor. The amount of the insurance coverage shall be the value of the materials and supplies of the completed value of improvement. Hazard or XCU (explosion, collapse, underground) insurance should be provided if any hazard exists.

There shall be no cancellation, material change, reduction of limits or intent not to renew the insurance coverage(s) without sixty (60) days written notice from the Vendor or its insurer(s) to the City.

As evidence of the insurance coverage(s) required by this Agreement, the Vendor shall furnish acceptable Certificates Of Insurance (COI) to the City at the time it returns this signed Agreement. The certificate shall specify the City of Spokane as "Additional Insured" specifically for Vendor's services under this Agreement, as well as all of the parties who are additional insureds, and include applicable policy endorsements, the sixty (60) day cancellation clause, and the deduction or retention level. The Vendor shall be financially responsible for all pertinent deductibles, self-insured retentions, and/or self-insurance.

18. **NONDISCRIMINATION.** No individual shall be excluded from participation in, denied the benefit of, subjected to discrimination under, or denied employment in the administration of or in connection with this Agreement because of age, sex, race, color, religion, creed, marital status, familial status, sexual orientation including gender expression or gender identity, national origin, honorably discharged veteran or military status, the presence of any sensory, mental or physical disability, or use of a service animal by a person with disabilities. The Vendor agrees to comply with, and to require that all subcontractors comply with, Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act, as applicable to the Vendor.
19. **ASSIGNMENTS.** The Vendor may not assign, transfer or sublet any part of the work under this Agreement, or assign any monies due, without the written approval of the City, except as may be required by law. In the event of assignment of accounts or monies due under this Agreement, the Vendor specifically agrees to give immediate written notice to the City Administrator, no later than five (5) business days after the assignment.
20. **ANTI-KICKBACK.** No officer or employee of the City of Spokane, having the power or duty to perform an official act or action related to this Agreement shall have or acquire any interest in the Agreement, or have solicited, accepted or granted a present or future gift, favor, service or other thing of value from or to any person involved in the Agreement.
21. **COMPLIANCE WITH LAWS.** The Vendor warrants that the goods have been produced, sold, delivered and furnished in strict compliance with all applicable laws and regulations of which they are subject.
22. **DISPUTES.** This Agreement shall be performed under the laws of the State of Washington. Any litigation to enforce this Agreement or any of its provisions shall be brought in Spokane County, Washington.
23. **SEVERABILITY.** In the event any provision of this Agreement should become invalid, the rest of the Agreement shall remain in full force and effect.
24. **AUDIT / RECORDS.** The Vendor and its subcontractors shall maintain for a minimum of three (3) years following final payment all records related to its performance of the Agreement. The Vendor and its subcontractor shall provide access to authorized City representatives, at reasonable times and in a reasonable manner to inspect and copy any such record. In the event of conflict between this provision and related auditing provisions required under federal law applicable to the Agreement, the federal law shall prevail.
25. **BUSINESS REGISTRATION REQUIREMENT.** Section 8.01.070 of the Spokane Municipal Code states that no person may engage in business with the City without first having obtained a valid annual business registration. The Vendor shall be responsible for contacting the State of Washington Business License Services at <http://bls.dor.wa.gov> or 1-800-451-7985 to obtain a business registration. If the Vendor does not believe it is required to obtain a business registration, it may contact the City's Taxes and Licenses Division at (509) 625-6070 to request an exemption status determination.
26. **DEBARMENT AND SUSPENSION.** The Vendor has provided its certification that it is in compliance with and shall not contract with individuals or organizations which are debarred, suspended, or otherwise excluded from or ineligible from participation in Federal Assistance Programs under Executive Order 12549 and "Debarment and Suspension", codified at 29 CFR part 98.
27. **CONSTRUAL.** The Vendor acknowledges receipt of a copy of the Agreement documents and agrees to comply with them. The silence or omission in the Agreement documents

concerning any detail required for the proper execution and completion of the work means that only the best general practice is to prevail and that only material and workmanship of the best quality are to be used. This Agreement shall be construed neither in favor of nor against either party.

28. VENDOR'S ACKNOWLEDGEMENT. The Vendor acknowledges that it has visited the site of the work, has examined it, and is qualified to perform the work required by this Agreement.

29. MODIFICATIONS. The City may modify this Agreement and order changes in the work whenever necessary or advisable. The Vendor will accept modifications when ordered in writing by the Director of the Wastewater Reclamation Facility and the Agreement time and compensation will be adjusted accordingly.

30. INTEGRATION. This Agreement, including any and all exhibits and schedules referred to herein or therein set forth the entire Agreement and understanding between the parties pertaining to the subject matter and merges all prior agreements, negotiations and discussions between them on the same subject matter.

31. FORCE MAJEURE. Neither party shall be liable to the other for any failure or delay in performing its obligations hereunder, or for any loss or damage resulting therefrom, due to: (1) acts of God or public enemy, acts of government, riots, terrorism, fires, floods, strikes, lock outs, epidemics, act or failure to act by the other party, or unusually severe weather affecting City, Vendor or its subcontractors, or (2) causes beyond their reasonable control and which are not foreseeable (each a "Force Majeure Event"). In the event of any such Force Majeure Event, the date of delivery or performance shall be extended for a period equal to the time lost by reason of the delay.

**TWO RIVERS TERMINAL, 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

Attachment that is a part of this Agreement:  
Exhibit A - Certificate Regarding Debarment

**ATTACHMENT A  
CERTIFICATION REGARDING DEBARMENT, SUSPENSION,  
INELIGIBILITY AND VOLUNTARY EXCLUSION**

1. The undersigned (i.e., signatory for the Subrecipient / Operator / Consultant) certifies, to the best of its knowledge and belief, that it and its principals:
  - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;
  - b. Have not within a three-year period preceding this contract been convicted or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, making false claims, or obstruction of justice;
  - c. Are not presently indicted or otherwise criminally or civilly charged by a government entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and,
  - d. Have not within a three-year period preceding this contract had one or more public transactions (federal, state, or local) terminated for cause or default.
2. The undersigned agrees by signing this contract that it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction.
3. The undersigned further agrees by signing this contract that it will include the following clause, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions:
 

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions

  1. The lower tier Operator certified, by signing this contract that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.
  2. Where the lower tier Operator is unable to certify to any of the statements in this contract, such Operator shall attach an explanation to this contract.
4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, person, primary covered transaction, principal, and voluntarily excluded, as used in this exhibit, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. The undersigned may contact the City for assistance in obtaining a copy of these regulations.
5. I understand that a false statement of this certification may be grounds for termination of the contract.

<div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 5px;"></div> Name of Subrecipient / Operator / Consultant (Type or Print)	<div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 5px;"></div> Program Title (Type or Print)
<div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 5px;"></div> Name of Certifying Official (Type or Print)	<div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 5px;"></div> Signature
<div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 5px;"></div> Title of Certifying Official (Type or Print)	<div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 5px;"></div> Date (Type or Print)



DAVID A. CONDON  
MAYOR



CITY OF SPOKANE - PURCHASING  
808 W. Spokane Falls Blvd.  
Spokane, Washington 99201-3316  
(509) 625-6400  
FAX (509) 625-6413

# REQUEST FOR QUOTES

City of Spokane, Washington

**RFQ NUMBER:** #773-19

**DESCRIPTION:** NITRATE OXYGEN ODOR CONTROL SOLUTION

**DUE DATE:** THURSDAY, MARCH, 14, 2019  
No later than 3:00 p.m.

City of Spokane - Purchasing  
4<sup>TH</sup> Floor, City Hall  
808 W. Spokane Falls Blvd.  
Spokane WA 99201-3316

**QUOTE SUBMITTED BY:**

**COMPANY** Two Rivers Terminal LLC

**MAILING ADDRESS**

P.O. Box 2327, Pasco WA, 99302

**PHYSICAL ADDRESS**

3300 North Glade Road, Pasco WA 99301

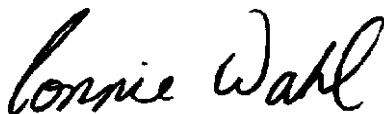
**PHONE NUMBER** 509-547-7776

**FAX NUMBER** 509-546-9508

**E-MAIL ADDRESS** industrial@tworiversterminal.com

**SIGNATURE:**  J. Travis Owens, Sr.  
Key Accounts Manager

Signature here will confirm compliance with all instructions,  
terms, and conditions of this Request for Quote.



Connie Wahl, C.P.M., CPPB  
Purchasing

**PART I. PRICING AND BIDDER INFORMATION**

**SECTION I. PRICING**

**TO:** CITY OF SPOKANE - PURCHASING

**QUOTE NAME:** Nitrate Oxygen Odor Control Solution

**QUOTE NO:** #773-19

The purpose of this Request for Quote is to invite quotes to supply the City of Spokane with an annual supply of Nitrate Oxygen Odor Control Solution for the City of Spokane Riverside Park Water Reclamation Facility.

PRICING TABLE				
LINE	ANNUAL ESTIMATED QUANTITY	DESCRIPTION	UNIT PRICE Per Gallon	TOTAL
#1	65,000 Gallons	Nitrate Oxygen Odor Control Solution – 4000 gallons per delivery	\$1.89	\$122,850.00
		QUOTE SUBTOTAL		\$122,850.00
		WASHINGTON STATE SALES TAX (8.8%)		\$10,810.80
		TOTAL QUOTE		\$133,660.80

**NOTE: FREIGHT COSTS MUST BE INCLUDED IN UNIT PRICE**

**Payment:** Supplier will accept credit card ☒ YES ☐ NO. If so, state any additional charge or discount for credit card payments. 3%.

**Payment Terms:** Net 30 days. Unless agreeing to payment by credit card with no additional fee, payment shall be made via direct deposit/ACH (except as provided by state law) after receipt of the goods/services ordered. A completed ACH application is required before a City order will be issued. If the City objects to all or any portion of an invoice, it shall notify the supplier and reserve the right to pay only that portion of the invoice not in dispute. In that event, all parties shall immediately make every effort to settle the disputed amount.

**Normal Delivery:**

Normal delivery - Nitrate Oxygen Odor Control Solution can be delivered in quantities of 4000 gallons to RPWRF in 7 DAYS after receipt of order (ARO). ☒ YES ☐ NO

**EMERGENCY Deliveries:**

In case of Emergency – Nitrate Oxygen Odor Control Solution can be delivered in quantities of 4000 gallons to RPWRF in 24 hours after receipt of order (ARO). ☒ YES ☐ NO

ADDITIONAL FREIGHT COST PER GALLON FOR EMERGENCY DELIVERIES ONLY: \$0.00

**F.O.B. Delivery Point:** Riverside Park Water Reclamation Facility, 4401 North A.L. White Parkway, Spokane WA 99205. Delivery location is 6602 North. A.L. White Parkway.

SIGNATURE ON COVER PAGE ACKNOWLEDGES AGREEMENT TO FURNISH THE ABOVE ITEMS AT THE PRICES STATED, SUBJECT TO THE CONDITIONS AND REQUIREMENTS OF THIS QUOTE.

## SECTION II. BIDDER INFORMATION

**Company Name:** TWO RIVERS TERMINAL LLC

(Type or Print)

**By:** J. Travis Owens, Sr.

(Type or Print)

**Title:** Key Accounts Manager

Please indicate person to be contacted by the City concerning items(s) quoted:

Name: Travis Owens

Phone: 509-412-9000

### BUSINESS REGISTRATION REQUIREMENT

Section 8.01.070 of the Spokane Municipal Code states that no person may engage in business with the City without first having obtained and being the holder of a valid annual business registration or temporary business registration. The Vendor shall be responsible for contacting the State of Washington Business License Services at <http://bls.dor.wa.gov> or 1-800-451-7985 to obtain a business registration. If the Vendor does not believe it is required to obtain a business registration, it may contact the City's Taxes and Licenses Division at (509) 625-6070 to request an exemption status determination.

**CITY OF SPOKANE BUSINESS REGISTRATION NUMBER:** 602341599-001-0003

### ORGANIZATION

Proposal of an ( ) individual ( ) partnership (x) corporation organized and existing under the Laws of the State of Washington.

### ORIGINAL PRODUCT/EQUIPMENT MANUFACTURER

State name(s) and address(s) of Original Equipment Manufacturer (OEM) and distributors (if applicable) to be used in the production and delivery of your product.

NAME

ADDRESS

ZIP

N/A - Two Rivers Terminal is the manufacturer and distributor of Calcium Nitrate 48.5% Solution Odor Control.

### MINORITY BUSINESS ENTERPRISE

Vendor (is   , is not   X  ) a Minority Business Enterprise. A Minority Business Enterprise is defined as a "business, privately or publicly owned, at least 51% of which is owned by minority group members." For purpose of this definition, minority group members are Blacks, Hispanics, Asian Americans, American Indian or Alaskan Natives, or Women.

### SMALL BUSINESS

Vendor (is   X  , is not   ) a small business concern. (A small business concern for the purpose of government procurement is a concern, including its affiliates, which is independently owned and operated, is not dominant in the field of operations in which it is bidding on government contracts, and can further qualify under the criteria concerning number of employees, average annual receipts, or other criteria as prescribed by the Small Business Administration).

## PART II. SPECIFIC TERMS AND CONDITIONS

### 1. DEFINITIONS

- a. Bidder - one who submits a Quote.
- b. Vendor - Bidder to whom contract or purchase order is awarded.
- c. Purchaser - City of Spokane and other government agencies (Pursuant to RCW 39.34).

- d. Destination-Delivery - Delivery to 6602 N. AL White Pkwy - the ground floor of building only; NOT to include uncrating and installation.
- e. Until Further Notice - Any time in excess of sixty (60) days from date of opening.
- f. Cost - Total cost of ownership based on the best available information.

**2. NON-COLLUSION**

The Bidder certifies that his/her firm has not entered into any agreement of any nature whatsoever to fix, maintain, increase or reduce the prices or competition regarding the items covered by this Request for Quote.

**3. INTERLOCAL PURCHASE AGREEMENTS**

The City of Spokane has entered into Interlocal Purchase Agreements with other public agencies pursuant to RCW 39.34. In submitting a response the Vendor agrees to sell additional items at the quoted price, terms and conditions to the City of Spokane and other public agencies contingent upon the seller's review and approval at the time of a requested sale. Any price de-escalation/escalation provisions of this Quote shall apply in the case of a sale of additional items. Seller's right to refuse to sell additional items at the time of request shall be absolute.

**4. ACCEPTANCE PERIOD**

Quotes must provide sixty (60) days for acceptance by the City from the due date for receipt of Quotes.

**5. CONTRACT PERIOD**

The contract shall begin upon signing by both parties for a 3 year period. Orders will be placed as needed using a blanket order with no guarantee of quantities.

**6. RENEWAL**

Contract renewals or extensions shall be initiated at the discretion of the City and subject to mutual agreement. The contract may be extended for two (2) additional one-year contract periods with the total contract period not to exceed five (5) years.

**7. QUANTITIES**

Quantities shown are an annual usage estimate only and are not guaranteed. Actual usage may be more or less. Orders will be placed as needed throughout contract term with a blanket order process with no guarantee of quantity. Payment will be made only for orders placed, received, and accepted.

**8. PRICE DECREASES**

During the contract period and any renewals thereof, price decreases at manufacturer's and wholesaler's levels shall be reflected in a contract price reduction to the Purchaser retroactive to the Vendor's effective date.

**9. NON-ESCALATION**

The Vendor's prices shall be firm throughout the contract period with **NO** provision for price increases unless specific provisions are proposed and agreed upon at time of contract renewal.

**10. INVENTORY**

Sufficient inventory to supply the needs of the Purchaser shall be maintained by the Vendor.

**11. DELIVERY DEFAULT**

- A. The acceptance of late performance by the Purchaser shall not waive the right to claim damage for such breach nor constitute a waiver of the requirements for the timely performance of any obligations remaining to be performed by Vendor.
- B. When items ordered are not delivered within the terms and time frame established by the contract, Purchaser may procure comparable units from another source and Vendor will be required to pay any differences in cost.

### PART III. INSTRUCTIONS AND SPECIFICATIONS

#### SECTION I. GENERAL INSTRUCTIONS

1. The items to be furnished by the Bidder on this Quote must be of the latest possible design and production.
2. Time is of the essence in the performance of this contract.
3. All freight expenses shall be the responsibility of the winning Vendor.
4. **Material Safety Data Sheets must be included with Quote Proposal forms.**
5. References are to be included with Bid Proposal forms. Bidder shall furnish names, addresses, telephone numbers, and email addresses of representatives of at least three companies/municipalities which have been continually using the product being bid for at least two years. If no references are completely applicable, provide two references which most nearly apply. References must be located in similar climates.
- 1) Spokane County 12107 E. Empire, Spokane Valley WA. Mr. Louis Graf. (509) 477-1944; lgraf@spokanecounty.org
- 2) City of Vancouver, 4711 E. Fourth Plain Blvd, Vancouver WA. Mr. Gerald Johnson. (360) 772-4969; Gerald.Johnson@cityofvancouver.us
- 3) City of Anacortes. 500 T Avenue, Anacortes WA. Mr. Harry Whyte. (360) 299-1502; HarryW@cityofanacortes.org
6. Successful bidder will designate a representative who will be available during regular City business hours to serve as a primary contact for the City in the implementation of this supply agreement and if any issues arise regarding the product.
7. The City of Spokane reserves the right to accept or reject any variance from the published specifications and to award the Quote in a manner that is most advantageous to the continued efficient operation of the City.
8. The City reserves the right to accept or reject any part of or all Quotes and to accept the Quote deemed to be in the best interest of the City.
9. The City of Spokane reserves the option of awarding this purchase by item grouping or by any manner most advantageous for the City. This quote may be split and awarded to multiple Vendors.
10. Bidder should be aware that Quotes may be rejected if all questions are not completely and correctly answered.
11. Signature on this Quote by the Bidder will confirm receipt and understanding of all instructions, terms, and conditions.
12. **In accordance with SMC 7.06.172(A), the Bidder certifies that the products bid and to be supplied (to include product packaging) do not contain polychlorinated biphenyls (PCB's). Moreover and consistent with SMC 7.06.172(B), the City of Spokane, at its sole discretion, may require (at no cost to the City) the apparent successful bidder to provide testing data (prior to contract execution or issue of purchase order) from an accredited laboratory or testing facility documenting the proposed products and or product packaging polychlorinated biphenyl levels.**

	Yes	No	Don't Know
As far as you know has this type product been tested for PCBs by a WA State accredited lab using EPA Method 1668c (or equivalent as updated)?			✓
If so were PCBs found at a measureable level?			✓
As far as you know has this actual product been tested for PCBs by a WA State accredited lab using EPA Method 1668 (or equivalent as updated)?			✓

If so attach the results or note from whom the results can be obtained.			
Do you have reason to believe the product contains measureable levels of PCBs?		✓	
Do you have reason to believe the product packaging contains measureable levels of PCBs?		✓	

## SECTION II. SPECIAL INSTRUCTIONS

1. Any specification questions concerning this Quote should be directed to Jon Eckhart, Lab Supervisor, RPWRF (509) 625-4641 [jeckhart@spokanecity.org](mailto:jeckhart@spokanecity.org). Any administrative questions concerning this Quote should be directed to Connie Wahl, Purchasing, at [cwahl@spokanecity.org](mailto:cwahl@spokanecity.org).
2. If the product differs from the provisions contained herein, these differences must be explained in detail.
3. Vendors found to have "overstated" the true ability of their product shall reimburse the City for all costs incurred with remanufacturing or replacement of units until all criteria has been satisfied. These costs shall also include legal, rentals, travel, etc.
4. Any references herein to a particular make or model number are intended not to be restrictive, but to set forth an acceptable level of quality and design.
5. Successful bidder shall furnish standard warranty as well as any other warranty required in the Quote specifications along with statement as to where and how such warranty work will be performed.
6. Delivery time shall be a consideration of awarding this contract. Therefore the City requests a completed delivery date **within 7 days ARO to 6602 N. AL White Pkwy.**
7. Federal and State laws governing this product and its final certification must be satisfied.
8. It shall be the Vendor's responsibility to conform to all Federal Standards for certification.
9. The following technical specifications are the minimum acceptable specifications and failure to comply may be used as a basis for rejection of the Quote.

## I ACKNOWLEDGE RECEIPT OF AND COMPLIANCE WITH THE ABOVE GENERAL AND SPECIAL INSTRUCTIONS

JTO

**INITIAL**

### SECTION III. TECHNICAL SPECIFICATIONS

It is the intent of these specifications to describe Nitrate Oxygen Odor Control Solution. The City will make final determination of product meeting minimum specifications.

Bidder must acknowledge each specification shown in Section III, Technical Specifications, as follows:

**A. "To Be Supplied" Column**

Bidder will initial when the product offered is equal to or better than the individual specification. State your exact capabilities if different from specification stated or a tolerance is given.

**B. "Exceptions" Column**

Explain all exceptions to specification as stated. **NOTE:** All equivalents (substitutes) require explanation. (Use additional paper with reference to item number and respective question (number)).

MINIMUM SPECIFICATIONS CALLED FOR	TO BE SUPPLIED	EXCEPTIONS
<u>Item specs here</u>		
1. Ammonium, calcium, or nitrate double salt with minimum of 3.5 pounds of nitrate-oxygen per gallon	✓	
2. Active Nitrate concentration is 28% in weight per weight percentage	✓	
3. Capable of reducing the dissolved hydrogen sulfide concentration in wastewater to less than 0.1 mg/L	✓	
4. pH no less than 5 and greater than 8 pH	✓	
5. have a freezing point of less than 10 degrees Fahrenheit	✓	
6. provide spec sheet with minimum nitrate/oxygen content and crystallization point	✓	

**Location of delivery:** 6602 N. AL White Pkwy

### PART IV. QUOTE SUBMISSION AND EVALUATION

#### SECTION I. QUOTE SUBMISSION

**1. SUBMISSION DUE DATE AND TIME**

The Purchaser is not responsible for Quotes delivered late. It is the responsibility of the Bidder to be sure the Quotes are sent sufficiently ahead of time to be received **no later than 3:00 p.m. on Thursday, March 14, 2019.**

**2. PREPARATION OF QUOTES**

All Quotes shall be typed or printed in ink, prepared on the document furnished by the Purchaser and signed by an authorized person of Bidder's firm. Use recycled paper and both sides of paper sheets whenever practicable. If errors are made, they may be crossed out. Corrections shall be printed in ink or typewritten adjacent and initialed in ink by the person signing the Quote. IF THE QUOTES CONTAIN ANY OMISSION, ERASURES, ALTERATIONS, ADDITIONS, OR ITEMS NOT CALLED FOR IN THE PROPOSAL, OR CONTAIN IRREGULARITIES OF ANY KIND, IT MAY CONSTITUTE SUFFICIENT CAUSE FOR REJECTION. **QUOTES MAY BE SUBMITTED BY HAND, MAIL, OR EMAIL.**

The Purchaser is not responsible for Quotes delivered late. It is the responsibility of the Bidder to be sure the Quotes are sent sufficiently ahead of time to be received **no later than 3:00 PM** on the due date.

### 3. EMAILING QUOTES

Email one copy to City of Spokane Purchasing at [cwahl@spokanecity.org](mailto:cwahl@spokanecity.org). **It is the responsibility of the Bidder to be sure the email is received.** If you do not receive an email confirmation sent directly by Purchasing, it is recommended that you call the contact name listed in Quote to confirm receipt. **A delivery confirmation receipt generated from your original email is not a guaranteed confirmation of receipt.**

### 4. QUOTES SUBMITTED BY HAND OR MAIL

**Place one (1) original and one (1) electronic copy of the Quote in a sealed envelope.**

#### **Envelope Preparation:**

On the front of the envelope, place the following information:

**“QUOTE – IMPORTANT”  
“QUOTE #773-19 – NITRATE OXYGEN ODOR CONTROL SOLUTION”  
“DUE: THURSDAY, MARCH 14, 2019 - 3:00 P.M.”  
YOUR COMPANY NAME**

If you do not put the above information on your envelope, it could be opened early or late and damage your chance to respond.

#### **Delivery by Mail:**

City of Spokane – Purchasing  
6th Floor – City Hall  
808 West Spokane Falls Boulevard  
Spokane, WA 99201-3316

#### **Hand Delivery:**

City of Spokane – “My Spokane” Service Desk  
1st Floor – City Hall  
808 West Spokane Falls Boulevard  
Spokane, WA 99201-3316

### 5. INTERPRETATION

If the Bidder discovers any errors, discrepancies or omissions in the Quote specifications, or has any questions about the specifications, the Bidder must notify Purchasing in writing. Any corrections issued by the Purchaser will be incorporated into the contract or purchase order.

### 6. WITHDRAWAL OF QUOTES

Bidders may make written request to Purchasing for withdrawal of a sealed Quote prior to the scheduled Quote due date and time. Unless otherwise specified, no Quotes may be withdrawn for a minimum of thirty (30) calendar days after the due date.

## **SECTION II. QUOTE EVALUATION**

### 1. EVALUATION OF QUOTES

Evaluation of Quotes shall be based upon the following criteria, where applicable:

- The price, including the effect of discounts. Price may be determined by life cycle costing or total cost quoting, when advantageous to the Purchaser.
- The quality of the items quoted, their conformity to specifications and the purpose for which they are required.
- The Bidder's ability to provide prompt and efficient service and/or delivery.
- The character, integrity, reputation, judgment, experience and efficiency of the Bidder.
- The quality of performance of previous contracts or services.



- The previous and existing compliance by the Bidder with the laws relating to the contract or services.
- Uniformity or interchangeability.
- The energy efficiency of the product throughout its life.
- Any other information having a bearing on the decision to award the contract.

## **2. QUOTING ERRORS**

Unit pricing will prevail in the circumstance of unit and extension pricing discrepancies. When, after the opening and tabulation of Quotes, a Bidder claims error, and requests to be relieved of award, he will be required to promptly present certified work sheets. The Purchaser will review the work sheets and if the Purchaser is convinced, by clear and convincing evidence, that an honest, mathematically excusable error or critical omission of costs has been made, the Bidder may be relieved of his Quote.

## **3. BIDDER PREQUALIFICATION**

Prior to award of contract or purchase, Bidders shall be required to submit evidence of sufficient facilities, equipment, experience and financial ability to insure completion of the work, unless waived by the Purchaser.

## **4. REJECTION OF QUOTES**

The Purchaser reserves the right to reject any or all Quotes; to waive minor deviations from the specifications, to waive any informality in Quotes received, whenever it is in the Purchaser's best interest, and to accept or reject all or part of this Quote at prices shown.

## **5. AWARD OF CONTRACT**

Award of contract or purchase, when made, will be to the Bidder whose Quote is the most favorable to the Purchaser, taking into consideration price and the other evaluation factors. INTERLOCAL AND STATE CONTRACTS WHERE APPLICABLE WILL BE CONSIDERED AS A QUOTE. Any order resulting from award will be submitted by Purchasing. Unsuccessful Bidders will not automatically be notified of Quote results.

# **PART V. STANDARD TERMS AND CONDITIONS**

## **1. PATENTS, TRADEMARKS AND COPYRIGHTS**

The Vendor warrants the items to be furnished do not infringe any patent, registered trademark or copyright, and agrees to hold Purchaser harmless in the event of any infringement or claim thereof.

## **2. TITLE**

The Vendor warrants that the items to be furnished are free and clear of all liens and encumbrances and that the Vendor has good and marketable title to same.

## **3. COMPLIANCE WITH LAWS**

The Vendor shall comply with all applicable federal, state and local laws, rules, and regulations, affecting its performance and hold the Purchaser harmless against any claims arising from the violation thereof.

## **4. CONTRACT DISPUTES**

Any contract agreement shall be performed under the laws of the State of Washington. Any litigation to enforce such agreement or any of its provisions shall be brought in Spokane County, Washington.

## **5. OVERCHARGES**

The Vendor assigns to the Purchaser any claims for anti-trust violations or overcharges relating to items purchased in filling the Purchaser's orders. The Vendor warrants that its suppliers will also assign any such claims.

## **6. WARRANTIES**

The Vendor warrants that the items furnished will conform to its description and any applicable specifications, shall be of good merchantable quality and fit for the known purpose for which sold. This warranty is in addition to any standard warranty or service guarantee by Vendor to the Purchaser.

## **7. UNIFORM COMMERCIAL CODE**

The Uniform Commercial Code (UCC), as effective in Washington State, RCW Title 62A, shall determine the rights and duties of the Vendor and the Purchaser.

## **8. NON-DISCRIMINATION**

No individual shall be excluded from participation in, denied the benefit of, subjected to discrimination under, or denied employment in the administration of or in connection with this Contract because of age, sex, race, color, religion, creed, marital status, familial status, sexual orientation including gender expression or gender identity, national origin, honorably discharged veteran or military status, the presence of any sensory, mental or physical disability, or use of a service animal by a person with disabilities. The Vendor agrees to comply with, and to require that all subcontractors comply with, Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act, as applicable to the Vendor.

## **9. ANTI-KICKBACK**

No officer or employee of the City of Spokane, having the power or duty to perform an official act or action related to this contract shall have or acquire any interest in the contract, or have solicited, accepted or granted a present or future gift, favor, service or other thing of value from or to any person involved in the contract.

## **10. SAVE HARMLESS**

Vendor shall protect, indemnify and save the Purchaser harmless from and against any damage, cost or liability for any injuries to persons or property arising from acts or omissions of Vendor, his employees, agents or sub-contractors, howsoever caused.

## **11. TAXES**

- FEDERAL. The Purchaser is exempt from federal excise taxes. Exemption certificates will be furnished on request.
- SALES TAX. The City of Spokane is required to pay Washington State Sales/Use Tax on all purchases. All bidders whether inside or outside the State of Washington shall show the sales tax rate applicable to this quote. All taxes payable by the City of Spokane as a result of this contract are considered a part of the quote evaluation. Washington State Sales Tax is payable by the City of Spokane direct to the State of Washington on awards made to out-of-state Vendors who do not have a Washington State Sales Tax Number. If you have any questions concerning the sales tax, contact the Washington State Department of Revenue (509) 482-3800.
- Business, occupational and personal property taxes are the responsibility of the Vendor.

## **12. BRAND NAME "OR EQUAL"**

Brand names and numbers, when used, are for the purpose of indicating the desired quality, performance or use. Vendors may offer other brands of comparable or better quality, performance and use. Descriptive literature shall also be submitted, when available. Any Quote containing a brand which is not of equal quality, performance or use, must be represented **as an alternate and not as an equal**.

## **13. QUANTITIES**

Quantities, when used, are estimates only and are given for the purpose of comparing Quotes on a uniform basis. Quantities shall be quoted on a more or less basis. Payment will be made only for quantities actually ordered, delivered and accepted, whether greater or less than the stated amounts.

## **14. ASSIGNMENTS**

The provisions or monies due under the contract or purchase order shall be assignable only with the prior consent of Purchasing.

## **15. CHANGES**

No alteration in any of the terms, conditions, delivery, price, quality or specifications of items ordered will be effective without the written consent of Purchasing.

**16. DEFAULT**

The Vendor agrees that if a law suit is instituted by the Purchaser for any default on the part of the Vendor, and the Vendor is adjudged to be in default, he/she shall pay to the Purchaser all costs and expenses, expended or incurred by the Purchaser in connection therewith, and reasonable attorney's fees. Venue shall be in the County of Spokane, Washington.

**17. REJECTION**

All items purchased herein are subject to approval by the Purchaser. Any rejection of items resulting because of non-conformity to the terms or specifications of this order whether held by the Purchaser or returned, will be at the Vendor's risk and expense.

**17. TERMINATION**

In event of a breach by Vendor of any of the provisions of this order, Purchaser reserves the right to terminate upon immediate oral or written notification to the Vendor. Vendor shall be liable for damages suffered by the Purchaser resulting from Vendor's breach of contract.

**18. NON-WAIVER**

No delay or waiver, by either party, to exercise any contractual right shall be considered as a waiver of such right or any other right.

**19. SEVERABILITY**

In the event any provision of this contract should become invalid, the rest of the contract shall remain in full force and effect.

**20. MINORITY BUSINESS OPPORTUNITIES**

Purchaser actively solicits the participation of certified minority business enterprises in the bidding of any and all goods or services.

**21. INSURANCE**

During the term of the contract, the Consultant shall maintain in force at its own expense, each insurance coverage noted below:

- A. Worker's Compensation Insurance in compliance with RCW 51.12.020, which requires subject employers to provide workers' compensation coverage for all their subject workers and Employer's Liability Insurance in the amount of \$1,000,000;
- B. General Liability Insurance on an occurrence basis, with a combined single limit of not less than \$1,000,000 each occurrence for bodily injury and property damage. It shall include contractual liability coverage for the indemnity provided under this contract. It shall provide that the City, its officers and employees are additional insureds but only with respect to the Consultant's services to be provided under this contract; and
- C. Automobile Liability Insurance with a combined single limit, or the equivalent of not less than \$1,000,000 each accident for bodily injury and property damage, including coverage for owned, hired and non-owned vehicles.

There shall be no cancellation, material change, reduction of limits or intent not to renew the insurance coverage(s) without sixty (60) days written notice from the Consultant or its insurer(s) to the City.

As evidence of the insurance coverages required by this contract, the Consultant shall furnish acceptable insurance certificates to the City at the time it returns the signed contract. The certificate shall specify all of the parties who are additional insured, and include applicable policy endorsements, the sixty (60) day cancellation clause, and the deductible or retention level, as well as policy limits. Insuring companies or entities are subject to City acceptance and must have a rating of A- or higher by Best. Copies of all applicable endorsements shall be provided. The Consultant shall be financially responsible for all pertinent deductibles, self-insured retentions, and/or self-insurance.

## **22. FREIGHT TERMS**

- All freight charges included on an invoice must be supported by a freight bill and included in the unit price in pricing table.
- The Purchaser reserves the right to be advised of selection of method and type of carrier.
- No charges will be allowed for handling, including but not limited to packing, wrapping, bags, containers or reels, unless otherwise stated herein.
- All invoices, packing lists, packages, shipping notices, instruction manuals, and other written documents affecting this order shall contain the applicable purchase order number. Packing lists shall be enclosed in every box or package shipped pursuant to this order, indicating the contents therein. Invoices will not be processed for payment until all items invoiced are received.
- Risk of Loss. Regardless of F.O.B. point, Vendor agrees to bear all risks of loss, injury or destruction of items ordered herein which occur prior to delivery; such loss, injury or destruction shall not release Vendor from any obligation hereunder.

## **23. VENDOR'S COOPERATION**

The Vendor shall communicate with City of Spokane Purchasing and shall actively cooperate in all matters pertaining to this contract or purchase in any way Purchasing may direct to the end that the Purchaser shall receive efficient and satisfactory service.

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

04/29/2019

<u>Date Rec'd</u>	4/16/2019
<u>Clerk's File #</u>	OPR 2019-0316
<u>Renews #</u>	

Submitting Dept	INTEGRATED CAPITAL	Cross Ref #	
Contact Name/Phone	KEVIN PICANCO 625-6088	Project #	
Contact E-Mail	KPICANCO@SPOKANECITY.ORG	Bid #	
Agenda Item Type	Contract Item	Requisition #	
Agenda Item Name	4250 - SHARED MOBILITY (BIKESHARE) - CONTRACT		

Agenda Wording

Shared Mobility (Bikeshare) contract awarded to Lime (Neutron Holdings, Inc.) for an amount to be determined.

Summary (Background)

The shared mobility (bikeshare) pilot in 2018 quickly became a very popular transportation option in the community. With shared mobility policies in place, municipal code revisions adopted and a desire to relaunch a shared mobility program by Spring/Summer of 2019 a Request for Proposals was released in March, 2019 to solicit proposals from shared mobility companies to operate in Spokane. Four proposals were received on April 8th and proposals were reviewed and scored by a five person

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

Revenue	\$ to be determined	# to be determined
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Select	\$	#
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Select	\$	#
--------	----	---

Select	\$	#
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Approvals	Council Notifications
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<u>Dept Head</u>	MILLER, KATHERINE	<u>Study Session</u>	
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<u>Division Director</u>	SIMMONS, SCOTT	<u>Other</u>	PIES 4/22/19
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<u>Finance</u>	ALBIN-MOORE, ANGELA	Distribution List
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<u>Legal</u>	ODLE, MARI	eraea@spokanecity.org
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<u>For the Mayor</u>	ORMSBY, MICHAEL	icmaccounting@spokanecity.org
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Additional Approvals	kpicanco@spokanecity.org
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<u>Purchasing</u>	
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Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

Summary (Background)

selection committee. Lime (Neutron Holdings, Inc.) was selected as the preferred vendor. Contract negotiations are in process with the intent of bringing a contract forward for City Council briefing on April 22nd and decision on April 29th.

Fiscal Impact		Budget Account
Select	\$	#
Select	\$	#

Distribution List


## Briefing Paper

### Public Infrastructure, Environment, and Sustainability

<b>Division &amp; Department:</b>	Public Works Division / Integrated Capital Management
<b>Subject:</b>	Shared Mobility (Bikeshare) – Vendor Selection and Contract
<b>Date:</b>	4/22/19
<b>Author (email &amp; phone):</b>	<a href="mailto:kpicanco@spokanecity.org">kpicanco@spokanecity.org</a> ; <a href="mailto:bblankenagel@spokanecity.org">bblankenagel@spokanecity.org</a>
<b>City Council Sponsor:</b>	
<b>Executive Sponsor:</b>	
<b>Committee(s) Impacted:</b>	
<b>Type of Agenda item:</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
<b>Alignment:</b> (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	
<b>Strategic Initiative:</b>	
<b>Deadline:</b>	
<b>Outcome:</b> (deliverables, delivery duties, milestones to meet)	Shared Mobility (Bikeshare) Vendor Selection and Contract
<b>Background/History:</b> <i>The shared mobility (bikeshare) pilot in 2018 quickly became a very popular transportation option in the community. With shared mobility policies in place, municipal code revisions adopted and a desire to relaunch a shared mobility program by Spring/Summer of 2019 a Request for Proposals was released in March, 2019 to solicit proposals from shared mobility companies to operate in Spokane. Four proposals were received on April 8<sup>th</sup> and proposals were reviewed and scored by a five person selection committee. Lime (Neutron Holdings, Inc.) was selected as the preferred vendor. Contract negotiations are in process with the intent of bringing a contract forward for City Council briefing on April 22<sup>nd</sup> and decision on April 29<sup>th</sup>.</i>	
<b>Executive Summary:</b> <ul style="list-style-type: none"> <li>○ The Shared Mobility Request for Proposals (RFP 4513-19) was issued March 20<sup>th</sup>; proposals were due on April 8 and four proposals were received.</li> <li>○ Proposals were reviewed and scored by a five person selection committee made up of two City staff, a City Council representative, a representative from the Mayor's office and a staff person from Spokane Transit Authority.</li> <li>○ Lime (Neutron Holdings, Inc) was deemed the top ranked vendor and the selection committee agreed to move forward with contract negotiations with Lime.</li> <li>○ Staff expects to bring a contract forward for City Council Advance Agenda briefing on April 22<sup>nd</sup> with a decision at the April 29<sup>th</sup> City Council meeting.</li> <li>○ Relaunch of the Shared Mobility program is anticipated for the week of May 13<sup>th</sup>.</li> <li>○ A public information campaign addressing appropriate riding and parking behavior and rules and laws governing shared mobility is in development and will be released early May in concert with the shared mobility program relaunch.</li> </ul>	
<b>Budget Impact:</b> Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A Annual/Reoccurring expenditure? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A If new, specify funding source: Other budget impacts: (revenue generating, match requirements, etc.)	
<b>Operations Impact:</b> <div style="text-align: center;"> <input checked="" type="checkbox"/> <input type="checkbox"/> </div>	

Consistent with current operations/policy?	<input 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:			



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

04/29/2019

<u>Date Rec'd</u>	4/16/2019
<u>Clerk's File #</u>	OPR 2017-0155
<u>Renews #</u>	

Submitting Dept	SOLID WASTE DISPOSAL	Cross Ref #	
Contact Name/Phone	DAVID PAINE 625-6878	Project #	
Contact E-Mail	DPAINE@SPOKANECITY.ORG	Bid #	RFB 4308-16
Agenda Item Type	Contract Item	Requisition #	20473
Agenda Item Name	4490 CONTRACT AMENDMENT FOR SCAFFOLDING SERVICES AT THE WTE		

Agenda Wording

Contract amendment with Safway Services, LLC, for scaffolding services performed at the WTE through March of 2019 for an additional \$60,000.00 incl. tax.

Summary (Background)

During scheduled and emergency outages at the WTEF, scaffolding must be placed in the boilers to allow safe access for repairs. The contract for these services was just renewed for an additional \$350,000.00 running from April 1, 2019 through March 31, 2020. However, unexpected boiler failures in 2018 combined with already scheduled work in February of 2019 are requiring an additional \$60,000.00 for work done in the contract term running from April 1, 2018 through March 31, 2019.

<u>Fiscal Impact</u>	Grant related? NO	<u>Budget Account</u>
	Public Works? YES	
Expense \$ \$60,000.00		# 4490-44100-37148-54803-34002
Select \$		#
Select \$		#
Select \$		#
<u>Approvals</u>		<u>Council Notifications</u>
<u>Dept Head</u>	CONKLIN, CHUCK	<u>Study Session</u> PIES 3/25
<u>Division Director</u>	SIMMONS, SCOTT M.	<u>Other</u>
<u>Finance</u>	ALBIN-MOORE, ANGELA	Distribution List
<u>Legal</u>	ODLE, MARI	mdorgan@spokanecity.org
<u>For the Mayor</u>	ORMSBY, MICHAEL	jsalstrom@spokanecity.org
<u>Additional Approvals</u>		tprince@spokanecity.org
<u>Purchasing</u>	PRINCE, THEA	

## Briefing Paper

### Public Infrastructure, Environment and Sustainability Committee

<b>Division &amp; Department:</b>	Public Works Division; Solid Waste Disposal
<b>Subject:</b>	Contract Amendment for Scaffolding Services at Waste to Energy
<b>Date:</b>	March 25, 2019
<b>Contact (email &amp; phone):</b>	David Paine, <a href="mailto:dpaine@spokanecity.org">dpaine@spokanecity.org</a> , 625-6878
<b>City Council Sponsor:</b>	
<b>Executive Sponsor:</b>	
<b>Committee(s) Impacted:</b>	Public Infrastructure, Environment and Sustainability Committee
<b>Type of Agenda item:</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
<b>Alignment:</b> (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	
<b>Strategic Initiative:</b>	Innovative Infrastructure-Sustainability of the WTEF Operation
<b>Deadline:</b>	
<b>Outcome:</b> (deliverables, delivery duties, milestones to meet)	Council approval for additional funds to be added to the contract for scaffolding services at the WTE.
<b>Background/History:</b> <p>During scheduled and emergency outages at the WTEF, scaffolding must be placed in the boilers to allow safe access for repairs. Bids for scaffolding services for the WTE were solicited under RFB 4308-16 and Safway Services, LLC, was awarded the contract and provided this service in 2018.</p> <p>The contract for these services was just renewed for an additional \$350,000.00 running from April 1, 2019 through March 31, 2020. However, unexpected boiler failures in 2018 combined with already scheduled work in February of 2019 are requiring an additional \$60,000.00 for work done in the current contract term running from April 1, 2018 through March 31, 2019.</p>	
<b>Executive Summary:</b> <ul style="list-style-type: none"> <li>Amendment with cost to contract with Safway Services, LLC., for an additional \$60,000.00.</li> <li>Contract was for \$300,000.00 from April 1, 2018 through March 31, 2019.</li> <li>An amendment for an additional \$120,000.00 was done in November of 2018.</li> <li>Total cost of contract with amendments for 2018-2019 term will be \$480,000.00 total.</li> <li>Additional funds needed due to unexpected boiler failures, resulting in emergency outages, combined with the already scheduled outages.</li> </ul>	
<b>Budget Impact:</b> 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.)	
<b>Operations Impact:</b> 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 AMENDMENT**

Title: **SCAFFOLDING SERVICES FOR WASTE TO ENERGY FACILITY (WTE)**

This Contract Amendment including additional compensation is made and entered into by and between the **CITY OF SPOKANE** as ("City"), a Washington municipal corporation, and **SAFWAY SERVICES, LLC**, whose address is 6206 East Trent Avenue, Building #3, Suite A, Spokane Valley, Washington, 99212 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 all labor, materials, tools, construction equipment, transportation, supplies, supervision, organization, and other items of work and costs necessary for the proper execution and completion of the work described in the City's request for bids entitled Scaffolding Services for Scheduled Outages and Emergency Outages RFB #4308-16; and*

*WHEREAS, additional funds are necessary due to the additional unanticipated repairs needed in the boilers, thus the original Contract needs to be formally Amended by this written document; and*

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

**1. CONTRACT DOCUMENTS.**

The Contract, dated March 21, 2017 and April 14, 2017, 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 Amendment shall become effective upon signature of the parties.

**3. COMPENSATION.**

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

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

**SAFWAY SERVICES, 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

19-057

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

04/29/2019

<u>Date Rec'd</u>	4/16/2019
<u>Clerk's File #</u>	OPR 2018-0072
<u>Renews #</u>	
<u>Cross Ref #</u>	
<u>Project #</u>	
<u>Bid #</u>	
<u>Requisition #</u>	CR20478

<u>Submitting Dept</u>	CITY ATTORNEY
<u>Contact Name/Phone</u>	MIKE ORMSBY 6287
<u>Contact E-Mail</u>	MORMSBY@SPOKANECITY.ORG
<u>Agenda Item Type</u>	Contract Item
<u>Agenda Item Name</u>	0500 SPECIAL COUNSEL CONTRACT AMENDMENT

**Agenda Wording**

Collette Leland and the firm Winston Cashatt provide representation in an Arbitration involving a contract dispute with IMCO Construction Co.

**Summary (Background)**

The City entered into an agreement for legal services regarding both defense against and prosecution of claims on a project at the Wastewater Treatment Plant. We are requesting an additional \$170,000.00 for a total of \$644,000.00 for legal fees, experts and discovery.

<u>Fiscal Impact</u>	Grant related? NO	<u>Budget Account</u>
	Public Works? NO	
Expense	\$ 170,000.00	# 4320-30210-35141-54105
Select	\$	#
Select	\$	#
Select	\$	#
<u>Approvals</u>	<u>Council Notifications</u>	
<u>Dept Head</u>	DALTON, PAT	<u>Study Session</u> 4/15/19
<u>Division Director</u>		<u>Other</u>
<u>Finance</u>	BUSTOS, KIM	<u>Distribution List</u>
<u>Legal</u>	DALTON, PAT	ccl@winstoncashatt.com
<u>For the Mayor</u>	ORMSBY, MICHAEL	sdhansen@spokanecity.org
<u>Additional Approvals</u>		hbarnhart@spokanecity.org
<u>Purchasing</u>		mtaylor@spokanecity.org
		aduffey@spokanecity.org
		kkeck@spokanecity.org
		lberry@spokanecity.org



**City of Spokane**  
**SPECIAL COUNSEL  
CONTRACT AMENDMENT**

This Contract Amendment is made and entered into by and between the **City of Spokane** as ("City"), a Washington municipal corporation, and **COLLETTE C. LELAND** and **WINSTON & CASHATT LAWYERS**, whose address is 601 West Riverside Avenue, Suite 1900, Spokane, Washington 99201, as ("Firm"), individually hereafter referenced as a "party", and together as the "parties".

*WHEREAS, the parties entered into a Contract wherein the Firm agreed to act as SPECIAL COUNSEL ON BEHALF OF THE CITY IN A CONTRACT DISPUTE WITH IMCO CONSTRUCTION, consistent with applicable laws and this Contract.*

*WHEREAS, additional funds are necessary, thus the original Contract needs to be formally Amended by this written document; and*

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

**1. CONTRACT DOCUMENTS.**

The original Contract, dated January 30, 2018, 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 Amendment shall become effective upon signature by both parties.

**3. COMPENSATION.**

The City shall pay an additional amount not to exceed **ONE HUNDRED SEVENTY THOUSAND AND NO/100 DOLLARS (\$170,000.00)** as full compensation for everything furnished and done under this Contract Amendment. The total amount under the original Contract, any subsequent amendments, and this Contract Amendment is **SIX HUNDRED FORTY FOUR THOUSAND AND NO/100 DOLLARS (\$644,000.00)**.

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

**WINSTON & CASHATT LAWYERS**

**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:**

04/29/2019

Date Rec'd

4/17/2019

Clerk's File #

ORD C35763

Renews #Submitting Dept

FINANCE &amp; ADMIN

Contact

DUSTY 625-6482

Contact E-Mail

DFREDRICKSON@SPOOKANECITY.ORG

Agenda Item Type

Special Budget Ordinance

Agenda Item Name

5750 - SBO - BUDGET ALLOCATION

Cross Ref #Project #Bid #Requisition #Agenda Wording

Before the Office of Performance Management (PMO) was moved to Finance & Administration at the beginning of 2019, the PMO's 2019 budget was submitted as a part of ITSD. This included operational costs and Council-approved contracts for labor to

Summary (Background)

The purpose of this request is to allocate \$494,055 from Interfund Revenue to Interfund Expense totaling \$494,055, as described: • Contractual Services - were approved in late 2018 with the funding listed as "to be determined". Obligated contract were not included in the adopted 2019 Office of Performance Management budget in the amount of \$480,770.

Fiscal

Grant related?

NO

Budget Account

Public Works?

NO

Expense \$ 480,770.00

# 5750-73250-18880-54201-99999

Expense \$ 5,500.00

# 5750-73250-18880-54302-99999

Expense \$ 7,785.00

# 5750-73250-18880-54902-99999

Revenue \$ (494,055.00)

# 5750-30210-99999-34870-99999

ApprovalsCouncil NotificationsDept Head

MARCHAND, CRYSTAL

Study Session

Sustain Resources

Division Director

MARCHAND, CRYSTAL

OtherFinance

KECK, KATHLEEN

Distribution ListLegal

DALTON, PAT

For the Mayor

ORMSBY, MICHAEL

Additional ApprovalsPurchasing





Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

support key, enterprise initiatives, such as, the Utility Information System (UIS) and Parking System Replacement projects.

Summary (Background)

- Cell Phones - staff were moved to the Office of Performance Management in the adoption of the 2019 budget, additional Cell Phone budget is needed in the amount of \$5,500 to cover staff. •
- Registration/Schooling - staff were moved to the Office of Performance Management in the adoption of the 2019 budget, additional registration/schooling budget is needed in the amount of \$7,785 for prior approved training.

Fiscal Impact		Budget Account	
Select	\$		#
Select	\$		#
Distribution List			

ORDINANCE NO C35763

An ordinance amending Ordinance No. C-35703, passed by the City Council December 10, 2018, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2019, making appropriations to the various funds of the City of Spokane government for the fiscal year ending December 31, 2019, and providing it shall take effect immediately upon passage", and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2019 budget Ordinance No. C-35703, as above entitled, and which passed the City Council December 10, 2018, it is necessary to make changes in the appropriations of the Office of Performance Management Fund, which changes could not have been anticipated or known at the time of making such budget ordinance; and

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

The City of Spokane does ordain:

Section 1. That in the budget of the Office of Performance Management and the budget annexed thereto with reference to the Office of Performance Management, the following changes be made:

FROM:	5750-30210 99999-34870	Office of Performance Mgmt. IF Revenue	<u>\$494,055</u>
TO:	5750-73250 18880-54201	Office of Performance Mgmt. Contract Services	<u>\$480,770</u>
TO:	5750-73250 18880-54302	Office of Performance Mgmt. Cell Phone	<u>\$5,500</u>
TO:	5750-73250 18880-54902	Office of Performance Mgmt. Registration/Schooling	<u>\$7,785</u>

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

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

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

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

Approved as to form: \_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

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

## Briefing Paper

### Sustainable Resources

<b>Division &amp; Department:</b>	General Fund, Office of Performance Management (PMO)
<b>Subject:</b>	SBO – Budget Allocation
<b>Date:</b>	April 15, 2019
<b>Contact (email &amp; phone):</b>	Dusty Fredrickson ( <a href="mailto:dfredrickson@spokanecity.org">dfredrickson@spokanecity.org</a> )(625-6482)
<b>City Council Sponsor:</b>	
<b>Executive Sponsor:</b>	
<b>Committee(s) Impacted:</b>	Sustainable Resources Committee
<b>Type of Agenda item:</b>	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
<b>Alignment:</b> (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	2019 Budget Funding Allocation
<b>Strategic Initiative:</b>	
<b>Deadline:</b>	
<b>Outcome:</b>	

#### Narrative:

Before the Office of Performance Management (PMO) was moved to Finance & Administration at the beginning of 2019, the PMO's 2019 budget was submitted as a part of ITSD. This included operational costs and Council-approved contracts for labor to support key, enterprise initiatives, such as, the Utility Information System (UIS) and Parking System Replacement projects.

The purpose of this request is to allocate \$494,055 from Interfund Revenue to Interfund Expense totaling \$494,055, as described:

- Contractual Services - were approved in late 2018 with the funding listed as "to be determined". Obligated contract were not included in the adopted 2019 Office of Performance Management budget in the amount of \$480,770.
- Cell Phones - staff were moved to the Office of Performance Management in the adoption of the 2019 budget, additional Cell Phone budget is needed in the amount of \$5,500 to cover staff.
- Registration/Schooling – staff were moved to the Office of Performance Management in the adoption of the 2019 budget, additional registration/schooling budget is needed in the amount of \$7,785 for prior approved training.

#### Executive Summary:

##### Impact

This is required to continue running the Office of Performance Management and key City Initiatives in an effective manner, such as Utility Information System Implementation and Continuity of Operations.

##### Action

Recommend approval to allocate \$494,055 from IF Revenue to PMO operating budget.

##### Funding

Funding for the majority of this request will be recouped through interfund billing.

<u>Budget Impact:</u>		
Approved in current year budget?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> N/A
Annual/Reoccurring expenditure?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
If new, specify funding source:		
Other budget impacts: (revenue generating, match requirements, etc.)		
<u>Operations Impact:</u>		
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:		

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

04/29/2019

<u>Date Rec'd</u>	4/17/2019
<u>Clerk's File #</u>	RES 2019-0031
<u>Renews #</u>	

Submitting Dept	CITY COUNCIL	Cross Ref #	
Contact Name/Phone	BEN STUCKART 6256269	Project #	
Contact E-Mail	AMCDANIEL@SPOKANECITY.ORG	Bid #	
Agenda Item Type	Resolutions	Requisition #	
Agenda Item Name	0320 AUTHORIZING THE SALE OF SURPLUS CITY PROPERTY AT 4017 E.		

Agenda Wording

A RESOLUTION PROVIDING FOR THE SALE OF SURPLUS CITY PROPERTY.

Summary (Background)

This resolution authorizes the sale of surplus City of Spokane property located at 4017 E. Hartson Avenue.

<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>	MCDANIEL, ADAM	<u>Study Session</u>
<u>Division Director</u>		<u>Other</u> Finance & Admin -
<u>Finance</u>	BUSTOS, KIM	Distribution List
<u>Legal</u>	PICCOLO, MIKE	mfolsom@spokanecity.org
<u>For the Mayor</u>	ORMSBY, MICHAEL	kbustos@spokanecity.org
Additional Approvals		kschmitt@spokanecity.org
<u>Purchasing</u>		



Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

Summary (Background)

This ordinance incorporates the entire array of commercial vehicle regulations into the Spokane Municipal Code thereby allowing the Spokane Municipal Court to exercise jurisdiction over these violations.

Fiscal Impact

Select \$

Budget Account

#

Select \$

#

Distribution List


**RESOLUTION NO. 2019 - \_\_\_\_\_**

**A RESOLUTION PROVIDING FOR THE SALE OF SURPLUS CITY PROPERTY.**

WHEREAS, the City of Spokane is the owner of certain properties located at 4017 E. Hartson Avenue and 4023 E. Hartson Avenue in the City of Spokane, County of Spokane, State of Washington, and more particularly described in Exhibit A hereto ("Properties"); and

WHEREAS, pursuant to Chapter 12.10 of the Spokane Municipal Code, the Real Estate Review Committee reviewed the Properties and determined that the City Council should declare the Properties surplus and authorize the City's Asset Management Department to find buyers for the Properties; and

WHEREAS, the Properties were seized and forfeited under RCW 60.50.505; and

WHEREAS, the City of Spokane finds that the Properties are no longer needed for a public use of the City of Spokane and are hereby declared to be surplus; and

WHEREAS, RCW 35.22.280(3) authorizes the City to dispose of surplus property upon commercially reasonable means; and

WHEREAS, the City of Spokane is required to seek fair market value for the Properties.

NOW, THEREFORE - - it is hereby resolved by the Spokane City Council;

1. The Properties described in Attachment A are hereby declared to be surplus City property no longer needed for the present and foreseeable public uses of the City.
2. The City of Spokane, through its Asset Management Department shall determine the fair market value of the Properties using commercially reasonable means.
3. The Asset Management Department is authorized to seek a qualified buyer or buyers for the Properties and to negotiate the terms of a purchase and sale agreement(s) with said buyer(s), subject to final approval by the City Council.

ADOPTED by the Spokane City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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

Approved as to form:

---

Assistant City Attorney



EXHIBIT "A"

4017 E. Hartson Avenue

ASSESSORS TAX PARCEL: 35221.2715

LEGALLY DESCRIBED AS:

LOT 16 OF BLOCK 15, ROSSVALE SECOND ADDITION, ACCORDING  
TO PLAT RECORDED IN VOLUME N OF PLATS, PAGE(S) 51 AND 52,  
IN SPOKANE COUNTY, WASHINGTON

4017 E. Hartson Avenue

ASSESSORS TAX PARCEL: 35221.2716

LEGALLY DESCRIBED AS:

LOT 17, BLOCK 15, ROSSVALE SECOND ADDITION, ACCORDING TO  
PLAT RECORDED IN VOLUME N OF PLATS, PAGE(S) 51 AND 52, IN  
SPOKANE COUNTY, WASHINGTON



**RETURN NAME and ADDRESS**



Office of the City Attorney

808 W. Spokane Falls Blvd.

Spokane, WA 99201-3326

Please Type or Print Neatly and Clearly All Information

**Document Title(s)**

Final Order of Forfeiture In Rem, 4017 and 4023 E. Hartson

**Reference Number(s) of Related Documents**

**Grantor(s)** (Last Name, First Name, Middle Initial)

The Heirs and Devisees of the Estate of James J. Desjarlais

**Grantee(s)** (Last Name, First Name, Middle Initial)

City of Spokane

**Legal Description** (Abbreviated form is acceptable, i.e. Section/Township/Range/Qtr Section or Lot/Block/Subdivision)

Lots 16 and 17, Block 15, Rossvale Second Addition, according to Plat recorded

in Volume N of Plants, Page(s) 51 and 52, Spokane County, Washington

**Assessor's Tax Parcel ID Number** 35221.2715 and 35221.2716

The County Auditor will rely on the information provided on this form. The Staff will not read the document to verify the accuracy and completeness of the indexing information provided herein.

**Sign below only if your document is Non-Standard.**

I am requesting an emergency non-standard recording for an additional fee as provided in RCW 36.18.010. I understand that the recording processing requirements may cover up or otherwise obscure some parts of the text of the original document. Fee for non-standard processing is \$50.

\_\_\_\_\_  
Signature of Requesting Party

CN: 201702049608

SN: 21

PC: 5

FILED

SEP 28 2018

Timothy W. Fitzgerald  
SPOKANE COUNTY CLERK

SUPERIOR COURT, STATE OF WASHINGTON, COUNTY OF SPOKANE

CITY OF SPOKANE, a municipal corporation,

Plaintiff,

v.

THE HEIRS AND DEVISEES OF THE  
ESTATE OF JAMES J. DESJARLAIS,  
deceased, potential property owners of 4017  
and 4023 E. Hartson Avenue, Spokane,  
Washington;

JASON J. TRIPP, person in charge of 4017  
and 4023 E. Hartson Avenue, Spokane,  
Washington;

PARTIES IN POSSESSION OF 4017 AND  
4023 E. HARTSON AVENUE, SPOKANE,  
WASHINGTON; and

DEFENDANT IN REM, 4017 and 4023 E.  
Hartson Avenue, Spokane, Washington,

Defendants.

No. 17-2-04960-8

FINAL ORDER OF FORFEITURE  
*In Rem*, 4017 and 4023 E. Hartson  
(RCW 69.50.505)

FINAL ORDER OF FORFEITURE - 1

Michael C. Ormsby, City Attorney  
OFFICE OF THE CITY ATTORNEY  
808 W. Spokane Falls Blvd.  
Spokane, WA 99201-3326  
(509) 625-6225  
FAX (509) 625-6277

1 This matter came before the Court on Plaintiff's Motion for Final Order of  
2 Forfeiture whereby plaintiff, City of Spokane, alleged that Defendant Real Property is  
3 subject to forfeiture to the Spokane Police Department pursuant to RCW 69.50.505.  
4 Plaintiff's motion was based upon the fact that Defendant Real Property is being  
5 used for the delivery of controlled substances, plaintiff caused notice of seizure to be  
6 properly served, and no party filed a claim of ownership or right to possession.  
7

8 The Court has jurisdiction over this matter by virtue of RCW 2.08.010 (grant of  
9 original jurisdiction to superior court in all cases in which the value of the property in  
10 controversy exceeds three hundred dollars) and RCW 69.50.505(2) (real property  
11 subject to forfeiture requires process issued by any superior court). Venue is proper  
12 pursuant to RCW 4.12.010 and RCW 69.50.505.  
13

14 The Defendant Real Property being forfeited is in the City and County of  
15 Spokane located at 4017 and 4023 E. Hartson Avenue, Spokane Washington. Said  
16 property is identified as tax parcel numbers #35221.2715 and 35221.2716 and is  
17 legally described as:  
18

19 LOTS 16 AND 17, BLOCK 15, ROSSVALE SECOND ADDITION,  
20 ACCORDING TO PLAT RECORDED IN VOLUME N OF PLATS,  
21 PAGE(S) 51 AND 52, IN SPOKANE COUNTY, WASHINGTON,  
22 hereinafter referred to as "Defendant Real Property".  
23

24 **BASIS.**

25 The Court considered the pleadings filed in this action along with their  
26 incorporated and attached exhibits: the Summons; Complaint; Memorandum in  
27

Support of Preliminary Injunction; supporting Affidavits; Warrant of Abatement; Preliminary Injunction; Declarations of Service; Stipulated Order Dismissing Watson Estate; Warrant of Arrest *In Rem*; Motion for Warrant of Arrest; Motion and Order Authorizing Service by Publication; Affidavit of Publication; and Motion for Default Order of Forfeiture.

**FINDINGS.**

Based on the evidence presented, the Court finds:

1. Venue and jurisdiction are proper before this Court.
2. Plaintiff met its burden of establishing probable cause that Defendant Real Property is being used with the knowledge of the owner for the delivery of controlled substances.
3. Plaintiff properly seized Defendant real Property on May 25, 2018 by obtaining a Warrant of Arrest *in Rem* and filing and recording a lis pendens in Spokane County, Washington.
4. Plaintiff properly and timely caused notice of seizure to be served on all persons having any known right or interest in Defendant Real Property. On June 18, 2018, four copies of the Motion for Warrant of Arrest *in Rem*, Warrant of Arrest *in Rem*, and recorded Lis Pendens were posted on the entryways to Defendant Real Property. Service by publication was perfected on September 15, 2018 as plaintiff caused notice of seizure to be published in a newspaper of general circulation in Spokane

1 County once a week for six consecutive weeks beginning June 17, 2018 and ending  
2 on July 22, 2018.

3 5. No timely claims or petitions were received or filed. Neither the Court nor  
4 the plaintiff received any claim of ownership. Ninety days have passed from the date  
5 of the service of the notice of seizure and intended forfeiture.  
6

7 6. Failure of a party to file a claim within the time limit established constitutes  
8 a default and loss of that party's right to a hearing.

9 7. It appearing to the Court that no valid or timely claims have been made,  
10 IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that:  
11

12 **ORDER.**

13 The real property, and all appurtenances and improvements thereon, known  
14 as: 4017 and 4023 E. Hartson Avenue, and legally described as follows:

15 LOTS 16 AND 17, BLOCK 15, ROSSVALE SECOND ADDITION,  
16 ACCORDING TO PLAT RECORDED IN VOLUME N OF PLATS,  
17 PAGE(S) 51 AND 52, IN SPOKANE COUNTY, WASHINGTON,


18 including any right, title, and interest in the whole, is hereby forfeited to the Spokane  
19 Police Department, City of Spokane, Washington, and no right, title or interest shall  
20 exist in any other person.  
21  
22  
23  
24  
25  
26

1 IT IS FURTHER ORDERED that the City of Spokane Police Department shall  
2 dispose of the forfeited Defendant Real Property in accordance with law.  
3

4 DATED this 28 day of September, 2018.  
5

6  
7   
8 JUDGE JOHN O. COONEY  
9

10 Presented by:

11   
12 Matthew M. Folsom, WSBA #40043  
13 Assistant City Attorney  
14 Attorney for Plaintiff  
15  
16  
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26

## Briefing Paper

### Sustainable Resources

<b>Division &amp; Department:</b>	City Legal
<b>Subject:</b>	Resolution Providing for the Sale of Surplus City Property
<b>Date:</b>	April 15, 2019
<b>Contact (email &amp; phone):</b>	Matt Folsom/mfolsom@spokanecity.org/625-4429
<b>City Council Sponsor:</b>	Ben Stuckart
<b>Executive Sponsor:</b>	
<b>Committee(s) Impacted:</b>	Sustainable Resources Committee
<b>Type of Agenda item:</b>	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
<b>Alignment:</b> (link agenda item to guiding document – i.e., Master Plan, Budget , Comp Plan, Policy, Charter, Strategic Plan)	
<b>Strategic Initiative:</b>	
<b>Deadline:</b>	
<b>Outcome:</b> (deliverables, delivery duties, milestones to meet)	
<b>Narrative:</b> Resolution providing for the sale of surplus city property at 4017 E. Hartson Avenue and 4023 Hartson Avenue.	
<b>Executive Summary:</b> The properties at issue were seized and forfeited under RCW 60.50.505 as a chronic nuisance property. The Real Estate Review Committee reviewed the properties and determined that the City Council should declare the properties surplus and authorize the City's Asset Management Department to find buyers for the properties. The resolution provides for selling this surplus city property, pursuant to RCW 35.22.280(3). The City of Spokane would determine the fair market value of 4017 E. Hartson Avenue and 4023 Hartson Avenue and then, subject to final approval by the City Council, would seek a qualified buyer or buyers for the properties.	
<b>Budget Impact:</b> Approved in current year budget? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A Annual/Reoccurring expenditure? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A If new, specify funding source: Other budget impacts: (revenue generating, match requirements, etc.)	
<b>Operations Impact:</b> 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Specify changes required: Known challenges/barriers:	



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

04/29/2019

<u>Date Rec'd</u>	4/5/2019
<u>Clerk's File #</u>	RES 2019-0032
<u>Renews #</u>	

Submitting Dept	INNOVATION & TECHNOLOGY	Cross Ref #	OPR 2019-0314
Contact Name/Phone	MICHAEL 625-6468	Project #	OPR 2016-0330
Contact E-Mail	MSLOON@SPOKANECITY.ORG	Bid #	
Agenda Item Type	Resolution	Requisition #	CR20477
Agenda Item Name	5300 ORACLE SUPPORT		

Agenda Wording

Resolution declaring Oracle America, Inc. as sole source for Oracle license support to include Update Subscription Services and Right to use Oracle licenses and authorizing staff to execute contract. Contract term: 4/21/19 - 4/20/20 for \$211,157.12.

Summary (Background)

Oracle's PeopleSoft Human Capital Management is the application used by the City for Benefits, Payroll and Time & Labor. In addition, Oracle's database structure is used by Utility Billing's Customer Star application. It is imperative to the City that the functionality of the database structure and the HCM application is stable and consistent. \$211,157.12 is for the Annual Expense.

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

Expense	\$ 211,157.12 inc tax	# 5300-73300-18850-54820
Select	\$	#
Select	\$	#
Select	\$	#

<u>Approvals</u>		<u>Council Notifications</u>	
<u>Dept Head</u>	FINCH, ERIC	<u>Study Session</u>	PIES 4/22/2019
<u>Division Director</u>	FINCH, ERIC	<u>Other</u>	
<u>Finance</u>	BUSTOS, KIM	Distribution List	
<u>Legal</u>	ODLE, MARI	Accounting - ywang@spokanecity.org	
<u>For the Mayor</u>	ORMSBY, MICHAEL	Contract Accounting - aduffey@spokanecity.org	
<u>Additional Approvals</u>		Legal - modle@spokanecity.org	
<u>Purchasing</u>		Purchasing - cwahl@spokanecity.org	
		IT - itadmin@spokanecity.org	
		Tax & Licenses	
		Oracle - kathy.mesch@oracle.com	

## Briefing Paper

### Public Infrastructure, Environment & Sustainability (PIES) Committee

<b>Division &amp; Department:</b>	Innovation and Technology Services Division
<b>Subject:</b>	Oracle's PeopleSoft and database Annual Software Maintenance and Support
<b>Date:</b>	April 22, 2019
<b>Author (email &amp; phone):</b>	Michael Sloon, <a href="mailto:msloon@spokanecity.org">msloon@spokanecity.org</a> , 625-6468
<b>City Council Sponsor:</b>	
<b>Executive Sponsor:</b>	Eric Finch and Michael Sloon
<b>Committee(s) Impacted:</b>	Public Infrastructure, Environment & Sustainability (PIES) Committee
<b>Type of Agenda item:</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
<b>Alignment:</b> (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	Oracle Annual Software Maintenance and Support  Utilizing Budget Account #5300 73300 18850 54820
<b>Strategic Initiative:</b>	Sustainable Resources
<b>Deadline:</b>	April 20, 2019
<b>Outcome:</b> (deliverables, delivery duties, milestones to meet)	Continuation for Oracle Ongoing annual maintenance and support for PeopleSoft HCM and Cstar database.
<b>Background/History:</b>  Oracle America, Inc supports the City's PeopleSoft Human Capital Management (HCM) System and Cstar Oracle database, which is utilized by various City Departments. Oracle Software was selected and implemented in 2009 for the City of Spokane's PeopleSoft Benefits, Payroll and Time & Labor software. Oracle Software is the only supplier of PeopleSoft licensing. This contract includes software assurance for PeopleSoft Software. 2018 contracted amount was \$209,180.19.	
<b>Executive Summary:</b>  <ul style="list-style-type: none"> <li>Contract with Oracle America, Inc. for Annual Software Maintenance and Support of the City's PeopleSoft HCM system and Oracle Databases.</li> <li>Requesting \$211,157.12 including tax for the renewal of this contract.</li> <li>Term is April 21, 2019 – April 20, 2020</li> </ul>	
<b>Budget Impact:</b> Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Annual/Reoccurring expenditure? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If new, specify funding source: Other budget impacts: (revenue generating, match requirements, etc.)	
<b>Operations Impact:</b> Consistent with current operations/policy? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Requires change in current operations/policy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Specify changes required: Known challenges/barriers:	

## SOLE SOURCE RESOLUTION 2019-0032

A RESOLUTION declaring Oracle America, Inc. ("Oracle") a sole source provider and authorizing staff to negotiate and enter into a contract with Oracle for the purchase of technical support services which include upgrade support and issue resolution at a cost of \$211,157.12 including applicable tax.

WHEREAS, the City of Spokane utilizes Oracle services for its PeopleSoft HCM and Cstar databases; and

WHEREAS, Oracle is the vendor that owns PeopleSoft HCM and databases for Cstar thereby being the only supplier for Oracle licensing;

WHEREAS, the City has obtained the standard pricing that is available for all firms who utilize Oracle software and databases. Oracle is the sole vendor to support these products;

WHEREAS, if this sole source resolution is not approved the City will not be able to expand and improve PeopleSoft HCM application functionality and support Cstar data for Utility Billing purposes;

--Now, Therefore,

BE IT RESOLVED by the City Council for the City of Spokane that it hereby declares Oracle a sole source provider to provide technical support services for the City's databases;

BE IT FURTHER RESOLVED that the City Council authorizes the execution of a contract and the purchase of support services from Oracle without public bidding at a cost of \$211,157.12 including applicable tax.

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

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

Approved as to form:

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

## Washington State Department of Revenue

[Services](#)[Business Lookup](#)[ORACLE AMERICA, INC.](#)

## License Information:

[New search](#) [Back to results](#)

**Entity name:** ORACLE AMERICA, INC.

**Business name:** ORACLE AMERICA, INC.

**Entity type:** [Profit Corporation](#)

**UBI #:** 601-091-507

**Business ID:** 001

**Location ID:** 0002

**Location:** Active

**Location address:** 411 108TH AVE NE STE 600  
BELLEVUE WA 98004-5556 USA

**Mailing address:** PO BOX 5200  
BELMONT CA 94002-5200 USA

**Excise tax and reseller permit status:** [Click Here](#)

**Secretary of State status:** [Click here](#)

## Endorsements

Endorsements held at this location	License #	Count	Details	Status	Expiration date	First issuance
<a href="#">Bellingham General Business</a>	021260			Active		Feb-10-1997
<a href="#">Longview General Business - Non-Resident</a>	585176			Active	Sep-30-2019	Sep-15-2010
<a href="#">Olympia General Business - Non-Resident</a>	1947			Active	Sep-30-2019	Sep-27-2010
<a href="#">Spokane General Business - Non-Resident</a>	T12068092BUS			Active	Sep-30-2019	Oct-15-2012

Governing People *May include governing people not registered with Secretary of State*

Governing people	Title
CATZ, SAFRA	
DALEY, DORIAN	
HILBRICH, GREGORY	

## Registered Trade Names

Registered trade names	Status	First issued
ORACLE AMERICA, INC.	Active	Nov-12-2010

[View Additional Locations](#)

The Business Lookup information is updated nightly. Search date and time: 4/12/2019 8:42:21 AM

*Working together to fund Washington's future*



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
03/28/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> MARSH RISK & INSURANCE SERVICES 345 CALIFORNIA STREET, SUITE 1300 CALIFORNIA LICENSE NO. 0437153 SAN FRANCISCO, CA 94104		<b>CONTACT</b> NAME: PHONE (A/C, No, Ext): E-MAIL: ADDRESS:	
CN101765515-STND-GAWU-18-19		<b>INSURER(S) AFFORDING COVERAGE</b>	
<b>INSURED</b> ORACLE CORPORATION ORACLE AMERICA, INC. 500 ORACLE PARKWAY REDWOOD CITY, CA 94065		<b>NAIC #</b>	
		INSURER A : National Union Fire Ins Co Pittsburgh PA 19445	
		INSURER B : Safety National Casualty Corp. 15105	
		INSURER C :	
		INSURER D :	
		INSURER E :	
		INSURER F :	

**COVERAGES****CERTIFICATE NUMBER:**

SEA-003280847-42

**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER		GL4786835	08/01/2018	08/01/2019	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 25,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	<b>AUTOMOBILE LIABILITY</b>		CA7742354 (AOS)	08/01/2018	08/01/2019	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
A	<input checked="" type="checkbox"/> <b>ANY AUTO</b> <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY		CA7742355 (MA)	08/01/2018	08/01/2019	BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$
B	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input checked="" type="checkbox"/> N	LDM0500082 (AOS) PS0500081 (WI)	04/01/2019 04/01/2019	04/01/2020 04/01/2020	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

**CERTIFICATE HOLDER****CANCELLATION**CITY OF SPOKANE  
ATTN: JOAN HAMILTON, OPERATIONS MANAGER  
808 W. SPOKANE FALLS BLVD.  
SPOKANE, WA 99201-3344

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE  
of Marsh Risk & Insurance Services

Leanna Peppercorn

*Leanna Peppercorn*

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3-Apr-19

Peggy Lund  
CITY OF SPOKANE  
808 W Spokane Falls Blvd  
Spokane  
WA 99201  
United States

Dear Peggy Lund

The technical support services provided under support service number 4656540 will expire, or have expired, on 20-Apr-19. Please find attached an ordering document for the renewal of these technical support services. If applicable, the attached ordering document may include technical support services that you have requested to order that are in addition to the technical support services that you are renewing.

To prevent interruption to and/ or termination of technical support services, please complete your order for the renewal of technical support services, identified in the ordering document, by issuing a form of payment acceptable to Oracle in accordance with the Order Processing Details section of the ordering document on or before 10-Apr-19.

Have a question? Call 1-888-545-4577, Chat on [Store](#), or [Request Assistance](#).



#### GENERAL INFORMATION

<b>OFFER EXPIRATION</b>		<b>ORACLE:</b> Oracle America, Inc.	
<b>Support Service Number:</b>	4656540	<b>Oracle Contact Information:</b> Oracle Premier Support Renewal Center	
<b>Offer Expires:</b>	20-Apr-19	<b>Call:</b>	1-888-545-4577
		<b>Chat:</b>	Chat on <a href="#">Store</a>
		<b>Request Assistance:</b>	<a href="#">Click to Request Assistance</a>
<b>CUSTOMER: CITY OF SPOKANE</b>			
<b>CUSTOMER QUOTE TO</b>		<b>CUSTOMER BILL TO</b>	
<b>Account Contact:</b>	Peggy Lund	<b>Account Contact:</b>	Payable Accounts
<b>Account Name:</b>	CITY OF SPOKANE	<b>Account Name:</b>	CITY OF SPOKANE
<b>Address:</b>	808 W Spokane Falls Blvd Spokane WA 99201 United States	<b>Address:</b>	808 W. Spokane Falls Blvd  SPOKANE WA 99201 United States
<b>Telephone:</b>	509- 625-6954	<b>Telephone:</b>	
<b>Fax:</b>		<b>Fax:</b>	
<b>E-mail:</b>	klund@spokanecity.org	<b>E-mail:</b>	

"You" and "Your" as referenced in this ordering document refers to the Customer identified in the table above.

Oracle may provide certain notices about technical support services via e-mail. Accordingly, please verify and update the Customer Quote To and Customer Bill To information in the above table to help ensure that You receive such communications from Oracle. If changes are required to the Customer Quote To and Customer Bill To information, please e-mail or fax the updated information, with Your support service number 4656540, to Your Oracle Support Sales Representative identified in the table above.



## SERVICE DETAILS

Program Technical Support Services							
Service Level: Software Update License & Support							
Product Description	CSI #	Qty	License Metric	License Level / Type	Start Date	End Date	Price
Oracle Database Enterprise Edition - Named User Perpetual	3366693	80		FULL USE	21-Apr-19	20-Apr-20	17,765.00
Oracle Database Enterprise Edition - Processor Perpetual	3863575	4		FULL USE	21-Apr-19	20-Apr-20	37,267.69
Expansion - Reported Budget Perpetual	17569302	482		FULL USE	21-Apr-19	20-Apr-20	0.00
PeopleSoft Enterprise Benefits Administration - Enterprise Employee Perpetual	17569302	3000		FULL USE	21-Apr-19	20-Apr-20	13,311.37
PeopleSoft Enterprise ePerformance - Enterprise Employee Perpetual	17569302	3000		FULL USE	21-Apr-19	20-Apr-20	16,443.45
PeopleSoft Enterprise HCM Portal Pack - Enterprise Employee Perpetual	17569302	3000		FULL USE	21-Apr-19	20-Apr-20	1,879.25
PeopleSoft Enterprise Human Resources - Enterprise Employee Perpetual	17569302	3000		FULL USE	21-Apr-19	20-Apr-20	28,971.80
PeopleSoft Enterprise Payroll - Enterprise Employee Perpetual	17569302	3000		FULL USE	21-Apr-19	20-Apr-20	35,235.97
PeopleSoft Enterprise Pension Administration - Enterprise Employee Perpetual	17569302	3000		FULL USE	21-Apr-19	20-Apr-20	13,311.37
PeopleSoft Enterprise Recruiting Solutions - Enterprise Employee Perpetual	17569302	3000		FULL USE	21-Apr-19	20-Apr-20	11,745.32
PeopleSoft Enterprise Time and Labor - Enterprise Employee Perpetual	17569302	3000		FULL USE	21-Apr-19	20-Apr-20	17,226.47
Micro Focus Visual COBOL for Windows for 2 Named Users (Mfr is Microfocus; Third Party Program)	17660375	1		FULL USE	21-Apr-19	20-Apr-20	742.33

**Program Technical Support Fees: USD 193,900.02**

**Total Price: USD 193,900.02**

Plus applicable tax

Please note the following:

- If You have questions regarding the Service Details section of this ordering document, or believe

that corrections are required, please contact Your Oracle Support Sales Representative identified on the first page of this ordering document.

- Please review Oracle's technical support policies, including the Lifetime Support Policy, before entering into this ordering document. Under Oracle's Lifetime Support Policy, the support level for an Oracle product, if applicable, may change during the term of the services purchased under this ordering document. If extended support is offered, an additional fee will be charged for such support if ordered. If You would like to purchase extended support please contact Your Oracle Support Sales Representative identified on the first page of this ordering document.
- If Oracle accepts Your order, the start date set forth in the Service Details table above shall serve as the commencement date of the technical support services and the technical support services ordered under this ordering document will be provided through the end date specified in the table for the applicable programs and/ or hardware ("Support Period").
- If any of the fields listed in the Service Details table above are blank, then such fields do not apply for the applicable programs and/or hardware for which You are purchasing technical support services.

## **TECHNICAL SUPPORT SERVICES TERMS**

If the Customer and the Customer Quote To name identified in the General Information table above are not the same, CITY OF SPOKANE represents that Customer has authorized CITY OF SPOKANE to execute this ordering document on Customer's behalf and to bind Customer to the terms described herein. CITY OF SPOKANE agrees that the services ordered are for the sole benefit of Customer and shall only be used by Customer. CITY OF SPOKANE agrees to advise Customer of the terms of this ordering document as well as any communications received from Oracle regarding the services.

If the Customer and the Customer Bill To name identified in the General Information table above are not the same, Customer agrees that: a) Customer has the ultimate responsibility for payments under this ordering document; and, b) any failure of CITY OF SPOKANE to make timely payment per the terms of this ordering document shall be deemed a breach by Customer and, in addition to any other remedies available to Oracle, Oracle may terminate Customer's technical support service under this ordering document.

Technical support is provided under Oracle's technical support policies in effect at the time the services are provided. The technical support policies are subject to change at Oracle's discretion; however, Oracle will not materially reduce the level of services provided for supported programs and/or hardware during the period for which technical support has been paid, or for U.S. federal and public sector entities, the period for which services have been ordered. You should review the technical support policies prior to entering into this ordering document. The current version of the technical support policies may be accessed at <http://www.oracle.com/us/support/policies/index.html>.

The technical support services acquired under this ordering document are governed by the terms and conditions of the US-PS-TSSA-848173 ("agreement"). Any use of the programs and/or hardware, which includes updates and other materials provided or made available by Oracle as part of technical support services, is subject to the rights granted for the programs and/or hardware set forth in the order in which the programs and/or hardware were acquired.

This ordering document incorporates the agreement by reference. In the event of inconsistencies between the terms contained in this ordering document and the agreement, this ordering document shall take precedence.

## **ORDER PROCESSING DETAILS**

Your order is subject to Oracle's acceptance. Your order is deemed to be placed when You provide Oracle with details for payment (e.g., Your purchase order, Your check, or a credit card confirmation for the order as detailed below) or an executed Oracle Financing contract. Once placed, Your order shall be non-cancelable and the sums paid nonrefundable, except as provided in the agreement.

Please note that unless You are a U.S. federal government or public sector entity, if the pre-tax value of this ordering document is USD \$2,000 or less, the technical support services ordered (i) must be paid by credit card; or (ii) You must renew Your support via the Oracle Store. Please contact Your Oracle Support Sales Representative for details regarding renewing Your support via the Oracle Store.

Technical Support fees are invoiced Quarterly in Arrears. All fees payable to Oracle are due within 30 NET from date of invoice.

Oracle will issue an invoice to You upon receipt of a purchase order or a form of payment acceptable to Oracle. If You are an U.S. federal government or public sector entity, Oracle will issue You an invoice quarterly in arrears after the services are performed. You agree to pay any sales, value-added or other similar taxes imposed by applicable law, except for taxes based on Oracle's income.

Unless you are an U.S. federal government entity, Oracle's invoice includes applicable sales tax, GST, or VAT (collectively referred to as "tax"). If CITY OF SPOKANE is a tax exempt organization and is not an U.S. federal government entity, a copy of CITY OF SPOKANE's tax exemption certificate must be submitted with CITY OF SPOKANE's purchase order, credit card or other acceptable form of payment.

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## **PAYMENT DETAILS**

### **Purchase Order**

If You are submitting a purchase order for the payment of the renewal of the technical support services on this renewal order, the purchase order must be in a non-editable format (e.g., PDF) and include the following information:

- Support Service Number: 4656540
- Total Price: USD 193,900.02 (excluding applicable tax)
- Local Tax, if applicable

In issuing a purchase order, CITY OF SPOKANE agrees that the terms of this renewal order and the agreement supersede the terms in the purchase order or any other non-Oracle document, and no terms included in any such purchase order or other non-Oracle document will apply to the technical support services renewed under this renewal order.

Please contact Oracle per the General Information section above to issue Your purchase order.

### **Credit Card**

If You wish to use a credit card to pay for the renewal of the technical support services on this renewal order, please contact Oracle per the General Information section above. Please note that Oracle is unable to process credit card transactions of USD \$100,000 or greater or transactions that are not in USD.

### **Check**

If the technical support services on this ordering document will be ordered and paid by check, the check must include the following information:

- Support Service Number: 4656540
- Total Price: USD 193,900.02 (excluding applicable tax)
- Local Tax, if applicable

In issuing a check, CITY OF SPOKANE agrees that only the terms of this ordering document and the agreement shall apply to the technical support services ordered under this ordering document. No terms attached or submitted with the check shall apply.

Please mail check payments in accordance with the Remittance Details section below.

Checks for technical support services renewed under this renewal order should be sent to:

**AK, AZ, CA, HI, ID, NV, OR, UT, WA:**

Oracle America, Inc  
PO Box 44471  
San Francisco, CA 94144-4471

**All Other States:**

Oracle America, Inc  
PO Box 203448  
Dallas, TX 75320-3448

Oracle America, Inc.

City of Spokane

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

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

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

\_\_\_\_\_  
Agreement Name

Attest:

Approved as to Form:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

04/29/2019

<u>Date Rec'd</u>	4/15/2019
<u>Clerk's File #</u>	ORD C35764
<u>Renews #</u>	
<u>Cross Ref #</u>	
<u>Project #</u>	
<u>Bid #</u>	
<u>Requisition #</u>	

<u>Submitting Dept</u>	CITY COUNCIL
<u>Contact Name/Phone</u>	CANDACE MUMM 625-6256
<u>Contact E-Mail</u>	CMUMM@SPOKANECITY.ORG
<u>Agenda Item Type</u>	First Reading Ordinance
<u>Agenda Item Name</u>	0320 - ORDINANCE UPDATING LEGISLATIVE AGENDA PROCESS

**Agenda Wording**

An ordinance clarifying the role of the City Administrator concerning the City of Spokane's state and federal legislative agendas and advocacy efforts; amending section 03.01A.110 of the Spokane Municipal Code.

**Summary (Background)**

The City's legislative agenda is adopted by Council resolution. All state and federal lobbying on behalf of the City "shall be consistent with the legislative agenda adopted by the City Council." The City Council, its staff, and its contract lobbyists coordinate the establishment and advocacy for the City's legislative agenda. However, the SMC currently places this duty in the hands of the City Administrator. This ordinance changes the code to conform with current and long-standing practice.

<u>Fiscal Impact</u>	Grant related? NO	<u>Budget Account</u>
	Public Works? NO	
Neutral \$ 0		# None
Select \$		#
Select \$		#
Select \$		#

<u>Approvals</u>	<u>Council Notifications</u>
<u>Dept Head</u>	MCCLATCHEY, BRIAN
<u>Division Director</u>	
<u>Finance</u>	BUSTOS, KIM
<u>Legal</u>	PICCOLO, MIKE
<u>For the Mayor</u>	ORMSBY, MICHAEL
<u>Additional Approvals</u>	
<u>Purchasing</u>	

## **ORDINANCE NO. C35764**

An ordinance clarifying the role of the City Administrator concerning the City of Spokane's state and federal legislative agendas and advocacy efforts; amending section 03.01A.110 of the Spokane Municipal Code.

**WHEREAS**, the City of Spokane adopts its official legislative agenda by City Council resolution, pursuant to SMC 02.03.030; and

**WHEREAS**, all lobbying, whether state or federal, on behalf of the City of Spokane "shall be consistent with the legislative agenda adopted by the City Council"; and

**WHEREAS**, currently, and for at least the past four legislative sessions, the City Council and its staff, in conjunction with its contract lobbyists, have led the effort to establish and advocate for the City's legislative agenda; and

**WHEREAS**, however, despite that long-standing practice, the Spokane Municipal Code requires the City Administrator to prepare and recommend a legislative agenda for Council action; and

**WHEREAS**, the City Council wishes to harmonize the Spokane Municipal Code with long-standing practice, by deleting the legislative agenda responsibilities from the City Administrator's duties.

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

**Section 1.** That section 03.01A.110 of the Spokane Municipal Code is amended to read as follows:

### **Section 03.01A.110 City Administrator**

A. Under the direction of the mayor, the city administrator performs a variety of administrative duties to assist the mayor in the direction of City operations, and represents the mayor at meetings and conferences and as otherwise directed. This office responds to questions and complaints from the public and the city council.

~~((B. The city administrator is responsible for planning, recommending, coordinating and administering a local, state and federal legislative program for the City of Spokane in accordance with legislative guidelines established by the city council. The office develops for council approval City legislative programs for the state and federal legislative sessions, represents the City before state and federal legislative bodies, and analyzes and submits reports to the mayor and the city council on state and federal legislation affecting the City.))~~



~~((G.))~~B. The city administrator is appointed and removed by the mayor.

**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:**

04/29/2019

<u>Date Rec'd</u>	4/16/2019
<u>Clerk's File #</u>	ORD C35765
<u>Renews #</u>	

Submitting Dept	CITY COUNCIL	Cross Ref #	
Contact Name/Phone	LORI KINNEAR 6256269	Project #	
Contact E-Mail	AMCDANIEL@SPOKANECITY.ORG	Bid #	
Agenda Item Type	First Reading Ordinance	Requisition #	
Agenda Item Name	0320 AN ORDINANCE RELATING TO COMMERCIAL VEHICLES		

Agenda Wording

An ordinance relating to commercial vehicles; amending SMC section 16A.44.100.

Summary (Background)

Commercial Vehicle regulations are codified in the Code of Federal Regulations by the Federal Motor Carrier Safety Administration (FMCSA). The Washington legislature codified these regulations in the Revised Code of Washington (RCW) to allow Washington State Patrol to enforce these regulations locally.

<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>	MCDANIEL, ADAM	<u>Study Session</u>
<u>Division Director</u>		<u>Other</u>
<u>Finance</u>	BUSTOS, KIM	PSC - April 8, 2019
<u>Legal</u>	MURAMATSU, MARY	Distribution List
<u>For the Mayor</u>	ORMSBY, MICHAEL	lkinnear@spokanecity.org
Additional Approvals		jfraley@spokanecity.org
<u>Purchasing</u>		mmuramatsu@spokanecity.org



Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

Summary (Background)

This ordinance incorporates the entire array of commercial vehicle regulations into the Spokane Municipal Code thereby allowing the Spokane Municipal Court to exercise jurisdiction over these violations.

Fiscal Impact		Budget Account	
Select	\$		#
Select	\$		#

Distribution List	

**ORDINANCE NO. C35765**

An ordinance relating to commercial vehicles; amending SMC section 16A.44.100.

The City of Spokane does ordain:

**Section 1.** That SMC section 16A.44.100 is amended to read as follows:

**16A.44.100 ~~((Regulations on Motor Carriers Used in Intrastate or Interstate Commerce-))~~Commercial Motor Vehicle Regulations**

~~((A. Concerning motor carriers used in intrastate or interstate commerce and operating within the City of Spokane, the following are adopted by reference as if fully set forth herein:~~

- ~~1. RCW 46.16a.455, "Trucks, buses, and for hire vehicles based on gross weight"; and~~
- ~~2. WAC 446-65-010(u), "Transportation Requirements".~~

~~B. Violation of this section is a class 2 civil infraction.))~~

Concerning motor carriers used in intrastate or interstate commerce and operating within the City of Spokane, the following RCWs are hereby adopted by reference as if fully set forth herein:

1. 46.16A.455 – Trucks, buses, and for hire vehicles based on gross weight  
Rpt to FMCSA

**A. LOGBOOK / MEDICAL CERTIFICATE**

46.32.010 – Viol Fed Regs Logbook/Med Cert  
\$191

**B. COMMERCIAL DRIVER'S LICENSE – Title 49 Subtitle B Chapter III Subchapter B CFR Part 383 - 387**

- a. 46.25.040.2.b – Operating a CMV with more than 1 driver license CFR  
383.21 Rpt-FMCSA
- b. 46.25.050 – No Valid Commercial Driver's License CFR  
383.23(a)(2) \$1000
- c. 46.25.060.5.c – Operating on Learner's Permit without CDL Driver CFR  
383.23(c)(1) Rpt-FMCSA
- d. 46.25.052 – Violating Conditions of Commercial Learner's Permit CFR  
383.23 Rpt-FMCSA
- e. 46.25.050.2 – Driving While CDL Suspended/Revoked/Disqualified CFR  
383.51(a)(1) \$1000

- f. 46.25.020.2 – Employer Allowing Disqualified Driver to Drive CFR  
383.51(a)(2) Rpt-FMCSA
- g. 46.25.080.2 – Operating a CMV with improper CDL Class CFR  
383.91(a) Rpt-FMCSA
- h. 46.25.080.2 – No Double or Triple Trailer Endorsement on CDL CFR  
383.93(b)(1) Rpt-FMCSA
- i. 46.25.080.2 – No Passenger Vehicle Endorsement on CDL CFR  
383.93(b)(2) Rpt-FMCSA
- j. 46.25.080.2 – No Tank Vehicle Endorsement on CDL CFR  
383.93(b)(3) Rpt-FMCSA
- k. 46.25.080.2 – No Hazardous Materials Endorsement on CDL CFR  
383.93(b)(4) Rpt-FMCSA
- l. 46.25.080.2 – Violation of Air Brake Restrictions CFR  
383.95(a) Rpt-FMCSA
- m. 46.32.010.1 – Failure to Register with FMCSA to Obtain a USDOT Number  
CFR 385.301(a) \$136
- n. 46.30.020 – No Evidence of Public Liability/Property Damage Insurance  
CFR 387.301(a) \$550
- o. 46.16.260 – No Copy of Certificate of Registration CFR  
387.303(b)(4) Rpt-FMCSA

**C. INSURANCE – Title 49 Subtitle B Chapter III Subchapter B CFR Part 387**

- a. 46.30.020 – No Evidence of Public Liability/Property Damage Insur CFR  
387.301(a) \$550
- b. 46.16.260 – No Copy of Certificate of Registration CFR  
387.303(b)(4) Rpt-FMCSA

**D. GENERAL REQUIREMENTS – Title 49 Subtitle B Chapter III Subchapter B CFR Part 390**

- a. 46.32.010 – No Periodic (Annual) Inspection  
CFR 396.17(c) \$191
- b. 46.32.010.1 – Motor Carrier Identification Report (USDOT Required)  
CFR 390.19 \$136
- c. 46.32.010 – Commercial Motor Vehicle Not Marked as Required  
CFR 390.21 \$191
- d. 46.32.010.1 – Marking of Commercial Motor Vehicles (Interstate)  
CFR 390.21 \$136
- e. 81.80.305 – Marking of Commercial Motor Vehicles (Intrastate)  
CFR 390.21 \$1000
- f. 46.37.360 – Brake Connections with Air Leaks  
CFR 390.45(d) \$136

**E. DRIVER VIOLATIONS – Title 49 Subtitle B Chapter III Subchapter B CFR Part 391**

- a. 46.25.055 – Using a Driver UNDER 21 Years of Age CFR  
391.11(b)(1) \$550
- b. 46.25.055 – Unable to Understand Road Sig/Signals
- c. 46.25.040 – Using a Physically Unqualified Driver CFR  
391.11(b)(4) Rpt-FMCSA
- d. 46.25.040 – Using a Driver with No or Invalid Driver License CFR  
391.11(b)(7) Rpt-FMCSA
- e. 46.25.040(2)(a) – Requiring/Allowing a Driver to Drive while Disqualified/  
Suspended/Revoked, or Cancelled CFR  
391.15 Rpt-FMCSA
- f. 46.25.057 – No Medical Certificate in Driver's Possession CFR  
391.41(a) \$550
- g. 46.25.057 – Expired Medical Examiner Certification CFR  
391.45(b) \$550
- h. 46.25.057 – No Valid Medical Waiver in Driver's Possession CFR  
391.49(j) \$550

**F. DRIVING OF COMMERCIAL VEHICLES – Title 49 Subtitle B Chapter III**  
**Subchapter B CFR Part 392**

- a. 46.44.010 – Operating Over Legal Width  
CFR 392.2 \$156
- b. 46.44.020 – Operating Over Legal Height  
CFR 392.2 \$156
- c. 46.44.030 – Operating Over Legal Length  
CFR 392.2 \$156
- d. 46.44.041 – Operating Over Legal Weight  
CFR 392.2W \$197
- e. 46.61.130 – Lane Restriction Violation  
CFR 392.2 \$136
- f. 46.61.590 – Unlawful Parking an/or Leaving Vehicle in the Roadway  
CFR 392.2 \$136
- g. 46.37.230 – Headlamps – Failing to Dim When Required  
CFR 392.2 \$136
- h. WAC 308-77-025 – State or International Fuel Tax (FTA) Violation  
CFR 392.2 Rpt-FMCSA
- i. 46.61.050 – Failure to Obey Traffic Control Device  
CFR 392.2C \$136
- j. 46.61.145 – Following Too Close  
CFR 392.2FC \$136
- k. 46.61.140 – Improper Lane Change  
CFR 392.2LC \$136
- l. 46.61.130 – Improper Passing  
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m.	46.61.500 – Reckless Driving	
	CFR 392.2R	\$1000
n.	46.61.400 – Speeding (subsection specified)	
	CFR 392.2S	As per RCW
o.	46.61.290 – Improper Turns	
	CFR 392.2T	\$136
p.	46.61.180 – Failure to Yield Right of Way	
	CFR 392.2Y	\$136
q.	46.32.010 – Operating a CMV While Ill or Fatigued	
	CFR 392.3	\$191
r.	46.61.502 – Driving Under the Influence of Drugs	
	CFR 392.4(a)	\$1000
s.	46.61.502 – Driver on Duty and Under the Influence of Alcohol	
	CFR 392.5(a)	\$1000
t.	46.25.110 – Driving with Alcohol in System	
	CFR 392.5(a)	\$1000
u.	46.25.110 – Possession of Alcohol (Other than Part of Load)	
	CFR 392.5(c)	\$1000
v.	46.25.090 – Operating CMV in Violation of OOS Order	
	CFR 392.5(c)(2)	Rpt-FMCSA
w.	46.32.010 – Unauthorized Passenger on Board CMV	
	CFR 392.6	\$191
x.	46.32.010 – Driver Failing to Conduct Pre-Trip Inspection	
	CFR 392.7	\$191
y.	46.37.450 – Failure to Inspect/Use Emergency Equipment	
	CFR 392.8	\$136
z.	46.32.010 – No or Operating Outside Operating Authority	
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aa.	46.37.490 – Failure to Secure Cargo	
	CFR 392.9(a)(1)	\$136
bb.	46.37.490 – Failure to Secure Vehicle Equipment	
	CFR 392.9(a)(2)	\$136
cc.	46.61.615 – Driver's View and/or Movement is Obstructed	
	CFR 392.9(a)(3)	\$136
dd.	46.32.010 – Operating Without USDOT Registration/Number	
	CFR 392.9(b)	\$191
ee.	46.61.350.1 – Failure to Stop at Railroad Crossing – Bus	
	CFR 392.10(a)(2)	\$136
ff.	46.61.350.1 – Failure to Stop at Railroad Crossing – Chlorine Gas	
	CFR 392.10(a)(3)	\$136
gg.	46.61.350.1 – Failure to Stop at Railroad Crossing – Placarded	
	CFR 392.10(a)(4)	\$136
hh.	46.61.350.1 – Failure to Stop at Railroad Crossing – HM	
	CFR 392.10(a)(4)	\$136
ii.	46.32.010 – Failed to Use Caution for Hazardous Condition	
	CFR 392.14	\$191

jj.	46.61.668 – Failure to Use Seatbelt While Operating CMV	
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kk.	46.37.450 – Failure to Use Hazard Warning Flashers	
	CFR 392.22(a)	\$136
ll.	46.37.450 – Failure to Place or Improper Placement of Warning Devices	
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mm.	46.37.120 – Operating CMV with Lamps/Reflectors Obscured	
	CFR 392.33	\$136
nn.	46.32.010 – Fueling a CMV with the Engine Running	
	CFR 392.50	\$191
oo.	46.32.010 – Unauthorized Passenger on Board CMV	
	CFR 392.60	\$191
pp.	46.61.375 – Unsafe Bus Operation	
	CFR 392.62	\$136
qq.	46.61.375 – Pushing/Towing a Loaded Bus	
	CFR 392.63	\$136
rr.	46.32.010 – Using or Equipping a CMV with Radar Detector	
	CFR 392.71(a)	\$191
ss.	46.61.672.1 Personal Electronic Device While Driving	
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tt.	46.61.672.4 Personal Electronic Device While Driving – 2 <sup>nd</sup>	
		\$234

**G. HOURS OF SERVICE - Title 49 Subtitle B Chapter III Subchapter B CFR Part 395**

a.	46.32.020 – Violation of 16 Hour Rule – Property	Possible	OOSV
	CFR 395.3(o)		\$191
b.	46.32.020 – Violation of 10 Hour Rule – Property	Possible	OOSV
	CFR 395.3(a)(1)		\$191
c.	46.32.020 – Violation of 14 Hour Rule – Property	Possible	OOSV
	CFR 395.3(a)(2)		\$191
d.	46.32.020 – Violation of 60/70 Hour Rule – Property	Possible	OOSV
	CFR 395.3(b)		\$191
e.	46.32.020 – Violation of 34 Hour Restart	Possible	OOSV
	CFR 395.5(c)		\$191
f.	46.32.020 – Violation of 60/70 Hour Rule – Passenger	Possible	OOSV
	CFR 395.5(b)		\$191
g.	46.32.020 – Violation of 10 Hour Rule – Passenger	Possible	OOSV
	CFR 395.5(a)(1)		\$191
h.	46.32.020 – Violation of 15 Hour Rule – Passenger	Possible	OOSV
	CFR 395.5(a)(2)		\$191
i.	46.32.020 – False Report of Driver's Record of Duty Status		
	CFR 395.8(a)		\$191
j.	46.32.020 – No Driver's Record of Duty Status		
	CFR 395.8(a)		\$191



- k. 46.32.020 – Driver’s Record of Duty Status Not Current  
CFR 395.8(f)(1) \$191
- l. 46.32.020 – No Previous 7 days Records of Duty Status  
CFR 395.8(k)(2) \$191
- m. 46.32.020 – Violation of HOS out-of-service order for HOS  
CFR 395.13(d) \$191
- n. 46.32.020 – On-Board Recording Device Failure  
CFR 395.15(f) \$191
- o. 46.32.020 – On-Board Recording Device Info Not Available  
CFR 395.15(g) \$191

**H. EQUIPMENT VIOLATIONS – Title 49 Subtitle B Chapter III Subchapter B CFR Part 393**

**1. Brakes**

- a. 46.37.340 – No or defective parking brake system on CMV  
CFR 393.41 \$136
- b. 46.37.340 – No Brakes as Required  
CFR 393.42 \$136
- c. 46.37.340 – All Wheels not Equipped with Brakes  
CFR 393.42(a) \$136
- d. 46.37.351 – No or Improper breakaway or emergency braking  
CFR 393.43 \$136
- e. 46.37.351 – No or improper tractor protection valve  
CFR 393.43(a) \$136
- f. 46.37.351 – No or defective automatic trailer brake  
CFR 393.43(d) \$136
- g. 46.37.351 – Airlines Rubbing on Deck  
CFR 393.45(b) \$136
- h. 46.37.360 – Brake Hose or Tubing Chafing and/or Kinking  
CFR 393.45(b)(2) \$136
- i. 46.37.360 – Brake Hose or Tubing Contacting Exhaust System  
CFR 393.45(b)(3) \$136
- a. 46.37.351 – Defective/Mismatched Brake Chambers  
CFR 393.47(b) \$136
- b. 46.37.351 – Defective/Mismatched Slack Adjuster  
CFR 393.47(c) \$136
- c. 46.37.351 – Defective/Insufficient Brake Linings  
CFR 393.47(d) \$136
- d. 46.37.351 – Clamp or Roto-Type Brake(s) Out of Adjustment  
CFR 393.47(e) \$136
- e. 46.37.351 – Wedge type brake(s) out of adjustment  
CFR 393.47(f) \$136
- f. 46.37.351 – Insufficient Brake Drum  
CFR 393.47(g) \$136

g.	46.37.351 – Inoperative Brakes	
	CFR 393.48(a)	\$136
h.	46.37.351 – Brakes – Missing or Broken Components	
	CFR 383.48(a)	\$136
i.	46.37.351 – Inadequate Air/Vacuum	
	CFR 393.50	\$136
j.	46.37.351 – Defective/Inoperative Low Air Warning Device	
	CFR 393.51	\$136
k.	46.37.351 – No Automatic Brake Adjuster	
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l.	46.37.360 – No ABS as required on CMV w/Air Brakes – 02/98	
	CFR 393.55(c)	\$136
m.	46.37.351 – No or Defective ABS Indicator on Trailer	
	CFR 393.55(d)(3)	\$136
n.	46.37.360 – No ABS as required on CMV w/Hydraulic Brakes – 1999	
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o.	46.37.360 – ABS Indicator Malfunction	
	CFR 393.55(d)	\$136
p.	46.37.351 – BRAKES OUT OF SERVICE – 20% of Defective	
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q.	46.37.351 – General Brake Violations	
	CFR 396.3(a)(1)B	\$136
r.	46.37.351 – Brakes Out of Adjustment	
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s.	46.37.351 – Compressor Violation	
	CFR 396.3(a)(1)BC	\$136
t.	46.37.351 – Brake Drum Violations	
	CFR 396.3(a)(1)BD	\$136
u.	46.37.351 – Brake Reserve System Pressure Loss	
	CFR 396.3(a)(1)BL	\$136

## 2. Coupling Devices

a.	46.32.010.1 – Fifth Wheel Violations	
	CFR 393.70	\$136
b.	46.32.010.1 – Defective Coupling Device	
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c.	46.32.010.1 – Defective Fifth Wheel Locking Mechanism	
	CFR 393.70(b)(2)	\$136
d.	46.32.010.1 – Defective/Improper Fifth Wheel Assembly	
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e.	46.32.010.1 – Defective Coupling Devices for Full Trailer	
	CFR 393.70(c)	\$136
f.	46.37.495 – No/Improper Safety Chains or Cables	
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- g. 46.37.495 – Improper Safety Chain Attachment  
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- h. 46.32.010.1 – Improper Coupling Driveway/Towaway Operation  
CFR 393.71 \$136
- i. 46.32.010.1 – Improper Weight Distribution Driveway/Towaway  
CFR 393.71(b)(3) \$136
- j. 46.32.010.1 – Prohibited Towing Connection/Device  
CFR 393.71(g) \$136
- k. 46.32.010.1 – Towbar Requirement Violations  
CFR 393.71(h) \$136
- l. 46.37.495 – No or Improper Safety Chains for Towbar  
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3. Emergency Equipment

- a. 46.32.010.1 – No/Discharged/Unsecured Fire Extinguisher  
CFR 393.95(a) \$136
- b. 46.32.010.1 – Failure to Equip Hazardous Material Vehicle with  
CFR 393.95(a)(1) \$136  
A Fire Extinguisher With a Minimum UL  
Rating of 10 B:C
- c. 46.32.010.1 – No spare fuses as required  
CFR 393.95(b) \$136
- d. 46.32.010.1 – No/Insufficient Warning devices  
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- e. 46.32.010.1 – HM Restricted Emergency Warning Device  
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- f. 46.32.010.1 – Exhaust System Location  
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- g. 46.32.010.1 – Exhaust Discharge Fuel Tank/Filler Tube  
CFR 393.83(b) \$136
- h. 46.32.010.1 – Improper Exhaust-Bus (gasoline)  
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- i. 46.32.010.1 – Improper Exhaust-Bus (diesel)  
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- j. 46.32.010.1 – Improper Exhaust Discharge (Not Rear of Cab)  
CFR 393.83(e) \$136
- k. 46.32.010.1 – Improper Exhaust System Repair (Patch/Wrap)  
CFR 393.83(f) \$136
- l. 46.32.010.1 – Exhaust Leak Under Truck Cab and/or sleeper  
CFR 393.83(g) \$136
- m. 46.32.010.1 – Exhaust System Not Securely Fastened  
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5. Frame Violations

- a. WAC 204.10.022.8 – Frame Cracked/Loose/Sagging/Broken  
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- b. 46.32.010.1 – Bolts Securing Cab Broken/Loose/Missing  
CFR 393.201(b) \$136
- c. 46.32.010.1 – Frame Rail Flange Improperly Bent/Cut/Notched  
CFR 393.201(c) \$136
- d. 46.32.010.1 – Frame Accessories Improperly Attached  
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- e. 46.32.010.1 – Prohibited Holes Drilled in Frame Rail Flange  
CFR 393.201(e) \$136
- f. 46.32.010.1 – Cab/Body Improperly Secured to Frame  
CFR 393.203(b) \$136
- g. 46.32.010.1 – Cab Front Bumper Missing/Unsecured/Protrude  
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6. Fuel System Violations

- a. 46.37.465 – Fuel System Requirement Violations  
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- b. 46.37.465 – Improper Location of Fuel System  
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- c. 46.37.465 – Improper Securement of Fuel Tank  
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- d. 46.37.465 – No/Improper Fuel Line Protection  
CFR 393.65(f) \$136
- e. 46.37.465 – Fuel Tank Requirement Violations  
CFR 393.67 \$136
- f. 46.37.465 – Fuel Tank Fill Cap Missing/Defective  
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- g. 46.37.465 – Improper Fuel Tank Safety Vent  
CFR 393.67(c)(8) \$136

7. Lighting & Reflective Devices

- a. 47.37.090 – No/Defective Identification/Side Marker/  
Clearance Lamps  
CFR 393.9(a) \$136
- b. 47.37.090 – No/Inoperative License Plate Lamp  
CFR 393.9(a) \$136
- c. 46.37.120 – Obscured Lamps or Reflection Devices  
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d.	<u>46.37.040 – Inoperable Head Lamps</u>	
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e.	<u>46.37.050 – Inoperable Tail Lamps</u>	
	<u>CFR 393.9T</u>	<u>\$136</u>
f.	<u>46.37.070 – Inoperable Turn Signals</u>	
	<u>CFR 393.9TS</u>	<u>\$136</u>
g.	<u>46.37.140 – No or Inoperable Lamps on Projecting Load</u>	
	<u>CFR 393.11</u>	<u>\$136</u>
h.	<u>WAC 204-21-220 – No or Inoperable Trailer Tongue Lamps</u>	
	<u>CFR 393.1</u>	<u>Rpt-FMCSA</u>
i.	<u>46.32.010.1 – No Lower Rear Retro-Reflective Sheeting – Veh Aft 12/1993</u>	
	<u>CFR 393.11LR</u>	<u>\$136</u>
j.	<u>46.32.010.1 – No Retro-Reflective Sheeting – Vehicle Built after 12/93</u>	
	<u>CFR 393.11N</u>	<u>\$136</u>
k.	<u>46.32.010.1 – No Retro-Reflective Sheeting – Vehicle Built after 12/93</u>	
	<u>CFR 393.11N</u>	<u>\$136</u>
l.	<u>46.32.010.1 – No Retro-Reflective Sheeting – Trailers Built after 12/93</u>	
	<u>CFR 393.11RT</u>	<u>\$136</u>
m.	<u>46.32.010.1 – No Side Retro-Reflecting Sheeting – Vehicle Built after 12/93</u>	
	<u>CFR 393.11S</u>	<u>\$136</u>
n.	<u>46.32.010.1 – No Mud Flaps Retro-Reflective Sheeting – Tractors after 1993</u>	
	<u>CFR 393.11TL</u>	<u>\$136</u>
o.	<u>46.32.010.1 – No Retro-Reflective Sheeting – Tractor Built after 7/97</u>	
	<u>CFR 393.11TT</u>	<u>\$136</u>
p.	<u>46.32.010.1 – No Upper Corner Retro-Reflective Sheeting – Tractors after 97</u>	
	<u>CFR 393.11TU</u>	<u>\$136</u>
q.	<u>46.32.010.1 – No Upper Rear Retro-Reflective Sheeting –Veh after 7/97</u>	
	<u>CFR 393.11UR</u>	<u>\$136</u>
r.	<u>46.32.010.1 – Retro-Reflective Tape Not Affixed as Required</u>	
	<u>CFR 393.13(a)</u>	<u>\$136</u>
s.	<u>46.32.010.1 – No Retro-Reflective Sheeting – Trailers Built before 12/93</u>	
	<u>CFR 393.13(b)</u>	<u>\$136</u>
t.	<u>46.32.010.1 – No Side Retro-Reflective Sheeting as Required</u>	
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u.	<u>46.32.010.1 – No Lower Rear Retro-Reflective Sheeting as required</u>	
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v.	<u>46.32.010.1 – No Upper Rear Retro-Reflective Sheeting as required</u>	
	<u>CFR 393.13(c)(3)</u>	<u>\$136</u>
w.	<u>46.32.010.1 – Improper Side Placement of Retro-Reflective Sheeting</u>	
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x.	<u>46.32.010.1 – Improper Rear Placement of Retro-Reflective Sheeting</u>	
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y.	<u>46.32.010.1 – No/Defective Lamp/Reflector-Towaway Operation</u>	
	<u>CFR 393.17</u>	<u>\$136</u>
z.	<u>46.32.010.1 – No/Defective Lamps-Towing Unit-Towaway Operation</u>	
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aa.	46.32.010.1 – No/Defective Towaway Lamps On rear Unit	
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bb.	46.37.215 – Inoperative/Defective Hazard Warning Lamps	
	CFR 393.19	\$136
cc.	46.32.010.1 – Inoperative Clearance Lamps	
	CFR 393.20	\$136
dd.	46.32.010.1 – Required Lamp Not Powered by Vehicle Electric	
	CFR 393.23	\$136
ee.	46.37.040 – Inoperable High Beam Headlamps	
	CFR 393.24(a)	\$136
ff.	46.37.210 – Non-Compliant Auxiliary / Driving / Fog Lamps	
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gg.	46.37.040 – Improper Headlamp Aiming	
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hh.	46.37.040 – Lamps Not Visible as Required	
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ii.	46.37.070 – Inoperative Stop/Brake Lamps	
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jj.	46.32.010.1 – Reflector Requirements	
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8. Load Securement

a.	46.37.490 – No or Improper Load Securement	
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b.	46.37.490 – Leaking/Spilling/Blowing/Falling Cargo	
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c.	46.37.490 – Failure to Prevent Cargo Shifting	
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d.	46.37.490 – Improper Securement Systems (Tiedowns Assemblies)	
	CFR 393.102(a)	\$136
e.	46.37.490 – Insufficient Means to Prevent Forward Movement	
	CFR 393.102(a)(1)(i)	\$136
f.	46.37.490 – Insufficient Means to Prevent Rearward Movement	
	CFR 393.102(a)(1)(ii)	\$136
g.	46.37.490 – Insufficient Means to Prevent Lateral Movement	
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h.	46.37.490 – Insufficient Means to Prevent Vertical Movement	
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i.	46.37.490 – Exceeding Working Load Limit for Tiedowns	
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j.	46.37.490 – Inadequate/Damaged Securement Device	
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k.	46.37.490 – Damaged Securement Tiedowns	
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- l. 46.37.490 – Damaged Vehicle Structures/Anchor Points  
CFR 393.104.(c) \$136
- m. 46.37.490 – Damaged Dunnage, Chocks, Cradles, Shoring Bars  
Blocking and Bracing  
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- n. 46.37.490 – Knotted Tiedown  
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- o. 46.37.490 – Use of Tiedown with Improper Repair  
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- p. 46.37.490 – Loose or Unfastened Tiedown  
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- q. 46.37.490 – No/Improper Front End Structure/Headerboard  
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- r. 46.37.490 – Cargo Not Immobilized or Secured  
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- s. 46.37.490 – Insufficient Aggregate Working Load Limit  
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- t. 46.37.490 – No Means to Prevent Cargo from Rolling  
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- u. 46.37.490 – Cargo W/out Direct Contact Not Prevented from Shifting  
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- v. 46.37.490 – Insufficient Aggregate Working Load Limit  
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- w. 46.37.490 – Failing to Meet Tiedown Requirements  
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- x. 46.37.490 – Insufficient Tiedowns to Prevent Forward Movement  
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Cargo CFR 393.110(b) \$136
- y. 46.37.490 – Insufficient Tiedowns for an Article Blocked with a  
Headerboard, Bulkhead or other Cargo  
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- z. 46.37.490 – Large/Odd-shaped Cargo Not Adequately Secured  
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- aa. 46.37.490 – Tiedown Not Adjustable by Driver  
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- bb. 46.37.490 – No or Improper Front End Structure  
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- cc. 46.37.490 – Insufficient Height for Front End Structure  
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- dd. 46.37.490 – Insufficient Width for Front End Structure  
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- ee. 46.37.490 – Front End Structure Insufficient to Prevent Cargo to Pass  
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- ff. 46.37.490 – No or Improper Securement of Logs  
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- gg. 46.37.490 – Shortwood Log Extends More Than 1/3 of Logs Total

	<u>Length Beyond Supporting Structure</u>	
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	<u>CFR 393.116(d)(2)</u>	<u>\$136</u>
ii.	<u>46.37.490 – Tiedowns Improperly Positioned On Load of Shortwood</u>	
	<u>CFR 393.116(d)(3)</u>	<u>\$136</u>
jj.	<u>46.37.490 – No Center Stakes and/or High Log Not Secured on</u>	
	<u>Shortwood Vehicles more than 10m (33 ft) long</u>	
	<u>CFR 393.116(d)(4)</u>	<u>\$136</u>
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	<u>Lengthwise</u>	
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ll.	<u>46.37.490 – No/Improper Lumber/Building Materials Securement</u>	
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mm.	<u>46.37.490 – Improper Placement of Bundles</u>	
	<u>CFR 393.118(b)</u>	<u>\$136</u>
nn.	<u>46.37.490 – Insufficient Protection Against Lateral Movement of</u>	
	<u>Lumber or Building Materials</u>	
	<u>CFR 393.118(d)</u>	<u>\$136</u>
oo.	<u>46.37.490 – Insufficient or Improper Arrangement of Tiedowns</u>	
	<u>For Lumber or Building Materials</u>	
	<u>CFR 393.118(d)(3)</u>	<u>\$136</u>
pp.	<u>46.37.490 – No or Improper Securement of Metal Coils</u>	
	<u>CFR 393.120</u>	<u>\$136</u>
qq.	<u>46.37.490 – Improper Securement of Metal Coils Transported Vertically</u>	
	<u>CFR 393.120(b)(1)</u>	<u>\$136</u>
rr.	<u>46.37.490 – Improper Securement of Metal Coils Transported in</u>	
	<u>Rows with the Eyes Vertical</u>	
	<u>CFR 393.120(b)(2)</u>	<u>\$136</u>
ss.	<u>46.37.490 – Improper Securement of Metal Coils Transported with</u>	
	<u>Eyes Crosswise</u>	
	<u>CFR 393.120(c)(1)</u>	<u>\$136</u>
tt.	<u>46.37.490 – Prohibited Load Securement – Crossing Tie-downs</u>	
	<u>In a X Pattern Through the Eye of a Metal</u>	
	<u>Coil Transported Crosswise</u>	
	<u>CFR 393.120(c)(2)</u>	<u>\$136</u>
uu.	<u>46.37.490 – Improper Securement of Metal Coil Transported with</u>	
	<u>Eye Lengthwise</u>	
	<u>CFR 393.120(d)(1)</u>	<u>\$136</u>
vv.	<u>46.37.490 – Improper Securement of Metal Coils Transported in</u>	
	<u>Rows, Eyes Lengthwise to the Vehicle</u>	
	<u>CFR 393.120(d)(4)</u>	<u>\$136</u>
ww.	<u>46.37.490 – No Protection Against Shifting or Tipping of Metal Coils</u>	
	<u>Transported in Sided Vehicle or Intermodal</u>	
	<u>Container Without Anchor Points</u>	
	<u>CFR 393.120(e)</u>	<u>\$136</u>



xx.	<u>46.37.490 – No/Improper Securement of Paper Rolls</u>	
	<u>CFR 393.122</u>	<u>\$136</u>
yy.	<u>46.37.490 – Improper Securement of Paper Rolls Transported</u>	
	<u>With Eyes Vertical in a Sided Vehicle</u>	
	<u>CFR 393.122(b)</u>	<u>\$136</u>
zz.	<u>46.37.490 – Improper Securement of Split Loads of Paper Rolls</u>	
	<u>Transported with the Eyes Vertical in a</u>	
	<u>Sided Vehicle</u>	
	<u>CFR 393.122(c)</u>	<u>\$136</u>
aaa.	<u>46.37.490 – Improper Securement of Stacked Loads of Paper Rolls</u>	
	<u>Transported with the Eyes Vertical in a</u>	
	<u>Sided Vehicle</u>	
	<u>CFR 393.122(d)</u>	<u>\$136</u>
bbb.	<u>46.37.490 – Improper Securement of Paper Rolls Transported</u>	
	<u>With the Eyes Crosswise In a Sided Vehicle</u>	
	<u>CFR 393.122(e)</u>	<u>\$136</u>
ccc.	<u>46.37.490 – Securement of stacked loads of Paper Rolls</u>	
	<u>Transported with Eyes Crosswise in a</u>	
	<u>Sided Vehicle</u>	
	<u>CFR 393.122(f)</u>	<u>\$136</u>
ddd.	<u>46.37.490 – Securement of Paper Rolls Transported</u>	
	<u>With Eyes Lengthwise in a Sided Vehicle</u>	
	<u>CFR 393.122(g)</u>	<u>\$136</u>
eee.	<u>46.37.490 – Securement of Stacked Loads of Paper Rolls</u>	
	<u>Transported with the Eyes Lengthwise in a</u>	
	<u>Other than Container Chassis Vehicle</u>	
	<u>CFR 393.122(h)</u>	<u>\$136</u>
fff.	<u>46.37.490 – Securement of paper Rolls Transported on a</u>	
	<u>Flatbed Vehicle or in a Curtain-Sided Vehicle</u>	
	<u>CFR 393.122(i)</u>	<u>\$136</u>
ggg.	<u>46.37.490 – No or Improper Securement of Concrete Pipe</u>	
	<u>CFR 393.124</u>	<u>\$136</u>
hhh.	<u>46.37.490 – Insufficient Working Load Limits for Tiedowns on a</u>	
	<u>Group of Concrete Pipes</u>	
	<u>CFR 393.124(b)</u>	<u>\$136</u>
iii.	<u>46.37.490 – Improper Blocking of Concrete Pipe</u>	
	<u>CFR 393.124(c)</u>	<u>\$136</u>
jjj.	<u>46.37.490 – Improper Arrangement of Concrete Pipe</u>	
	<u>CFR 393.124(d)</u>	<u>\$136</u>
kkk.	<u>46.37.490 – Improper Securement of Concrete Pipe with an Inside</u>	
	<u>Diameter up to 45 inches (1143 mm)</u>	
	<u>CFR 393.124(e)</u>	<u>\$136</u>
lll.	<u>46.37.490 – Improper Securement of Concrete Pipe with an Inside</u>	
	<u>Diameter Greater than 45 inches</u>	
	<u>CFR 393.124(f)</u>	<u>\$136</u>

mmm.	<u>46.37.490 – Failure to Ensure Intermodal Container Securement</u>	
	<u>CFR 393.126</u>	<u>\$136</u>
nnn.	<u>46.37.490 – Damaged or Missing Tiedown or Securement device for</u>	
	<u>Intermodal Containers Transported on</u>	
	<u>Container Chassis Vehicle</u>	
	<u>CFR 393.126(b)</u>	<u>\$136</u>
ooo.	<u>46.37.490 – Lower Corners of Loaded Intermodal Container Not</u>	
	<u>Resting on Surface of Transporting Vehicle</u>	
	<u>(Non Container Chassis)</u>	
	<u>CFR 393.126(c)(1)</u>	<u>\$136</u>
ppp.	<u>46.37.490 – All Corners of Loaded Intermodal Container Not Secured</u>	
	<u>When Transported on Vehicle other than</u>	
	<u>Container Chassis Vehicle</u>	
	<u>CFR 393.126(c)(2)</u>	<u>\$136</u>
qqq.	<u>46.37.490 – Front and Rear of Loaded Intermodal Container Not</u>	
	<u>Secured Independently When Transported</u>	
	<u>On Vehicle Other Than Chassis Vehicle</u>	
	<u>CFR 393.126(c)(3)</u>	<u>\$136</u>
rrr.	<u>46.37.490 – Empty Intermodal Container Not Properly Positioned</u>	
	<u>When Transported on Vehicle Other than</u>	
	<u>Container Chassis Vehicle</u>	
	<u>CFR 393.126(d)(1)</u>	<u>\$136</u>
sss.	<u>46.37.490 – Empty Intermodal Container With More Than 5 ft</u>	
	<u>Overhang When Transported on Vehicle</u>	
	<u>Other than Container Chassis Vehicle</u>	
	<u>CFR 393.126(d)(2)</u>	<u>\$136</u>
ttt.	<u>46.37.490 – Empty Intermodal Container Not Properly Secured to</u>	
	<u>Prevent Shifting When Transported on Vehicle</u>	
	<u>Sided Vehicle</u>	
	<u>CFR 393.126(d)(4)</u>	<u>\$136</u>
uuu.	<u>46.37.490 – No/Improper Securement of Vehicles</u>	
	<u>CFR 393.128</u>	<u>\$136</u>
vvv.	<u>46.37.490 – Vehicle Not Secured, Front and Rear</u>	
	<u>CFR 393.128(b)(1)</u>	<u>\$136</u>
www.	<u>46.37.490 – Tiedown(s) Not Affixed to Mounting Points</u>	
	<u>CFR 393.128(b)(2)</u>	<u>\$136</u>
xxx.	<u>46.37.490 – Tiedown(s) Not Over/Around Wheels</u>	
	<u>CFR 393.1218(b)(3)</u>	<u>\$136</u>
yyy.	<u>46.37.490 – No/Improper Heavy Vehicle/Machine Securement</u>	
	<u>CFR 393.130</u>	<u>\$136</u>
zzz.	<u>46.37.490 – Item Not Properly Prepared for Transport</u>	
	<u>CFR 393.130(b)</u>	<u>\$136</u>
aaaa.	<u>46.37.490 – Improper Restraint/Securement of Item</u>	
	<u>CFR 393.130(c)</u>	<u>\$136</u>
bbbb.	<u>46.37.490 – No/Improper Securement of Crushed Vehicles</u>	
	<u>CFR 393.132</u>	<u>\$136</u>

cccc.	46.37.490 – Prohibited Use of Synthetic Webbing	
	CFR 393.132(b)	\$136
dddd.	46.37.490 – Insufficient Tiedowns Per Stack Cars	
	CFR 393.132(c)	\$136
eeee.	46.37.490 – Insufficient Means to Retain Loose Parts	
	CFR 393.132(c)(5)	\$136
ffff.	46.37.490 – No/Improper Securement of Roll/Hook Container	
	CFR 393.134	\$136
gggg.	46.37.490 – No Blocking Against Forward Movement	
	CFR 393.134(b)(1)	\$136
hhhh.	46.37.490 – Container Not Secured to Front of Vehicle	
	CFR 393.134(b)(2)	\$136
iiii.	46.37.490 – Rear of Container Not Properly Secured	
	CFR 393.134(b)(3)	\$136
jjjj.	46.37.490 – No/Improper Securement of Large Boulders	
	CFR 393.136	\$136
kkkk.	46.37.490 – Improper Placement/Positioning for Boulder	
	CFR 393.136(b)	\$136
llll.	46.37.490 – Use of Synthetic Webbing to Secure Boulder	
	CFR 393.136(c)(1)	\$136
mmmm.	46.37.490 – Improper Secure: Cubic Boulder	
	CFR 393.136(d)	\$136
nnnn.	46.37.490 – Improper Secure: Non-Cubic Boulder with Base	
	CFR 393.136(e)	\$136
oooo.	46.37.490 – Improper Secure: Non-Cubic Boulder Without Base	
	CFR 393.136(f)	\$136

9. Marking Requirements

a.	46.32.010.1 – Motor Carrier Identification Report (USDOT Required)	
	CFR 390.19	\$136
b.	46.32.010.1 – Marking of Commercial Motor Vehicles (Interstate)	
	CFR 390.21	\$136
c.	81.80.305 – Marking of Commercial Motor Vehicles (Intrastate)	
	CFR 390.21	\$1000

10. Miscellaneous CMV Equipment Violations

a.	46.32.010.1 – Improper Battery Installation - No Cover	
	CFR 393.30	\$136
b.	46.37.380 – No or Inoperative Horn	
	CFR 393.81	\$136
c.	46.37.400 – No or Defective Mirrors	
	CFR 393.80	\$136
d.	46.37.500 – No Covers / Flaps or Splash Aprons	
		\$136

11. Steering Violations

- a. 46.37.375 – Steering Wheel Not Secure/Broken  
CFR 393.209(a) \$136
- b. 46.37.375 – Excessive Steering Wheel Lash  
CFR 393.209(b) \$136
- c. 46.37.375 – Loose Steering Column  
CFR 393.209(c) \$136
- d. 46.37.375 – Steering System Components Worn/Welded/Missing  
CFR 393.209(d) \$136
- e. 46.37.375 – Power Steering Violations  
CFR 393.209(e) \$136

12. Suspension Violations

- a. 46.37.369 – Axle Positioning Parts Defective/Missing  
CFR 393.207(a) \$136
- b. 46.37.369 – Adjustable Axle Locking Pins Missing or Not Engaged  
CFR 393.207(b) \$136
- c. 46.37.369 – Leaf Spring Assembly Defective/Missing  
CFR 393.207(c) \$136
- d. 46.37.369 – Coil Spring Cracked and/or Broken  
CFR 393.207(d) \$136
- e. 46.37.369 – Torsion Bar Cracked and/or Broken  
CFR 393.207(e) \$136
- f. 46.37.369 – Air Suspension Pressure Loss  
CFR 393.207(f) \$136
- g. 46.37.369 – No/Defective Air Suspension Exhaust Control  
CFR 393.207(g) \$136

13. Tire Violations

- a. 46.37.425 – Flat Tire or Fabric Exposed  
CFR 393.75(a) \$136
- b. 46.37.425 – Tire-Ply or Belt Material Exposed  
CFR 393.75(a)(1) \$136
- c. 46.37.425 – Tire-Tread and/or Sidewall Separation  
CFR 393.75(a)(2) \$136
- d. 46.37.425 – Tire-Flat and/or Audible Air Leak  
CFR 393.75(a)(3) \$136
- e. 46.37.425 – Tire-Cut Exposing Ply and/or Belt Material  
CFR 393.75(a)(4) \$136
- f. 46.37.425 – Steer Axle Tire Less Than 4/32" Tread Depth  
CFR 393.75(b) \$136

- g. 46.37.425 – Steer Axle Tire Less Than 2/32" Tread Depth  
CFR 393.75(c) \$136
- h. 46.37.425 – regrooved or Recapped Tire on Bus Steer Axle  
CFR 393.75(d) \$136
- i. 46.37.425 – regrooved or Recapped Tire on Truck/Tractor Steer Axle  
CFR 393.75(e) \$136
- j. 46.37.425 – Tire Load Weight Rating Violation/Under Inflated  
CFR 393.75(f) \$136
- k. 46.37.425 – Under-Inflated Tire  
CFR 393.75(h) \$136
- l. 46.37.425 – All Other General Tire Violations  
CFR 396.3(a)(1) \$136

14. Wheel Violations

- a. 46.37.369 – Wheel/Rim Cracked or Broken  
CFR 393.205(a) \$136
- b. 46.37.369 – Stud/Bolt Holes Elongated on Wheels  
CFR 393.205(b) \$136
- c. 46.37.369 – Wheel Fasteners Loose and/or Missing  
CFR 393.205(c) \$136

15. Windshield

- a. 46.32.010.1 – Each Bus and Truck Shall Be Equipped With a  
CFR 393.60(b) \$136  
Windshield
- b. 46.32.010.1 – Damaged or Discolored Windshield  
CFR 393.60(c) \$136
- c. 46.32.010.1 – Glazing Permits <70% of Light  
CFR 393.60(d) \$136
- d. 46.32.010.1 – Windshield Wipers Inoperative/Defective  
CFR 393.78 \$136
- e. 46.32.010.1 – No Required Windshield Washer Fluid  
CFR 393.78 \$136
- f. 46.32.010.1 – Defroster/Defogger Inoperative  
CFR 393.79 \$136

**I. HAZARDOUS MATERIAL VIOLATIONS - 49 C.F.R. Parts 100 through 199**

**1. Cargo Tanks**

a.	46.48.175 – Metal Certification Plate	CFR
	178.340(1)(b)	\$500
b.	46.48.175 – Appurtenances	CFR
	178.340(8)(a)	\$500
c.	46.48.175 – Rear End Protection	CFR
	178.340(8)(b)	\$500
d.	46.48.175 – Overturn Protection	CFR
	178.340(8)(c)	\$500
e.	46.48.175 – Shear Section	CFR
	178.340(8)(d)(1)	\$500
f.	46.48.175 – Piping Protection	CFR
	178. 340(8)(d)(1)	\$500
g.	46.48.175 – Discharge Outlets Not Capped	CFR
	178. 340(8)(d)(1)	\$500

**2. Labeling**

a.	46.48.175 – No Label on Package	
	CFR 172.400(a)	\$500
b.	46.48.175 – Placarding Violations	
	CFR 172.401	\$500
c.	46.48.175 – Subsidiary Hazard labeling	
	CFR 172.402(a)	\$500
d.	46.48.175 – RAM Labeling Requirement	
	CFR 172.403(a)	\$500
e.	46.48.175 – Mixed Label Placement	
	CFR 172.404(a)	\$500
f.	46.48.175 – Placement Requirement	
	CFR 172.406(a)(1)	\$500
g.	46.48.175 – Multiple Label Placement	
	CFR 172.406(c)	\$500

**3. Marking**

a.	46.48.175 – No Shipping Name	
	CFR 172.203(d)(2)	\$500
b.	46.48.175 – Marking Obscured	
	CFR 172.304(a)(3)	\$500
c.	46.48.175 – Unauthorized Abbreviations	
	CFR 172.308(a)	\$500
d.	46.48.175 – No/Missing Package Orientation	
	CFR 172.312(a)(2)	\$500

e.	46.48.175 – Hazardous Substance	
	CFR 172.324	\$500
f.	46.48.175 – Portable Tank: No Shipping Name	
	CFR 172.326(a)	\$500
g.	46.48.175 – Portable Tank: No Identification Number	
	CFR 172.326(a)	\$500
h.	46.48.175 – Portable Tank: No Owner's Name	
	CFR 172:326(b)	\$500
i.	46.48.175 – Cargo Tank: No Shipping Name/ID Number	
	CFR 172.328(a)	\$500
j.	46.48.175 – QT/NQT Marking	
	CFR 172.328(c)	\$500
k.	46.48.175 – Bulk Packaging: No ID Number	
	CFR 172.331	\$500
l.	46.48.175 – ID Number Marking for (b) Panel (c) Placards	
	CFR 172.332	\$500

4. MC 306

a.	46.48.175 – Improper Manhole	CFR
	178.341(3)(a)	\$500
b.	46.48.175 – Internal Valve	CFR
	178.341(5)(a)	\$500
c.	46.48.175 – Fusible Link	CFR
	178.341(3)(a)(1)	\$500
d.	46.48.175 – Remote Shutoff	CFR
	178.341(5)(a)(2)	\$500
e.	46.48.175 – Shear Protection	CFR
	178.341(8)(d)(1)	\$500

5. MC 307

a.	46.48.175 – Leaky Closure	CFR
	178.342(3)	\$500
b.	46.48.175 – Internal Valve	CFR
	178.342(5)(a)	\$500
c.	46.48.175 – Fusible Link	CFR
	178.342(5)(a)(1)	\$500
d.	46.48.175 – Remote Shutoff	CFR
	178.342(5)(a)(2)	\$500

6. MC 312

a.	46.48.175 – Manhole Closures	CFR
	178.343(3)	\$500

- |    |   |              |
|----|---|--------------|
| b. | <u>46.48.175 – Internal Valve/Top Outlet</u>      | <u>CFR</u>   |
|    | <u>178.343(5)(a)</u>                              | <u>\$500</u> |
| c. | <u>46.48.175 – Bottom Valve Piping Protection</u> | <u>CFR</u>   |
|    | <u>178.343(5)(b)(1)</u>                           | <u>\$500</u> |

7. MC 331

- |    |  |              |
|----|--|--------------|
| a. | <u>46.48.175 – Fitting Protection</u>                | <u>CFR</u>   |
|    | <u>178.337(10)(a)</u>                                | <u>\$500</u> |
| b. | <u>46.48.175 – Rear End Protection</u>               | <u>CFR</u>   |
|    | <u>178.337(10)(d)</u>                                | <u>\$500</u> |
| c. | <u>46.48.175 – Internal Valve</u>                    | <u>CFR</u>   |
|    | <u>178.337(11)(a)(2)</u>                             | <u>\$500</u> |
| d. | <u>46.48.175 – Remote Control &gt; 3500 Capacity</u> | <u>CFR</u>   |
|    | <u>178.337(1)(a)(2)(i)</u>                           | <u>\$500</u> |
| e. | <u>46.48.175 – Remote Control &lt; 3500 Capacity</u> | <u>CFR</u>   |
|    | <u>178.337(1)(a)(2)(ii)</u>                          | <u>\$500</u> |
| f. | <u>46.48.175 – Metal Identification Plate</u>        | <u>CFR</u>   |
|    | <u>178.337(17)(a)</u>                                | <u>\$500</u> |
| g. | <u>46.48.175 – Marking Inlets/Outlets</u>            | <u>CFR</u>   |
|    | <u>178.337(9)(c)</u>                                 | <u>\$500</u> |

8. MC 338

- |    |   |              |
|----|---|--------------|
| a. | <u>46.48.175 – Fitting Protection</u>                 | <u>CFR</u>   |
|    | <u>178.338(10)(a)</u>                                 | <u>\$500</u> |
| b. | <u>46.48.175 – Rear End Protection</u>                | <u>CFR</u>   |
|    | <u>178.338(10)(c)</u>                                 | <u>\$500</u> |
| c. | <u>46.48.175 – Manual Shutoff Valve</u>               | <u>CFR</u>   |
|    | <u>178.338(11)(b)</u>                                 | <u>\$500</u> |
| d. | <u>46.48.175 – Fusible Control &gt; 3500 Capacity</u> | <u>CFR</u>   |
|    | <u>178.338(11)(c)(1)</u>                              | <u>\$500</u> |
| e. | <u>46.48.175 – Fusible Control &lt; 3500 Capacity</u> | <u>CFR</u>   |
|    | <u>178.338(11)(c)(2)</u>                              | <u>\$500</u> |
| f. | <u>46.48.175 – Shear Protection</u>                   | <u>CFR</u>   |
|    | <u>178.338(12)</u>                                    | <u>\$500</u> |
| g. | <u>46.48.175 – Name Plate</u>                         | <u>CFR</u>   |
|    | <u>178.338(18)</u>                                    | <u>\$500</u> |

9. Packaging

- |    |   |              |
|----|---|--------------|
| a. | <u>46.48.175 – Non-Specific Package Requirement</u> |              |
|    | <u>CFR 172.24(b)</u>                                | <u>\$500</u> |
| b. | <u>46.48.175 – Reuse of Packaging</u>               |              |
|    | <u>CFR 172.28(a)</u>                                | <u>\$500</u> |



- c. 46.48.175 – Empty (MT) Packages  
CFR 172.29(a) \$500
- d. 46.48.175 – IM Portable Tank Testing  
CFR 172.32(a) \$500
- e. 46.48.175 – Unauthorized Cargo Tank  
CFR 172.33(a) \$500
- f. 46.48.175 – Unlawful Cargo Tank Holding  
CFR 172.33(b) \$500
- g. 46.48.175 – Cylinder Violations  
CFR 172.34(e) \$500

10. Placarding Requirements for the Transportation of Hazardous Material – 49 CFR 172

- a. 46.48.175 – Prohibited Placarding  
CFR 172.502(a)(1) \$500
- b. 46.48.175 – Sign or Device Could be Confused with HM Placard  
CFR 172.502(a)(2) \$500
- c. 46.48.175 – Vehicle Not Placarded as Required  
CFR 172.504(a) \$500
- d. 46.48.175 – Dangerous Placard Violation  
CFR 172.504(b) \$500
- e. 46.48.175 – No Placard for Poison Inhalation Hazard  
CFR 172.505(a) \$500
- f. 46.48.175 – Not Placarded for RAM and Corrosive When Required  
CFR 172.505(b) \$500
- g. 46.48.175 – No Placard for Subsidiary DANGEROUS WHEN WET  
CFR 172.505(c) \$500
- h. 46.48.175 – Failed to Provide Placards Shipper  
CFR 172.506(a) \$500
- i. 46.48.175 – Placards Not Affixed to Vehicle  
CFR 172.506(a)(1) \$500
- j. 46.48.175 – Not Placarded for RAM Highway Route  
CFR 172.507 \$500
- k. 46.48.175 – Freight Container Not Placarded  
CFR 172.512(a) \$500
- l. 46.48.175 – Bulk Package Offered Without Placard  
CFR 172.514(a) \$500
- m. 46.48.175 – Bulk Package with Residue of HM Not Placarded  
CFR 172.514(b) \$500
- n. 46.48.175 – Placard Not Visible from Direction it Faces  
CFR 172.516(a) \$500
- o. 46.48.175 – Placard Not Securely Affixed or Attached  
CFR 172.516(c)(1) \$500

- p. 46.48.175 – Placard Not Clear of Appurtenance  
CFR 172.516(c)(2) \$500
- q. 46.48.175 – Placard Improper Location  
CFR 172.516(c)(4) \$500
- r. 46.48.175 – Placard Not Reading Horizontally  
CFR 172.516(c)(5) \$500
- s. 46.48.175 – Placard Damaged, Deteriorated or Obscured  
CFR 172.516(c)(6) \$500
- t. 46.48.175 – Placard Not on Contrasting Background or Border  
CFR 172.516(c)(7) \$500
- u. 46.48.175 – Placard Does Not Meet Specifications  
CFR 172.519 \$500
- v. 46.48.175 – No Placards and/or Markings When Required  
CFR 177.823(a) \$500

11. Shipping Papers for the Transportation of Hazardous Material – 49 CFR 172

- a. 46.48.175 – No Shipping Paper Provided or Offered  
CFR 172.200(a) \$500
- b. 46.48.175 – Hazmat Not Distinguished From Non-Hazmat  
CFR 172.201(a)(1) \$500
- c. 46.48.174 – Hazmat Not Printed Legibly in English  
CFR 172.201(a)(2) \$500
- d. 46.48.175 – Hazmat Description Contains Abbreviation or Code  
CFR 172.201(a)(3) \$500
- e. 46.48.175 – Additional Information Not After Hazardous Materials  
CFR 172.201(a)(4) \$500
- f. 46.48.175 – Failure to List Page Number of Pages  
CFR 172.201(c) \$500
- g. 46.48.175 – Emergency Response Phone Number Not Listed  
CFR 172.201(d) \$500
- h. 46.48.175 – Improper Shipping Name  
CFR 172.202(a)(1) \$500
- i. 46.48.175 – Improper Hazard Class  
CFR 172.202(a)(2) \$500
- j. 46.48.175 – Wrong or No ID Number  
CFR 172.202(a)(3) \$500
- k. 46.48.175 – No Packing Group Listed  
CFR 172.202(a)(4) \$500
- l. 46.48.175 – Total Quantity Not Listed  
CFR 172.202(a)(5) \$500
- m. 46.48.175 – Basic Description Not In Proper Sequence  
CFR 172.202(b) \$500
- n. 46.48.175 – Total Quantity Improper Location  
CFR 172.202(c) \$500

- o. 46.48.175 – Non Hazardous Material Entered With Class or ID #  
CFR 172.202(e) \$500

12. General Requirements For Shipments And Packagings – 49 CFR 173-177

- a. 46.48.175 – Exemption Number Not Listed  
CFR 173.203(a) \$500
- b. 46.48.175 – Limited Quantity Not Shown  
CFR 173.203(b) \$500
- c. 46.48.175 – Hazardous Substance Entry Missing  
CFR 173.203(c)(1) \$500
- d. 46.48.175 – RQ Not On Shipping Paper  
CFR 173.203(c)(2) \$500
- e. 46.48.175 – No QT / NQT for Anhydrous Ammonia  
CFR 173.203(h)(1) \$500
- f. 46.48.175 – No Notation for QT / NQT for Liquefied Petroleum Gas  
CFR 173.203(h)(2) \$500
- g. 46.48.175 – No Technical Name for “nos” Entry  
CFR 173.203(k) \$500
- h. 46.48.175 – No Poison Inhalation Hazard and/or Hazard Zone  
CFR 173.203(m) \$500
- i. 46.48.175 – No “hot” on Shipping Paper  
CFR 173.203(n) \$500
- j. 46.48.175 – No Temperature Controls Noted for Class 4.1 or 5.2  
CFR 173.203(o) \$500
- k. 46.48.175 – Hazardous Waste Manifest Not as Required  
CFR 173.205 \$500
- l. 46.48.175 – No Instructions for Exclusive Use Packaging:  
Low Specific Activity (LSA)  
CFR 173.427(a)(6)(iv) \$500
- m. 46.48.175 – Exclusive Use Low Specific Activity (LSA) Radioactive  
Material Not Marked “Radioactive-LSA”  
CFR 173. 427(a)(6)(iv) \$500
- n. 46.48.175 – Failure to Provide Exclusive Use Instructions to Carrier  
CFR 173.441(c) \$500
- o. 46.48.175 – No Shipping Papers (Carrier)  
CFR 177.817(a) \$500
- p. 46.48.175 – Shipper Certification Missing (When Required)  
CFR 177.817(b) \$500
- q. 46.48.175 – Shipping Paper Accessibility  
CFR 177.817(e) \$500

13. Transportation of Hazardous Materials – 49 CFR 177

- a. 46.48.175 – No Shipping Papers  
CFR 177.817(a) \$500

- b. 46.48.175 – Shipping Paper Accessibility  
CFR 177.817(e) \$500
- c. 46.48.175 – Improper/No Placard/Marking  
CFR 177.817(a) \$500
- d. 46.48.175 – Hazmat Packages Not Secured  
CFR 177.817(a) \$500
- e. 46.48.175 – Fail To Prevent Relative  
CFR 177.817(a) \$500
- f. 46.48.175 – Manholes/Values Not Closed or Leak Free  
CFR 177.817(a) \$500
- g. 46.48.175 – Poison/Foodstuff Violation  
CFR 177.817(a) \$500
- h. 46.48.175 – Segregation, Load Combination  
CFR 177.817(a) \$500

B. The following parts of Title 49 Code of Federal Regulations (C.F.R.), as set forth in WAC 446-65-010, are hereby adopted by reference as if fully set forth herein:

- 1. “Transportation Requirements”
  - a. Part 40 Procedures for transportation workplace drug and alcohol testing programs.
  - b. Part 325 Compliance with interstate motor carrier noise emission standards.
  - c. Part 350 Commercial motor carrier safety assistance program.
  - d. Part 355 Compatibility of state laws and regulations affecting interstate motor carrier operations.
  - e. Part 365 Rules governing applications for operating authority.
  - f. Part 367 Standards for registration with states.
  - g. Part 372 Exemptions, commercial zones and terminal areas.
  - h. Part 373 Receipts and bills.
  - i. Part 376 Lease and interchange of vehicles.
  - j. Part 379 Preservation of records.
  - k. Part 380 Special training requirements.
  - l. Part 381 Waivers, exemptions, and pilot programs.
  - m. Part 382 Controlled substances and alcohol use and testing.
  - n. Part 383 Compliance with commercial driver's license program.
  - o. Part 385 Safety fitness procedures.
  - p. Part 387 Minimum levels of financial responsibility for motor carriers.
  - p. Part 390 General.
  - r. Part 391 Qualification of drivers. Provided that 49 C.F.R. 391 subpart D (Tests), and E (Physical Qualifications and Examinations) do not apply to motor carriers operating vehicles with gross vehicle weight rating between 10,001 lbs. and 26,000 lbs. operating intrastate, and not used to transport hazardous materials in a quantity requiring placarding.

- s. Part 392 Driving of motor vehicles.
- t. Part 393 Parts and accessories necessary for safe operation.
- u. Part 395 Hours of service of drivers: Except if a company has drivers of commercial motor vehicle of any size, hauling logs from the point of production or driving in dump truck operations in intrastate commerce provided that:
  - i. The driver must:
    - (A) Operate within a one hundred air-mile radius of the location where the driver reports to work and the driver must return to the work reporting location at the end of each duty tour;
    - (B) Have at least ten consecutive hours off duty separating each on-duty period;
    - (C) Not drive:
      - More than twelve hours following at least ten hours off duty; or
      - After the fourteenth hour after coming on duty on at least five days of any period of seven consecutive days; and
      - After the sixteenth hour after coming on duty on no more than two days of any period of seven consecutive days; and
      - After having been on duty for eighty hours in seven consecutive days if the employing motor carrier does not operate commercial motor vehicle every day of the week; or
      - After having been on duty for ninety hours in eight consecutive days if the employing motor carrier operates commercial motor vehicle every day of the week; in any period of seven or eight consecutive days may end with the beginning of any off-duty period of twenty-four or more consecutive hours.
  - ii. The motor carrier that employs the driver must maintain and retain for a period of twelve months accurate and true time recordings showing:
    - (A) The time the driver reports for duty each day;
    - (B) The total number of hours the driver is on duty each day;
    - (C) The total number of hours the driver drives each day;
    - (D) The time the driver is released from duty each day; and
    - (E) The total time the driver is driving and on duty for the preceding seven days.
- v. Part 396 Inspection, repair, and maintenance.
- w. Part 397 Transportation of hazardous materials; driving and parking rules.

2. As provided in Part 395, exemption for agricultural transporters, the harvest dates are defined as starting February 1 and ending November 30 of each year.
3. Links to the C.F.Rs. are available on the Washington state patrol web site at [www.wsp.wa.gov](http://www.wsp.wa.gov). Copies of the C.F.Rs. may also be ordered through the United States Government Printing Office, 732 N. Capitol Street N.W., Washington, D.C. 20401.

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

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

Attest:

Approved as to form:

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

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

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

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

# Briefing Paper

## Public Safety and Community Health Committee

<b>Division &amp; Department:</b>	Police Department
<b>Subject:</b>	Incorporation of RCWs and CFRs related to Commercial Vehicle Enforcement
<b>Date:</b>	March 5, 2019
<b>Contact (email &amp; phone):</b>	Mary Muramatsu ( <a href="mailto:mmuramatsu@spokanecity.org">mmuramatsu@spokanecity.org</a> ) (509) 625-6289
<b>City Council Sponsor:</b>	Lori Kinnear
<b>Executive Sponsor:</b>	Sgt. John Griffin, Spokane Police Department
<b>Committee(s) Impacted:</b>	Public Safety
<b>Type of Agenda item:</b>	<input type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
<b>Alignment:</b> (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	
<b>Strategic Initiative:</b>	
<b>Deadline:</b>	Will file for Council consideration following committee meeting.
<b>Outcome:</b> (deliverables, delivery duties, milestones to meet)	Will allow Commercial Vehicle Enforcement Officers of the Spokane Police Department to file commercial vehicle violations in Spokane Municipal Court.
<b>Background/History:</b> Commercial Vehicle regulations are codified in the Code of Federal Regulations by the Federal Motor Carrier Safety Administration (FMCSA). The Washington legislature codified these regulations in the Revised Code of Washington (RCW) to allow Washington State Patrol to enforce these regulations locally. By agreement, local law enforcement officers are cross-deputized to enforce commercial vehicle violations, and these violations are in the state e-ticketing system. Only Spokane officers are limited by the very specific jurisdiction of its Municipal Court, which may not assert jurisdiction over state law violations unless they have been previously incorporated through the Model Traffic Ordinance or the City adopts these RCWs into the Municipal Code.	
<b>Executive Summary:</b> <ul style="list-style-type: none"> <li>• Incorporates the entire array of commercial vehicle regulations into the Spokane Municipal Code thereby allowing the Spokane Municipal Court to exercise jurisdiction over these violations.</li> </ul>	
<b>Budget Impact:</b> Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A Annual/Reoccurring expenditure? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A If new, specify funding source: Other budget impacts: (revenue generating, match requirements, etc.)	
<b>Operations Impact:</b> Consistent with current operations/policy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A Requires change in current operations/policy? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Specify changes required: Currently, SPD officers cite commercial vehicle violations into District Court. Known challenges/barriers:	

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

04/29/2019

Date Rec'd

4/17/2019

Clerk's File #

ORD C35766

Renews #Submitting Dept

CITY COUNCIL

Cross Ref #Contact Name/Phone

CANDACE MUMM 6256269

Project #Contact E-Mail

AMCDANIEL@SPOKANECITY.ORG

Bid #Agenda Item Type

First Reading Ordinance

Requisition #Agenda Item Name

0320 REVENUE STABILIZATION AND CONTINGENCY FUND ORDINANCE

Agenda Wording

An ordinance strengthening the City's revenue stabilization and contingency reserve accounts; amending section 07.08.010 of the Spokane Municipal Code.

Summary (Background)

This ordinance automatically directs all unappropriated general fund balances into the Revenue Stabilization Fund until the fund reaches 3.5% of the last three years rolling average of revenue. The ordinance also directs after the Revenue Stabilization Fund is fully funded that unappropriated general fund balances be directed to the Contingency Fund until 10% of the budgeted general fund expenditures has been reached and fully funded.

Fiscal Impact

Grant related? NO

Budget Account

Public Works? NO

Select \$

#

Select \$

#

Select \$

#

Select \$

#

ApprovalsCouncil NotificationsDept Head

MCDANIEL, ADAM

Study SessionDivision DirectorOtherFinance & Administration  
- 4/15/19Finance

BUSTOS, KIM

Distribution ListLegal

PICCOLO, MIKE

cmarchand@spokanecity.org

For the Mayor

ORMSBY, MICHAEL

cmumm@spokanecity.org

Additional ApprovalsPurchasing



## ORDINANCE NO. C-\_\_\_\_\_

An ordinance strengthening the City's revenue stabilization and contingency reserve accounts; amending section 07.08.010 of the Spokane Municipal Code.

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

**Section 1.** That section 07.08.010 of the Spokane Municipal Code is amended to read as follows:

### **Section 07.08.010 General Fund Establishment**

- A. There is established a "general fund" into which all sums of money collected by the City for any purpose whatsoever shall be deposited unless otherwise provided by ordinance directing the deposit into some specific fund other than the general fund.
- B. There is established within the general fund a revenue stabilization account which shall consist of a specific portion of the unappropriated general fund balance as determined by this section and which shall be used for the revenue stabilization for future city operations and to fund ordinary and ongoing city activities that would otherwise be reduced in scope, suspended, or eliminated due to unanticipated shortfalls in general fund revenues. The revenue stabilization account shall be funded as follows.
  1. At the conclusion of each and every fiscal year commencing with year ((2007 (for the 2008 budget))) 2018 and every year thereafter, ((amounts from)) that year's unappropriated general fund balance shall be ((appropriated to)) automatically transferred into the revenue stabilization account until such time as the revenue stabilization account is funded to the targeted funding level as listed in this section. Any year's unappropriated general fund balance beyond the revenue stabilization account targeted funding level shall remain in general fund unappropriated fund balance.
  2. Additional funds may be added to the revenue stabilization account during the ensuing ((budget)) fiscal year in accordance with standard ((emergency)) special budget ordinance procedures.
  3. The initial targeted funding level within the revenue stabilization account shall be three and one-half percent (3.5%) of budgeted general fund revenues.
    - a. The City shall, on a best efforts basis, take such steps necessary to meet the initial targeted funding level no later than April 30, ((2008))2020, and each year thereafter.

- b. Annually during each budget cycle, the chief financial officer, or designee, shall report to the city council on the revenue stabilization account including current and proposed future funding levels consistent with revenue growth projected in the City's six-year general fund financial forecast and a discussion of investment activity within the account for the period and investment planning in place for future periods. This annual report shall also include analysis and consideration of the proper targeted funding level going forward in relation to changing conditions and prudent fiscal practices along with recommendations, if any, to amend this subsection.
  - c. Disbursements from the revenue stabilization account may be made to mitigate a general fund revenue shortfall deemed by the city council to meet the following criteria:
    - i. The revenue shortfall results from revenue collections considered to be materially short of the amount budgeted, or the revenue shortfall results from projected baseline (existing) budgeted revenues for any ensuing year increasing by less than the assumed long-term revenue growth rate in the City's six-year general fund projection for the immediate year; and
    - ii. The revenue shortfall is expected to persist through the end of the fiscal year; and
    - iii. The revenue shortfall is reasonably expected to persist for a period no longer than three (3) years. A revenue shortfall expected to persist beyond three (3) years shall be directly addressed in the current annual budget process through long-term budget measures.
  - d. Disbursements from the revenue stabilization account may include amounts budgeted in the general fund to supplement revenue shortfalls that occur in other City funds.
  - e. Appropriation from the revenue stabilization account is by enactment of an ordinance pursuant to standard procedures except that the ordinance shall be passed by a vote of one more than a majority of the council except where an appropriation is already included in the regularly adopted annual budget.
- C. There is established within the general fund a contingency reserve account which shall consist of a specific portion of the unappropriated general fund balance.

1. At ~~((each and every budget cycle commencing with year 2004))~~ such time when the revenue stabilization account is at the initial targeted funding level as specified in SMC 07.08.010(B)(3), and every year thereafter, ((an amount from)) the unappropriated general fund balance at each such year-end shall be ~~((appropriated to))~~ automatically transferred into the contingency reserve account.
2. Additional funds may be added to the contingency reserve account in such amounts and at such additional times during the ensuing budget year in accordance with standard special budget ordinance procedures.
3. The initial targeted funding level within the contingency reserve account shall be ten percent (10%) of budgeted general fund expenditures.
  - a. The City shall, on a best efforts basis, take such steps necessary to meet the targeted funding level ~~((no later than December 31, 2008,))~~ at the conclusion of the first budget year after the revenue stabilization account reaches its initial targeted funding level and each year thereafter.
  - b. During each budget cycle, the chief financial officer shall report to the city council on the contingency reserve account including current and estimated future funding levels consistent with the City's six-year general fund financial forecast. This annual report shall include analysis and consideration of the proper targeted funding level in relation to changing conditions and prudent fiscal practices.
4. Disbursements from the contingency reserve account are for the purpose of meeting extraordinary expenditures and are to be governed by the following criteria:
  - a. Unforeseen circumstances arising after the adoption of the annual budget which require an unavoidable and non-continuing allocation; or
  - b. Unforeseen emergency threatening health and/or safety of the citizens; or
  - c. Unanticipated non-continuing expenses are needed to fulfill an unfunded legislative mandate; or
  - d. Significant operating efficiencies can be achieved resulting in clearly identified near-term and offsetting cost savings.

5. Appropriation from the contingency reserve account is by the standard special budget ordinance procedure.

D. During such time that both the revenue stabilization and contingency reserve accounts are at the initial targeted funding level, any unappropriated fund balance in ensuing years should first be used to pay for existing obligations rather than to fund new programs.

E. The transfers required by SMC 07.08.010(B)(1) and (C)(1) shall be accomplished no later than July 1 of each fiscal year.

**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:**

04/29/2019

Date Rec'd

4/9/2019

Clerk's File #

RES 2019-0030

Renews #

Submitting Dept

PLANNING

Cross Ref #

Contact Name/Phone

TERI STRIPES 625-6597

Project #

Contact E-Mail

TSTRIPES@SPOKANECITY.ORG

Bid #Agenda Item Type

Resolutions

Requisition #Agenda Item Name

0650 - RESOLUTION TO ESTABLISH A HEARING - COMMUNITY EMPOWERMENT

Agenda Wording

A RESOLUTION EXPRESSING THE INTENTION OF THE CITY COUNCIL TO ADOPT SPOKANE'S COMMUNITY EMPOWERMENT ZONE STRATEGIC PLAN AND DESIGNATE A COMMUNITY EMPOWERMENT ZONE BOUNDARY AND TO SET A PUBLIC HEARING

Summary (Background)

The City of Spokane is exercising its authority under Chapter 43.31C RCW by amending a 2001 Community Empowerment Zone and a Plan to reflect current needs for reinvestment in the expanded Community Empowerment Zone by establishing an amended plan and boundary for granting such State incentives within the designated boundary.

Fiscal Impact

Grant related? NO

Budget Account

Public Works? NO

Neutral

\$

#

Select

\$

#

Select

\$

#

Select

\$

#

ApprovalsCouncil NotificationsDept Head

TRAUTMAN, HEATHER

Study SessionDivision Director

CORTRIGHT, CARLY

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Urban Development 4-8-

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Purchasing

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sbishop@spokanecity.org

## Briefing Paper

### Urban Experience Committee

<b>Division &amp; Department:</b>	Planning Economic Development Team
<b>Subject:</b>	Spokane's Community Empowerment Zone Strategic Plan
<b>Date:</b>	4/8/2019
<b>Author (email &amp; phone):</b>	Department Director, Heather Trautman and Teri Stripes x6597
<b>City Council Sponsor:</b>	Karen Stratton, Mike Fagan, and Ben Stuckart
<b>Executive Sponsor:</b>	Gavin Cooley
<b>Committee(s) Impacted:</b>	Urban Experience, Sustainable Resource, and Innovative Infrastructure
<b>Type of Agenda item:</b>	Consent      X    Discussion      Strategic Initiative
<b>Alignment:</b> (link agenda item to guiding document – i.e., Master Plan, Budget , Comp Plan, Policy, Charter, Strategic Plan)	<b>Strategic Key Advancement of:</b>  Strategies and Tactics: <ul style="list-style-type: none"> <li>Invest in Key Neighborhoods and Business Centers; esp PDA's</li> <li>Invest in Key Public Amenities and Facilities</li> <li>Maximize Public Assets</li> </ul> Expected Outcomes: <ul style="list-style-type: none"> <li>Property values growing faster than historic averages</li> <li>We have created an environment to promote mixed income neighborhoods with a diverse range of housing options for all buyers</li> <li>Total public/private investment and job growth is higher in targeted areas compared with the region</li> </ul> <b>Comprehensive Plan, Charter 7 Economic Development:</b>  ED 2 LAND AVAILABILITY FOR ECONOMIC ACTIVITIES Goal: Ensure that an adequate supply of useable industrial and commercial <ul style="list-style-type: none"> <li>Property is available for economic development activities.</li> </ul> ED 7 REGULATORY ENVIRONMENT AND TAX STRUCTURE Goal: Create a regulatory environment and tax structure that encourage investment, nurture economic activity, and promote a good business climate. <ul style="list-style-type: none"> <li>ED 7.4 Tax Incentives for Land Improvement <i>Support a tax structure that encourages business investment and construction where infrastructure exists, especially in centers or other target areas for development.</i></li> <li>ED 7.5 Tax Incentives for Renovation <i>Use tax incentives and investments to encourage revitalization, modernization, or rehabilitation of deteriorated residential and commercial properties and buildings for new economic activity.</i></li> </ul>
<b>Strategic Initiative:</b>	See above Alignment with Urban Experience
<b>Deadline:</b>	4/8/2019

<b>Outcome:</b> (deliverables, delivery duties, milestones to meet)	Staff would like to bring forward Spokane's Community Empowerment Zone Strategic Plan and new Boundary for Council adoption, as soon as possible. Or, staff can brief the final plan at a later date ... <b>Please advise.</b>
<p><u>Background/History:</u></p> <p><b>In the summer of 2017, the PED committee appointed Council Members Fagan and Stratton to participate on the review committee and to assist in updating the existing CEZ plan and boundary.</b></p> <p><i>Prior History:</i></p> <p>In 2001, the City of Spokane's Community Development Department embarked upon an application to State to recognize its five-year Community Empowerment Zone Plan and allow the city to offer the State's Community Empowerment Zone incentives allowed by 43.31C RCW.</p> <p>The City is responsible to the State for the plan and reports annually to the State on the use of the incentive (GSI offers and tracks the incentive to the new private sector industrial development employer). Both the City and GSI promote the incentive to eligible employers.</p> <p>In late 2015, after the establishment of the Planning Economic Development Strategy and the Planning Economic Development (ED) Team implementing the strategy, it became evident that the responsibility of the Plan and reporting to the State should reside with the ED team lead.</p> <p>In 2016, Teri Stripes worked with CHHS to meet the State's 2015 reporting requirement and in 2017, the ED Team solely met the State's 2016 reporting requirements. Note that in 2016 there were no companies that took advantage of the incentive, which remained true in 2017.</p>	
<p><u>Executive Summary:</u></p> <p>Over the course of two months, the review committee got familiar with the required components of the application and plan, and came to agreement on the update charter.</p> <p>During the next two months, the team became familiar with the eligible areas of town that also supported manufacturing job creation. They made recommendations for investigation. The boundary changes they have landed on includes all our eligible industrial properties, many general commercial properties, where some small/light manufacturing can locate in, and also includes the census tracts of income eligible workforce population.</p> <p>The review committee then diligently worked throughout most of the remaining 2017 and early 2018 identifying portions of plans they represented, or reviewed that should be incorporated in to the updated CEZ. Those plans had to identify needs and financial solutions for the community within the CEZ.</p> <p>In 2018, staff began pulling all those portions of existing community plans together into the current draft CEZ plan and adding in the new Federally designated and qualified Opportunity Zones.</p> <p>A draft (final editing needs to occur) is attached as well as the boundary map. We hope you will be comfortable having us bring a final plan forward for adoptions in April rather than waiting until May or June.</p> <p><u>Next Steps:</u></p> <p>Convert Draft to Final Plan and Boundary</p> <p>Council Adoption of Plan and Boundary</p> <p>Complete application and apply to Departments of Commerce and Revenue for Adoption</p>	
<p><u>Budget Impact:</u> None</p> <p>Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Annual/Reoccurring expenditure? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Other budget impacts: (revenue generating, match requirements, etc.)</p>	

Operations Impact:

Consistent with current operations/policy?      x      Yes      ☐ No

Requires change in current operations/policy?      ☐ Yes      x      No

Specify changes required: ORD amendment

Known challenges/barriers:



RESOLUTION NO. 2019-0030

A RESOLUTION EXPRESSING THE INTENTION OF THE CITY COUNCIL TO ADOPT SPOKANE'S COMMUNITY EMPOWERMENT ZONE STRATEGIC PLAN AND DESIGNATE A COMMUNITY EMPOWERMENT ZONE BOUNDARY AND TO SET A PUBLIC HEARING

WHEREAS, Chapter 43.31C RCW authorizes cities to designate geographic areas within communities that are characterized by a lack of employment opportunities, an average income level that is below the median income level for the surrounding community, a lack of affordable housing, deteriorating infrastructure, and a lack of facilities for community services, job training, and education; incentive programs by designating residential targeted areas within urban centers; and

WHEREAS, the City of Spokane exercised its authority under Chapter 43.31C RCW by amending a 2001 Community Empowerment Zone and a Plan to reflect current needs for reinvestment in these areas by establishing an amended plan and boundary for granting such State incentives in designated boundary; and

WHEREAS, the City will subsequently revise the designated CEZ boundary area once the Plan and Boundary are approved by the State agencies; and

WHEREAS, the City Council, along with the City Administration, has performed a review of the amended Plan and Boundary; and

WHEREAS, the City Council desires to modify the boundary of the existing designated CEZ Boundary and to revise the name of the boundary to Spokane's Community Empowerment Zone Boundary.

NOW, THEREFORE, it is resolved by the City Council that it is the intent of the City of Spokane to adopt the attached amended Spokane's Community Empowerment Strategic Zone Plan and the Spokane's Community Empowerment Zone Boundary.

BE IT FURTHER RESOLVED that the City of Spokane shall conduct a public hearing on April 29, 2019 beginning at 6:00 pm at the City Council Chambers at City Hall, West 808 Spokane Falls Blvd., Spokane, Washington, to take public testimony and consider the amended plan and designation of the amended boundary.

BE IT FURTHER RESOLVED that pursuant to RCW 43.31C.070 Director of Planning is appointed as the community empowerment zone administrator.

PASSED BY THE CITY COUNCIL ON \_\_\_\_\_, 2019.

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

Attest:

Approved as to form:

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

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

# City of Spokane

## Spokane's Community Empowerment Zone Strategic Plan

and

Incentive Boundary Map (2017-2018 Update)

Adoption 2019



**Mayor David A. Condon**

Spokane City Hall  
808 W. Spokane Falls Blvd.  
Spokane, WA 99201

509.625.6250

[mayor@spokanecity.org](mailto:mayor@spokanecity.org)

---







### City Council President



**Ben Stuckart**

Term: 2016-2019

[bstuckart@spokanecity.org](mailto:bstuckart@spokanecity.org)

District 1	
 <p><b>Kate Burke</b> <i>City Council Member, District 1</i> Term: 2018-2021 <a href="mailto:kateburke@spokanecity.org">kateburke@spokanecity.org</a></p>	 <p><b>Mike Fagan</b> <i>City Council Member, District 1</i> Term: 2016-2019 <a href="mailto:mfagan@spokanecity.org">mfagan@spokanecity.org</a></p>
District 2	
 <p><b>Breean Beggs</b> <i>City Council Member, District 2</i> Term: 2018-2021 <a href="mailto:bbeggs@spokanecity.org">bbeggs@spokanecity.org</a></p>	 <p><b>Lori Kinnear</b> <i>City Council Member, District 2</i> Term: 2016-2019 <a href="mailto:lkinnear@spokanecity.org">lkinnear@spokanecity.org</a></p>
District 3	
 <p><b>Candace Mumm</b> <i>City Council Member, District 3</i> Term: 2018-2021 <a href="mailto:cmumm@spokanecity.org">cmumm@spokanecity.org</a></p>	 <p><b>Karen Stratton</b> <i>City Council Member, District 3</i> Term: 2016-2019 <a href="mailto:kstratton@spokanecity.org">kstratton@spokanecity.org</a></p>

## **Review Committee Acknowledgements:**

The updated Community Empowerment Zone (CEZ) Strategic plan, boundary, and application are the product of many plans and implementation strategies that numerous individuals, agencies, and organization have participated in and contributed to over the years. The City Council, CEZ review committee, various City departments, Community, Housing, and Human Services Board, Greater Spokane Incorporated (ADO and chamber), Spokane Transit Authority all participated as plan experts from their departments and agencies in the review and update process for the CEZ plan. Each committee member reviewed their plan as well as others for challenges and solutions that should be incorporated in the updated CEZ plan. Great appreciation is given to those who assisted in reviewing numerous community plans and brought forward concerns from other boards and committees for our CEZ plan update process.

### **City Council Members and Staff**

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Karen Stratton, Skyler Oberst District 3 representing five Neighborhood Councils in the CEZ: [Audubon/Downriver](#), [Emerson/Garfield](#), [North Hill](#), [Northwest](#), and [West Central](#)

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## Community Empowerment Zone Strategic Plan and Boundary Update Executive Summary

The City of Spokane saw a need to seek an update to the 2001 Community Empowerment Zone boundary established long ago with the assistance of the Departments of Commerce and Revenue. The boundary and plan updates were necessary due to the changes in the incentive's eligibility requirements. Spokane strongly agrees that the incentive is far more powerful for long-term job creation and community revitalization when the business receiving the benefit is located within the defined zone. However, the Spokane CEZ boundary previously adopted did not include most of our industrially zoned land. Consequently, manufacturing businesses looked outside of the city for less expensive land to develop. Watching this dynamic play out more often than not, over the last few years provided the impetus for the update to the boundary and the outdated plan.

Since the first CEZ and GMA required Comprehensive Plan was undertaken, our community and stakeholders have embraced good planning and implementation. The stakeholders and community leaders have all been very involved, frequently, and often in creating plans and implementation strategies for the redevelopment of Spokane. As a Review and Update Committee, we decided that our updated CEZ Plan needed to bring together the implementation strategies and plans from past and recent efforts that identify needs and solutions in the area of the proposed CEZ boundary. We needed to confirm that the incentive was still needed, that the locations for manufacturing existed, and that the various community plans programmed the near term investments to be invested within the CEZ proposed boundary. This update strategy of building upon the past community outreach efforts, and consolidating all the past work where it touches the CEZ boundary into one plan was efficient and necessary. In addition to bringing together all those plans, the committee dove into making sure that the 2018 federal tax act, which allowed for the creation of Opportunity Zones (OZs) for private sector reinvestments, aligned within our CEZ boundary. Therefore, about eight months of work shifted toward identifying and proposing to the Governor the right qualifying census tracts as OZs. So, the completion and addition to the CEZ Plan and boundary was delayed until the Spring of 2019. The result is the inclusion of all eleven of Spokane OZs in our proposed CEZ boundary.

The CEZ investments in the plan are programmed in concert with the 2017 updated Comprehensive Plan, 2018 as well as the 2019 updated Strategic Investment Plan, the Community Housing and Human Services Consolidated Plan, Spokane Transit Authority's Capital Plan, and the City's Six-year Capital Investment Plan. The Investments detailed within the plan are summarized in the table below.

Funding		
Organization/Plan	Area of Need	Programmed Amount
2018 Strategic Investment Plan	Community Place Making/Recreation Access/Infrastructure/Neighborhood Revitalization	\$51,900,000
Spokane Transit Authority's Capital Plan	Transportation Capital/Fleet Replacement	\$55,394,615
City's Six-year Capital Investment Plan	Infrastructure/Capital Facilities	\$862,000,000
Community Housing and Human Services Consolidated Plan	Housing/Emergency Housing/Homelessness/CDBG	\$4,700,000
Economic Development Incentives Investment	Commercial Redevelopment/Job Creation/Rater Payer additions/Property, Utility, and Sales Tax expansion/Housing	\$4,400,000
	Total	\$977,394,615

These investments in core commercial infrastructure, community services, public realm enhancement, education and library provide for:

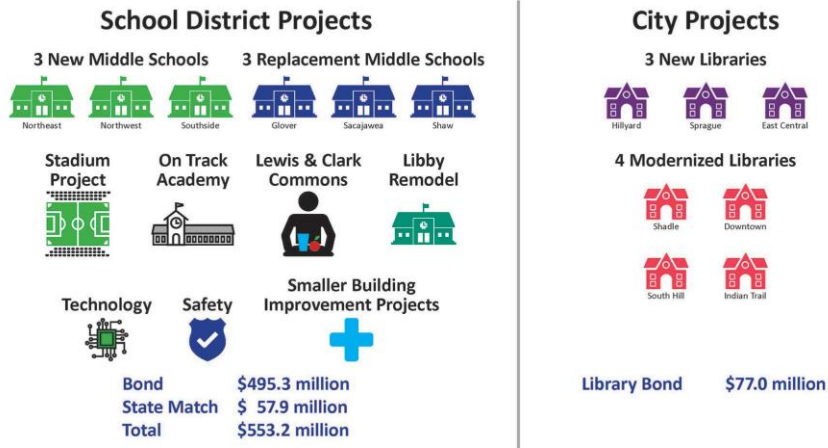
- job creation
- public facilities
- a sense of place
- better education
- public safety
- neighborhood stabilization
- neighborhood rehabilitation
- access to necessary services and amenities

Spokane is the second largest City in the State and provides urban services for medical, mental health, primary and secondary education, transportation (air, rail, bus), distribution, entertainment, commerce, and recreation for all of eastern WA, northern ID, western MT, and even some Canadian provinces.

As poorer individuals often move to Spokane to be closer to the services and jobs, the poverty in the center of Spokane radiates out for our downtown.. Initiatives to addressing poverty needs and creating better paying jobs is imperative. The CEZ designation is one incentive among many that will assist us in addressing the poverty and living wage job creation.

In late 2018, voters passed a significant Schools and Library Bond measure. The project will bring over \$550MM in school investment and \$77MM in Library investments. Over 75% of these investments will be occurring within the proposed CEZ. This measure and outcome were not identified in our CEZ plan but have come about since.

## School District & City Facility Improvement Partnership Projects



The City of Spokane and Spokane Public Schools have joined together to develop an unprecedented partnership, designed to build community, support healthy neighborhoods, and create value for the citizens they both serve.

These partners have developed a plan that would deliver a wide array of educational and recreational facilities and programs dispersed throughout the neighborhoods of the City, creating places for positive activity that support healthy youth, families, and community, while also creating jobs, growth, and economic opportunity.

The plan uses an integrated approach that leverages a variety of resources, including dollars, land, facilities, and programs, to stretch the buying power of citizens' dollars.

Taking advantage of a change in how the State of Washington funds public education, citizens would see a significant decrease in their property taxes, while still allowing for the proposed major investment in learning, literacy, and recreation.

### The Ballot Items

The plan includes three proposals that would be voted on by citizens:

- A \$495.3 million bond issue by [Spokane Public Schools](#) that would include 3 new middle schools; 3 replacement middle schools; updates at Lewis & Clark High School, Libby Center, and On Track Academy; safety and technology updates; and funding for a stadium replacement. [See the information provided by Spokane Public Schools.](#)
- A \$77 million issue by the **City of Spokane** that would include three new libraries and four library modernization projects. [See the information provided by Spokane Public Library.](#)

- A **City of Spokane** advisory vote that asks voters whether they would like to see a high school replacement stadium built at the current site of Albi Stadium or in a centralized location on the North Bank, adjacent to the Spokane Arena and planned new Sportsplex. [Note the Advisory vote to move the high school stadium to the new sports complex did not pass. So, the construction of the Sportsplex is continuing without the high school stadium. The Sportsplex is also being constructed within the CEZ boundary in a blighted area of town.]

Details above are from The City of Spokane, Spokane Public Schools, and the Spokane Public Library have partnership websites <https://www.partnershipspokane.org/> and <https://my.spokanecity.org/learningbond/>.

## 2019 Updated Strategic Plan

Another significant update occurred January 2019, the update was to the 2017-2018 Strategic Investment Plan, which was included in our CEZ and the update warrants mention here. Below are updates to all four sections of the investment implementation as well as some performance outcomes. As noted, in the CEZ Plan the vast majority of this investment is occurring in the proposed CEZ boundary. The Plan details below come from the plan's website. <https://my.spokanecity.org/cityhall/strategic-plan/>

## Safe & Healthy

**Safe & Healthy**  
To create a safe, healthy, supportive environment for the City of Spokane residents, business and visitors.

**Reducing Crime, Improving Patient Outcomes, Helping Those in Need**

**Lower property crime.** Residential burglaries are down 13 percent over last year, commercial burglaries are down 10 percent, and vehicle thefts are down as well.

**Supervision for Property Crime Offenders.** Community supervision for habitual car thieves, once they are released from custody, is at the top of Spokane's 2019 legislative wish list. Community supervision can require that offenders submit to periodic drug screenings, drug rehabilitation programs and have no contact with other convicted felons.

**New Eviction Center.** The center is one of only 17 in the nation. The center connects those experiencing homelessness and other low-income individuals with a variety of services in a single location. The Center supports four key pillars of self-sufficiency: 1) Economic Empowerment, 2) Educational Advancement, 3) Health & Wellness, and 4) Character and Leadership.

**Evolving Services for Those Experiencing Homelessness.** A new permanent shelter is in the works, as the community overall seeks out best practices to assist those experiencing homelessness. The City also is investing another \$800,000—in addition to the \$8.5 million the City spent in 2018—in homelessness services in 2019, increasing direct outreach to those in need.

**Delivering Better Medical Outcomes.** Firefighter Paramedics and EMTs are improving outcomes for citizens experiencing cardiac arrest and stroke. By recognizing symptoms, administering appropriate care quickly, and providing detailed information to emergency room providers, our firefighters are saving lives.

**Right care in the right place.** Spokane Fire Department (SFD) has partnered with Frontier Behavioral Health, with funding from Providence Medical Group, to staff a Behavioral Response Unit. The program diverts people experiencing less acute behavioral issues from the Emergency Room so they can be connected to more appropriate community resources. This allows Emergency Room staff to provide the highest level of care to the most acute medical and behavioral health patients.

Create a compassionate community so that all people can feel safe, empowered, and welcome.

### 2-Year Action Plan

- **PRIORITY:** Develop integrated emergency response
- Increase and embrace diversity

### 6-Year Plan

- Advance public safety through criminal justice reform
- Reduce homelessness and protect vulnerable populations
- Beautify Spokane through citywide clean and safe

### Discussion:

Under the Safe and Healthy initiative, City staff have worked with regional partners to assess and evaluate important advancements including the integration of 9-1-1 and dispatch services. They've also worked to improve public safety response

to vulnerable populations and provide them with follow-up services that reduce visits to the emergency room while increasing the level of care for the individual. Criminal justice reform efforts also are proceeding region wide and an additional major grant has been received to continue this work. These public safety responses also are paired with improved maintenance of public space and standards for quality housing.



## Urban Experience

Riding the Waves, Rolling Along, Putting Down Roots

**Riverfront Spokane.** In Riverfront, we have opened the new Carousel building, the renovated Rotary Fountain, the Howard Street South bridge, and the Skate Ribbon. Up next is the Pavilion and center promenade. Riverfront Spokane is our living room, and we love what's happening there.

**Healthy Downtown.** A resurgence that began to transform downtown over a decade ago continues with renewed pace and excitement. New investment continues to abound with everything from historic renovation and new construction to homegrown business development and the attraction of national retailers.

**BikeShare.** Last fall, it seemed the entire City was rolling along—on electric scooters and bikes. Citizens and visitors took 139,000 rides during 68 days of the pilot bike share program. Selected officials and staff are working on changes to usher in a permanent bike share program.

**The SportsPlex.** Work will start in 2019 on the new regional sports facility near the Spokane Arena that will host large tournaments that generate tourism and serve as a practice and competition venue for local sports groups and community programming. The facility will boost the local and state economies through the attraction of visitors to our community, and studies show it will generate up to \$33 million annually in direct visitor spending.

**Access to the Spokane River.** The wild Spokane River and two sets of falls run through the heart of Spokane. Increasing access to the river provides outdoor recreational experiences and helps ensure its health for the future. A new raft and kayak put-in is being built in Redbank Park—the fourth updated access point in the City—and new vistas of the lower falls will open with the completion of work on Spokane Falls Boulevard by the Downtown Library.

**Partnership with Spokane Public Schools.** Voters approved funding measures for libraries and schools as part of an historic partnership between the City and Spokane Public Schools. New middle schools will be located on City sites, libraries and schools will co-locate, and new facilities will lift up neighborhoods around the City.

**Get closer to nature**  
5 minutes from downtown  
Riverside State Park's 55 miles of trail

**Hit the slopes!**  
5 ski resorts within 2 hours of the city

**Convenient downtown access** swim, fish or paddle in the Spokane River on your lunch break

**Put down roots**  
Residential housing is affordable in Spokane

Average home price per square foot

	San Francisco	Seattle	Spokane
\$1048/sf	\$476/sf	\$157/sf	

**Housing Options.** Updated planning efforts, including changes to infill housing regulations, are designed to make it easier to increase the housing options in our community. In addition to single-family homes and apartment complexes, the new regulations are designed to encourage townhouses and condominiums that are less represented in our housing stock.

	Pedal Bike	E-Assist Bike	Scooter
Bike Share Stats over 68 days			
# Rides	9,258	25,066	109,233
Total Distance (miles)	4,446	12,578	111,154
Average Rides/Vehicle/Day	2.8	4.0	7.3

**Urban Experience** To promote significant growth that connects people to place and builds upon cultural, historic, and natural resource assets.

Promote significant growth that connects people to place and builds upon cultural, historic, and natural resource assets

### 2-Year Action Plan

**PRIORITY:** Market Spokane's urban advantages and experiences to grow jobs and economic benefit. Develop public trails and access points to Spokane River. Invest in key neighborhoods and business centers; especially PDAs and small businesses.

### 6-Year Plan

Increase housing quality and diversity  
Advance downtown as region's largest and strongest center  
Support arts and cultural activities  
Work collaboratively with regional partners

### Discussion:

Under the Urban Experience Initiative, City staff have continued efforts to enhance public connections with the Spokane River, including the build out of the urban trail system. They are working with partners around the City and community to advance development in the City's targeted investment areas on the West Plains, the Northeast, the University District, and in Downtown. The new SportsPlex planned for the North Bank is moving forward, and voters adopted a plan for improving libraries and schools throughout the community.

## Innovative Infrastructure

**Innovative Infrastructure** To build and effectively manage innovative infrastructure that supports community accessibility, mobility, and resiliency.

Saving Water, Smoothing the Ride, Thinking Ahead

**Improved Streets.** Everyone likes a smooth ride. The Street Levy approved by voters in 2014 has enabled the City to focus on projects that serve more people every day. We are stepping up maintenance work—which is less expensive—to give users more miles of safe, smooth pavement.

**Energy Ideas.** The City's renewable energy generation surpasses its use of electricity, natural gas, and fuel combined. That's particularly impressive when you consider our large fleet of fire trucks, police cars, snow plows, and garbage and recycling trucks. The City's energy production includes hydropower at Spruce Dam and electricity from steam at the Waste-to-Energy Facility and the Riverside Park Water Reclamation Facility. The City is working on new ideas to get citizens more value for these energy assets.

**Focus on Water Conservation.** Water is our most precious resource. In Spokane, we are blessed to have the sole-source Spokane Valley-Rathdrum Prairie Aquifer as our drinking water source. We have work under way to encourage SpokaneScape—less water-intensive landscaping. Develop new irrigation standards, and tackle City high water users, like golf courses.

**Urbanova.** The University District serves as the living laboratory for "smart cities" technology under the Urbanova partnership that includes the City, local companies, and higher education. Work is under way around localized energy grids, technology that dims street lighting when traffic volumes drop, and sensors that provide instant air quality data. The goal is to use this information to create people-centric solutions for the future.

**Improved River Health.** A series of projects designed to manage overflows from combined wastewater and stormwater to the Spokane River is nearing completion. The last of more than 24 underground tanks—including huge projects on Spokane Falls Boulevard and at First & Adams in west downtown—will be done in 2019. The system will have a capacity of about 16.5 million gallons of wastewater storage.

**Promise of a Circular Economy.** They say that one man's trash is another man's treasure, and that's exactly the concept behind the circular economy. As part of our joint West Plains Public Development Authority, we are creating a district that will connect companies and turn waste products into raw materials.

Build and effectively manage innovative infrastructure that supports community accessibility, mobility, and resiliency

### 2-Year Action Plan

- **PRIORITY:** Accelerate street improvement, such as grind-and-overlay and surface projects, to catch up on deferred maintenance
- Support smart use of public land and natural resources

### 6-Year Plan

- Develop affordable and predictable taxes and rates
- Develop Spokane's transportation advantages
- Advance sustainability as a core principle
- Promote resiliency and protect our natural environment

### Discussion:

Under Innovative Infrastructure initiative, City officials have focused on accelerating street improvements, developing infrastructure plans for allow for strategic growth in targeted investment areas, and worked to advance sustainability and smart cities initiatives. New efforts are in the works to advance street maintenance to avoid more costly improvements later. Programs to grade alleys, pave unpaved streets, and tracking street investments are under way. Water conservation efforts are being stepped up, along with plans to more efficiently use City energy resources.

## Sustainable Resources

Funding the Work, Accessing Services, Maintaining Affordability

**New Supported Employment Program.** This program is designed to create job opportunities for eligible individuals with disabilities and allows the City to expand its work force in ways that allow our employee base to be more representative of our community.

**Healthy City Reserves.** New additions to the City's reserve accounts bring City reserves up to \$18.5 million, putting the City on solid financial footing. The accounts are designed to protect City services when revenues don't meet expectations or unanticipated increases in expenditures occur.

**Spirit of Continuous Improvement & Innovation.** Every day, we are looking at our processes and procedures to determine if there are better ways of doing business. We are adding a new system in Solid Waste Collection to improve routing and pickup. We are making changes to our utility management system to better track these lines of business. And we have added new software to manage public records requests.

**Income and Spending**  
Households in Spokane earn a median yearly income of \$48,946. 31.29% of the households earn more than the national average each year. Household expenditures average \$53,424 per year. The majority of earnings get spent on Shelter, Transportation, Food and Beverages, Health Care, and Utilities.

**Affordability.** We have strived to live within our means and to hold down costs for our citizens, while still providing excellent services. We have committed to limiting rate increases within our water, wastewater, and solid waste utilities to 2.9 percent annually—the average rate of inflation over the last 25 years or so.

**Open Government.** Governments collect all kinds of data. We are working to make more of our information easily available to the public in hopes that it generates new ideas and new ways of doing business.

**Customer Service.** Communicating and interacting with our customers in ways that are convenient for them is important. This year, we added texting capabilities to our 3-1-1 customer service center. Our social media interactions won a national award. And, we are working toward additional enhancements like the ability to sign up for recurring credit card payments and ACH payments for utility charges.

**\$48,946**  
Median Household Income

**Income Distribution**

Income Range	Count
< \$10 K	7,789
\$10-20 K	11,077
\$20-30 K	10,482
\$30-40 K	10,075
\$40-50 K	8,543
\$50-60 K	7,837
\$60-75 K	8,864
\$75-100 K	11,550
> \$100 K	18,028

**Sustainable Resources**

To make sustainable financial decisions that support strategic goals, deliver excellent customer service, and contribute to economic prosperity.

Make sustainable financial decisions that support strategic goals, deliver excellent customer service, and contribute to economic prosperity

### 2-Year Action Plan

- **PRIORITY:** Grow a 21st Century workforce

### 6-Year Plan

- Develop and implement human and financial management practices that are: sustainable; transparent; efficient; and accountable.

### Discussion:

Under the Sustainable Resources Initiative, City officials have focused on important issues to protect and use City data and technology, improve financial stability, and support a 21st Century Workforce. Opening up City data to allow for innovative,

urban solutions to problems has been balanced with work to enhance cyber security and resiliency of City operations. Continuous improvement and project management teams are working to improve efficiencies across the City. And, a focus on recruitment and training is investing in our workforce. The City has also established a new supported employment program to provide job opportunities for certain individuals with developmental disabilities.

## Community Empowerment Zone Strategic Plan and Boundary Update Introduction

The updated CEZ Plan and incentive boundary now includes all our Spokane industrial lands as well as most of our general commercially zoned property, where some light and small-scale manufacturing can occur. This addition greatly expands the incentives ability to encourage infill redevelopment and job creation within the City of Spokane where the areas are well served with commercial infrastructure, transportation, telecom, and transit as well as workforce proximity.

The stakeholders worked hard to also select an eligible boundary, which also aligns with other incentive including the new federal Opportunity Zones, available infill developable lands, existing infrastructure, as well as areas where the City has targeted its resources for redevelopment and revitalization.

The Census tracks includes our poorest HUD community development neighborhoods, our downtown core, the University District, and the Trent, West Central, West Plains Airport, Playfair Commerce Park, and Northeast industrially zoned areas, all home to manufacturing and job creation and potential growth opportunities.

The City of Spokane has always seen tremendous citizen involvement in its planning efforts. This has led to very community oriented plans that the community takes ownership in and helps implement the visions. Be these small district plans like the Emerson Garfield neighborhood plan or the large audacious Strategic Plan that programs over \$50MM in onetime funding over two years—supporting the new School and Library plan through community bond investment of over \$625MM—2014 \$64MM bond to rebuild Spokane Riverfront Park the home of the 1974 World’s Fair. Everyone engages in these planning efforts and then dives in and supports the investment in making Spokane the City of Choice. This is why the CEZ updated plan has to draw upon all of the wonderful work and bring it together in one document that speaks to all of this effort occurring in the CEZ boundary and does not duplicate past efforts but rather continues the community’s hard work.

Our Plan includes the following information:

1. Housing needs, including emergency housing.
2. Public infrastructure needs, such as:
  - ❑ Transportation
  - ❑ Water
  - ❑ Sanitation
  - ❑ Energy
  - ❑ Drainage/flood control

3. Public Facilities needs, such as:
  - ❑ Neighborhood facilities
  - ❑ Facilities for the provision of health, education, recreation, or public safety.
4. Community economic development needs, such as:
  - ❑ Commercial/industrial revitalization
  - ❑ Job creation and retention with special attention to the unemployment and underemployment of the area residents
  - ❑ Accessibility to financial resources by residents and businesses within the area
  - ❑ Investment in the area.
  - ❑ Rezones/changes in land use
5. Social service needs.
6. Existing and new plans to specifically address the identified needs, and the financial and other resources, which have been committed to implement the plan.
7. Funding sources that are expected to become available in the future to carry out the reinvestment area strategy and the actions that will be taken to acquire these funds.

# Spokane's Community Empowerment Zone Strategic Plan

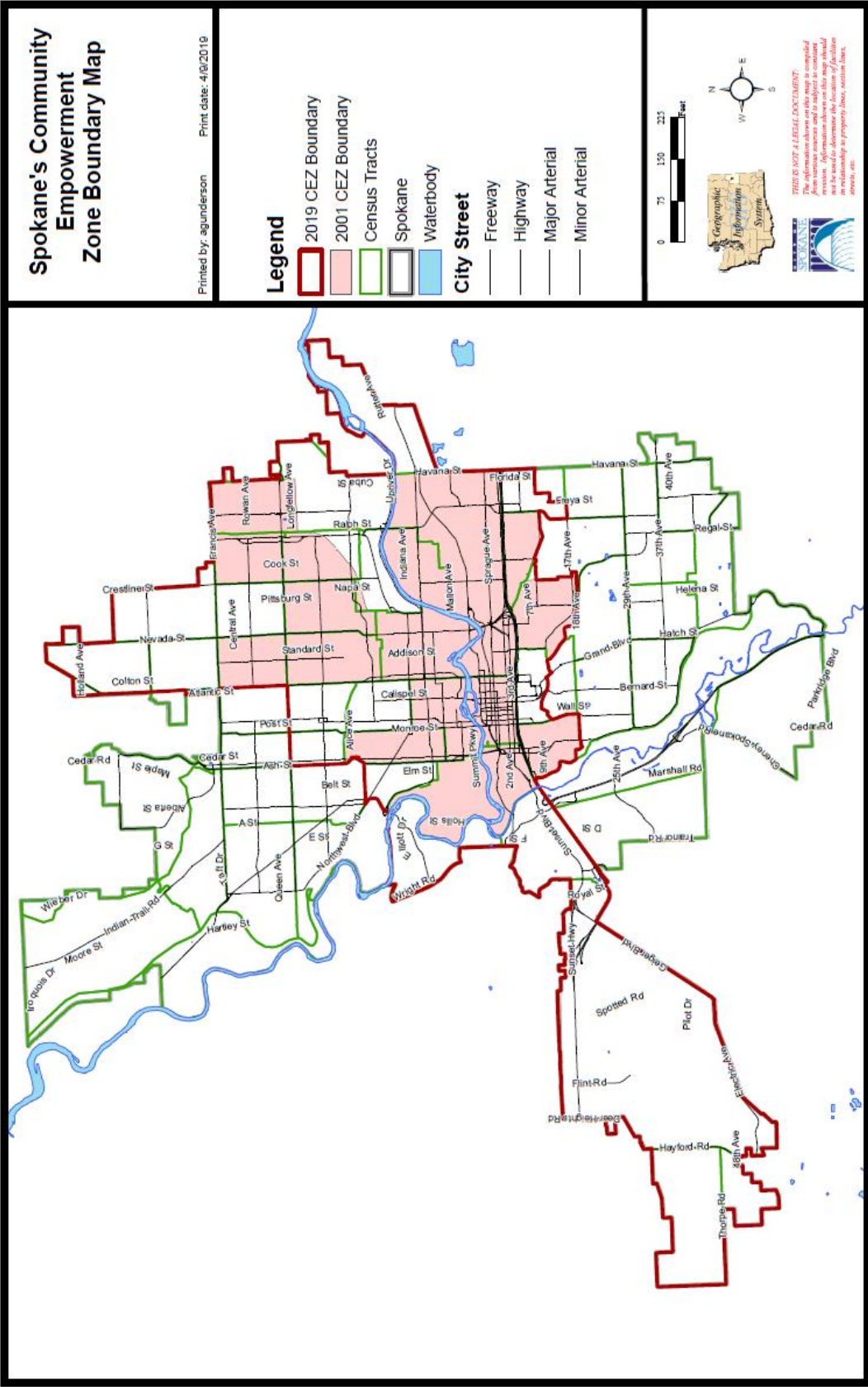
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Spokane's Community Empowerment Zone Boundary Map



## Housing needs, including emergency housing within CEZ

The City of Spokane's housing challenges are centered on housing choice, quality, availability, and a concern in keeping housing affordable across all income levels. The citywide Comprehensive Plan, the HUD required Consolidated Plan, Neighborhood Plans, and recent taskforce plans are all identifying these common challenges as well as some solutions to address the issues.

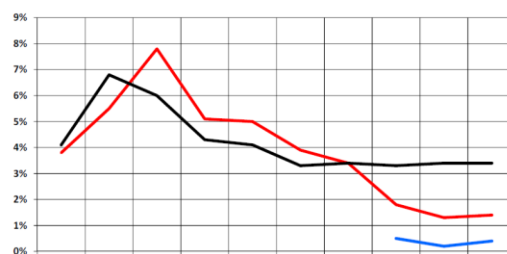
Currently, the City and the Region are challenged by a lack of multifamily housing stock available for rent. It has been frequently reported throughout 2017 – 2018 that the apartment vacancy rate is only 1%. This lack of available housing causes the market to raise rental fees, as well as developers to respond by constructing new inventory.

Unfortunately, the rising rental rates are leading the new inventory's availability. The development community is responding (2017 was a near record year for Multi-Family construction permits) so we are anticipating that supply and demand will begin to stabilize.

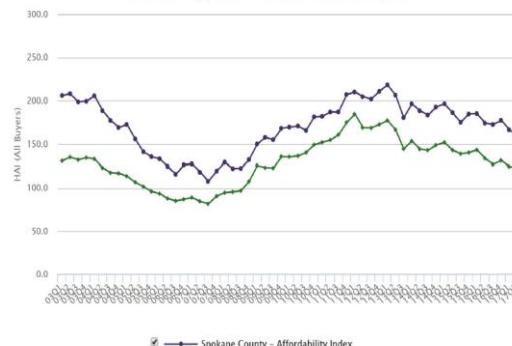
Within our Community Empowerment Zone (CEZ) live our most vulnerable and disadvantaged individuals and families. This is where the HUD required Consolidated Plan and the Strategic Plan to End Homelessness have become critical. The CEZ is also where the City incentivizes and subsidizes new housing construction and rehabilitation.

In the following pages, we have compiled critical excerpts from the Community Housing and Human Services Consolidated Plan and the Plan to End Homelessness; these two plans best address the needs of the populations living and working within our CEZ as well as guide the resources that address the needs of this population. These plans are also well supported by all other citywide initiatives, plans, and investments. Each has gone through extensive and required public involvement in their creation, addressing goals as well as community needs based solutions. Following those plans excerpts there are excerpts from the City's Comprehensive Plan (updated in 2017) and the City's Strategic Plan. Those plans highlight similar needs and support on a citywide basis.

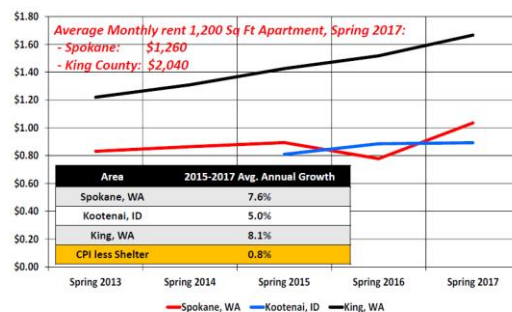
### Apartment Vacancy Rates, 2008-2017



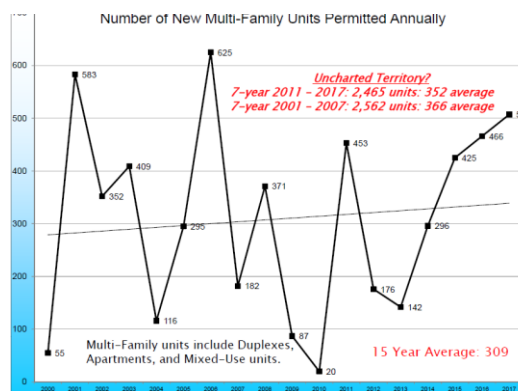
### 6.1.6 Housing Affordability Index for All Buyers



### Apartment Rent Per Sq. Foot, 2013-2017



Source: U.W. Rumlund Center and author's calculations. Source: Grant Forsyth, Avista Chief Economist; GSI Forecasting 11/8/17





## 2015-2020 CITY OF SPOKANE CONSOLIDATED PLAN [Excerpts]

### PURPOSE OF THE CONSOLIDATED PLAN

The City of Spokane's mission is to deliver efficient and effective services that facilitate economic opportunity and enhance the quality of life for its citizens. The Spokane Five-Year Consolidated Plan and individual Annual Plans provide a roadmap for allocating resources to achieve those objectives. The Consolidated Plan establishes local priorities consistent with national objectives established by HUD (US Department of Housing and Urban Development) to utilize funds allocated by the Community Development Block Grant (CDBG) and the HOME Investment Partnership Program. Over the five-year period covered by the Consolidated Plan, about \$20 million is expected to be available through these programs, including rollover of prior year funds and funds generated from program income.

CDBG Program Objectives	HOME Program Objectives	Emergency Solutions Grant
Provide decent housing Create a suitable living environment Expand economic opportunities	Expand the supply of decent, safe, sanitary and affordable housing	Reduce and prevent homelessness

### SUMMARY OF NEEDS AND GOALS

The Consolidated Plan established three priority needs and five main goals for Spokane.

1. Need for safe affordable housing choice

Goals relating to this need:

- Preserve and expand quality, safe, affordable housing choices.
  - Improve quality of existing housing stock
  - Increase housing stock
  - Ensuring housing stability
  - Prioritize workforce housing development to reduce transportation barriers and costs

2. Need to provide for basic and special needs and reduce homelessness

Goals relating to this need:

- Prevent and reduce homelessness
  - Retool the homeless response system
  - Increase access to affordable housing that promotes health and stability
  - Invest in effective and/or proven housing and support services
- Provide opportunities to improve quality of life
  - Reduce barriers to employment
  - Invest in effective housing and support services

3. Need for community development, infrastructure and economic opportunities

Goals relating to this need:

- Support vibrant neighborhoods
  - Invest in infrastructure
  - Improve public safety
  - Expand capacity of neighborhoods to attract businesses
  - Support infrastructure and services that enhance the health and quality of life in our neighborhoods.
- Expand economic opportunities
  - Support effective pathways toward self-sufficiency and living wage jobs
  - Support microenterprise
  - Invest in infrastructure to attract business and housing development

## HOUSING CONDITION [Excerpts]

### Need for Housing Rehabilitation (MA20) [pg. 29]

Most of the housing in Spokane was built more than 30 years ago. Deferred or absent maintenance can result in loss of housing, including older, more affordable housing. One of the key strategies in preserving affordable housing is maintaining existing units. Unresolved conditions tend to create a depressing effect on investment in the area and can lead to overall deterioration of values and livability of the neighborhood.

Some homes need only modest rehabilitation such as paint, railings, or handicap access ramps. Others need more extensive work such as a new roof, replaced heating system, repaired electrical hazards, bedroom egress windows, abatement of hazardous asbestos, or structural repairs. While these conditions relate to both owner housing and multifamily rental housing, two specific types of housing require further comment. There are 19 mobile home parks in the community, some of which contain housing that is substandard and deteriorating. Some units are not suitable for rehabilitation due to obsolescence and poor condition. In some cases, site owners are holding the properties for potential higher uses. In addition, there are residential structures in the downtown area that need major reconstruction, due to building codes, deferred maintenance, and obsolescence. Some of these structures may qualify as “spot blight.” Some single family and multifamily structures outside the downtown area are not suitable for rehabilitation and may represent a “blighting” influence on the neighborhoods. These properties may be appropriate for demolition on a “spot” basis.

City of Spokane Wastewater Management Department reports that Orangeburg sewer pipe was commonly used to connect homes built between 1955 and 1975 to sewer mains. Made from compressed layers of tar paper, the pipe is beyond its 40 to 50-year intended lifespan. Failed Orangeburg pipe causes a substandard housing condition, risks contamination, and requires costly excavation and replacement.

Many houses in Spokane (an estimated 60% of housing units, according to City documents) have elevated levels of radon, which is a naturally occurring radioactive gas, which can cause lung cancer. The remedy for radon in the home is not overly burdensome. Washington State Department of Health reports that 42% of Spokane houses tested (and reported to the State) between 2009 and 2013 were positive for radon.

### Lead-Based Paint and Lead Hazards [pg. 30]

Use of lead in paint was banned in 1978, but used prior to that time with increased frequency in earlier decades – use in older units was more common. According to American Community Survey estimates (2008-2012), 75% of owner-occupied and 73% of renter-occupied units in Spokane were built before 1980. CHAS estimates place the number of housing units built before 1980 with children present at 2,005 owner-occupied units and 1,475 renter-occupied units, which is too conservative an estimate of the number of older units with children present.

**Table 25: Risk of Lead-Based Paint Hazard**

Risk of Lead-Based Paint Hazard	Owner-Occupied		Renter-Occupied	
	Number	%	Number	%
Total number of units built before 1980	38,594	77%	27,634	73%
Housing units built before 1980 with children present	2,005	4%	1,475	4%

Source: 2007-2011 ACS (total units) 2007-2011 CHAS (units with children present)

## HOUSING COSTS [pg. 31]

Estimated housing costs in the City of Spokane and Spokane County are lower for both owner-occupants and renters than is true of Washington State. The median owner-estimated value of homes in Spokane was just 60% of the estimated value in the state as a whole. The median estimated value in Spokane County was higher, but still

70% of the median estimated value in Washington. Still looking at owner costs, two-thirds of households with a mortgage in Spokane had housing costs less than \$1,500 per month, including utilities. In contrast, in Washington, two-thirds of households with a mortgage paid more than \$1,500 a month.

#### Availability of Housing Compared to Needs **(MA10)** [pg. 34]

While housing is generally more affordable in Spokane than other urban areas, housing costs are out of reach for many households in Spokane. For example, a household with a single wage earner at under \$13 an hour would not be able to afford a unit priced at \$718 (the median rent in Spokane). Without (and even with) a subsidy, many households with lowest incomes must compete for housing in their price range, settle for units in poor condition, live in overcrowded circumstances, or live in areas in the City with less access to opportunities (employment, education and amenities).

#### Most Common Housing Problems **(NA10)** [pg. 36]

Housing problems include cost in excess of 30% of household income, lack of complete plumbing/kitchen facilities, and crowding defined as between 1.0 and 1.5 persons per room. Severe housing problems are defined as cost greater than 50% of household income, lack of complete plumbing/kitchen facilities, and crowding defined as greater than 1.5 persons per room. By far the most prevalent problem was cost in relation to income. However, that was not the only problem. An estimated 780 renter households and 100 owners were living in substandard housing, defined as lacking complete plumbing or kitchen facilities. Another 360 renters and 25 owners were living in severely overcrowded conditions, defined as more than 1.5 persons per room.

#### Populations/Households most Affected by Housing Problems **(NA10)** [pg. 37]

It is not possible to draw conclusions from CHAS data regarding needs by household type. The 2015 State of Washington Housing Needs Assessment expresses concerns about several populations. By age and composition, elderly households are and will be looking for different types of housing to meet changing needs – possibly smaller rental units. This demand may compete with other renters. Younger householders are also likely to be challenged, particularly by cost. The Needs Assessment (page 42) points out that in Washington, close to 60% of younger householders (under 24) were burdened by high costs of housing. The report further points out that 61% of single person-households (including the elderly) are most the cost-burdened compared to other sizes of households. Finally, people with disabilities typically have far less to spend on housing, and therefore are most likely to have housing problems.

#### Single-Person Households with Needs **(NA10)** [pg. 37]

According to 2008-2012 American Community Survey estimates, over one-third of households in Spokane consisted of people living alone. This will likely increase from a number of factors – young people starting out on their own, an increasing share of seniors looking for a change in living, and people opting to live independently for other reasons. Not all will be able to achieve this on their own. Certainly, low income in relation to housing costs will be a primary contributor to this inability. The Washington Center for Real Estate Research housing market condition report for Spokane also indicated a demand for smaller rental units. There was a lower vacancy rate for 1-bedroom units and studios (2.5% and 3.1% respectively) than for overall multifamily units (3.5%). A July 2014 SLIHC survey limited to publicly assisted rental housing units in the area revealed a strong demand for housing for singles, particularly studios. The study found that the vacancy rate for studios stood at .6%. Availability and economic needs are not the only concern that must be considered going forward; needs also extend to accessibility. Safe housing for seniors on their own and persons with disabilities includes sufficient units on a single level, safe transportation, and located near amenities and services.

A further view of the need for affordable housing for singles is found in the Spokane Continuum of Care report. Its data estimates that in 2013, 1,993 persons in households with only adults also experienced homelessness during the year. The vast majority of these households were single persons and 442 were chronically homeless

individuals—a particularly vulnerable population. Other indications of need are found on the Spokane Housing Authority’s public housing wait list. The wait list shows 126 disabled households and 25 elderly households who are waiting for units, most of which must be accessible units.

#### Disproportionate Need by Race/Ethnicity **(NA30)** [pg. 38]

CHAS tables provide cross-tabulations of problems by income and race/ethnicity of heads of households. The margins of error associated with the estimates (based on American Community Survey sampling) are large, too large in fact to rely on exact percentages within ranges of income. However, enough disparities were observed to conclude that minority householders experience a disproportionate share of housing problems in some categories compared to the jurisdiction as a whole. Disproportionate is defined as a greater than 10% difference in incidence of housing problems compared to the percent for the jurisdiction as a whole within that income range.

Without regard to household income (that is, across all Spokane households), 37% of Spokane households were burdened by costs in excess of 30% of household income. A disproportionate share of Black/African-American-headed households experienced a cost burden (60% did); a disproportionate share of American Indian/Alaska Native-headed households experienced a cost burden (58% did); and, a disproportionate share of Pacific Islander-headed households experienced a cost burden (65% did).

While even less reliable than the summary data, several areas of disproportionate burden were found within ranges of household income. (See appendix for detailed analysis.) In summary, disproportionate burdens (problems of which cost was the primary contributor) were found for each of the racial/ethnic minority-headed households (Black/African American, Asian, American Indian/Alaska Native, Pacific Islander, and Hispanic) although not in each of the ranges of household income or degree of severity of problem. Those individual findings are not included here because of the high margin of error.

#### Areas of Concentration of Housing Problems **(MA50)** [pg. 38]

The majority of housing in Spokane was built before 1980. Many older units that have not been maintained over the years and are in need of repair, some in quite dilapidated condition. While not exclusively the case, some of the areas of concentration of physical housing problems (conditions) mirror areas of concentration of lower income populations discussed below. Some areas would benefit from a targeted housing rehabilitation program to upgrade housing to community standards of safety and energy efficiency. If the City is focusing its resources in a particular area and a property or properties has a blighting impact on the area, it may be appropriate for the City to undertake removal on a “spot” basis.

#### Areas of Concentration of Minorities or Low-Income Population **(MA50)** [pg. 38]

Using the definition of minority described above as Hispanic and/or race other than white alone, 16% of the population in Spokane in 2010 was minority. Areas of disproportionate concentration are those in which there is a greater than 10% difference than the jurisdiction as a whole. Accordingly, any block group with 27% or more minority population is considered to have a disproportionate concentration.

That was true of nine block groups. The block groups contained 4% of Spokane’s population in 2010. The concentration of minority population ranged from 28% to 37% of block group occupants. The disproportionate areas are primarily located in central Spokane neighborhoods – several block groups south of I-90 and west of Thor, an area south of the Spokane River between Napa and Hamilton, and north of I-90 between Monroe and Ash.

#### **BARRIERS TO AFFORDABLE HOUSING (MA40) [pg. 39]**

Housing costs are out of reach for many Spokane residents. Those costs are steadily increasing while income for lower wage earners is not keeping pace. Spokane is largely built out. Vacant buildable land is scarce and costly to develop. Materials, labor, and transportation costs have increased. New market-rate development responds to demand, which may not favor lower income households. Spokane nonprofit agencies and government partners have made significant advances in developing and preserving housing affordable to people at lower levels of income.

Regulations or policies that directly prohibit development of affordable housing or add cost to housing development can be barriers to production and maintenance of affordable housing. The Regulatory Barriers Database ([huduser.org/portal/rbc/rbcresearch](http://huduser.org/portal/rbc/rbcresearch)) identified a number of potential barriers and solutions in place. In response to the first potential regulatory barrier, (some new building materials may not meet code requirements), Spokane allows alternative building methods and materials. In response to the second (increased property taxes discourage rehabilitation or construction of multifamily housing), Spokane exempts certain properties from taxes on increased value. In response to the third potential barrier (zoning codes may not provide for the development of affordable housing), Spokane allows manufactured housing on single family lots, triplexes in duplex neighborhoods, accessory dwelling units, and density bonuses. In response to the fourth potential barrier (lengthy and difficult permitting process), Spokane has streamlined that process. In response to the fifth potential barrier (socioeconomic housing segregation and the need to increase affordable housing), Spokane encourages new developments to include affordable units and is exploring additional innovations to increase affordable housing.

The City of Spokane continues to review land use and housing policies with the goal of increasing affordable housing. Policies and practices to encourage infill in existing built-out areas will be useful, but infill will not meet all needs. Nonprofit housing developers contributing to this Consolidated Plan recommend increased coordination among providers, including government agencies, to identify buildable land, surplus assets, and increase the capacity to take advantage of opportunities without unnecessary delays. The City of Spokane is also actively pursuing higher density development approaches (Centers and Corridors), which will provide increased housing as well as access to transportation and amenities.

#### **PUBLICLY ASSISTED HOUSING [pg. 40]**

##### **Public Housing Restoration/Revitalization Needs (MA25) [pg. 42]**

Two separate projects make up the 125-unit Public Housing inventory. The Parsons is a 50-unit senior/ disabled building. The Capital Needs Assessment identifies approximately \$20,000 per unit required for rehabilitation. SHA is using the Rental Assistance Demonstration (RAD) Program to opt the Parsons out of the Public Housing Program later this year. The 50 units will be transferred to a Limited Liability Partnership where SHA is the General Partner. The units will then be rehabilitated using a 4% tax credit/bond structure. This proposal is awaiting final HUD approval anticipated in summer 2015. In addition to rehabilitation, the RAD will provide project-based vouchers for the units to insure continued affordability for the residents.

Scattered Site Public Housing accounts for 75 units. The second phase of the RAD program is to opt all 75 units out of the Public Housing Program. The agency expects to use 75 units of project-based assistance provided through RAD, attaching them to other units SHA already owns or controls. Residents will be relocated following Uniform Relocation Act (URA) requirements. SHA will sell the 75 units on the open market. SHA anticipates using the proceeds to fill the financing gap for creating new affordable housing units in the community through tax credits and/or bonds. The goal is to create from 210 to 280 tax credit/bond units.

#### **Comparison with Needs in Population at Large (NA35) [pg. 44]**

The applicants on the current wait list for public housing generally have far fewer resources than the households in the population at large. Lack of income and living wage jobs are common among applicants. Families with children represented the largest population type on the list, applicable to 512 families (73% of the 692 households). There were on average 4.4 persons per family households, larger than the general population. The percentage of families applying for public housing was much greater than the City's overall percentage of families in the City.

The wait list included 126 disabled households (representing 18% of applicants on the list) and 25 elderly households (4%). These percentages were both considerably lower than the overall City percentages for those populations. However, it is difficult to make judgments regarding the implications on the needs compared to the overall population based on this wait list information because eligibility requirements and because the number of units included in the public housing program is so small. Many potentially eligible applicants may not apply for assistance in this program and instead apply for the much larger Section 8 program.

#### Need of Those on Wait List for Accessible Units (NA35) [pg. 44]

There are 126 disabled households and 25 elderly households on the wait list for public housing indicating a need for accessible units in the program.

#### HOMELESSNESS [pg. 46]

##### Introduction (NA40) [pg. 46]

Homelessness remains persistent in Spokane, and much remains to be accomplished in meeting the goal of ultimately ending homelessness. The annual homeless point in time count conducted on January 23, 2014 found over 1,100 persons homeless on the streets or in homeless facilities. Many other homeless persons went uncounted or were precariously housed.

**Table 36: Homeless Needs Assessment**

Population	Estimated # of persons experiencing homeless on a given night		Estimate experiencing homelessness each year	Estimate becoming homeless each year	Estimate exiting homelessness each year	Estimated days persons experience homelessness
	Sheltered	Unsheltered				
Persons in HH with adult(s) & children	434	18	1,323	1,120	1,045	132
Persons in HH with only children	10	6	47	64	55	197
Persons in HH with only adults	550	131	1,993	806	552	185
Chronically homeless individuals	85	66	442	117	81	128
Chronically homeless families	26	2	82	5	8	136
Veterans	82	3	249	139	84	257
Unaccompanied child	10	6	47	64	55	197
Persons with HIV	4	0	12	3	3	70

Note: Data in the last four columns have only recently been captured; historical information is not readily available.

Source: 2014 Countywide Point-in-Time Count and 2013 HMIS.

Community leaders, homeless program providers, and the Spokane Continuum of Care have been working to reduce homelessness and ultimately end it. To provide a road map toward achieving the goal of ending homelessness in Spokane, the community has developed the long-range strategic plan – Strategic Plan to End Homelessness in Spokane 2015-2020. The following discussion summarizes key components of that Plan.



Homelessness on a Given Night [pg. 47]

The January 2014 count found a total of 1,149 persons homeless in Spokane County on a single night. This total is composed of sheltered and unsheltered homeless persons, who are in families with adults and children, unaccompanied youth, or households composed of single adults or couples (see Table 35).

Caution should be exercised in using point in time data as it represents a major undercounting of the actual number of persons homeless on a single day. Causes of undercounting include an inability to reach all areas of the county, insufficient census takers, homeless persons' avoidance of census takers, weather, and fear of authority.

Among those counted, 87% were temporarily housed in shelters or transitional housing and only 13% were unsheltered. The majority (59%) of homeless persons found were single adults or adult couples. This is comparable to the 63% found nationally in the 2013 homeless count.

Almost all of the remaining homeless counted were in 146 family households with children, representing 39% of the total. Sixteen of those counted on that single night were unaccompanied children. While the continuum of care system was able to house almost all of the homeless families with children found during the count, 20% of the non-family homeless adults were unsheltered on that date.

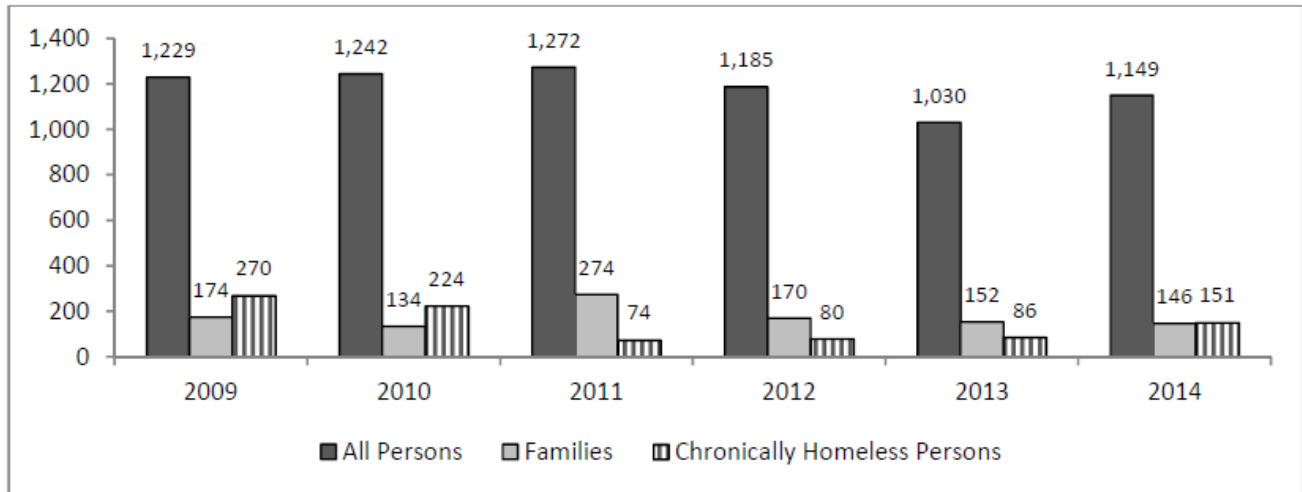
Within total persons counted are persons identified by specific characteristics or health conditions. Chronically homeless persons are a major subpopulation of the homeless. Persons categorized as chronically homeless individuals in the Spokane region equaled 15% of the total homeless, compared to the 2013 national count of that population which found 18%. Importantly, 44% of this population was found unsheltered on the night of the count.

Approximately 22% those counted either reported, or were observed to have, serious mental illness (nationally – 25%). Another 16% were identified as persons with chronic substance abuse. Persons who reported they have been victims of domestic violence equaled 21%, compared to national estimates of 30%. Significant numbers of these three vulnerable subpopulations were found unsheltered.

Health, societal issues, and poverty are all primary causes of homelessness. Other contributing factors include unemployment, loss of job, high housing costs, illness, poor credit history, property owner tenant problems, substance abuse, and lack of education.

Figure 8 shows the number of homeless persons found in the one-night counts from 2009 to 2014, and shows there has been only limited variation of the total number of homeless found over the years. While other factors (such as weather, local economy, changing survey scope) may affect the numbers, it is clear that homelessness in Spokane is a persistent issue. However, some variations are worth note. The number of homeless families counted declined by 47%, from 274 in the 2011 to 146 in 2014. The number of homeless persons reporting they were survivors of domestic violence increased from 75 in 2009 to 238 in 2014. This may be improved awareness and reporting of domestic violence. Nevertheless, domestic violence is a major issue in the community. The number of persons identified as chronically homeless decreased from 270 in 2009 to 151 in 2014, although the 2014 count was up from the previous year. The increase in permanent supportive housing capacity has hopefully reduced the incidence of sheltered and unsheltered persons considered chronically homeless.

**Figure 8: Point-in-Time Count Spokane County 2009-2014**



Source: Spokane County Point-in-Time Counts.

#### Families in Need of Housing (**NA40**) [pg. 48]

Persons in homeless families with children represent about 40% of all homeless persons found in Spokane. Families headed by veterans are a small subcategory of this population. Recent progress has been made in improving the intake and assessment/placement system for families. As a result, more families with children are being referred to housing under the Housing First model. Fewer homeless families with children counted in recent point-in-time counts were found without shelter. The number has dropped from a high of 21 families unsheltered in 2009, to only six families in 2014. Overall (sheltered and unsheltered), the number of homeless families counted has fallen – from 274 homeless families in 2011 to only 146 in 2014 (47% fewer).

Families are particularly vulnerable to lack of affordable housing. Many are female-headed households who are disproportionately impoverished. This population requires affordable housing near schools, transportation and job centers. Rapid rehousing resources—including tenant-based rental assistance—are generally a good match for their needs.

#### Housing Needs of those At-Risk (**NA10**) [pg. 49]

The most common issues facing households at risk of homelessness are lack of income and unaffordable housing. Vulnerable populations need living wage jobs to pay for the adequate housing. Lacking income, housing subsidies to maintain affordable rents are necessary. For many of those at risk, the availability of affordable rental housing with community supports can prevent their homelessness. Rapid Rehousing resources using the Housing First model of placement is a promising method of preventing homelessness as well as returning persons who have fallen into homelessness, back to stability.

For other at-risk persons with major difficulties such as addictions, mental illness, or physical illness, the availability of stabilizing housing with supportive services is key. Permanent supportive housing is the primary form of housing that can prevent these subpopulations from falling into homelessness or returning to homelessness. Spokane's subsidized rental housing inventory has the variety of housing types needed to help prevent homelessness. However, it lacks sufficient numbers (housing units) to meet all the needs of its at-risk residents, let alone those who are cost-burdened.

#### POPULATIONS WITH SPECIAL NEEDS [pg. 52]

##### Introduction (**NA45**)



Some populations are especially vulnerable. It is assumed that they will have temporary or long-term requirements for additional support. Those populations are introduced in following sections: persons who are elderly and frail; persons with mental, physical or developmental disabilities; veterans—particularly homeless veterans; victims of domestic violence; unaccompanied youth; persons with HIV/AIDS. While the topics are introduced somewhat independently, the special needs often overlap.

### **Types of Special Needs (NA45) [pg. 53]**

#### **Elderly/Frail Elderly**

HUD defines elderly as age 62 and older, and frail elderly as those requiring assistance with three or more activities of daily living (bathing, walking, light housework, etc.). As the “baby boomers” (those born between 1946 and 1964) age, the proportion of elderly and then frail elderly will increase. The projection in Washington is that 20% of the population will be 65 or older by 2030, and in Spokane County 21% of the population will be 65 or older by 2030. At the same time that care needs of an aging population increase, OFM projects that the share of working age individuals will decline relative to the population dependent upon them.

The elderly are vulnerable on many fronts. Many have reduced income with retirement – surviving spouses even more so. ACS estimates (2008-2012) that 11% of seniors (65 and over) in the City of Spokane and 9% in Spokane County were living below poverty. The official poverty threshold, however, does not adequately estimate economic insecurity. The Washington Elder Economic Security Initiative calculated a standard for economic security based on an assessment of housing, food, health care, transportation and essential personal and household items.<sup>8</sup> In Spokane County, average Social Security was below the standard for single men and women, as was the median income in retirement for single women. While the standard varies with tenure, whether the senior is alone or in a couple, and whether there is a mortgage, the conclusion is that many seniors do not have enough to meet basic needs – a far greater percentage than is estimated by the poverty level.

The cost for long-term care (in-home) dramatically increases the amount of income a senior, or person with disabilities, needs to be secure (Elder Economic Security Index). As an example, in 2014 a single owner without a mortgage would need an annual income of \$19,224. Adding 16 hours of care would more than double the Index (to \$46,675). The requirement of 36 hours a week of care would raise the Index to \$73,464 for the single individual living in a home without a mortgage. Fixed income, such as Social Security, sees modest annual increases; actual increases in cost of living are far from modest.

Isolation is a concern and often undetected. Many seniors live alone – 11% of all households in Spokane were single individuals 65 and older (2010 census) and most of those (73%) were women. Access to amenities and services is especially difficult for seniors who should not or cannot drive. There is an increased burden on the system of services, on family and on friends for caregiving.

Seniors are also more likely to have a disability, most frequently an ambulatory difficulty. (Note that the ACS question asks about a “serious” difficulty walking or climbing stairs.) In the City of Spokane, 41% of people 65 and over (not living in institutions) had a disability, (2012 5-year ACS estimates) and 63% of those individuals had an ambulatory disability, likely in addition to other disabilities.

Aging and Long Term Care of Eastern Washington (ALTCEW) is the designated Area Agency on Aging covering five counties including Spokane, Ferry, Pend Oreille, Stevens and Whitman. In the 2012-2015 Plan, the agency set a number of priority issue areas including: aging-friendly communities; family and kinship caregiver support; access to information and assistance; in-home services; healthy lifestyles; housing (affordable and accessible options); transportation; elder rights and abuse prevention; and, older Native Americans.<sup>9</sup> Consistent with ALTCEW spending priorities, discretionary funds in Spokane County are awarded to agencies providing a number of services. Among these services are case management, information and referral, home delivered meals, and

limited in-home care. Sharing results of recent focus groups in contributing to this Consolidated Plan, ALTCEW identified the need to address high costs of living, the need for “aging friendly” communities (housing on one level, access to amenities), walkable communities (sidewalks clear of snow), and safe and accessible transportation, to name some of the early concerns.

The Washington State Department of Social and Health Services published a report<sup>10</sup> summarizing survey findings of potential clients, their families, and service professionals that addressed the needs of older adults and people with disabilities. Unsurprisingly, the results revealed that people wanted to live as part of communities and families, with access to in-home supports and accommodations that enable them to live safely. Their concerns included running out of money, isolation, and being a burden on caregivers and families. Access to community services, including recreation, was emphasized by both potential clients/family, and caregivers/providers.

#### Persons with Mental or Physical Disabilities and Developmental Disabilities [pg. 54]

The 2008-2012 ACS estimated that 13% of Spokane’s population between the ages of 18 and 64 had a disability, as did 5% of those under the age of 18. People 65 and older represent the largest cohort with disabilities at 41% (including a serious difficulty walking or climbing stairs). A recent analysis of 2012 single-year ACS data for Washington State provides insights into the extent of disabilities for the working-age population (21 to 64).<sup>11</sup> Statewide, the employment rate of working age people with disabilities was 37%, compared with 77% for persons without disabilities. In the same year, 23% of persons with disabilities had full-time, full-year employment, compared with 55% of persons without disabilities. About 18% were receiving SSI and 26% were living in poverty (compared with 11% of working-age adults without a disability).

The Washington Department of Social and Health Services (DSHS) served 1,905 clients with developmental disabilities in Spokane and 3,878 in Spokane County between July 2012 and June 2013.<sup>12</sup> An array of services is available in Spokane for persons with developmental disabilities of all ages, although not enough to meet needs. According to information provided by one of the agencies (arc-spokane.org), Spokane County is home to between 7,000 and 14,000 people with an intellectual or developmental disability.

While needs of persons with intellectual or developmental disabilities (I/DD) depend on the nature and extent of the disability, needs tend to be ongoing, met largely within the family (70% live in family homes) and usually with inadequate additional public support. Family caregivers need support as well, including respite. That many caregivers are aging raises new concerns for the future. The needs are often misunderstood leading to unnecessary social isolation and missed opportunities for fulfilling employment, healthy relationships, and maximum independence. All of the challenges faced by other populations with special needs are more challenging, but not unsurmountable, for people with intellectual or developmental disabilities. However, to get there, steps must be taken to overcome underemployment (70% unemployed and/or working for insufficient compensation), lack of income (SSI alone is meager as is the \$2,000 ceiling on savings), poor accessibility (to transportation, services, medical and dental care), and lack of appropriate affordable housing (a primary need for most).

Mental illness ranges from mild and short-term to chronic, lifetime conditions. Publicly funded services tend to focus on people whose illness affects their ability to work and live in the community independently. The Washington Department of Social and Health Services provided mental health services to 7,926 lower-income qualifying clients in the City of Spokane (2012-2013). The majority of the services were outpatient evaluation and treatment, followed in frequency by crisis intervention.

It is difficult to measure the incidence of serious mental illness (SMI). A 2003 study by DSHS estimated that there were 22,288 persons with SMI in the Spokane County RSN (Regional Service Network) that covers eight counties

(Spokane, Pend Oreille, Stevens, Ferry, Okanogan, Lincoln, Grant and Adams). About 56% of that estimate was thought to be Medicaid eligible. Included in the total estimate were 7,525 children with serious emotional disorders (SED).<sup>13</sup>

Among Washington's SSI recipients (clients age 18-64), mental illness is the primary disabling condition (about 47%) followed by developmental disabilities (about 16%).<sup>14</sup> The Patient Protection and Affordable Care Act (ACA) provides a financial incentive for treatment of mental illness prior to it becoming a disabling condition. Since 2014, persons under age 65 with incomes at or below 133% of poverty are eligible for Medicaid. Under the Medicaid Expansion and federal funding, it is less costly for Washington to provide adequate treatment to prevent a disability than waiting until the person falls under federal disability, which requires a 50% match by the State.

Providing appropriate and timely assessment, treatment and support services is a challenge made more difficult by lack of adequate funding. In a 2015 study by Mental Health America, Washington State was rated among the highest in prevalence of mental illness and the lowest access to care (the are related measures).<sup>15</sup> Washington achieved an overall ranking of 48 (out of 51). Contributors to the development of this Consolidated Plan consistently mentioned the need for crisis intervention, housing and supportive services for persons with mental illness. Mental illness is a primary factor in homelessness, including homeless veterans.

#### Veterans [pg. 56]

An estimated 12% of persons who are homeless in the United States are veterans. Nationally, data show that the majority of homeless veterans are male (92%) and disproportionately African American or Hispanic (40%). The majority suffer from mental illness and/or alcohol or substance abuse. They have served in war, mostly since Vietnam and in more recent Middle East war zones. Veterans who have experienced combat may suffer from PTSD and/or have suffered from brain injuries or trauma. These injuries leave them vulnerable to family disruption. Lack of education or training outside of the military adds to the stress of transferring military skills to civilian life.

In 2013, over 58,000 veterans were found homeless across the nation. In the 2014 Spokane County Point-in-Time count, 7% of homeless persons counted were veterans. It is assumed that many more were homeless than counted, as many seek to avoid contact with authorities. It is estimated that about 250 veterans are homeless in Spokane at some point in calendar year. Importantly, homeless veterans experienced homelessness for long consecutive periods – 257 days on average – longer than any other homeless population.

In addition to those experiencing homelessness, another estimated 1.4 million veterans nationally are considered to be at risk of homelessness due to poverty and lack of support networks.<sup>16</sup> Affordable housing, medical care, mental health care, along with other services are major needs.

The Veterans Administration has introduced a major national initiative to end homelessness for veterans and to provide an array of services and housing supports to those at risk of homelessness. While still insufficient, the Spokane area has taken advantage of both health care for homeless veterans and significant resources for housing vouchers.

#### Persons with Drug and Alcohol Dependency [pg. 57]

The Washington Department of Social and Health Services (DSHS) served 3,254 lower-income clients with alcohol and substance abuse-related services in the City of Spokane between July 2012 and June 2013. Most of the services were outpatient treatment and assessments. Substance abuse disorders may accompany mental illness and are often co-occurring disorders. Both mental illness and substance abuse disorders are factors in homelessness in Spokane.

#### Domestic Violence [pg. 57]

Data on the actual occurrence of domestic violence are remarkably limited. Certainly, violence in the home and in relationships cuts across societal measures – income, occupation, race, [and] ethnicity. Statistics are limited to some extent by the sources of data. National crime databases show that in reported incidences—in which police respond—both men and women can be charged in a single incidence. The National Coalition against Domestic Violence (NCADV), drawing in part on the crime statistics, reports that nationally:

- 1 in 3 women and 1 in 4 men have experienced some form of physical violence by an intimate partner within their lifetime
- Intimate partner violence is most common among women between the ages of 18-24
- Intimate partner violence accounts for 15% of all violent crime

The National Network to End Domestic Violence reports on violence from those seeking help from agencies. This offers a snapshot of the more vulnerable. Those who experience barriers in escaping violence—such as lack of income, lack of personal esteem, immigrant status, and absence of family or peer support—are highlighted in the National Network to End Domestic Violence report. The 2013 Domestic Violence Counts statistics for the 24-hour count in Washington State, the Network reported that 2,082 victims were served in one day. According to data compiled by the Washington State Coalition Against Domestic Violence, having limited options for economic stability can keep victims in relationships with violent abusers.<sup>17</sup> Lack of affordable housing is key among the barriers to escaping abuse.

Washington State tracks domestic violence-related deaths. In the 10-year period between 2004 and 2013, there were 30 such homicides in Spokane County and 11 abuser suicides. The YWCA of Spokane works with victims of domestic violence and provides an array of services, including housing. The 2013 agency Annual Report showed that domestic violence counseling was provided to 1,086 victims, safe shelter to 412 victims, and legal advocacy to 3,199 victims. While no person in imminent danger is turned away from shelter, making the transition to safety is met with multiple barriers – lack of affordable housing, lack of legal representation, finding suitable employment, and recovering from abuse. While victims of domestic violence are protected from discrimination, the presence of protective orders alone can persuade property owners against renting.

#### Persons with HIV/AIDS (NA45) [pg. 58]

According to Washington State HIV Surveillance Semiannual Report (1st Edition 2014), there were 113 new cases of HIV diagnosed in Spokane County between 2009 and 2013, for a total cumulative diagnosis from 1982 of 821 cases. As of the end of December 2013, 210 persons in Spokane County were known to be living with HIV (not AIDS) and 287 persons living with AIDS. The local incidence of HIV/AIDS is relatively small; however, the disease is becoming more prevalent in suburban and rural areas. In addition, 44% of new cases between 2009 and 2013 in Spokane County were late HIV diagnoses (diagnosed with AIDS within 12 months of being diagnosed with HIV).

#### Homeless Youth (NA45) [pg. 58]

The Spokane School District reports the number of homeless youth is steadily and significantly increasing. Over the four latest reported school years, the number of identified homeless youth has risen each year from 856 in 2009-2010 to 1,784 in 2012-2013. In the latest school year, almost two thirds were in a doubled-up housing situation (couch surfing). While the number of homeless youth is generally evenly distributed throughout grades K-11, the number of high school seniors who are homeless is almost double other years. These numbers only reflect homeless youth in school; many others have most assuredly already dropped out and are no longer in school.

Unaccompanied youth generally face two major issues: lack of skill and experience to obtain living wage jobs and the inability to obtain housing (unable to sign leases and or otherwise find housing they can afford). Under Washington State Law, youth aging out of foster care may access rental assistance provided by the State.

However, the assistance is insufficient to meet their long-term needs for stable, affordable housing. Opportunities for employment are limited for youth, especially for those who have dropped out of school. Education and skills development, including GED and vocational training, are needed in order to compete for jobs. Many youth also need mental health services, substance abuse treatment, and counseling to stabilize their lives. In addition, the expectation that youth will have the maturity to live without assistance is unrealistic for most. Unaccompanied youth have an even greater need for positive supports, constructive activities, guidance/mentoring, and financial support from a system providing flexible help for changing needs.

Housing and Support Services for Persons with Special Needs [pg. 58]

#### Housing Needs for People with Disabilities and Victims of Domestic Violence **(NA10)**

There is no sure way to estimate the true extent of the persons with special needs population in need. One indication is the current wait list maintained by the Spokane Housing Authority and by Public Housing developments. At this writing, there are at least 151 households with people with disabilities and/or seniors on the wait list for public housing alone. In January 2014, 22% of persons on the wait list for public housing were households with an adult with a disability or a senior. National ACS data show that 41% or more of Spokane residents 65 and older have one or more disabilities. There is unmet need for supportive housing for persons with disabilities, including individuals who are homeless. Notably the most frequent qualifying disability (federally for SSI) among working age persons (18 to 64) is mental illness. Domestic violence is not always (even usually) reported.

Victims served by YWCA of Spokane is one way to estimate a need for housing support – in 2014 the agency provided counseling to 1,797 victims and shelter to 465 victims. The Spokane County 2014 Point-in-Time count found 21% of those counted had experienced domestic violence. Certainly domestic violence is a significant contributor to family disruption and homelessness, particularly for those without resources to escape violence on their own. Safe housing for people with disabilities and victims of domestic violence means affordable, secure housing for some and services for most.

#### Needs for Housing and Supportive Services **(NA45)** [pg. 59]

The aging population will need additional supportive services ahead, which are mirrored in other populations with special needs. For all, the overriding understanding is that self-sufficiency and independence are primary goals, while connection to community and family are important as well. Supportive services and case management are necessary during crisis intervention and stabilization and, for some, on an ongoing basis. For victims of domestic violence and persons with disabilities, the needs go beyond crisis and short-term intervention. A flexible system of support is required to assist the individual or family to achieve self-sufficiency.

#### Supportive Housing Needs **(MA35)** [pg. 59]

The frail elderly and persons with mental illness, substance abuse, HIV/AIDs developmental disabilities or physical disabilities require long-term housing and services. Housing provided through a range of nonprofit organizations can stabilize these populations and are available throughout the City. Housing facilities available include Inland Empire Residential Resources, ARC of Spokane, Pioneer Human Resources, Detox of Spokane, Catholic Housing Communities, and Volunteers of America. In addition, there are a number of residential communities for seniors that provide supportive housing for the elderly and disabled. Vacancies at many of the facilities are infrequent, indicating a need for more housing resources.

Persons with severe disabilities require permanent supportive beds. Many of the people coming into the Spokane Continuum of Care with disabilities are arriving without housing resources, due to either a lack of affordable supportive housing options or the fact that their disability prevents them from seeking the assistance they need. The Continuum of Care estimates that 117 become chronically homeless each year.

#### Discharge Planning **(MA35)** [pg. 59]

An agreement between the Regional Support Network (RSN) and Eastern State Hospital facilitates continuity of service supports for persons exiting to the community from the mental health hospital. In addition, the RSN, which provides community-based mental health services for outpatients, works closely with Frontier Behavioral Health Outreach, the Spokane County Supportive Living Program and Behavioral Health Options to create supportive housing placements.

The Spokane Continuum of Care, through the Health Homeless Housing (H3) Program, provides outreach and housing for chronically homeless persons with medical needs. In addition, a medical respite program (in collaboration with Providence Health Care, Catholic Community Services and Volunteers of America) provides interim housing while longer-term supportive housing is being identified. The Roads to Community Living Program coordinates with group homes, private landlords and assisted living programs to place Medicare-eligible persons discharging from hospitals, nursing homes and mental health facilities in appropriate housing, including supportive housing.

#### Actions to Support Housing and Services for Persons with Special Needs **(MA35)** [pg. 60]

The Consolidated Plan and the Spokane Plan to End Homelessness both lay out strategies to increase supportive housing and services for persons with special needs. The Consolidated Plan's goals of preventing homelessness and creating stable, expanding, affordable housing and improving the quality of life are being accomplished through nonprofit and governmental partnerships to create new affordable housing for the most vulnerable populations, including those with disabilities. Additional, specific, 2015 actions include funding new, affordable, multifamily housing, supporting tenant-based rental assistance, improvements to transitional and permanent supportive housing programs, housing counseling programs, senior food programs, Emergency Solutions Grant support to prevention and homeless programs, and youth development programs.

#### Citywide Housing Needs:

2017 [Shaping Spokane: Comprehensive Plan](#) for the future of Spokane (citywide Comprehensive Plan)

Comprehensive Plan is the name given to identify the community's long-range plan for growth. It is comprehensive because it provides guidance for all aspects of the city's growth and development over a long period, typically twenty-years. The plan is a set of visions, goals, policies, and implementation strategies that state how the city should grow physically, socially, and economically. This comprehensive plan is the product of many, many people including hundreds of community members, the city Plan Commission, City Council and Mayor.

#### Goals:

##### [HOUSING](#) CHOICE AND DIVERSITY

Goal: Provide opportunities for a variety of housing types that are safe and affordable for all income levels to meet the diverse housing needs of current and future residents.

##### [HOUSING](#) QUALITY

Goal: Improve the overall quality of the City of Spokane's housing.

#### Policies:

- [Housing H 1.1 Regional Coordination](#)—*Coordinate the city's comprehensive planning with other jurisdictions in the region to address housing-related needs and issues.*
- [H 1.7 Socioeconomic Integration](#)—*Promote socioeconomic integration throughout the city.*
- [H 1.8 Affordable Housing Requirement](#)—*Include a percentage of affordable housing within all new developments that include housing.*
- [H 1.12 Affordable Housing Funding Sources](#)—*Support the development of affordable housing development funding sources.*



- **H 1.17 Partnerships to Increase Housing Opportunities**—Create partnerships with public and private lending institutions to find solutions that increase opportunities and reduce financial barriers for builders and consumers of affordable and lower-income housing.
- **H 1.18 Distribution of Housing Options**—Promote a wide range of housing types and housing diversity to meet the needs of the diverse population and ensure that this housing is available throughout the community for people of all income levels and special needs.
- **H 2.1 Housing Rehabilitation**—Provide assistance for housing rehabilitation beyond housing maintenance code requirements if the assistance is supportive of general community development activity and is on a voluntary basis.
- **H 2.2 Property Responsibility and Maintenance**—Assist in and promote improved and increased public and private property maintenance and property responsibility throughout the city.
- **H 2.3 Housing Preservation**—Encourage preservation of viable housing.
- **H 2.4 Linking Housing With Other Uses**—Ensure that plans provide increased physical connection between housing, employment, transportation, recreation, daily-needs services, and educational uses.
- **H 2.5 Housing Goal Monitoring**—Provide a report annually to the City Plan Commission that monitors progress toward achieving the housing goals and includes recommended policy change if positive direction toward achieving the housing goals is not occurring.
- **Social Health SH 2.2 Special Needs Temporary Housing**—Disperse special needs temporary housing evenly throughout all neighborhoods.

2016 Mayor's Housing Quality Task Force:

Identified the following needs: [pg. 30] relocation assistance for displaced or involuntary termination of resident(s), Create a registry of affordable housing/units available in Spokane, establish a Housing Trust Fund; identify regional partners and a funding source.

Infill Development 2016 Summary Report and Recommendation:

Need to conduct [pg. 13] Housing Choices Gap Analysis P-4 Coordinate an analysis of gaps in housing choice with the intent of identifying tools, incentives, and code amendments necessary to encourage the development of housing forms that would reduce gaps in housing choice.

2017 – 2018 City of Spokane's One Vision. One Plan. One Voice Strategic Plan's

Increase Housing Quality and Diversity

- Form public/private partnerships to provide market-driven solutions for home rehabilitation & infill
- Establish minimum housing standards and provide support for investment in existing housing stock
- Make infill development simple by removing development barriers from our processes and regulations to promote density, improve housing diversity, and increase housing supply

## Public infrastructure needs

The essential services provided by public infrastructure are critical to the health, safety, and welfare of the City of Spokane residents and community visitors. Water, sewer, transportation, police, fire, communications, and open



spaces are among the necessities of urban life. Community members and commerce depend upon these services today and in the future. As such, the City of Spokane has to meet the needs of today and provide adequate capacity and facilities for tomorrow without diminishing services for current users.

With a scarcity of resources, fiscal responsibility is paramount to ensure that we do not overburden the taxpayers when providing services. Careful planning and working in cooperation has helped the City of Spokane achieve major efficiencies and keep the cost of infrastructure services affordable for our citizens.

The City of Spokane Public Infrastructure needs are assessed and addressed through a very public process. Recently, the City Council and the City Administration have worked very closely on solving the City's Capital needs. In the excerpts below you will note some major changes the City has put into place recently to assure that the capital investments align with the Comprehensive Plan, Neighborhood Plan and objectives, and are equitably addressed year-in and year-out. Again working together, the Administration and Council successfully passed unprecedented voter approved bonds for major Streets and Parks expenditures in the coming years.

All infrastructure needs, plans, and implementation is covered in the City's [Capital Improvement Program](#) (CIP), which is an implementing strategy of the Capital Facilities Plan of Spokane's Comprehensive Plan. This Program was developed in compliance with the Washington State Growth Management Act. Therefore, for the CEZ plan we have looked exclusively to the Capital Improvement Program to address the municipal infrastructure needs assessment and solutions in the CEZ.

In the excerpts below, you will find the reasoning for the investments planned by department. In the funding section of this CEZ plan, you will find a breakdown by department of the over \$862 Million Capital Investments planned, as well as maps showing those departmental investments by location. It is no surprise that each of the maps show a significant investment planned for locations within the CEZ boundary. The CEZ boundary includes the oldest portions of the City of Spokane with the oldest/aging infrastructure, the most distressed neighborhoods, Downtown, the Spokane River, and the largest City Park, Riverfront Park.

In the CIP, each project has a distinct scope that includes timelines, funding, and sources. A complete copy of the [2017-2022 Citywide Capital Improvement Program](#) can be found on the City's website.

Capital Facilities Plan Element of the Comprehensive Plan [excerpts] [pg. Viii]

The purpose of capital facilities planning is to provide adequate public facilities to serve existing and new development, to reduce the cost of serving new development with public facilities, and to ensure that these facilities will be in place when development occurs. Capital Facilities include roads, bridges, sewer, water and storm water facilities, solid waste facilities, public buildings, parks and recreation facilities.

To provide for capital facility needs, the State of Washington's Growth Management Act RCW 36.70A.070 requires that each jurisdiction prepare a capital facilities plan element in their comprehensive plan consisting of:

- An inventory of existing capital facilities owned by public entities, showing the locations and capacities of the capital facilities;
- A forecast of the future needs for such capital facilities;
- The proposed locations and capacities of expanded or new capital facilities;
- At least a six-year program that will finance such capital facilities within projected funding capacities and clearly identifies sources of public money for such purposes; and
- A requirement to reassess the land use element if probable funding falls short of meeting existing needs and to ensure that the land use element, capital facilities plan element, and financing plan within the capital facilities plan element are coordinated and consistent.

#### City of Spokane's Approach to Capital Facilities Plan [iX]

The capital facilities plan implements the land use element of the comprehensive plan, and these two elements, along with the financing plan within the capital improvement program, must be coordinated and consistent. The GMA also requires a separate transportation element. (<http://www.mrsc.org/subjects/planning/capfacilities.aspx>)

Capital facilities include property, buildings (fire stations, buildings etc), open spaces, roadways, sewer plants and facilities including pipes in the ground and electrical wiring, solid waste trucks and disposal sites. A capital facility can also be major communication or computer systems. All cities own property, equipment and buildings. Without capital investments, cities could not provide necessary services. Cities usually acquire property and build the structures that are needed, but they may also purchase existing structures and renovate.

For the City of Spokane's Comprehensive Plan, the Capital Facilities Plan (CFP) for transportation can be found in Chapter 4 and for other capital facilities and utilities can be found in chapter 5. The CFP establishes the City's long-range program to address needs.

While the Land Use Element of the Comprehensive Plan articulates the vision and goals for how Spokane will develop, the Capital Improvement Program is the implementation tool that fulfills the goals and vision of the Comprehensive Plan. The Capital Improvement Program is the critical link between comprehensive planning and projects being constructed. Within the Capital Facilities Plan, implementation of the Comprehensive Plan is described through:

- Established levels of service for various public facilities and services;
- How certain undeveloped areas will develop based on type of public facilities extended;
- How coordination with adjacent jurisdictions will occur; and
- How coordination with other agencies that provide public facilities and services such as school districts, utilities, transit services will occur.

Relationship of the Citywide Capital Improvement Program to Goals and Policies of Comprehensive Plan [pg. iX]  
The Citywide Capital Improvement Program (CIP) is a six year plan of capital projects with estimated costs and proposed methods of financing that is updated annually.

In 2011, City Council adopted ordinance C34747, which established the annual update of a Citywide Six-Year Capital Improvement Program, a copy, could be found in the appendix. The ordinance further directed that the Citywide CIP be reviewed by the Plan Commission for consistency with the Comprehensive Plan and by presented to Council by June of each year.

In 2012, using the State Community Trade & Economic Development (CTED) Capital Facilities Planning Tool User Guide as a resource and other existing models, City staff created 10 needs assessment questions to be used to relate each proposed capital project to the pertinent goals and policies in the Comprehensive Plan. The CTED Decision Matrix is a set of questions [pg. X], which were developed to help local agencies prioritize projects according to a pre-assigned set of criteria, and was particularly valuable for comparing projects from different program categories. Each proposed project in the Citywide CIP also includes a rationale statement that explains why this project is necessary.

Because the City Administration viewed the needs assessment questions as policy, the Mayor requested that City Council review and approve the needs assessment questions to be used in the development of the Draft 2016-2021 Citywide CIP. City Council also reviewed and approved a weighted scoring for the questions to help inform the City Administration as they developed the draft. The following were used to help inform the process.

1. Does the project or item meet the goals of the Comprehensive Plan?
  - Which of the goals does it meet?
2. Does the project or item satisfy Federal, State, County or City mandates or regulations? (IE by not performing this project, Federal or State money is withheld, laws violated, or concurrency issues arise)
  - State the mandate or regulation this project or item satisfies
3. Does this project decrease demand on operations and maintenance funding?
  - Explain how this approach decreases demand on maintenance and operations funding
4. Is the project integrated to benefit City functions?
  - Describe how the project is integrated to benefit City functions. (IE does the project also address of help another City function? An example would be if the Water Dept. chose to place a new water line along a roadway that needs repair. This would be an integrated project in that the Street Dept. benefits from the roadway being improved rather than the water line being placed in another roadway in better condition)
5. Does this project or item eliminate hazards or risks?  
(Note Must align with the Comprehensive Plan (IE the Comprehensive Plan prioritizes the need to create safe, walkable streets for pedestrians))
  - What hazards or risks does it eliminate
6. Does the project or item preserve or extend the life of an existing asset?
  - Explain how the life of an asset will be extended or preserved
7. Does the project or item increase infrastructure capacity to meet future growth needs?
  - Describe the increase. (Include current capacity, the proposed increase and how it relates to future growth)
8. Centers/Corridors, and the Targeted Areas are a priority for the City. Is the project located in one of the highlighted areas shown on the attached map? (Extra weight will be given to projects in the targeted areas, AND/OR centers and corridors)
9. Does the project increase or generate revenue?
  - State the amount of Revenue projected
  - State the amount of time it will take to generate the revenue stated above.
10. Does the project require additional FTE's or increased fixed costs?
  - State how many additional FTE's are needed and state the additional cost.
11. Does the project meet sustainability plan goals?
  - How many goals were met?
  - State how the project or item meets the goal(s) selected
12. Will the project or item be located within a CD neighborhood? (Attach a link to pull up the CD Neighborhood Map)

[pg. Xi] In summary, the process described qualitatively links each project in the Citywide CIP to pertinent goals and policies in the Comprehensive Plan. The project rationale justifies why the project was selected, and the needs assessment questions link the project to the Comprehensive Plan.

Population—The Citywide Capital Improvement Program (CIP) must use the same population projections used in other parts of the Comprehensive Plan. Internal consistency requires all elements of a Comprehensive Plan be based upon the same planning period and the same population projections. The State Office of Financial Management provides an annual estimate for the population of Washington cities. For 2013, the estimate for the City of Spokane is 211,000. Since no one within the City, County, Spokane Regional Transportation Council or State Office of Financial Management provides a six-year population projection for the City of Spokane, Capital Programs staff in conjunction with Planning staff developed a projection based on an average of the annual

increase of Spokane's population from the 2000 census through 2010 and used this average annual increase to project a population increase of 6,831 for the years 2016 through 2021. To assure consistency throughout the Citywide CIP, this projected increase was provided to all program/project managers required to use Spokane's population as the demand population in their six-year need analysis.

**Inventory**—The Growth Management Act requires jurisdictions to prepare an inventory of City-owned buildings, facilities, and infrastructure. In past facility plans, the inventory information has not been consistent. To correct this deficiency, staff have redesigned the inventory format, added it to the Citywide CIP database, and will be phasing in the information during the comprehensive plan update that is currently underway and will be completed by 2017.

**Other Jurisdictions Capital Facilities Programs**—Although the City of Spokane provides many services to its residents, it is not the only provider in Spokane. Many other public providers including the Spokane and Mead School Districts, Spokane Transit Authority, and the Convention and Visitors Bureau own capital facilities.

The following links are provided as they become available from other jurisdictions and can direct you to the other jurisdictions capital programs. We are providing these links for informational purposes only. To review the external entities capital programs, access their websites accordingly:

- Spokane Transit Authority: <http://www.spokanetransit.com/about-sta/view/comprehensive-plan/>
- Spokane County: <http://www.spokanecounty.org/bp/data/Documents/CapFac/TOC.pdf>

As the largest city in Spokane County, the City of Spokane has taken the lead regarding economic development that benefits the entire county. The City has been active in the renovation of the downtown and in revitalization efforts in the University District, North Monroe, and Hillyard.

#### 2017-2022 Citywide Capital Improvement Program Highlights [pg. Xii]

The Citywide Capital Improvement Program (CIP) is both a planning and financial document. It is a prioritization of the capital improvements the City intends to build in the next six years and a plan for how to pay for these improvements. The 2017-2022 Citywide CIP does not appropriate funds, but rather functions as a budgeting tool, supporting the actual appropriations that are made through adoption of the budget. An important filter demonstrates that the Capital Facilities Element of the Comprehensive Plan is financially realistic.

#### Internal Process

Development of a process to include all City departments with capital facilities into a capital improvement program began after adoption of the Citywide CIP ordinance. An internet-based database was created with input from Finance, Accounting, Planning, MIS, and Capital Program Department staff. The information for each capital improvement project was entered for each participating department and reviewed through June 28. The system was locked on June 28 and a first draft was prepared. The data was compiled and summary reports were shared with the Administration for review. City Council was briefed on the status of the Citywide CIP in May and July. The Citywide CIP will remain in draft form until after Council approves the document. Upon completion of the budgeting process, the Citywide CIP will be edited to reflect any impacts the 2017 budget has on the CIP and then sent to Council for final approval.

#### Level of Service Standards

To implement the policies of the Spokane's Comprehensive Plan, the City has adopted Levels of Service (LOS) standards for capital facilities. The LOS measures the quality and quantity of existing and planned public facilities. Providers of capital facilities and services are requested to include an analysis discussion that evaluates how they are meeting the measurable LOS "objective" or standard. These standards have been

adopted by the City Council as a commitment to maintain a specific level of service as the City grows. Most service providers have an established standard while others have a standard that is indicated, as “as needed”.

Department	Level of Service (LOS) Standard
<b>Emergency Medical Services</b>	
Basic Life Support	6.5 minute response 80% of the time
Advanced Life Support (ALS)	8 minute response 80% of the time
<b>Fire</b>	
1 <sup>st</sup> Engine	7 minute response 80% of the time
1 <sup>st</sup> Ladder	8 minute response 80% of the time
<b>Law Enforcement</b>	1.5 Officers per 1000 residents
<b>Libraries</b>	3.25 books per person
<b>Parks</b>	
Neighborhood	1.17 acres per 1000 persons
Community	1.49 acres per 1000 persons
Major	2.59 acres per 1000 persons
<b>Solid Waste</b>	
Garbage	4.33 collections/household/month
Recycling	4.33 collections/household/month
<b>Streets</b>	
Signalized intersections	
Arterial, Downtown, CBD	LOS F, not to exceed 90 seconds of delay
Development Proposals	LOS F, not to exceed 85 seconds of delay
Principal or Minor Arterials	LOS E
Collector Arterials	LOS D
Unsignalized Intersections	LOS E
<b>Wastewater Management</b>	
Stormwater	10 year design storm for public right of way
Stormwater	Prevent flooding of property in a 25 yr storm
Stormwater	Prevent damage to building in a 100 yr storm
Sewage	100 gallons per capita per day
<b>Water</b>	Minimum pressure of 45 psi

[pg. XIV [LOS chart by Utility](#)]

#### Concurrency

The term concurrency is used in conjunction with Level of Service standards within the Capital Facilities Element of Spokane’s Comprehensive Plan. Concurrency requires that the public facilities and services necessary to support development shall be adequate to serve the development at the same time (concurrent to when) the development is available for occupancy or use, or within a reasonable time as approved by the City, without decreasing current service levels below locally established minimum standards.

#### 2017-2022 Citywide Capital Improvement Program [pg. XV]

Planning for adequate capital facilities is an important City activity, and City property must be maintained properly with major renovations planned and budgeted. New facilities must also be planned and budgeted responsibly, evaluated and balanced with all other City needs. This chapter identifies future projects and describes how they will be budgeted. The Citywide Capital Improvement Program (CIP) is not just a wish list, as it also includes a funding and financing plan.

Funding Type Summary represents an overview of the entire City in the Spending by Department Summary and Spending. Following the overview, department information is divided into sections. Department information includes a department description, funding summary, and reports for each project. Each capital project has a “spending plan” that identifies revenue sources for projects and when the funds are anticipated to be expended.

#### What is a Capital Improvement Program (CIP) Project? [XVi]

##### Required content:

- Identifies a specific physical improvement
- Specifies the time for construction; and
- Identifies the specific source of funding

##### Definition of a Capital Project

- A tangible asset
- Has a useful life of 5 years or more
- Has a value of \$60,000 or more
- Meets the goals, policies or level of service of the Comprehensive Plan

## Spokane Transit Authority's Public Transit Needs

STA's mission statement states that STA is an agency "dedicated to providing safe, convenient and accessible transportation service to the Spokane region's neighborhoods and businesses and activity centers. We are leaders in transportation and a valued partner in the community's social fabric, economic infrastructure and quality of life."

As such, STA's mission aligns and supports the overall purpose of the CEZ's. STA's planning efforts strive to identify and provide improved transit throughout the region.

### Relevant STA Plans

#### Connect Spokane: A Comprehensive Plan for Public Transportation (Revised 2017)

The goal of this plan is to set forth a vision and policy framework to guide decisions made by STA's Board of Directors, its staff, and partnering agencies that will further Spokane Transit's mission and vision for at least the next 30 years. STA strives to encourage increased ridership while providing high quality, convenient and reasonably priced services by recognizing STA's mission and by following the goals and policies defined in this plan.

All of the sections have some applicability to CEZ. The full plan can be accessed at

<https://www.spokanetransit.com/projects-plans/comprehensive-plan>

#### Spokane Transit Authority's Transit Development Plan (2018)

Spokane Transit Authority's Transit Development Plan (TDP) contains the Six-year Plan, Annual Report, Service Implementation Plan and Capital Improvement Program. The TDP is submitted to the Washington State Department of Transportation (WSDOT) on an annual basis.

#### STA Service Summary

All fixed route service is provided by vehicles that are accessible for people with disabilities. As of May of 2018 STA has 36 fixed bus routes in operation. Hours of service are generally 5:30 AM to 11:30 PM Monday through Friday, 6:00 AM to 11:00 PM Saturdays, and 8:00 AM to 8:00 PM Sundays and holidays. STA operates 365 days a year; however, holiday schedules (8:00 AM to 8:00 PM) are followed for New Year's Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day. STA provides service to the following transportation facilities serving other modes and operators:

- Spokane Intermodal Center (Greyhound and Amtrak services)
- Spokane International Airport (regional and international air transportation services)

STA operates three transit centers within the PTBA as of May 2018. STA also operates service to 13 park-and-ride lots within the PTBA. In addition, STA provides service to, or in the vicinity of, most of the public elementary, middle and high schools in its service area, as well as to Spokane Community College, Spokane Falls Community College, Eastern Washington University (Cheney, WA), Gonzaga University, Whitworth University, and the Spokane Campus of Eastern Washington University and Washington State University.

STA provides fixed route bus service and paratransit service comparable to fixed route service to the cities of Spokane, Spokane Valley, Airway Heights, Cheney, Liberty Lake, Medical Lake and Millwood, as well as to unincorporated areas of Spokane County that are within the PTBA.



## Major Activities (2018-2024)

Major activities planned over the next 6 years that may positively impact the CEZ include:

### Customer and Community Outreach

Expand the employer-sponsored bus pass program

- Expand the Universal Transit Access Pass (UTAP)
- Expand the number of retail bus pass outlets

### Service Development

- Procure a new contract for supplemental paratransit service (as early as 2020)
- Implement HPT: Monroe-Regal Line
- Implement the Central City Line and restructure plaza operations in Spokane
- Implement HPT: Cheney Line and restructure service on the West Plains

### Facilities and Fleet

- Complete the West Plains Transit Center
- Construct Upriver Transit Center at Spokane Community College
- Construct Moran Station Park & Ride
- Improvements in advance of HPT: Division Line
- Relocate and expand the Mirabeau Transit Center
- HPT: Sprague Line improvements

### Planning

- 2019/2020 update to *Connect Spokane: A Comprehensive Plan for Public Transportation*
- Identifying new needs, planning for the future beyond STA Moving Forward
- Conduct HPT: Division Line study to define elements of future Bus Rapid Transit (BRT) investments
- Conduct HPT: I-90 preliminary engineering
- Bus Stop Accessibility Improvement Plan
- Study strategies to address gaps in services to populations with unmet mobility needs
- Prepare Transit Asset Management Plan and updates
- Title VI Program update (every three years)

## Central City Line Strategic Overlay Plan (2016)

### Housing Strategies

Transit investments like the CCL can spur economic development, attracting more residents, businesses, and employers to locate near the corridor. The type of development that occurs adjacent to high-performance transit is also typically dense and walkable, meaning many residents and visitors can reach destinations without a car. These benefits typically increase property values and, in turn, can increase housing costs and erode affordable housing in the corridor. Lower income households and those without access to automobiles use transit at higher rates than others use and have the greatest need for affordable transportation options. Accordingly, strategies to ensure that all types of housing—including affordable and market rate housing— remain available in the corridor are critical. With policies in place to protect affordability and encourage other types of housing in downtown and throughout the corridor, the CCL can help the city ensure that housing is available at a range of different price points.

Presently, housing is generally affordable in the CCL corridor. For the purposes of this plan, “affordable” housing is that which is affordable to households earning less than 50% of area median income. Although prices have increased slightly in the downtown area since the end of the great recession, they remain affordable along the



entire corridor. National affordable housing studies have shown that preserving affordable housing before rental prices begin to increase is an essential strategy to ensuring long-term affordability. This section details recommendations for the City of Spokane and regional housing partners to increase the amount of all types of housing in the corridor, and preserve and enhance affordability. These strategies can help ensure that a healthy mix of affordable and market rate housing is available to households with a wide range of incomes.

#### Land Use Strategies

Although land use along the CCL corridor is already conducive to highperformance transit, this Strategic Overlay Plan includes new policies, strategies and actions to enhance walkability and encourage appropriate, context-sensitive development at key locations along the corridor. These actions have been developed after a comprehensive review of existing plans and policies, and discussions with stakeholders. They are designed to increase transit ridership in the corridor and support successful implementation of the CCL.

Land Use Strategies include:

- Development incentives
- Enhanced design measures
- Streetscape standards
- Parking
- Allowable uses

#### Economic Development Strategies

Transit improvements like the CCL tend to make streets more desirable for new development. People want to live and work near high performance transit, as it reduces travel times, makes it easier to meet daily transportation needs, and reduces transportation costs. The Economic Benefits of the CCL (EcoNW, 2014) study estimated that the CCL will generate tens of millions of dollars of investment and increased property values. These benefits can be enhanced with help from the public and private community partners.

## Public Facilities Needs

### NON-HOUSING COMMUNITY DEVELOPMENT [pg.60]

#### Public Facilities Needs (NA50)

The City of Spokane Comprehensive Plan expresses the vision of the City's public facilities and utilities being provided "...concurrently with a growing population to meet the safety, utility, transportation, educational, and cultural needs of residents." The City's public facilities needs are varied and extensive.

The following summarizes some of the public facilities needs identified through the planning process:

- Wastewater system improvement needs (\$391 million) make up more than half of the City's Capital Improvements budget (\$733 million).
- The Integrated Clean Water Plan, which would improve management of overflow into combined sanitary wastewater/storm drain system, is the major project identified.
- Upgrades and improvements to the City's community centers are needed. For example, extensive renovation of the Riverfront Park Pavilion topped the list of facilities improvements in the City's CIP, followed by relocation of the Peaceful Valley Community Center to a new site.
- Improvements and upgrades in libraries in several locations were identified, such as heating and ventilation systems, roofs, and parking.

#### Determination of Need (NA50)

Spokane's 2014-2019 Citywide Capital Improvements Plan (CIP) describes prioritized projects of the City in detail and expresses a budget of over \$700 million to meet priority needs. Also consulted were other project reports and needs assessments providing additional detail in establishing needs, including the [pg.61] City's Comprehensive Plan. Finally, focus groups were convened to assess needs and key City staff were interviewed and consulted during the planning process.

#### Transit Public Improvements (NA50)

Several large public projects to improve the economic vitality and quality of life in the City have been identified in city planning documents. Responding to the need to create inviting pedestrian and auto gateways into the City's downtown, a plan for the Division Street Gateway project has been developed which would involve several public improvements to the area. The need to develop the City's neighborhood centers and corridors was also identified. Investment in public improvements in targeted areas is needed to stimulate and support revitalization of business districts and residential areas.

Some neighborhoods lack streets, sidewalks, gutters, curbs, and/or ADA accessible curb cuts. In other areas, one or more of these components need reconstruction. Local Improvement Districts (LIDs) are needed in some neighborhoods to prevent an economic burden on low and moderate-income homeowners. New pedestrian and bike paths and bridges are needed to link neighborhoods and provide safe passage. Safe streets, with improved signalization/traffic lights and streetlights are needed to protect pedestrians and bicyclists. The City's transportation priorities include designing transportation systems that protect and serve pedestrian first. Needed bus shelters would give cover to transit users.

The City's CIP identifies extensive needs for improving or replacing irrigation systems in parks among other improvements, including recreational equipment and play areas. Tree plantings throughout the City would beautify downtown, as well as neighborhoods streets and parks.

Water improvements such as increasing water storage capacity, source well and booster pump station improvements, and installation/replacement of water transmission lines are also significant needs. There is a need to develop infrastructure to support assisted affordable housing and commercial/business/industrial investments

in low and moderate neighborhoods, as well as other private/public partnerships generating/retaining jobs for low and moderate-income wage earners.

Finally, one of the barriers to accomplishing neighborhood improvements and revitalization is the presence of blighted or deteriorated structures, which may be infeasible for reconstruction or use and/or may present safety hazards. In some instances, it may be appropriate to remove these “spot blight” structures.

#### Determination of Need **(NA50)** [pg. 62]

Spokane’s 2014-2019 Citywide Capital Improvements Plan (CIP) describes priority projects of the City in detail and expresses a budget of over \$700 million to meet priority needs. Also consulted were other project reports and needs assessments, which provided additional detail in establishing needs, including the City’s Comprehensive Plan. Finally, focus groups were convened to assess needs and key City staff were interviewed and consulted during the planning process.

#### Public Service Needs **(NA50)**

City of Spokane participates and supports a number of plans that provide and advocate for services to support persons with special needs, people who are homeless or at-risk of homelessness and residents who need ongoing support to live. As described in previous sections, there is a need for supportive services for vulnerable populations, including lower income households and individuals. The 2012-2015 Area Plan on Aging, for example, points to the need for support for seniors and people with disabilities to live safely in the community. Victims of domestic violence need more than temporary shelter to make a successful transition from abuse and this requires longer-term public support than is currently available in sufficient quantity to meet needs.

Public services needs include training programs for youth and adults to find employment that will lead to stable careers with living wages. Service needs extend to people who are already homeless and those at risk of homelessness. In meeting the myriad needs, the City coordinates plans and funding sources to meet needs in critical areas, although needs far exceed resources available.

### Community Economic Development Needs

Like most metropolitan areas, Spokane’s economic development needs are similar to all cities regarding, living wage job growth, housing availability, vibrant community, proper zoning for development needs, a ready and skillful labor force, better than adequate infrastructure for commerce.

Current economic outlooks show us that our deficiencies and needs lie in housing, available workforce, and adequate infrastructure. Building development codes for water, fire, and sewer requirements have surpassed the built infrastructure’s capacity in the public right-of-way within the core of our city and the CEZ. Therefore, making infill development and redevelopment in the core and CEZ far more costly than outside the CEZ or often even the city.

Labor shortages exist across the county especial in the construction trades. This drives up construction costs and housing cost. Over the years, Spokane has moved away from a resource based economy to more of a knowledge based economy, which has significantly diversified our employment sectors and economy. Continuing to focus on this diversification through targeted strategies is seen as a must.

#### The City of Spokane’s Economic Development Program Strategy

Vision: The City of Spokane is an innovative leader in cost effective service delivery, is unequalled in living, learning and leisure; it is the safest city of its size with the fastest growing job market in the Inland Northwest.

Mission: The Planning Economic Development team is to

- align public investments in neighborhood planning, community development and infrastructure development with private sector investments;
- grow new and expanded business activity within the City spurring additional economic growth, providing living wage jobs, improving neighborhoods, enhancing the standard of living of all citizens; and,
- conduct in a predictable, transparent and accountable manner the dedication of public resources to help achieve the outcomes within the public interest as a legitimate function of City government

Success Criteria: Economic Development programmatic success within targeted areas will

- facilitate business activity,
- revitalize neighborhoods, and
- provide a higher standard of living for area stakeholders

In the funding section of the CEZ plan you will find details on the development incentives, targeted investment and effort that all align within the CEZ and the new Opportunity Zones.

## Social Service Needs

Community, Housing and Human Services Annual Action Plan 2017 [excerpts]

[pg. 7] The Continuum of Care and CHHS Boards and their committees review the needs and priorities in consultation with community organizations through a series of meetings, hearings, workshops, focus groups and interviews of key leaders and representatives of organizations conducting planning, operating programs, providing services or advocating for the interests of specific groups or populations in the City. Meetings take place at both the neighborhood level and citywide. Key to the success of this process has been the continued strong relationship the City has maintained with local agencies, nonprofit organizations, developers, and other entities providing human services, community development, economic development, affordable housing and homeless housing and services.

The Community, Housing and Human Services (CHHS) department of the City of Spokane plays a critical role in the Spokane Continuum of Care by providing staff support to the CoC board and its committees. In monthly meetings of the Continuum, CHHS staff provide assistance in agenda-setting, planning activities, developing funding criteria and decisions, and providing performance and evaluation reports on CoC and ESG project performance, as well as progress in meeting Continuum goals. In addition, CHHS staff provide continuity between meetings and coordinates activities with members working on specific action steps of the Homeless Plan. Together, CHHS and the CoC have worked to develop the 2015-2020 Spokane Strategic Plan to End Homelessness; a Plan which is fully coordinated with the goals of the City of Spokane 2015-2020 Consolidated Plan. The Homeless Plan encompasses an aggressive approach to retool the housing and services delivery system toward the ultimate goal of ending veteran homelessness, chronic homelessness and family homeless all within the next four years. The CoC is currently working to strategically utilize all homeless funding resources to increase the community's inventory of PSH and RRH units. We are continuously working to maintain a housing first philosophy within our programs as well as consistently reevaluate low barrier shelters and housing. In order to ensure every homeless individual has a place to go, we are retooling our shelter system to effectively implement a 24/7 shelter for singles and families

respectively. In coordination with our continuum's goals, collaboration is occurring between the CoC, CoC Homeless Youth Committee, and our Youth Advisory Board, which is comprised of youth with lived homeless experience. We are coordinating with [pg.8] the Office of Homeless Youth to expand RRH for youth and are collaborating with Invest Health to effectively serve youth exiting institutions.

[pg. 8] The CHHS staff responsible for providing staff assistance to the Continuum of Care is also responsible for management of the ESG Program. City staff has drafted policies and procedures for annual allocations of ESG funds. The Continuum of Care adopted these.

CHHS staff also prepared proposed performance standards for evaluating ESG project outcomes for Continuum review and adoption. Coordinating with the Washington State Department of Commerce in utilizing statewide evaluation standards, the Continuum adopted a Dashboard database and reporting process for use in the Spokane CoC for review of performance outcomes. City staff at the system-level quarterly and on a project-level prepare reports on outcomes annually. These reports are used by the Continuum to evaluate performance and identify issues with specific projects and program areas. Procedures for use of HMIS data have also been adopted in the policies and procedures of the Continuum.

[Partner Agencies: Goals and Plan Connections Table pg. 9]

Table 2 – Agencies, groups, organizations who participated

1	<b>Agency/Group/Organization</b>	SPOKANE HOUSING AUTHORITY
	<b>Agency/Group/Organization Type</b>	PHA
	<b>What section of the Plan was addressed by Consultation?</b>	Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Community, Housing and Human Services staff has coordinated with staff from the Spokane Housing Authority to discuss and plan for solutions to affordable housing for low income, at risk and homeless households.
2	<b>Agency/Group/Organization</b>	CATHOLIC CHARITIES SPOKANE
	<b>Agency/Group/Organization Type</b>	Services - Housing Services-homeless Services-Health Services - Victims
	<b>What section of the Plan was addressed by Consultation?</b>	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy

	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Catholic Charities provides services to homeless individuals throughout Spokane. In 2016/2017, Catholic Charities partnered with the City of Spokane to pilot a new 24/7 emergency shelter program. Representatives from Catholic Charities assist with planning efforts to support the regional Continuum of Care and other support services for low and moderate income individuals.
3	<b>Agency/Group/Organization</b>	SPOKANE COUNTY
	<b>Agency/Group/Organization Type</b>	Other government - County
	<b>What section of the Plan was addressed by Consultation?</b>	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The director of Spokane County's Housing and Community Development Division participates as a member of the Community, Housing and Human Services Board. Additionally, Spokane County staff participate in the CoC and Fair Housing Committee planning processes.
4	<b>Agency/Group/Organization</b>	SNAP
	<b>Agency/Group/Organization Type</b>	Services - Housing Services-homeless Services-Employment
5	<b>What section of the Plan was addressed by Consultation?</b>	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Economic Development
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The City partners/funds several SNAP programs that provide housing, homeless, medical response, coordinated assessment and other public services to the residents of the City of Spokane.
	<b>Agency/Group/Organization</b>	Spokane Low Income Housing Consortium
	<b>Agency/Group/Organization Type</b>	Housing
5	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Homelessness Strategy
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Spokane Low-Income Housing Consortium (SLIHC) provides assistance on low-income housing, homeless programs/CoC and the Inland Northwest Fair Housing Conference.

6	<b>Agency/Group/Organization</b>	TRANSITIONS
	<b>Agency/Group/Organization Type</b>	Housing Services - Housing Services-Children Services-Victims of Domestic Violence Services-homeless Services-Education Services-Employment
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Economic Development
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Transitional Programs for Women (Transitions) partners with the City of Spokane to provide permanent and transitional housing for homeless individuals and families.
7	<b>Agency/Group/Organization</b>	The Salvation Army
	<b>Agency/Group/Organization Type</b>	Services - Housing Services-Children Services-Persons with Disabilities Services-Victims of Domestic Violence Services-homeless

	<b>What section of the Plan was addressed by Consultation?</b>	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The Salvation Army partners with the City of Spokane to provide permanent and transitional housing for homeless individuals and families.
8	<b>Agency/Group/Organization</b>	VOLUNTEERS OF AMERICA OF SPOKANE
	<b>Agency/Group/Organization Type</b>	Services - Housing Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-Persons with HIV/AIDS Services-Victims of Domestic Violence Services-homeless
	<b>What section of the Plan was addressed by Consultation?</b>	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Volunteers of America partners with the City of Spokane to provide permanent and transitional housing for homeless individuals and families.



9	<b>Agency/Group/Organization</b>	Goodwill Industries
	<b>Agency/Group/Organization Type</b>	Services - Housing Services-homeless Services-Employment
	<b>What section of the Plan was addressed by Consultation?</b>	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Goodwill Industries partners with the City of Spokane to provide permanent and transitional housing for homeless individuals and families.
10	<b>Agency/Group/Organization</b>	YWCA OF SPOKANE
	<b>Agency/Group/Organization Type</b>	Services - Housing Services-Children Services-Victims of Domestic Violence Services - Victims
	<b>What section of the Plan was addressed by Consultation?</b>	Homeless Needs - Families with children
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The YWCA partners with the City of Spokane to provide permanent and transitional housing for homeless individuals and families.
11	<b>Agency/Group/Organization</b>	Greater Spokane Incorporated
	<b>Agency/Group/Organization Type</b>	Regional organization
	<b>What section of the Plan was addressed by Consultation?</b>	Economic Development
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Greater Spokane Incorporated (GSI) participates in the City of Spokane Economic Development Committee.
12	<b>Agency/Group/Organization</b>	SPOKANE REGIONAL HEALTH DISTRICT
	<b>Agency/Group/Organization Type</b>	Health Agency Regional organization
	<b>What section of the Plan was addressed by Consultation?</b>	Public Health
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The Spokane Regional Health District helps neighborhood councils coordinate capital improvement projects through their Neighborhoods Matter program.
13	<b>Agency/Group/Organization</b>	Northwest Fair Housing Alliance
	<b>Agency/Group/Organization Type</b>	Service-Fair Housing
	<b>What section of the Plan was addressed by Consultation?</b>	Fair Housing Planning/Conference

	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The City of Spokane partners with the Northwest Fair Housing Alliance to assist with the coordination of the Inland Northwest Fair Housing Conference. Additionally, the Northwest Fair Housing Alliance is helping coordinate a regional planning effort to Affirmatively Further Fair Housing practices, included the Assessment of Fair Housing (AFH).
14	<b>Agency/Group/Organization</b>	SINTO SENIOR ACTIVITY CENTER
	<b>Agency/Group/Organization Type</b>	Services-Elderly Persons
	<b>What section of the Plan was addressed by Consultation?</b>	Services for seniors
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The Sinto Senior Activity Center provides services to elderly individuals in West Central and Northwest Spokane.
15	<b>Agency/Group/Organization</b>	Northeast Community Center Association
	<b>Agency/Group/Organization Type</b>	Services-Children Services-Elderly Persons Services-Health
	<b>What section of the Plan was addressed by Consultation?</b>	Community/neighborhood based social and healthcare service programs in northeast Spokane
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Northeast Community Center is a primary healthcare, childcare and social service provider to the northeast Spokane community.

16	<b>Agency/Group/Organization</b>	EAST CENTRAL COMMUNITY CENTER
	<b>Agency/Group/Organization Type</b>	Services-Elderly Persons Services-Persons with Disabilities
	<b>What section of the Plan was addressed by Consultation?</b>	Community programs for east central Spokane
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	East Central Community Center provides services to individuals in the east central portion of the City.
17	<b>Agency/Group/Organization</b>	WEST CENTRAL COMMUNITY CENTER
	<b>Agency/Group/Organization Type</b>	Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-Education
	<b>What section of the Plan was addressed by Consultation?</b>	Community programs for west central and northwest Spokane
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The West Central Community Center provides services to the west central and northwest portions of the City of Spokane.
18	<b>Agency/Group/Organization</b>	PEACEFUL VALLEY COMMUNITY CENTER
	<b>Agency/Group/Organization Type</b>	Services-Children

	What section of the Plan was addressed by Consultation?	Childcare services in southwest Spokane
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Peaceful Valley Community Center provides services to families with childcare needs in southwest Spokane.
19	Agency/Group/Organization	City of Spokane Parks & Recreation
	Agency/Group/Organization Type	Other government - Local
	What section of the Plan was addressed by Consultation?	Neighborhood planning and implementation
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Community, Housing and Human Services Department partners with the Spokane Parks and Recreation Department to implement park improvements in primarily low and moderate income areas.
20	Agency/Group/Organization	Spokane Public Library
	Agency/Group/Organization Type	Other government - Local
	What section of the Plan was addressed by Consultation?	Neighborhood planning and implementation
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Community, Housing and Human Services Department partners with the Spokane Public Library to implement literacy programs in primarily low and moderate income areas.
21	Agency/Group/Organization	City of Spokane Office of Neighborhood Services
	Agency/Group/Organization Type	Other government - Local
	What section of the Plan was addressed by Consultation?	Neighborhood program planning and training
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Community, Housing and Human Services Department works in coordination with the Office of Neighborhood Services to implement the CDBG Neighborhood Program.
22	Agency/Group/Organization	Northeast Youth Center
	Agency/Group/Organization Type	Services-Children
	What section of the Plan was addressed by Consultation?	Youth needs and opportunities in northeast Spokane
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The City of Spokane partners with the Northeast Youth Center (NEYC) to provide quality, safe and affordable child care programming for youth in northeast Spokane.
23	Agency/Group/Organization	SPOKANE VALLEY MEALS ON WHEELS
	Agency/Group/Organization Type	Services-Elderly Persons
	What section of the Plan was addressed by Consultation?	Food services for elderly individuals in Spokane

	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Community, Housing and Human Services partners with Spokane Valley Meals on Wheels to provide meals to homebound seniors in Spokane.
24	<b>Agency/Group/Organization</b>	Martin Luther King Family Outreach Center
	<b>Agency/Group/Organization Type</b>	Services-Children
	<b>What section of the Plan was addressed by Consultation?</b>	Childcare/family outreach services on Spokane's lower south hill
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Community, Housing and Human Services partners with the Martin Luther King Family Outreach Center to provide diverse family and youth services on Spokane's lower south hill.
25	<b>Agency/Group/Organization</b>	Women and Children Free Restaurant
	<b>Agency/Group/Organization Type</b>	Services-Health
	<b>What section of the Plan was addressed by Consultation?</b>	Homeless Needs - Families with children Healthy meal options throughout Spokane
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Community, Housing and Human Services Department partners with Women and Children Free Restaurant to provide healthy meal options for Spokane's low-income, at-risk and homeless populations.

### Existing and new plans to specifically address the identified needs

#### STRATEGIC PLAN TO END HOMELESSNESS Spokane, Washington 2015-2020

##### Purpose [pg. 1]

In urbanized areas across the country, too many people spend the night without housing, camping in parks, living in garages, staying in cars or living under bridges. Many more are doubled up with relatives or friends temporarily, often further burdening a household that is struggling in poverty. Homelessness is not a new phenomenon. Nationally, a clearly understated estimate (because of the difficulty of coverage in one night homeless counts in all areas of the nation) of the number of homeless persons nationally on a given night at the end of January 2014 was 578,000 persons, a reduction of only 11% from 651,000 in 2007, showing the difficulty of the task.

This strategic plan for the countywide area of Spokane County has been developed to respond to the need to solve the issue of homelessness. The Plan is intended to guide non-profit agencies, local government and other interested parties in taking concerted action to work toward ending homelessness, as we know it today. The Plan lays out a series of strategies that will guide annual steps to accomplish that goal. The process will involve community will, the allocation of significant resources, and the implementation of national best practices in the Spokane area. The guiding community principle is that no person should experience homelessness, but if a person does become homeless it will be rare, brief and one time.

[pg. 4] The Spokane Continuum of Care has created this **2015-20 Spokane Strategic Plan to prevent and End Homelessness** to provide a road map for local government, non-profit housing and services providers and other entities for use in working toward ending homelessness. The Plan is consciously linked to the goals and

objectives of the ***Opening Doors*** Federal Plan to take advantage of the potential for increasing a coordinated approach.

Integrated into the Plan is the City of Spokane's commitment to end homelessness of Veterans. To emphasize the need to push forward with the solving homelessness, the Mayor of Spokane has signed on to the national Mayor's Challenge to End Veterans Homelessness by 2015. Also included in the Plan are goals to work forward ending chronic homelessness by 2017 and ending family homelessness by 2018. These are purposely aggressive goals in order to focus on their importance.

The Spokane Plan envisions that no one should experience homelessness. Three Primary Goals of ending homelessness for three targeted homeless subpopulations (Chronically Homeless Persons, Homeless Veterans and Homeless Families) are established while the community works toward ending homelessness for all populations. The Plan contains 5 Primary Objectives and 31 specific implementing Strategies. The Objectives are broadly stated. They are targeted toward the ultimate goal of ending homelessness by strengthening our local systems and aligning our objectives with national strategies, both Federal and State.

Following the Plan Summary immediately below, the Strategic Plan is organized into three sections. The first section provides background information on trends in homelessness both nationally and locally and efforts toward ending homelessness. The second section describes the specifics of the Spokane Strategic Plan, with detailed strategies implementing the objectives of the plan. The third section describes the Continuum's 2015 Annual Action Plan, which will be updated annually.

[Continuum's Current Subcommittees' Scope of Work]

## HMIS Subcommittee

### Scope of Work

The CoC's, federal, state, and locally mandated, HMIS database serves as the single repository of homelessness data for the Spokane County and City CoC. Data from the HMIS is used for strategic planning decisions, reporting to funders, project ranking and funding recommendations, and determining case management plans for clients. The HMIS has transcended its original purpose as a simple database to become the main tool used by dozens of agencies and hundreds of case workers for the tracking and sharing of data on the homeless clients that are served throughout the region. It facilitates cross-agency collaboration on client care and coordination of services and benefits. The interconnectedness that is made possible through participation in the HMIS has led to the successful implementation of the CoC's Coordinated Assessment program and a real time housing inventory tracking system. The rapidly expanding responsibilities and capabilities of the HMIS will bring about even more benefits to the CoC and further improve the efficiency and efficacy of the programs that rely on it; it will continue to act as the foundation upon which efforts to end and reduce homelessness are based.

The complexity and importance of the CoC's HMIS is such that the formation of a guiding subcommittee--comprised of a cross-section of CoC stakeholders--is critically important to the continued success of the CoC. This sub-committee will ensure that policies and procedures are fair and comprehensive; that training and technical support provided by the HMIS Team meets the needs of the CoC; and that the data collected by the HMIS meets the needs of the CoC.

#### **The Scope of Work for the CoC's HMIS Subcommittee includes:**

1. **Review, revise, and approve all policies:** policies need to be fair, clear, and provide direction that is aligned with CoC priorities. By defining roles and responsibilities for the CoC's HMIS, and the multitude of agencies and case workers that rely on it, the HMIS Sub-Committee will ensure that roles and responsibilities are clear and that the CoC's HMIS is aligned with CoC priorities and strategies. This will reduce confusion and frustration and ultimately provides for better services to the clients served by the various projects, through ensuring that clients and staff aren't overly burdened with unnecessary administrative tasks.
2. **Assist with CoC-wide, funder required, reporting:** the AHAR (Annual Homelessness Assessment Report) and the ODC (One Day Count) are both system-wide, funder required, reports. The key to successful execution of both is clear communication between the HMIS Lead and CoC partner agencies and a careful review of the data collected. The HMIS Sub-Committee will assist with communication, planning, and execution of both reports. The HMIS Program Manager will coordinate efforts between the HMIS Sub-Committee, the CoC, and the HMIS Lead Agency.
3. **Evaluate, propose, and approve modifications to project priorities:** in an advisory capacity, the HMIS Sub-Committee will propose data collection priorities for current, and future, projects. Inputs and outputs for individual, or entire project categories (e.g. ES, TH, etc.), will be evaluated to ensure that they align with the CoC's goal of ending homelessness.
4. **Select minimum data requirements; define criteria, standards, and parameters for the release of aggregate data:** the data standards set forth by the multitude of funders that rely on the HMIS for performance and project data are frequently misunderstood and misapplied. The HMIS Sub-Committee will serve in an advisory role to help ensure that communications related to data collection methodologies and standards to the HMIS user base is clear. Since the minimum data requirements aren't always suited to local strategies and priorities, the HMIS Sub-Committee will work with the HMIS Program Manager to determine, if necessary, additional data collection requirements for dissemination to HMIS participating users and agencies.
5. **Ensure adequate privacy protection provisions in project implementation and administration:** the privacy and confidentiality laws governing the HMIS are complex and ever changing. However, there is no matter more important to the continued success of the HMIS than ensuring that the CoC is adhering to all relevant laws and regulations. Client confidentiality must be considered before a new project is implemented, data is entered or shared, or when determining new data elements for collection. The HMIS Sub-Committee will assist with the research into issues surrounding HMIS security and confidentiality. Selection criteria for appointment to the HMIS Sub-Committee will be based, in part, on the prospective member's background in information security and/or privacy laws.



## **Chronically Homeless Families Subcommittee**

### **Scope of Work**

Ending homelessness for families and children is a priority for the CoC. By providing the right amount of assistance to help families obtain or regain permanent housing as quickly as possible and ensuring access to services to remain stably housed, achieving an end to family homelessness is possible. Given the current economic realities in our community, situations in which families experience a crisis and lose their home will likely occur. Recognizing this reality, the CoC works to ensure that no family will be without shelter and homelessness will be a rare and brief occurrence.

Working together with our partners at the state, local, and federal level to strengthen the local crisis response systems, we will:

1. Ensure that no family is living unsheltered
2. Shorten episodes of family homelessness by providing resources that enable families to safely reenter permanent housing as quickly as possible
3. Link families to the benefits, supports, and community-based services they need to achieve and maintain housing stability, and
4. Identify and implement effective prevention methods to help families avoid homelessness.

Key strategy areas to address chronically homeless families include:

#### **1. Coordinated Assessment**

Families experiencing homelessness have varying levels of strengths and service needs. An effective response prevents homelessness or addresses the immediate crisis of homelessness, then connects families to the most appropriate level and type of assistance based on their strengths and needs. Effective crisis response systems have coordinated access or entry points through which families can seek help, have their strengths and needs assessed, and be connected to appropriate housing and support services. The assessment provides the ability for families to be given access to the best options to address their needs, rather than being evaluated for single programs.

In order for coordinated entry systems to function, providers may need to change their admissions policies by removing barriers to entry that may be embedded in eligibility criteria, as well as accept referrals from the coordinated access point(s). As many families experiencing homelessness are significantly impacted by domestic violence and other trauma, effective entry systems have the training and capacity to engage in a trauma-informed way and identify survivors of domestic violence. Successful systems also offer safety planning, advocacy, and access to specialized services that address the safety concerns of individuals, and their children, fleeing domestic violence. Effective systems are able to assess the needs of children and youth and make effective linkages for appropriate services.

Coordinated assessment insures that more service-intensive housing interventions are targeted at the highest need households and helps families connect to the mainstream resources (benefits, employment, and community-based services) needed to sustain housing and achieve stability. Improve linkages to local mainstream systems to help families gain access to these resources more quickly.

#### **2. Rapid Rehousing**

Rapid re-housing helps individuals and families quickly exit homelessness to permanent housing. Rapid re-housing assistance is offered without preconditions (such as employment, income, absence of criminal record, or sobriety), and the resources and services provided are typically tailored to the unique needs of the household. The core components of a rapid re-housing program include housing



## **Chronically Homeless Individuals Subcommittee**

### **Scope of Work**

The CoC is striving to end chronic homelessness and continues to emphasize the importance of implementing strategies that will help meet this goal. HUD and the United States Interagency Council on Homelessness (USICH) released the criteria and benchmark for what it means to end chronic homelessness:

**1. The community has identified and provided outreach to all individuals experiencing or at risk for chronic homelessness, and prevents chronic homelessness whenever possible.**

The community coordinates persistent and creative outreach, in-reach, and engagement efforts throughout the geographic area, in conjunction with coordinated entry and other mainstream systems. The community cross-references multiple data sources and uses other methods to identify, enumerate, and assertively engage individuals experiencing chronic homelessness (as defined by HUD), and individuals most at risk of becoming chronically homeless, including people cycling through institutional settings. The community uses HMIS and other data sources to build and maintain an active list of people and to track the homelessness status, engagement attempts, and permanent housing placement for each individual. The community's outreach strategy allows for quick identification and engagement of individuals who may become chronically homeless in the future and individuals experiencing chronic homelessness who newly arrive to the community, and also prevents people from aging into chronic homelessness.

**2. The community provides access to shelter or other temporary accommodations immediately to any person experiencing unsheltered chronic homelessness who wants it.**

The community has the capacity to immediately offer some form of low-barrier shelter (i.e., emergency shelter, hotel/motel, bridge housing, or other temporary accommodations) to people experiencing chronic homelessness who are sleeping in unsheltered locations, while assisting them to swiftly access permanent housing. Rapid re-housing and transitional housing may be being used as bridge housing for individuals experiencing chronic homelessness. However, because a stay in transitional housing could affect a person's ability to access dedicated permanent supportive housing, such stays are only used in situations where the household has already been enrolled in permanent supportive housing and is actively seeking a unit (see HUD FAQ). Access to shelter and other temporary settings is not contingent on sobriety, minimum income requirements, lack of criminal justice system involvement, or other unnecessary conditions, such as participation in certain activities.

**3. The community has implemented a community-wide Housing First orientation and response that also considers the preferences of the individuals being served.**

The community has fully embraced a Housing First and low-barrier response across its system and all program types. The community assists individuals experiencing chronic homelessness to move into permanent housing without barriers to entry, using a Housing First response, and is actively implementing alternatives to the criminalization of homelessness. Individuals experiencing chronic homelessness do not decline assistance due to requirements such as sobriety or unnecessary program rules, and programs do not deny assistance based on minimum income requirements, lack of criminal justice system involvement, or other unnecessary conditions.

In order to provide choice to all people experiencing chronic homelessness, there may be a limited number of programs, such as abstinence-focused programs, that may not be implementing all of the principles of a Housing First approach. However, such programs should embrace as many Housing First principles as possible and should be working in partnership with other programs within the larger community's Housing First response.

## **Homeless Youth Subcommittee**

### **Scope of Work**

Unlike other systems youth interact with, such as, child welfare or juvenile justice, efforts to serve youth experiencing homelessness are not yet provided through a single, coordinated system of supports funded by a state or federal agency. Moreover, the varied and unique needs of youth experiencing homelessness require a range of interventions and solutions that no single funding stream can provide. Collaboration across federal, state, and local partners is needed to provide this full range of solutions. To meet all the physical, developmental, and social needs of youth experiencing homelessness, we must design and implement a unified, collaborative response in every community.

Building on local, state, and federal efforts to support healthy families, this response must:

1. Prevent youth from becoming homeless by identifying and providing support services for families who are at risk of fracturing.
2. Effectively identify and engage youth at risk for, or actually experiencing, homelessness and connect them with trauma-informed, culturally appropriate, and developmentally and age-appropriate interventions.
3. Intervene early when youth do become homeless and work toward family reunification and/or reconnection, when safe and appropriate.
4. Develop a coordinated entry system to identify youth for appropriate types of assistance and to prioritize resources for the most vulnerable youth.
5. Ensure access to safe shelter and emergency services when needed.
6. Ensure that assessments respond to the unique needs and circumstances of youth and emphasize strong connections to and supported exits from mainstream systems, when needed.
7. Create individualized services and housing options tailored to the needs of each youth, and include measurable outcomes across key indicators of performance, including education and employment.

### **Reporting**

Subcommittees will provide bi-monthly reports (every other month) to the CoC Board Secretary for review by the Board and Executive Committee. These reports should reflect progress toward achieving subcommittee goals, challenges to achieving goals, and relevant information pertaining to the ongoing work toward goal obtainment.

## **Veteran's Subcommittee**

### **Scope of Work**

Ending veteran homelessness continues to be a high priority of our CoC. While the timeframe established in *Opening Doors* to end veteran homelessness was December 2015, there is still a lot of work to do to meet this goal locally. Therefore, we must continue efforts to meet this ambitious goal, ensuring that homelessness amongst veterans is rare, brief, and non-recurring.

We must keep measuring progress towards reaching the goal by using the criteria and benchmarks established by HUD, the U.S. Department of Veterans Affairs (VA), and the U.S. Interagency Council on Homelessness (USICH).

The Scope of Work for the CoC Veterans Subcommittee includes:

1. **Identification of all veterans experiencing homelessness.** The CoC maintains a comprehensive outreach strategy covering the geographic area and the multiple settings within it and this strategy is coordinated across all sectors and providers. Additionally, the CoC will use an active list (commonly referred to as a by-name-list) that is regularly updated with data from all community partners including the VA, allowing the CoC to track progress from the point of initial engagement to housing placement in real time.
2. **Resources, plans, and system capacity are in place should any veteran become homeless or be at risk of homelessness in the future.** The CoC maintains resources are available to prevent homelessness for veterans at risk of homelessness and to promote long-term housing stability of formerly homeless veterans that have entered permanent housing (e.g., on-going case management, connections to employment, peer support programs). Additionally, the CoC has uses a coordinated entry process to identify veterans who might become homeless or return to homelessness in the future.
3. **Move Veterans quickly into permanent housing.** The CoC utilizes a system-wide Housing First orientation that allows veterans to access housing quickly with few barriers to entry. The CoC also maintains robust permanent housing options (e.g., HUD-VASH, SSVF, Housing Choice Vouchers) that allow for veteran choice.
4. **Service-intensive transitional housing is provided in limited circumstances only.** The CoC can demonstrate that when service-intensive transitional housing is provided that it has been chosen by the veteran, who was also offered a choice of permanent housing, and that the transitional housing has a purposeful focus on minimizing lengths of stay and a strong emphasis on Housing First principles and practices.
5. **Ability to shelter immediately any veteran experiencing unsheltered homelessness.** The shelter made available by the CoC is low-barrier and when a shelter bed is not available the CoC has a pre-existing plan in place to shelter unsheltered veterans.
6. **Deploy all resources effectively.** The CoC efficiently deploys and fully utilizes all available resources to meet the needs of veterans experiencing homelessness. While the VA has a vast array of resources available to house veterans experiencing homelessness such as HUD-VA Supportive Housing (HUD-VASH) and Supportive Services for Veteran Families (SSVF), not all veterans experiencing homelessness will be eligible to receive assistance through the VA. In those cases, CoC and Emergency Solutions Grants (ESG) program resources should be used.
7. **Actively recruit landlords.** The CoC has created partnerships with private market landlords, ensuring that units are available for veterans experiencing homelessness to choose from when looking for permanent housing.
8. **Reporting.** Subcommittees will provide bi-monthly reports (every other month) to the CoC Board Secretary for review by the Board and Executive Committee. These reports should reflect progress toward achieving subcommittee goals, challenges to achieving goals, and relevant information pertaining to the ongoing work toward goal obtainment.

## **RFP and Evaluations Subcommittee**

### **Scope of Work**

Community review of proposals and applications is essential to the process of awarding public funds. When conducted in coordination with technical staff, this review ensures that funding decisions are made in the context of community knowledge and experience as well as technical/regulatory expertise. The RFP and Evaluations Subcommittee provides this community review through the following scope of work:

**1. Assisting in the development of competitive application processes.**

The subcommittee will assist CHHS staff in the development of competitive funding processes through feedback on NOFA or RFP documents, applications, evaluation criteria and timelines.

**2. Evaluating proposals and other applications for funding.**

The subcommittee will review and/or score proposals and other applications from organizations seeking funding through CHHS. In coordination with CHHS staff, subcommittee members will review/score proposals based on:

- Alignment with goals and objectives, including those established by state and federal funders and those established locally.
- Consistency with local plans.
- Past performance and capacity to manage public funds.
- Other evaluation criteria as established.

**3. Making funding recommendations.**

Based on review of proposals or applications, the subcommittee will make funding recommendations to the CoC Board.

**4. Providing applicant education.**

The subcommittee will provide feedback to applicant organizations, or prospective applicant organizations, regarding successful and unsuccessful proposals/applications.

**5. Reporting.**

Subcommittees will provide bi-monthly reports (every other month) to the CoC Board Secretary for review by the Board and Executive Committee. These reports should reflect progress toward achieving subcommittee goals, challenges to achieving goals, and relevant information pertaining to the ongoing work toward goal attainment.

## Funding sources

### Community Economic Development

**City of Spokane development investment incentives** related to rehabilitating and constructing new housing within the Community Empowerment Zone (CEZ) include:

- Multi-Family Tax Exemption (state enabled) offers an eight or twelve year property tax exemption to property owners of affordable (twelve year) and market (eight year) housing properties consisting of 4 units or more. This incentive is only offered to the creation of new housing. The City has established a Multi-Family Tax Exemption (MFTE) boundary wholly within the CEZ.
- Financial assistance is offered to those looking to renovate and construct new commercial and housing properties within areas within the CEZ in the form of the Urban Utility Installation assistance. For infill, it is often very costly to redevelopment/develop. Connecting to existing infrastructure under established roadways is often a significant cost. Therefore, the City offers a partial reimbursement of water, sewer, fire line, and or hydrant taps to assist a developer in meeting current building and fire codes.
- To incentivize the conversion of commercial structures to multi-family housing the City of Spokane offers a Commercial Rate Clarification utility billing structure. This means that rather than the property switching to a residential utility billing the structure will continue to be billed at the commercial rate. This saves the property owner approximately \$54/per unit monthly.
- Spokane listed Historic Properties commercial or residential can qualify for a tax abatement equal to the rehabilitation investment for ten years. A preponderance of Historic properties are located close to the city center, which is within the CEZ.

#### Funding Programed for Reimbursed Incentives:

- |   |         |
|---|---------|
| • Projects of Citywide Significance                                     | \$2.9MM |
| • Urban Utility Installation Assistance                                 | \$500k  |
| • Impact Fee Reimbursement in Public Development Authority target areas | \$1MM   |

Other incentives are short-term foregone taxes, due to property tax exemption for new multi-family housing or rehabilitated single-family housing or historic structure.

The City of Spokane is currently in the process to develop and adopt an Infill Housing Ordinance that will allow for more housing choices in Spokane neighborhoods. The infill choices include Accessory Dwelling units, Cottage housing, permanent Tiny Homes, and Pocket Residential units. This will allow residents to better utilize their property for extended family living or by adding income generating rental housing to their property.

### 2015-2020 CITY OF SPOKANE CONSOLIDATED PLAN

*Each year we complete the Annual Action Plan, which is a listing of projects that will be funded to support the needs and goals outlined in the Consolidated Plan. We also submit an annual evaluation (Consolidated Annual Performance and Evaluation Report (CAPER)) [\[2015 CAPER – Final\]](#) of work performed during the prior program year (7/1 – 6/30). This report is designed to report on progress toward meeting the needs and goals of the Consolidated Plan.*

*Difficult to say what our funding structure to achieve the needs and goals of the Consolidated Plan will be in the future. Our funding comes from the federal government and is subject to funding or complete program cuts. Generally speaking, the CHHS department receives approximately three million dollars each year to carry out activities related to the needs and goals of the Consolidated Plan.*

## Final Program Year 2017 Annual Action Plan

### Expected Resources [pg. 28]

#### AP-15 Expected Resources – 91.220(c)(1, 2)

##### Introduction

CHHS will allocate funding from the CDBG, HOME and ESG programs to support goals and need identified in the 2015-2020 Consolidated Plan. For more information related to activities funded through this Action Plan, see section AP-35: Projects.

##### Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	3,014,163	1,200,000	772,105	4,986,268	1,200,000	Program income is generated from the CHHS Single Family Rehab Program. Prior year resources include unencumbered entitlement funds from PY 2015 and 2016.
Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
HOME	public - federal	Acquisition Homebuyer assistance Homeowner rehab Multifamily rental new construction Multifamily rental rehab New construction for ownership TBRA	891,721	150,000	0	1,041,721	3,000,000	Program income is generated from loans made through the HOME Multi-Family Program.
ESG	public - federal	Conversion and rehab for transitional housing Financial Assistance Overnight shelter Rapid re-housing (rental assistance) Rental Assistance Services Transitional housing	268,989	0	0	268,989	500,000	The ESG Program does not generate any program income from grants made to homeless service providers.

[pg. 30] The City will use Consolidated Homeless Grant Funds obtained through the Washington State Department of Commerce and City of Spokane Homeless Housing Assistance Act grant funds to match the ESG allocation. HOME leverage is created when funds are allocated to affordable housing projects that also apply for Washington

State Housing Trust Funds, bonds, and Low-Income Housing Tax Credits. HOME match is required at a program level for tenant-based rental assistance, single-family rehabilitation and down payment assistance, and development of affordable rental units. Match is generated when affordable rental unit development is financed with permanent investments of non-federal, non-owner funds. Some sources of leverage and match have declined recently, such as the value of the interest on below-market-rate bank loans, State Housing Trust Fund allocations, and grants. Local real estate tax reductions are available to affordable housing projects and some fee waivers are available in targeted areas, adding to match amounts.

The City is analyzing the potential for use of the Section 108 Loan Program to stimulate economic development and/or assisted affordable housing for low and moderate-income households. If the analysis determines the need, the City will use the 108 loan proceeds for specific activities to be identified in the Annual Action Plans. The City is also working with developers to support affordable housing and economic development projects with income from the closed Rental Rehabilitation and Urban Development Action Grant programs.

[pg. 38] The following projects were selected through a competitive application process where each proposal was evaluated for risk, eligibility, past performance and alignment with community needs and goals. Proposals recommended for funding were evaluated by members of the Evaluation and Review Committee, Community, Housing and Human Services Board and approved by the Spokane City Council.

AP-38 Project Summary [pg. 41]  
[Funded] Project Summary Information  
[Project summary table pgs. 42-67]

1	<b>Project Name</b>	2017 Public Service - Senior Meals
	<b>Target Area</b>	
	<b>Goals Supported</b>	Provide opportunities to improve quality of life
	<b>Needs Addressed</b>	Basic and special needs and reduce homelessness
	<b>Funding</b>	CDBG: \$50,400
	<b>Description</b>	Meal program for home bound seniors: 05A - Senior Services (LMC)
	<b>Target Date</b>	6/30/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Applicant proposes to serve 1,200 unduplicated low/mod income individuals throughout the course of this funding award.
	<b>Location Description</b>	Services will be provided throughout the City of Spokane to senior citizens in need of meal assistance.
2	<b>Planned Activities</b>	Senior Meals, both home delivered and served at Silver Cafes, improve the quality of life maintaining the social safety net by meeting the most basic essential need of food for our most vulnerable citizens. For our home delivered program, the clients that we serve are essentially homebound.
	<b>Project Name</b>	2017 Public Service - Services to City Outlets and Agencies
	<b>Target Area</b>	
	<b>Goals Supported</b>	Provide opportunities to improve quality of life
	<b>Needs Addressed</b>	Basic and special needs and reduce homelessness
	<b>Funding</b>	CDBG: \$87,074
	<b>Description</b>	A human services grant will help fund 15 full-time and five part-time staff positions that lead, coordinate and deliver these food assistance and nutrition education services. 05W - Food Banks (LMC)
	<b>Target Date</b>	6/30/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Second Harvest will be a significant source of donated food for its city network during the grant year. Second Harvest projects distributing 545,000 pounds of food each month in the city. Close to half of that food will be nutritious fresh produce. At least 62,000 unduplicated clients will be served during the year, receiving food that helps preserve their assets to sustain other basic needs.



	<b>Location Description</b>	Food will be distributed to various food outlets serving low/mod income individuals throughout the City of Spokane
	<b>Planned Activities</b>	Food distribution and cooking classes for low/mod income individuals
3	<b>Project Name</b>	2017 Public Service - Homeownership Program
	<b>Target Area</b>	
	<b>Goals Supported</b>	Expand safe affordable housing choices
	<b>Needs Addressed</b>	Safe affordable housing choice
	<b>Funding</b>	CDBG: \$70,000

	Description	<p>1. 10 months a year will hold two free classes each month which educate and enable new home buyers to make informed choices, assess their readiness to buy, understand the home purchase process and determine which first time home buyer loan program is best for them. Participants receive a certificate from the WA State Housing Finance Commission that meets industry standards for participation in a variety of affordable housing programs. Outcome: We expect that 250 new people will complete the classes during the fiscal year at multiple City wide locations.</p> <p>2. Free pre-purchase individual counseling sessions guide families through the purchase of their first home, including the process of buying a home, confirming financial readiness, how to choose a realtor and mortgage lender and how to select a loan product that is best suited for them. Counselors work with families one-on-one to help them establish goals, assess their readiness to buy, identify and overcome barriers and provide referrals to assist in overcoming housing challenges. Outcome: We anticipate that 60 low to moderate income city clients will also receive pre-purchase counseling and that 15 will purchase homes within the project period.</p> <p>3. Down payment Assistance Program (DAP): DAP provides deferred payment, second mortgages in amounts up to \$10,000 for first time home buyers. Payments are deferred until sale, refinance, or until 30 years to reduce the buyers' monthly payments to an affordable level. City funds would be used to provide education, counseling and loan compliance to applicants at 80% or less AMI for those receiving down payment assistance. Outcome: Creation of responsible homeownership, with this service being offered throughout the project period.</p> <p>4. Foreclosure Prevention Counseling: Our counselors identify the immediate crisis, review mortgage documents, determine degree of default, complete budget/credit analysis and explain options and time frames. They educate the client on the foreclosure process, the bank's perspective and options available for home retention. The client's situation is assessed and together they prepare a joint action plan. Counselors prepare substantial modification application packages and help negotiate agreements with lenders, make referrals to needed resources and conduct follow-up until the case is resolved. Outcome: We anticipate 125 low to moderate income city homeowners in default will save their home from foreclosure during the project period.</p> <p>5. Foreclosure Prevention Loans: default clients who do not qualify for a mortgage modification, or for whom tax or sewer liens are the cause of the default, we can refinance the debt and adjust the interest rate and term. Credit, budget and mortgage counseling are offered with this refinance to ensure continued affordability. Outcome: Preservation of homeownership, this service being offered throughout the project period.</p> <p>05R - Homeownership Assistance (not direct); (LMH)</p>
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	<b>Target Date</b>	6/30/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	<p>NEED: Safe Affordable Housing, GOAL: Preserve and expand quality, safe, affordable housing choices STRATEGY: Expand permanent stable housing options and access to opportunities and services</p> <p>Education of first-time home buyers is the best way to increase access to the home buying opportunities and services. Due to our non-profit's mission to create opportunities to those of low-income our program is perfectly aligned. In addition to education (both classes and counseling) we provide mortgage modification and various financing services which make homeownership (both new purchasing and retaining existing homes) affordable.</p> <p>NEED: Safe Affordable Housing, GOAL: Preserve and expand quality, safe, affordable housing choices STRATEGY: Ensure housing stability</p> <p>The foreclosure counseling and foreclosure prevention activities specifically lend themselves to creating housing stability (keeping home owner's in their houses by creating options). While we do not use city dollars to lend we must use the operational funds to support this housing stability activity.</p>
	<b>Location Description</b>	Courses will be taught at 3102 W Ft George Wright Dr., Spokane, WA 99224 and at SNAP East, 500 S Stone, Spokane, WA 99202
	<b>Planned Activities</b>	Public services to assist low/mod income households prepare for homeownership
4	<b>Project Name</b>	2017 Public Service - New Leaf
	<b>Target Area</b>	
	<b>Goals Supported</b>	Provide opportunities to improve quality of life
	<b>Needs Addressed</b>	Community development and economic opportunities
	<b>Funding</b>	CDBG: \$50,000
	<b>Description</b>	New Leaf Bakery Cafe' Job Training program provides hands on food service skills training, vocational services, and life skills to women with barriers to employment, including histories of incarceration, past substance abuse, lack of employment histories, lack of education, mental illness, physical disabilities, and learning disabilities. 05H - Employment Training (LMC)

	<b>Target Date</b>	6/30/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Transitions serves very low income homeless women and children, most of which are on TANF assistance. During the program year, New Leaf will provide job skills training to approximately 80 individuals.
	<b>Location Description</b>	Services will be provided at the New Leaf training kitchen located at 3104 W. Fort George Wright Dr., Spokane, WA, 99224
	<b>Planned Activities</b>	Job skills training for very low income, homeless or formerly homeless individuals.
5	<b>Project Name</b>	2017 Public Service - Women's Hearth
	<b>Target Area</b>	
	<b>Goals Supported</b>	Provide opportunities to improve quality of life
	<b>Needs Addressed</b>	Basic and special needs and reduce homelessness
	<b>Funding</b>	CDBG: \$30,000
	<b>Description</b>	Services provided to homeless women include food bank, hygiene, housing referrals, job search, arts and craft classes, counseling and basic support for clients at the Hearth.
	<b>Target Date</b>	6/30/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Women's Hearth provides services to primarily single homeless and formerly homeless women experiencing multiple barriers to employment and housing stability. The Hearth serves approximately unduplicated women annually.
	<b>Location Description</b>	Women's Hearth is located in downtown Spokane near several social service providers and low income housing. 920 W. 2nd Ave., Spokane, WA 99201
6	<b>Planned Activities</b>	food bank, hygiene, housing referrals, job search, arts and craft classes, counseling and basic support for clients at the Hearth
	<b>Project Name</b>	2017 Public Service - TLC EduCare
	<b>Target Area</b>	
	<b>Goals Supported</b>	Provide opportunities to improve quality of life
	<b>Needs Addressed</b>	Basic and special needs and reduce homelessness
	<b>Funding</b>	CDBG: \$68,000



	<b>Description</b>	EduCare is a child care center located in northwest Spokane. EduCare is part of the Transitional Living Center campus that provides housing and social services to homeless women with children. EduCare is sponsored by the Department of Early Learning and serves approximately 45 children each year from ages 1-5.
	<b>Target Date</b>	6/30/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	EduCare services homeless and formerly homeless women with children by providing safe affordable child care. Annually, EduCare serves approximately 45 children ranging in age from 1 to 5.
	<b>Location Description</b>	The EduCare facility is located in northwest Spokane as part of the Transitional Living Center campus. 3120 N. Hemlock St., Spokane, WA 99205
	<b>Planned Activities</b>	Child care center activities related to education and providing stability in the lives of homeless mothers and children.
7	<b>Project Name</b>	2017 Public Service - Miryam's House Alumni Program
	<b>Target Area</b>	
	<b>Goals Supported</b>	Provide opportunities to improve quality of life
	<b>Needs Addressed</b>	Basic and special needs and reduce homelessness
	<b>Funding</b>	CDBG: \$8,526
	<b>Description</b>	Aftercare services are client-driven and utilize: peer support groups and activities; one-on-one case management; housing mediations; resource referrals; vocational services; scholarship funds; clothing and food.
	<b>Target Date</b>	6/30/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Miryam's House provides transitional housing services for single homeless women. Approximately 30 women transitioning out of Miryam's House will receive services through this aftercare/alumni program.
	<b>Location Description</b>	Miryam's House is located on Spokane's lower south hill. Due to the sensitive nature of clients served at Miryam's House, an exact address will only be provided upon request.
	<b>Planned Activities</b>	Aftercare services are client-driven and utilize: peer support groups and activities; one-on-one case management; housing mediations; resource referrals; vocational services; scholarship funds; clothing and food.

8	<b>Project Name</b>	2017 Public Service - ECCC Operations
	<b>Target Area</b>	
	<b>Goals Supported</b>	Support vibrant neighborhoods
	<b>Needs Addressed</b>	Community development and economic opportunities
	<b>Funding</b>	CDBG: \$60,000
	<b>Description</b>	Comprehensive community center based activities for residents of the East Central Neighborhood and surrounding areas. Youth and senior services, food bank, adult disability classes, food services, etc.
	<b>Target Date</b>	6/30/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Each year the East Central Community Center serves approximately 12,000 individuals through their variety of service based programs. Beneficiaries are primarily low income based on the location of the center and services offered to residents.
	<b>Location Description</b>	The East Central Community Center is located in the center of the East Central Neighborhood at 500 S. Stone St., Spokane, WA 99202.
9	<b>Planned Activities</b>	Comprehensive community center based activities for residents of the East Central Neighborhood and surrounding areas. Youth and senior services, food bank, adult disability classes, food services, etc.
	<b>Project Name</b>	2017 Public Service - NECC Operations
	<b>Target Area</b>	
	<b>Goals Supported</b>	Support vibrant neighborhoods
	<b>Needs Addressed</b>	Community development and economic opportunities
	<b>Funding</b>	CDBG: \$80,000
	<b>Description</b>	General operational support for the Northeast Community Center.
	<b>Target Date</b>	6/30/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	The Northeast Community Center serves approximately 12,000 unduplicated individuals and families in Spokane's Northeast quadrant of the City. Services include a medical center (family medicine and dental clinic), pharmacy, Head Start, WIC, Senior Center and host to multiple community events.
	<b>Location Description</b>	Northeast Spokane: 4001 N. Cook St., Spokane, WA 99207
	<b>Planned Activities</b>	General operational center support for multiple community based programs.

10	<b>Project Name</b>	2017 Public Service - Southwest Community Center Operations
	<b>Target Area</b>	
	<b>Goals Supported</b>	Provide opportunities to improve quality of life
	<b>Needs Addressed</b>	Community development and economic opportunities
	<b>Funding</b>	CDBG: \$20,000
	<b>Description</b>	General operational support for staff and maintenance at the Southwest Community Center.
	<b>Target Date</b>	6/30/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	The Southwest Community Center primarily serves youth and their families through their preschool, before school, after school, day program for special needs adults and community food bank. Approximately 850 low and moderate income households benefit from services offered at the Southwest Community Center annually.
	<b>Location Description</b>	Services provided in Spokane's Browne's Addition neighborhood: 314 S. Spruce St., Spokane, WA 99201
11	<b>Planned Activities</b>	General operational support for the Southwest Community Center programs offered to the public.
	<b>Project Name</b>	2017 Public Service - West Central Operations
	<b>Target Area</b>	
	<b>Goals Supported</b>	Support vibrant neighborhoods
	<b>Needs Addressed</b>	Community development and economic opportunities
	<b>Funding</b>	CDBG: \$90,000
	<b>Description</b>	Operational support for the West Central Community Center.
	<b>Target Date</b>	6/30/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	The West Central Community Center provides services to individuals and families including services through their WIC, Head Start, Community Health, Community Meetings and Youth Development programs. Approximately 4,200 unduplicated individuals receive services from the Community Center each year.
	<b>Location Description</b>	The West Central Community Center is located in Spokane's West Central Neighborhood at 1603 N. Belt St., Spokane, WA 00205
	<b>Planned Activities</b>	General operational support for staffing and maintenance of the West Central Community Center.

12	<b>Project Name</b>	2017 Capital Improvement - Corbin Senior Center Safety Improvements
	<b>Target Area</b>	
	<b>Goals Supported</b>	Provide opportunities to improve quality of life
	<b>Needs Addressed</b>	Community development and economic opportunities
	<b>Funding</b>	CDBG: \$55,000
	<b>Description</b>	Public safety improvements to the Corbin Senior Center.
	<b>Target Date</b>	12/31/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	The Corbin Senior Center serves low income senior residing in the Emerson Garfield and surrounding neighborhoods. The center anticipates serving approximately 200 unduplicated seniors during the program year.
	<b>Location Description</b>	827 W. Cleveland Ave., Spokane, WA 99205
13	<b>Planned Activities</b>	<ul style="list-style-type: none"> <li>• Removal and installation of new entry door on the building's west side.</li> <li>• Remove and replace damaged carpet throughout the center</li> <li>• Install closed captioned television monitors</li> <li>• Installation of after hours keypad for renters of building space (south entry)</li> </ul>
	<b>Project Name</b>	2017 Capital Improvement - MLK Center Demolition and Rebuild
	<b>Target Area</b>	
	<b>Goals Supported</b>	Support vibrant neighborhoods
	<b>Needs Addressed</b>	Community development and economic opportunities
	<b>Funding</b>	CDBG: \$107,300
	<b>Description</b>	Demolition of existing facility and reconstruction of new family outreach center with increased capacity and program delivery.
	<b>Target Date</b>	12/31/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	The MLK Family Outreach Center provides services to families throughout Spokane. Due to current facility limitations, the center is not able to meet the current demand for child care and family services. Each year the center serves approximately ??? unduplicated individuals.
	<b>Location Description</b>	845 S. Sherman St., Spokane, WA 99202



	<b>Planned Activities</b>	Demolition of existing facility
<b>14</b>	<b>Project Name</b>	2017 Capital Improvement - Sinto Senior Activity Center Renovation
	<b>Target Area</b>	
	<b>Goals Supported</b>	Provide opportunities to improve quality of life
	<b>Needs Addressed</b>	Community development and economic opportunities
	<b>Funding</b>	CDBG: \$104,600
	<b>Description</b>	Capital improvements at the Sinto Senior Activity Center.
	<b>Target Date</b>	12/31/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	The Corbin Senior Activity Center serves low income seniors located in the west central portion of Spokane. Activities provided by the center allow seniors to remain engaged in the community through healthy mental, physical and social engagement. The Center serves approximately 900 unduplicated seniors each year.
	<b>Location Description</b>	1124 W. Sinto Ave., Spokane, WA 99201
	<b>Planned Activities</b>	<ul style="list-style-type: none"> <li>• Completion of garage to prevent vandalism and theft of passenger van</li> <li>• Lighting and surveillance system</li> <li>• ADA accessibility improvements to the buildings exterior</li> <li>• Renovation of existing auditorium</li> </ul>
<b>15</b>	<b>Project Name</b>	2017 Capital Improvement - Collins Apartments
	<b>Target Area</b>	
	<b>Goals Supported</b>	Expand safe affordable housing choices
	<b>Needs Addressed</b>	Safe affordable housing choice
	<b>Funding</b>	CDBG: \$56,850
	<b>Description</b>	Capital improvements to common areas, apartments, office space and exterior.
	<b>Target Date</b>	12/31/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	The Collins Apartment building serves homeless individuals experiencing significant barriers to stable housing. The Collins was one of Spokane's first, housing first program for chronic homeless individuals. There are 38 total units in the complex and one office space for case management.

	<b>Location Description</b>	The Collins Apartment complex is located in Spokane's downtown: 214 S Wall St., Spokane, WA 99201
	<b>Planned Activities</b>	<ul style="list-style-type: none"> <li>• Replacement of common area flooring</li> <li>• Replacement of common area windows</li> <li>• Electrical improvements for increased capacity</li> <li>• Purchase and installation of automated bathroom faucets</li> <li>• Purchase and installation of exterior awning</li> </ul>
16	<b>Project Name</b>	2017 Capital Improvement - Hemlock Street
	<b>Target Area</b>	
	<b>Goals Supported</b>	Expand safe affordable housing choices
	<b>Needs Addressed</b>	Safe affordable housing choice
	<b>Funding</b>	CDBG: \$205,350
	<b>Description</b>	Engineer and pave N. Hemlock street between W. Fairview Ave and W. Dalton Ave
	<b>Target Date</b>	12/31/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	The Hemlock street improvement project is part of a larger permanent housing project that Transitions is working on with additional funding sources. The permanent housing will benefit homeless individuals and families by providing additional affordable housing capacity in the City of Spokane. The street improvement is a requirement as part of the overall site improvements. The cottage housing will add an additional 24 units of affordable housing.
	<b>Location Description</b>	N. Hemlock street between W. Fairview Ave and W. Dalton Ave.: 3128 N. Hemlock St., Spokane, WA 99205
	<b>Planned Activities</b>	Engineer and pave N. Hemlock street between W. Fairview Ave and W. Dalton Ave
17	<b>Project Name</b>	2017 Capital Improvement - Women's Hearth Roof
	<b>Target Area</b>	
	<b>Goals Supported</b>	Prevent and reduce homelessness
	<b>Needs Addressed</b>	Basic and special needs and reduce homelessness
	<b>Funding</b>	CDBG: \$92,000
	<b>Description</b>	Remove and replace existing roof covering at the Women's Hearth

	Target Date	12/31/2018
	Estimate the number and type of families that will benefit from the proposed activities	The Women's Hearth serves very low-income homeless women in Spokane's downtown. Replacing the existing leaky roof will allow the Women's Hearth to continue providing basic support services to their clients in a safe environment. The Hearth serves approximately 800 homeless and formerly homeless women each year.
	Location Description	The Women's Hearth is located in Spokane's downtown: 920 W. 2nd Ave., Spokane, WA 99201
	Planned Activities	Remove and replace damaged roof covering.
18	Project Name	2017 Capital Improvement - West Central Newton Room Rehab
	Target Area	
	Goals Supported	Support vibrant neighborhoods
	Needs Addressed	Community development and economic opportunities
	Funding	CDBG: \$36,251
	Description	Rehab and technology improvements for the Newton Room at West Central Community Center.
	Target Date	12/31/2018
	Estimate the number and type of families that will benefit from the proposed activities	The West Central Community Center's Newton Room hosts a number of community based meetings/programs in Spokane's west central neighborhood. Activities benefit individuals and families.
	Location Description	The West Central Community Center is located in Spokane's west central neighborhood: <ul style="list-style-type: none"> <li>1603 N. Belt St., Spokane, WA 99205</li> </ul>
	Planned Activities	Rehab and technology improvements for the Newton Room at West Central Community Center.
19	Project Name	2017 Capital Improvement - Nutrition Essentials Demonstration Kitchen
	Target Area	
	Goals Supported	Provide opportunities to improve quality of life
	Needs Addressed	Basic and special needs and reduce homelessness
	Funding	CDBG: \$133,155

	<b>Description</b>	Utilize existing facility space to build a new demonstration kitchen to teach clients how to cook healthy meals from scratch.
	<b>Target Date</b>	12/31/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	During the program year, WCFR will serve approximately 1,168 unduplicated women and children through their programs.
	<b>Location Description</b>	Women and Children Free Restaurant is located in north central Spokane: 1408 N. Washington St., Spokane, WA 99201
	<b>Planned Activities</b>	<ul style="list-style-type: none"> <li>• Insulation of exterior building wall</li> <li>• Drywall installation</li> <li>• Framing for wall</li> <li>• Flooring</li> <li>• Installation of kitchen equipment</li> <li>• Plumbing</li> <li>• electrical improvements</li> </ul>
20	<b>Project Name</b>	2017 Capital Improvement - House of Charity Respite Room
	<b>Target Area</b>	
	<b>Goals Supported</b>	Prevent and reduce homelessness
	<b>Needs Addressed</b>	Basic and special needs and reduce homelessness
	<b>Funding</b>	CDBG: \$33,000
	<b>Description</b>	Increase the number of current respite beds from 20 to 25 at the House of Charity.
	<b>Target Date</b>	12/31/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Beneficiaries will be homeless men with special medical needs staying at the House of Charity. This project will expand current capacity from 20 beds to 25.
	<b>Location Description</b>	The House of Charity is located in downtown Spokane: 32 W. Pacific Ave., Spokane, WA 99201

	<b>Planned Activities</b>	The requested funding for this program will include designing a more efficient layout for the Respite Program; disposing of 20 old respite beds, installing 25 new respite beds that are built-in, sturdier, bedbug-resistant, comfortable, and functional; installing additional outlets for medical devices such as oxygen tanks, electric wheelchairs, and other electronic devices; and installing a hand-washing sink. The aspect of the project taking place at HOC, including tracking, reporting, and management of necessary project changes, will be overseen by Sam Dompier, Director of HOC.
21	<b>Project Name</b>	2017 Capital Improvement - Lutheran Community Services Building Security Improvements
	<b>Target Area</b>	
	<b>Goals Supported</b>	Provide opportunities to improve quality of life
	<b>Needs Addressed</b>	Basic and special needs and reduce homelessness
	<b>Funding</b>	CDBG: \$21,300
	<b>Description</b>	Installation of security improvements for client and worker safety.
	<b>Target Date</b>	12/31/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Lutheran Community Services works with all clients. One of their primary clients include individuals fleeing from or experiencing domestic violence. Annually, this location will serve approximately 2,500 unduplicated individuals.
	<b>Location Description</b>	Lutheran Community Services Northwest is located east of downtown Spokane at 210 W. Sprague Ave., Spokane, WA 99208
22	<b>Planned Activities</b>	Installation of keyless door locks and security monitoring system.
	<b>Project Name</b>	2017 Capital Improvement - Alexandria Apartment Improvements
	<b>Target Area</b>	
	<b>Goals Supported</b>	Expand safe affordable housing choices
	<b>Needs Addressed</b>	Safe affordable housing choice
	<b>Funding</b>	CDBG: \$10,000
	<b>Description</b>	Capital improvements to exterior entrances to accommodate ADA accessibility needs.
	<b>Target Date</b>	12/31/2018



	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Alexandria Apartments are low-income units owned by SNAP. Each year the complex serves approximately 22 unduplicated individuals.
	<b>Location Description</b>	Alexandria apartments are located on Spokane's lower south hill at 623 S. Howard St., Spokane, WA 99204
	<b>Planned Activities</b>	Remove and replace existing ADA ramp and wooden stairs for improved access to building.
23	<b>Project Name</b>	2017 Capital Improvement - West Central 24/7 Library Kiosk
	<b>Target Area</b>	
	<b>Goals Supported</b>	Support vibrant neighborhoods
	<b>Needs Addressed</b>	Community development and economic opportunities
	<b>Funding</b>	CDBG: \$82,000
	<b>Description</b>	Purchase and installation of library vending kiosk to be located at the West Central Community Center.
	<b>Target Date</b>	12/31/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	The public library kiosk will be located outside the West Central Community Center. Residents will be able to access the library at all hours of the day. Approximately, 63,000 individuals within the service area will have increased access to literature in their neighborhood.
	<b>Location Description</b>	The public library kiosk will be located outside the West Central Community Center: 1603 N. Belt St., Spokane, WA 99205
24	<b>Planned Activities</b>	Purchase and installation of library kiosk.
	<b>Project Name</b>	2017 Capital Improvement - West Central Community Center ADA Ramp
	<b>Target Area</b>	
	<b>Goals Supported</b>	Provide opportunities to improve quality of life
	<b>Needs Addressed</b>	Basic and special needs and reduce homelessness
	<b>Funding</b>	CDBG: \$47,960
	<b>Description</b>	Stairs entering the buildings west side (gym) will be removed and replaced with an ADA accessible ramp for improved access into the community center.
	<b>Target Date</b>	12/31/2018

	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	The West Central Community Center provides a supportive services day program for adults with disabilities. The center provides services to a large geographic area in west central and northwest Spokane. Approximately 4,183 disabled individuals access this program each year.
	<b>Location Description</b>	The West Central Community Center is located at 1603 N. Belt St., Spokane, WA 99205 in the West Central Neighborhood.
	<b>Planned Activities</b>	Stairs entering the buildings west side (gym) will be removed and replaced with an ADA accessible ramp for improved access into the community center.
25	<b>Project Name</b>	2017 Housing - Single Family Rehab Program
	<b>Target Area</b>	
	<b>Goals Supported</b>	Expand safe affordable housing choices
	<b>Needs Addressed</b>	Safe affordable housing choice
	<b>Funding</b>	CDBG: \$1,127,942
	<b>Description</b>	Loans to single family homeowners to make necessary home rehabilitation improvements.
	<b>Target Date</b>	12/31/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Low and moderate income homeowners will have access to the home rehab program. The subrecipient of this program anticipates providing rehabilitation assistance to 30 homeowners over the course of their contract with the City of Spokane.
	<b>Location Description</b>	The single family rehab program is not focused on any one particular area of the City of Spokane. Eligible program participants may come from any portion of the City.
26	<b>Planned Activities</b>	Major home repairs for low and moderate income homeowners.
	<b>Project Name</b>	2017 Housing - Essential Home Repair
	<b>Target Area</b>	
	<b>Goals Supported</b>	Expand safe affordable housing choices
	<b>Needs Addressed</b>	Safe affordable housing choice
	<b>Funding</b>	CDBG: \$417,160

	<b>Description</b>	Repair single-family homes of low- and moderate-income persons that have health and safety hazards or disability accessibility issues that make the home uninhabitable. This includes, but is not limited to, plumbing, heating, electrical, roof, and sewer repairs and accessibility modifications.
	<b>Target Date</b>	12/31/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	The Essential Home Repair Program will provide assistance to approximately 250 low and moderate income homeowners for essential home repairs including: plumbing, electrical, heating and cooling systems and other necessary repairs to maintain safe housing for the homeowner.
	<b>Location Description</b>	The Essential Home Repair Program is not location specific. Any eligible homeowner may apply for assistance through this program regardless of their location within the City of Spokane. For more information about this program please contact the Community, Housing and Human Services Department at the City of Spokane 625-6325.
	<b>Planned Activities</b>	Repair single-family homes of low- and moderate-income persons that have health and safety hazards or disability accessibility issues that make the home uninhabitable. This includes, but is not limited to, plumbing, heating, electrical, roof, and sewer repairs and accessibility modifications.
27	<b>Project Name</b>	2017 Administration - CDBG Program
	<b>Target Area</b>	
	<b>Goals Supported</b>	Provide opportunities to improve quality of life
	<b>Needs Addressed</b>	Community development and economic opportunities
	<b>Funding</b>	CDBG: \$840,000
	<b>Description</b>	General CDBG Program administration
	<b>Target Date</b>	6/30/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	General program administration to support CDBG funded projects and requirements associated with the Consolidated Planning process (Fair Housing Assessment, Action Plan, CAPER, etc.).
	<b>Location Description</b>	<u>Spokane City Hall</u> 808 W. Spokane Falls Blvd., Spokane, WA 99201 Community, Housing and Human Services Department (6th floor)



	<b>Planned Activities</b>	General program administration to support CDBG funded projects and requirements associated with the Consolidated Planning process (Fair Housing Assessment, Action Plan, CAPER, etc.).
28	<b>Project Name</b>	2017 Administration - HOME Program
	<b>Target Area</b>	
	<b>Goals Supported</b>	Expand safe affordable housing choices
	<b>Needs Addressed</b>	Safe affordable housing choice
	<b>Funding</b>	HOME: \$104,000
	<b>Description</b>	General program administration activities related to the HOME Program.
	<b>Target Date</b>	6/30/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Administration of the HOME program will support affordable housing development projects in the City of Spokane.
	<b>Location Description</b>	<u>Spokane City Hall</u> 808 W. Spokane Falls Blvd., Spokane, WA 99201 Community, Housing and Human Services Department (6th floor)
	<b>Planned Activities</b>	General program administration activities related to the HOME Program.
29	<b>Project Name</b>	2017 Multi-Family Projects - HOME
	<b>Target Area</b>	
	<b>Goals Supported</b>	Expand safe affordable housing choices
	<b>Needs Addressed</b>	Safe affordable housing choice
	<b>Funding</b>	HOME: \$937,721
	<b>Description</b>	Administration of the HOME program will support affordable housing development projects in the City of Spokane.
	<b>Target Date</b>	6/30/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	HOME multi-family funding will support the development and redevelopment of 44 affordable housing units within the City of Spokane. All units will be reserved for low income households.

	<b>Location Description</b>	<ul style="list-style-type: none"> <li>• 611 S. Scott St., Spokane, WA 99202</li> <li>• 1808 E. 1st Ave., Spokane, WA 99202</li> <li>• 1 S. Madelia St., Spokane, WA 99202</li> <li>• 3128 N. Hemlock St., Spokane, WA 99205</li> <li>• 926 E 8th Ave., Spokane, WA 99202</li> <li>• 1203 W. 5th Ave., Spokane, WA 99204</li> <li>• 2418 E. 4th Ave., Spokane, WA 99202</li> </ul>
	<b>Planned Activities</b>	Multi-family housing development activities for the benefit of low and moderate income households
30	<b>Project Name</b>	2017 ESG Program Delivery
	<b>Target Area</b>	
	<b>Goals Supported</b>	Prevent and reduce homelessness
	<b>Needs Addressed</b>	Basic and special needs and reduce homelessness
	<b>Funding</b>	ESG: \$268,989
	<b>Description</b>	Homeless program support for rapid re-housing and prevention activities
	<b>Target Date</b>	6/30/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Funded activities will assist approximately 1,100 homeless individuals and families with homeless prevention, emergency shelter and rapid re-housing.
	<b>Location Description</b>	Various homeless shelters and service providers throughout the City of Spokane
	<b>Planned Activities</b>	Homeless program support for rapid re-housing and prevention activities
31	<b>Project Name</b>	2017 Neighborhood - Sidewalk Program
	<b>Target Area</b>	
	<b>Goals Supported</b>	Support vibrant neighborhoods
	<b>Needs Addressed</b>	Community development and economic opportunities
	<b>Funding</b>	CDBG: \$57,300
	<b>Description</b>	Removal and installation of new sidewalks and ADA ramps
	<b>Target Date</b>	6/30/2018

	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	The neighborhood sidewalk program will address hazardous sidewalk locations and accessibility issues adjacent to homeowners in four (4) separate neighborhoods.
	<b>Location Description</b>	Various locations in the following neighborhoods: <ul style="list-style-type: none"> <li>• Chief Garry Park</li> <li>• Cliff-Cannon</li> <li>• East Central</li> <li>• West Central</li> </ul>
	<b>Planned Activities</b>	Remove broken/damaged concrete and replace with new concrete to address hazardous pedestrian conditions.
32	<b>Project Name</b>	2017 Neighborhood Parks - Hays Park
	<b>Target Area</b>	
	<b>Goals Supported</b>	Support vibrant neighborhoods
	<b>Needs Addressed</b>	Community development and economic opportunities
	<b>Funding</b>	CDBG: \$28,000
	<b>Description</b>	Complete installation of asphalt pathways within Hays Park
	<b>Target Date</b>	12/31/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Hays Park is located in northeast Spokane. Improvements to the park will make it easier for neighborhood residents to enjoy the park.
	<b>Location Description</b>	Hays Park is located in the Bemiss neighborhood in northeast Spokane: <ul style="list-style-type: none"> <li>• 1812 E. Providence Ave., Spokane WA 99207</li> </ul>
	<b>Planned Activities</b>	Complete installation of asphalt pathways within Hays Park
33	<b>Project Name</b>	2017 Neighborhood Parks - Coeur D'Alene Park
	<b>Target Area</b>	
	<b>Goals Supported</b>	Support vibrant neighborhoods
	<b>Needs Addressed</b>	Community development and economic opportunities
	<b>Funding</b>	CDBG: \$2,700

	<b>Description</b>	Accessibility improvements to Coeur D'Alene Park located in Spokane's Browne's Addition.
	<b>Target Date</b>	12/31/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Coeur D'Alene Park is located in Spokane's Browne's Addition neighborhood. Improvements to the park will make it easier for neighborhood residents to enjoy the park.
	<b>Location Description</b>	Coeur D'Alene Park is located in Spokane's Browne's Addition neighborhood: <ul style="list-style-type: none"> <li>• 2195 W. 2nd Ave., Spokane, WA 99201</li> </ul>
	<b>Planned Activities</b>	Accessibility improvements to Coeur D'Alene Park located in Spokane's Browne's Addition.
34	<b>Project Name</b>	2017 Neighborhood Parks - Glass Park
	<b>Target Area</b>	
	<b>Goals Supported</b>	Support vibrant neighborhoods
	<b>Needs Addressed</b>	Community development and economic opportunities
	<b>Funding</b>	CDBG: \$15,000
	<b>Description</b>	General lighting improvements at Glass Park and landscape improvement to the existing ball field
	<b>Target Date</b>	12/31/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Glass Park is located in northeast Spokane. Improvements to the park will make it easier and safer for neighborhood residents to enjoy the park.
	<b>Location Description</b>	Glass Park is located at the northeast corner of E. Heroy Ave and N. Standard St. in the Nevada Heights Neighborhood
35	<b>Planned Activities</b>	General lighting improvements at Glass Park and landscape improvement to the existing ball field
	<b>Project Name</b>	2017 Neighborhood Parks - Mission Park
	<b>Target Area</b>	
	<b>Goals Supported</b>	Support vibrant neighborhoods
	<b>Needs Addressed</b>	Community development and economic opportunities

	<b>Funding</b>	CDBG: \$33,800
	<b>Description</b>	Accessibility improvements at Mission Park to accommodate individuals with disabilities.
	<b>Target Date</b>	12/31/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Mission Park is located in Spokane's Logan neighborhood. Improvements to the park will make it easier and safer for neighborhood residents to enjoy the park.
	<b>Location Description</b>	Mission Park is located in the Logan neighborhood south of Mission Ave and east of the Spokane River.
	<b>Planned Activities</b>	Accessibility improvements at Mission Park to accommodate individuals with disabilities.
36	<b>Project Name</b>	2017 Neighborhood Parks - Rochester Park
	<b>Target Area</b>	
	<b>Goals Supported</b>	Support vibrant neighborhoods
	<b>Needs Addressed</b>	Community development and economic opportunities
	<b>Funding</b>	CDBG: \$58,100
	<b>Description</b>	General landscape and facility improvements to address public safety and accessibility concerns.
	<b>Target Date</b>	12/31/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Rochester Heights Park is located in Spokane's Whitman neighborhood. Improvements to the park will make it easier and safer for neighborhood residents to enjoy the park.
	<b>Location Description</b>	Rochester Heights Park is located in the Whitman neighborhood in northeast Spokane: <ul style="list-style-type: none"> <li>• 5351 N. Napa St., Spokane, WA 99207</li> </ul>
	<b>Planned Activities</b>	General landscape and facility improvements to address public safety and accessibility concerns.
37	<b>Project Name</b>	2017 Neighborhood Capital - North Monroe Gateway
	<b>Target Area</b>	
	<b>Goals Supported</b>	Support vibrant neighborhoods



	<b>Needs Addressed</b>	Community development and economic opportunities
	<b>Funding</b>	CDBG: \$50,300
	<b>Description</b>	General landscape, stormwater and signage improvements on vacant property northwest of N. Monroe St. and W. Cora Ave.
	<b>Target Date</b>	12/31/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Landscape improvements will benefit the residents of North Hill and Emerson Garfield neighborhoods by providing improved public infrastructure and recreation opportunities.
	<b>Location Description</b>	Vacant property northwest of N. Monroe St. and W. Cora Ave.
	<b>Planned Activities</b>	General landscape, stormwater and signage improvements on vacant property northwest of N. Monroe St. and W. Cora Ave.
38	<b>Project Name</b>	2017 Neighborhood Capital - Northeast Youth Center
	<b>Target Area</b>	
	<b>Goals Supported</b>	Provide opportunities to improve quality of life
	<b>Needs Addressed</b>	Community development and economic opportunities
	<b>Funding</b>	CDBG: \$34,700
	<b>Description</b>	Safety and energy improvements to the existing entry vestibule.
	<b>Target Date</b>	12/31/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Northeast Youth Center provides affordable child care alternatives for low and moderate income families (100) in northeast Spokane.
	<b>Location Description</b>	The Northeast Youth Center is located in Spokane's Hillyard neighborhood: <ul style="list-style-type: none"> <li>• 3004 E. Queen Ave., Spokane, WA 99217</li> </ul>
	<b>Planned Activities</b>	Safety and energy improvements to the existing entry vestibule.
39	<b>Project Name</b>	2017 Neighborhood Capital - East Central Community Center
	<b>Target Area</b>	
	<b>Goals Supported</b>	Support vibrant neighborhoods
	<b>Needs Addressed</b>	Community development and economic opportunities

	<b>Funding</b>	CDBG: \$20,000
	<b>Description</b>	Removal and disposal of deteriorated flooring in the multi-purpose room and community center lobby.
	<b>Target Date</b>	12/31/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	The East Central Community Center provides community based programming for youth, seniors, adults with disabilities and other services to residents in east central Spokane.
	<b>Location Description</b>	The East Central Community Center is located in Spokane's east central neighborhood: <ul style="list-style-type: none"> <li>• 500 S. Stone St., Spokane, WA 99202</li> </ul>
	<b>Planned Activities</b>	Removal and disposal of deteriorated flooring in the multi-purpose room and community center lobby.
40	<b>Project Name</b>	2017 Neighborhood Capital - Northeast Community Center
	<b>Target Area</b>	
	<b>Goals Supported</b>	Support vibrant neighborhoods
	<b>Needs Addressed</b>	Community development and economic opportunities
	<b>Funding</b>	CDBG: \$18,300
	<b>Description</b>	Installation of new commercial grade dishwasher in the Hillyard Senior Center.
	<b>Target Date</b>	12/31/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	The Hillyard Senior Center provides activities to seniors residing in northeast Spokane. Each year the center serves approximately 500 seniors through programs offered at the center.
	<b>Location Description</b>	The Hillyard Senior Center is located in the Northeast Community Center. <ul style="list-style-type: none"> <li>• 4001 N. Cook St., Spokane, WA 99207</li> </ul>
	<b>Planned Activities</b>	Installation of new commercial grade dishwasher in the Hillyard Senior Center.
41	<b>Project Name</b>	2017 Neighborhood Capital - TLC Gardens
	<b>Target Area</b>	

	<b>Goals Supported</b>	Support vibrant neighborhoods
	<b>Needs Addressed</b>	Community development and economic opportunities
	<b>Funding</b>	CDBG: \$10,200
	<b>Description</b>	The project entails relocating the existing community garden, located on Transitions' property at Fairview and Hemlock to the Southeast corner of the property in light of the development of 24 affordable cottage units on the property.
	<b>Target Date</b>	12/31/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	The Transitional Living Center (TLC) gardening program provides fresh produce for residents of TLC and other programs offered by Transitions.
	<b>Location Description</b>	The TLC raised garden beds are located in the Audubon/Downriver neighborhood in northwest Spokane: <ul style="list-style-type: none"> <li>• 3128 N. Hemlock St., Spokane WA 99205</li> </ul>
	<b>Planned Activities</b>	The project entails relocating the existing community garden, located on Transitions' property at Fairview and Hemlock to the Southeast corner of the property in light of the development of 24 affordable cottage units on the property.
42	<b>Project Name</b>	2017 Public Service - AGC Headstart Construction Trades Program
	<b>Target Area</b>	
	<b>Goals Supported</b>	Expand economic opportunities
	<b>Needs Addressed</b>	Community development and economic opportunities
	<b>Funding</b>	CDBG: \$30,000
	<b>Description</b>	Transportation to employment program for low and moderate income individuals.
	<b>Target Date</b>	6/30/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Skilled trades employment program for low income, un/under-skilled individuals with an interest in working in a specific trade, leading to full apprenticeship program or direct employment with a contractor. 20 persons employed during program year through this program.



	<b>Location Description</b>	Locations vary, for more information about this program, please contact George Dahl at gdahl@spokanecity.org.
	<b>Planned Activities</b>	Skilled trade classes to refine and develop skills that will allow clients to gain employment through local apprenticeship programs.

2017 City of Spokane's One Vision. One Plan. One Voice Strategic Plan's

A [Community Investment Plan](#) outlines \$51.9 million in catalytic investments that furthers a strategic outcome, relies on one-time money without adding ongoing cost, keeps the investment source healthy, and returns additional revenue or a cost reduction.

- Investment within the CEZ \$21,000,000
- Target Area Street improvements \$3,000,000
- Residential Unimproved Streets \$2,000,000
- Target Area Impact Fee waivers for private development job creating industry \$1,000,000
- Target Area Utility Investment for private development job creating industry \$2,400,000
- Urban Utility Installation Program for private development job creating industry \$500,000
- Trail/River Public Access Investments \$7,100,000
- North Bank/Sportsplex recreation and job creating industry \$5,000,000

Infrastructure Capital Investments from the Capital Improvement Program (CIP) for 2017-2022

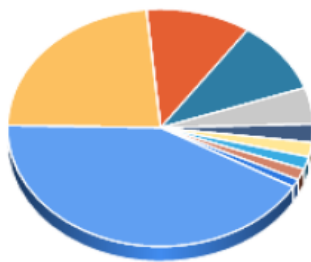
In this funding section of this CEZ plan, you will find a breakdown by department of the over \$862 Million Capital Investments planned as well as maps that show those department investments location. It no surprise that each of the maps show significant investment planned for locations within the CEZ boundary. The CEZ boundary includes the oldest portions of the City of Spokane with the oldest/aging infrastructure, the most distressed neighborhoods, downtown, and Spokane River and the largest park, Riverfront Park.

Capital Investments by Department

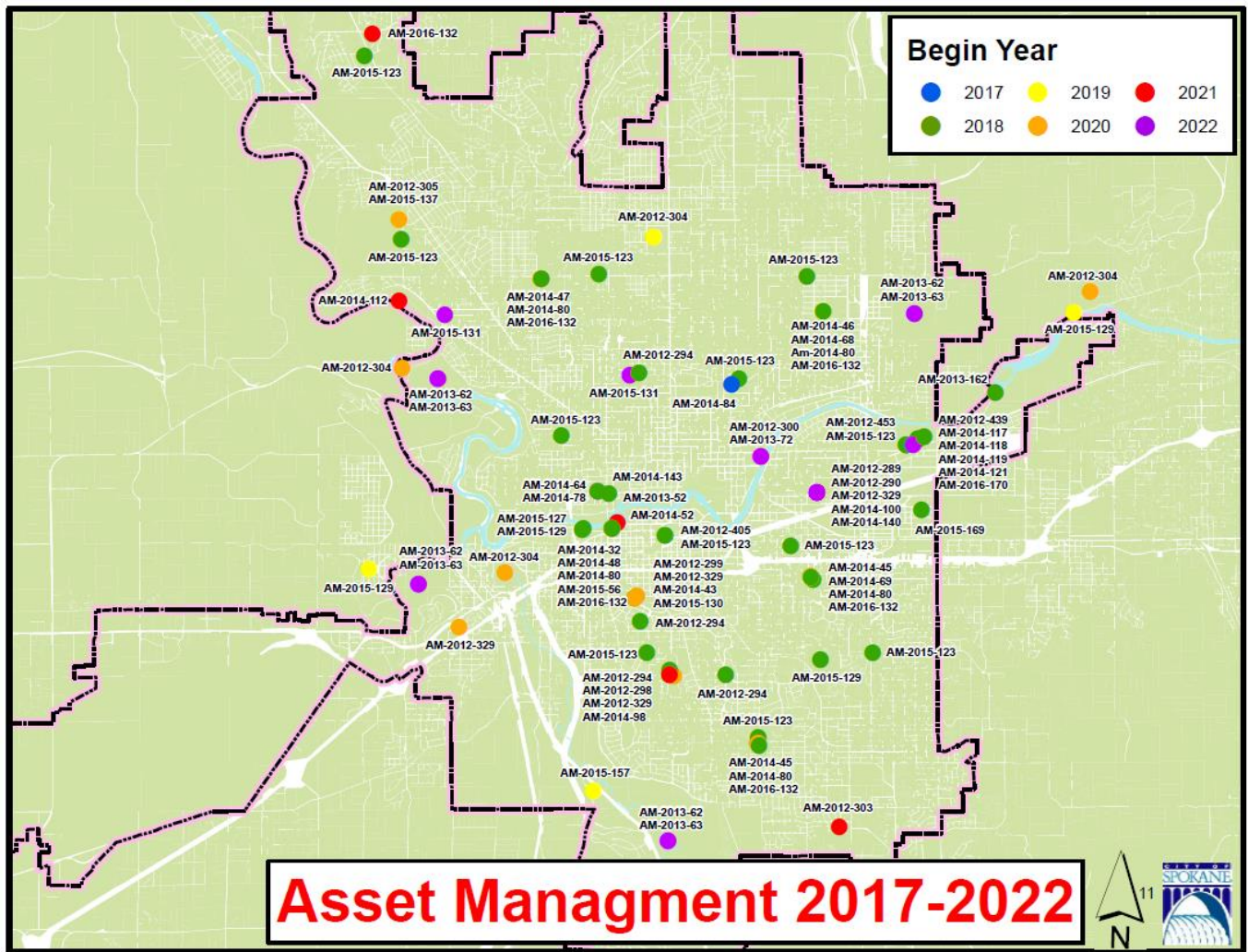
[pg. XVii]

## Capital by Department Summary

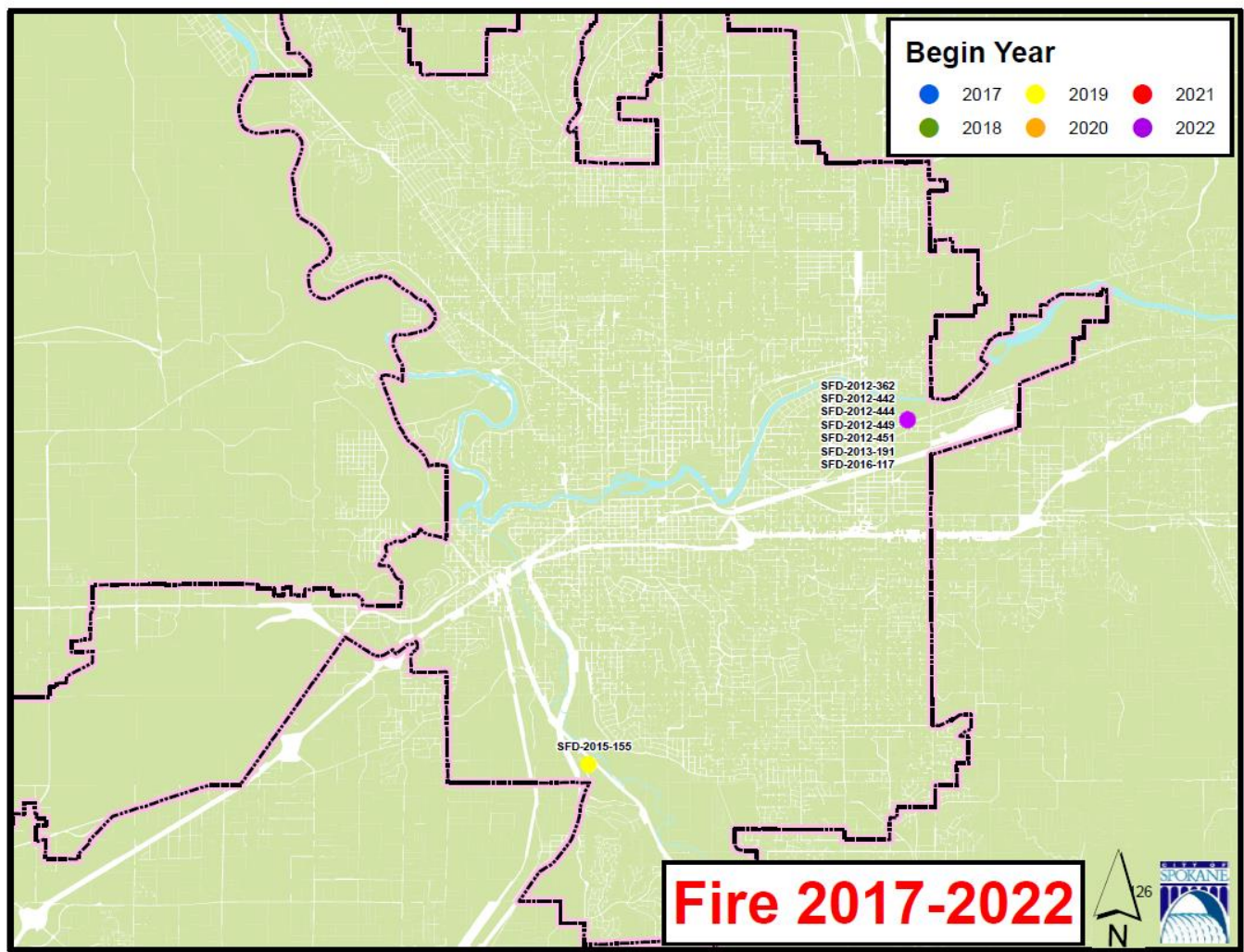
Department	2017	2018	2019	2020	2021	2022	Total
Asset Management	\$ 2,062,680	\$ 15,342,662	\$ 6,119,758	\$ 6,450,402	\$ 11,915,900	\$ 980,000	\$ 42,871,402
Fire	\$ 3,408,960	\$ 2,803,245	\$ 5,438,817	\$ 3,045,455	\$ 3,422,568	\$ 3,255,209	\$ 21,374,254
Information Technology	\$ 2,406,607	\$ 2,650,000	\$ 2,500,000	\$ 2,452,000	\$ 2,450,000	\$ 2,450,000	\$ 14,908,607
Library	\$ 0	\$ 45,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 45,000
Parks and Recreation	\$ 28,399,811	\$ 16,504,453	\$ 17,528,600	\$ 10,959,213	\$ 20,497,075	\$ 1,807,500	\$ 95,696,652
Police	\$ 2,191,042	\$ 1,809,162	\$ 2,679,339	\$ 2,923,817	\$ 1,934,233	\$ 1,690,442	\$ 13,228,035
Solid Waste Collection	\$ 340,000	\$ 100,000	\$ 3,290,000	\$ 1,700,000	\$ 2,200,000	\$ 1,950,000	\$ 9,580,000
Solid Waste Disposal	\$ 3,400,000	\$ 3,335,000	\$ 3,385,000	\$ 2,775,000	\$ 1,150,000	\$ 2,850,000	\$ 16,895,000
Streets	\$ 49,413,628	\$ 41,362,827	\$ 22,706,041	\$ 32,729,487	\$ 30,600,325	\$ 23,337,295	\$ 200,149,603
Wastewater Management	\$ 134,842,860	\$ 96,107,052	\$ 83,712,446	\$ 27,327,435	\$ 11,855,000	\$ 8,040,000	\$ 361,884,793
Water	\$ 11,367,000	\$ 17,650,000	\$ 18,835,000	\$ 17,160,000	\$ 19,265,000	\$ 1,230,000	\$ 85,507,000
<b>Total</b>	<b>\$ 237,832,588</b>	<b>\$ 197,709,401</b>	<b>\$ 166,195,001</b>	<b>\$ 107,522,809</b>	<b>\$ 105,290,101</b>	<b>\$ 47,590,446</b>	<b>\$ 862,140,346</b>



Wastewater Management (41.98 %)
Streets (23.22 %)
Parks and Recreation (11.10 %)
Water (9.92 %)
Asset Management (4.97 %)
Fire (2.48 %)
Solid Waste Disposal (1.96 %)
Information Technology (1.73 %)
Police (1.53 %)
Solid Waste Collection (1.11 %)
Library (0.01 %)

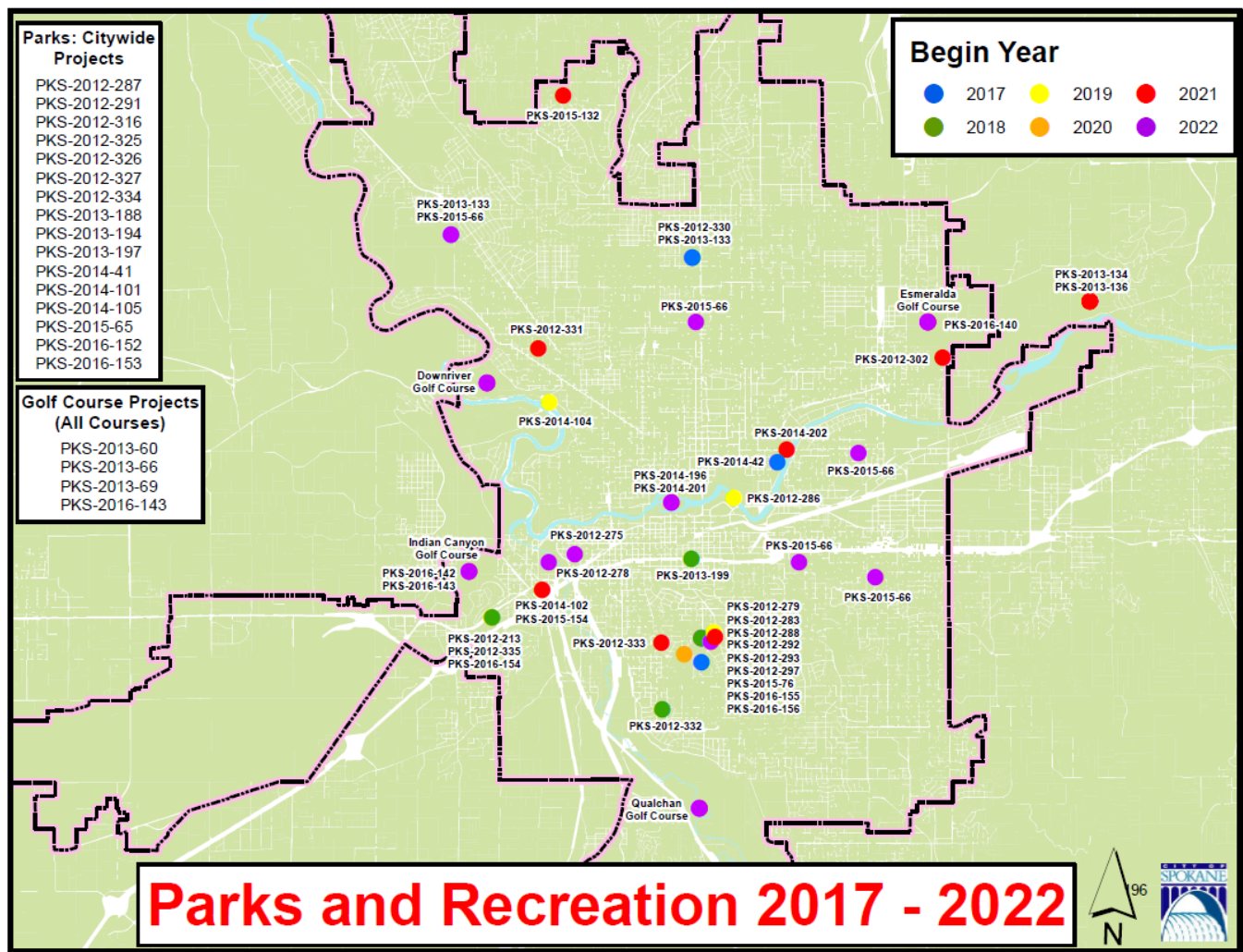


Map of Asset Management's Capital Investments Map  
 [pg. 11: a majority of the investments will be within the CEZ]



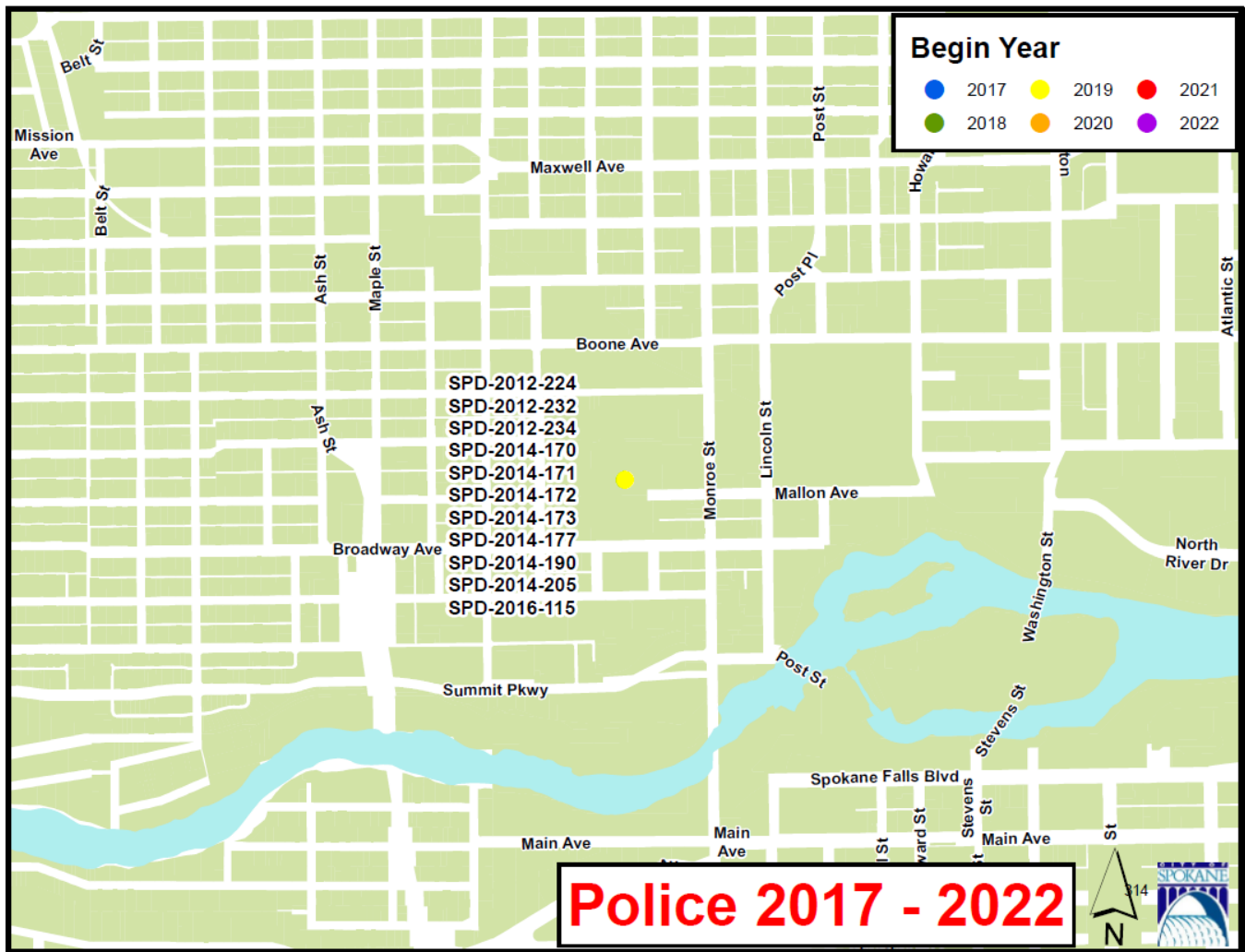
Fire Department Capital Investments Map  
[pg. 125 2022 investments are within the CEZ]



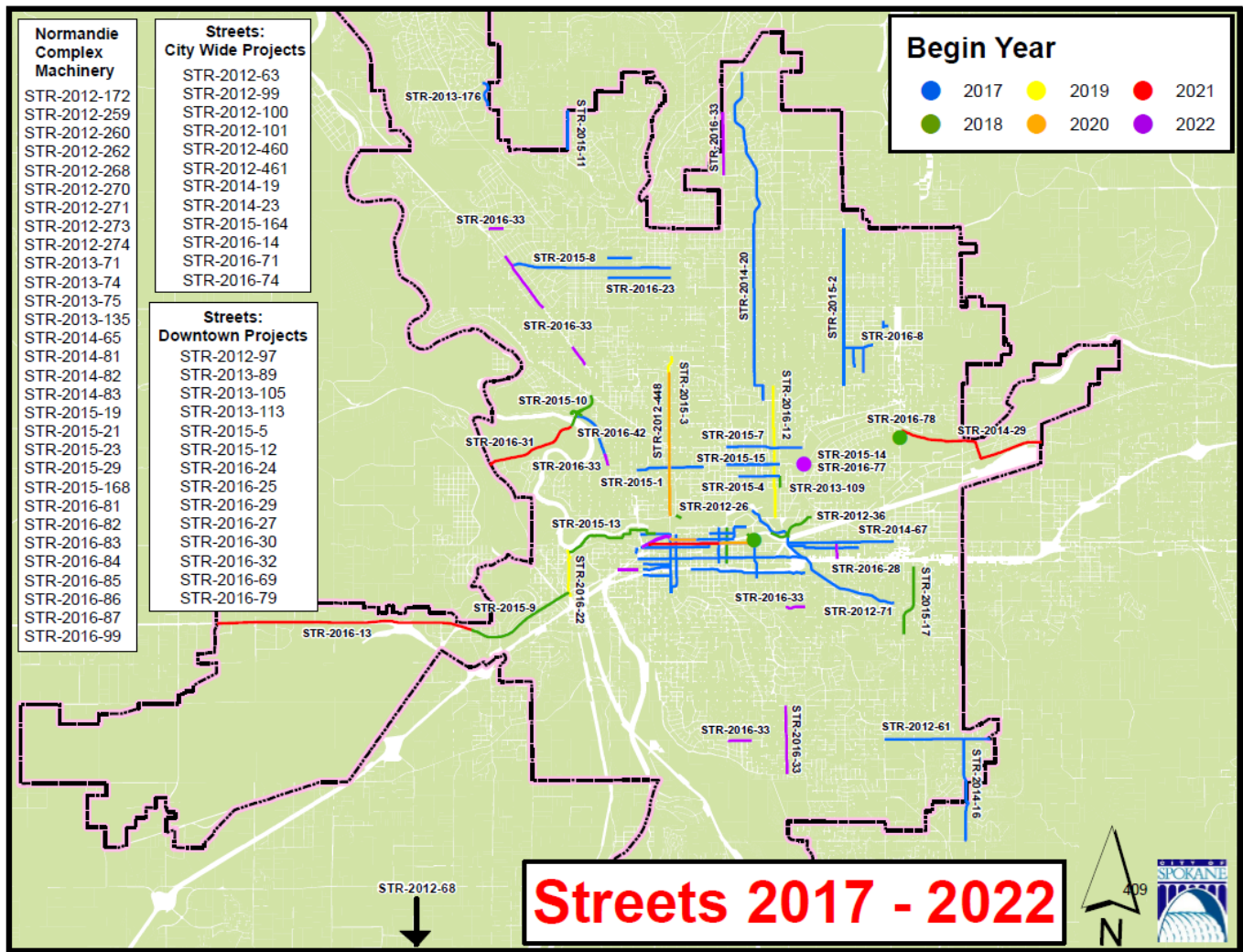


Parks and Recreation Capital Investment Map

[pg. 196 The majority of the Capital Investment occurring within the core of the City and within the CEZ.]

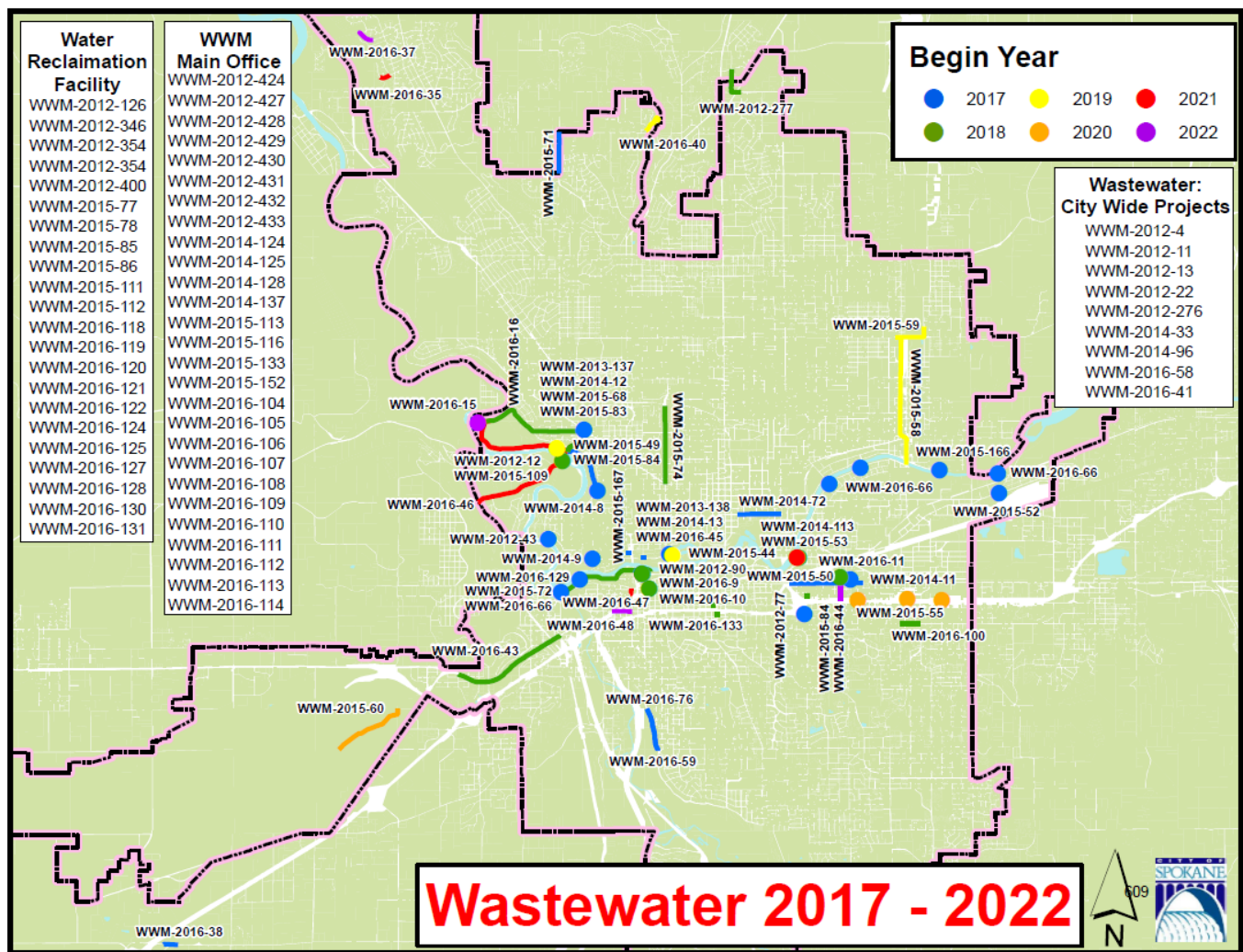


Police Department Capital Investments Map  
 [pg. 314 investment occurs in the heart of the CEZ]



Streets Department Capital Investments Map

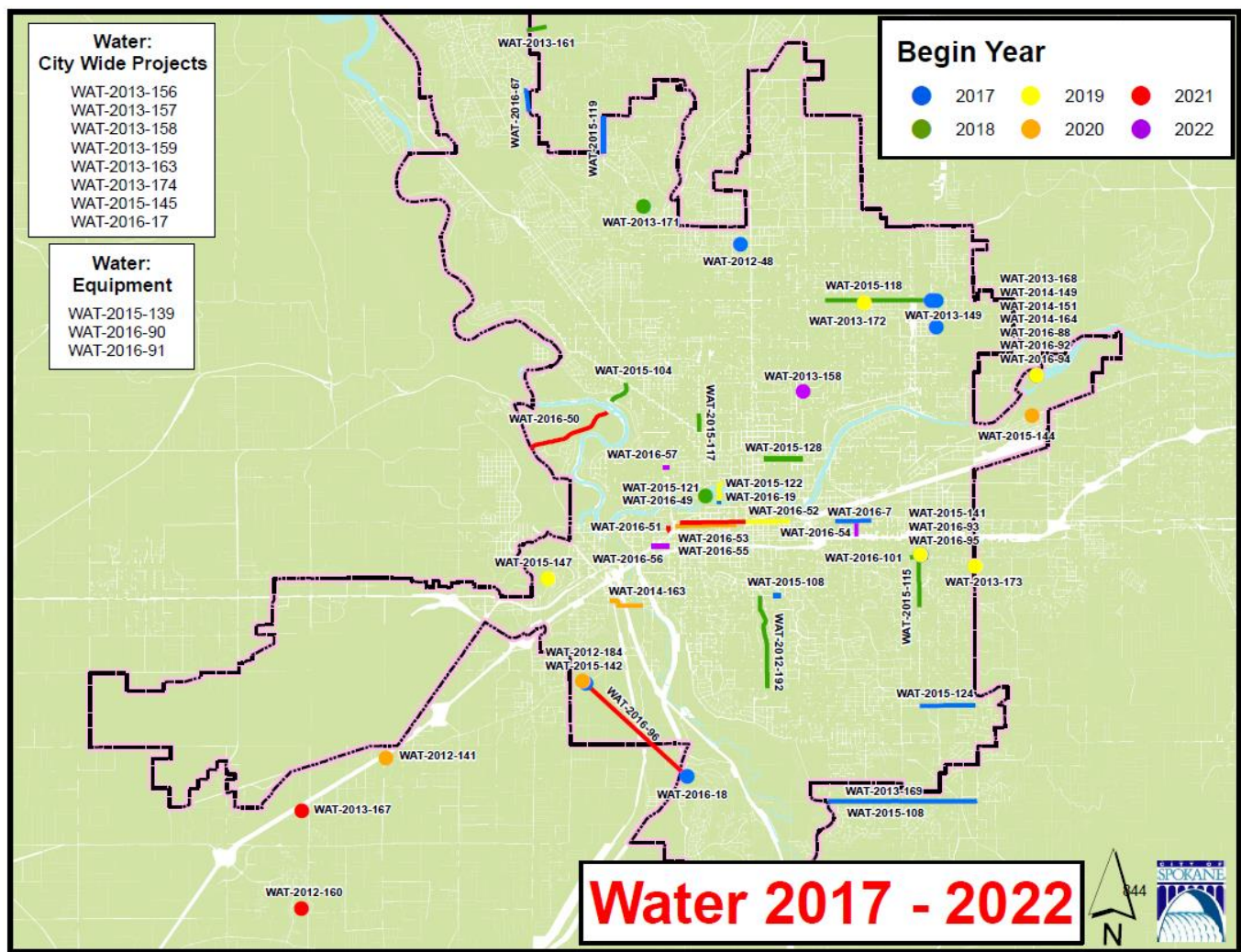
[pg. 409 Preponderance of the Streets Capital investments will be made within the CEZ]



Wastewater Capital Investments Map

[pg. 609 virtually all capital investment will occur within the CEZ]





Water Capital Investment Map

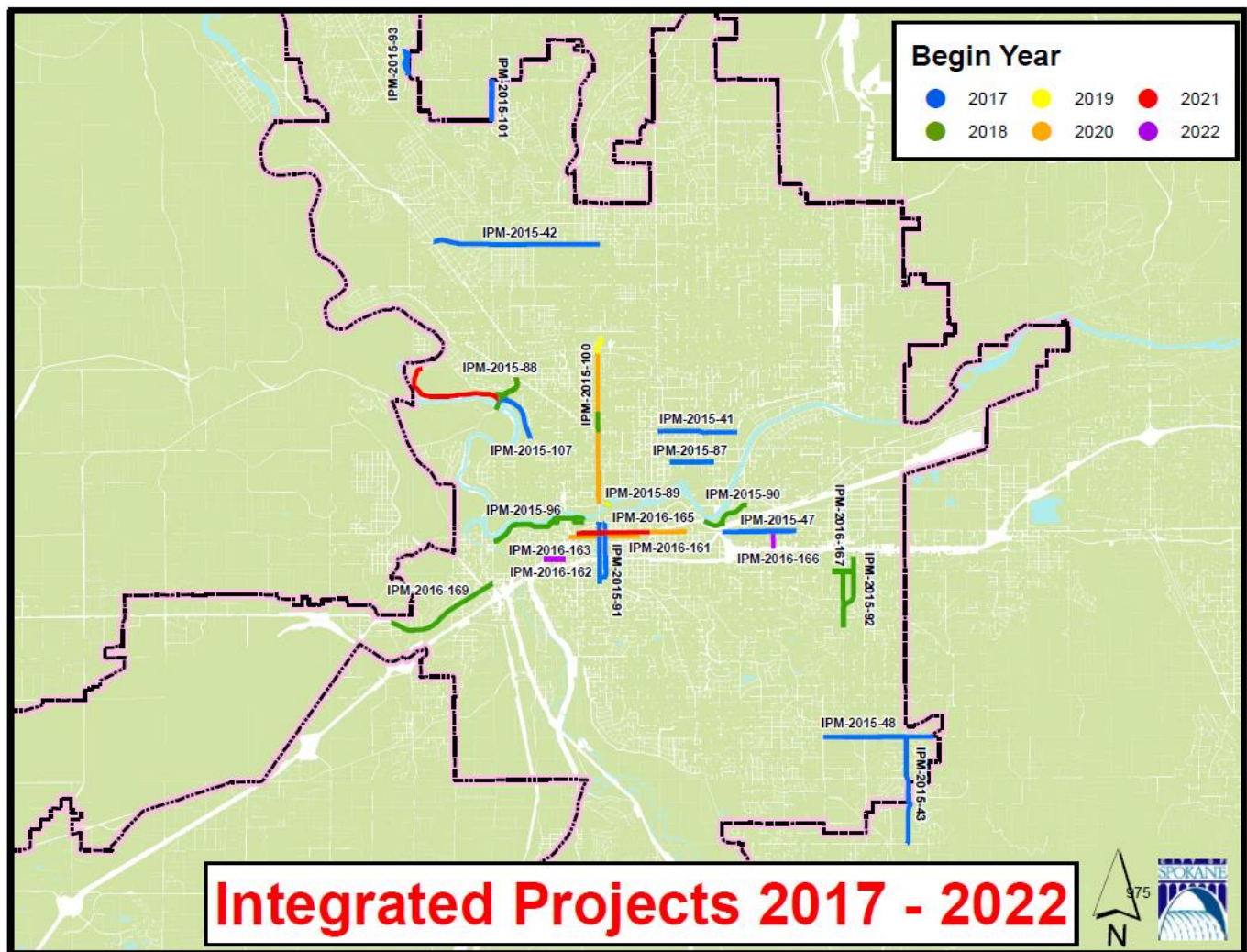
[pg. 844 A significant portion of the capital investments will occur within the CEZ]

Integrated Projects [excerpt pg. 972]

### Background

Maintaining the public infrastructure, from streets to sewer lines, that serves, as the community backbone is one of the most important responsibilities of City government. The Citywide Capital Improvement Program is a tool to identify needs the City intends to address over the next six years from all our service areas. These needs are based on the City's Comprehensive Plan goals. Our goals are: (1) Provide Transportation choices; (2) Accommodate access to daily needs and regional destinations; (3) Maximize benefits with integrated public investments; (4) Promote economic opportunity and fiscal responsibility; (5) Enhance public health and safety; (6) Respect Natural & Neighborhood Assets

The challenge is to not only meet these goals but to also consider all the ways streets are used. Ultimately, we want to broaden the traditional definition of streets from one that just considers the variety of mobility uses to a three-dimensional view that also includes belowground connectivity for public utilities such as sewer, water and stormwater. Integrated projects are the result of looking at the street right-of-way in this new way—three-dimensionally.








Integrated Projects Department Capital Investment Map  
[pg. 975 most capital investment is centered within the CEZ]

Attachment A: Spokane's Community Empowerment Zone Boundary Map (Black and White)



# Spokane's Community Empowerment Zone Boundary Map

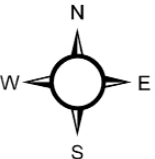
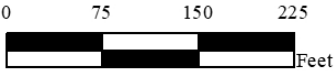
Printed by: agunderson      Print date: 4/9/2019

## Legend

-  2019 CEZ Boundary
-  2001 CEZ Boundary
-  Census Tracts
-  Spokane
-  Waterbody

## City Street

-  Freeway
-  Highway
-  Major Arterial
-  Minor Arterial



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

