

CITY OF SPOKANE



NOTICE

REGARDING CITY COUNCIL MEETINGS

Notice is hereby given that, pursuant to Governor Jay Inslee's **Revised Proclamation 20-28.15**, dated **January 19, 2021**, all public meetings subject to the Open Public Meetings Act, Chapter 42.30 RCW, are to be held remotely and that the in-person attendance requirement in RCW 42.30.030 has been suspended until termination of the state of emergency pursuant to RCW 43.06.210, or until rescinded, whichever occurs first. Proclamations 20-28, et seq, were amended by the Washington State Legislature to recognize the extension of statutory waivers and suspensions therein until termination of the state of emergency pursuant to RCW 43.06.210 or until rescinded.

While all public meetings must continue to be held remotely, an option for an additional in-person meeting component is permitted consistent with the business meetings requirements contained in the Miscellaneous Venues guidance incorporated into Proclamation 20-25, et seq. At this time, the City Council has decided to continue its meetings with remote access only and to not include an in-person attendance component.

Temporarily and until further notice, the public's ability to attend City Council meetings is by remote access only. In-person attendance is not permitted at this time. The public is encouraged to tune in to the meeting as noted below.

Public comment will be taken virtually on legislative items during the 6:00 p.m. Legislative Session on **January 24, 2022**.

The regularly scheduled Spokane City Council 3:30 p.m. Briefing Session and 6:00 p.m. Legislative Session will be held virtually and streamed live online and airing on City Cable 5. Some members of the City Council and City staff will be attending virtually. The public is encouraged to tune in to the meeting live on Channel 5, at <https://my.spokanecity.org/citycable5/live>, or by calling **1-408-418-9388** and entering the access code **2485 018 9050** for the 3:30 p.m. Briefing Session or **2488 116 7568** for the 6:00 p.m. Legislative Session when prompted; meeting password is **0320**.

To participate in virtual public comment (including Open Forum):

Sign up to give testimony on legislative items and during Open Forum at <https://forms.gle/Vd7n381x3seaL1NW6>. You must sign up in order to be called on to testify. **The form will be open at 5:00 p.m. on Monday, January 24, 2022, and will close at 6:00 p.m.** At 6:00 p.m., you will call in to the meeting using the information above or join by WebEx video using the information provided on the form. When it is your turn to testify, Council President will call your name. Instructions for participation are provided on the form when you sign up. The Open Forum is a limited public forum; all matters discussed in the open forum shall relate to the affairs of the City and items of interest not relating to 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.

**CITY COUNCIL MEETINGS
RULES – PUBLIC DECORUM**

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

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

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

Further, keep the following City Council Rules in mind:

Rule 2.2 OPEN FORUM

- A. At each meeting, after the conclusion of the legislative agenda, the Council shall hold an open public comment period until 9:30 pm, which may be extended by motion.
- B. At the beginning of the open forum session, staff will collect the sign-up sheet(s) and deliver them to the Chair. The order of the speakers and the appropriate time limits for the speakers will be determined at the discretion of the Chair. Each speaker shall be limited to no more than three minutes.
- C. No action, other than a statement of Councilmembers' intent to address the matter in the future, points of order, or points of information will be taken by Council members during an 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 and items not currently included on that week's current agenda or the next week's advance Council agendas. No person shall be permitted to speak in open forum 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.

Rule 2.7 SERVICE ANIMALS AT CITY COUNCIL MEETINGS

- A. For purposes of these Rules, only dogs that are individually trained to do work or perform tasks for a person with a disability are recognized as service animals. Dogs or other animals whose sole function is to provide comfort or emotional support do not qualify as service animals under these Rules. Service animals are permitted to accompany people with disabilities in City Council meetings, as well as all areas where members of the public are allowed to go.
- B. Service animals must, at all times while present in a City Council meeting, be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices, in which case, the individual must maintain control of the animal through voice, signal, or other effective controls.

Rule 2.15 PARTICIPATION OF MEMBERS OF THE PUBLIC IN COUNCIL MEETINGS

- A. Members of the public may address the Council regarding the following items on the Council's legislative agenda: first and final readings of regular and special budget ordinances, emergency ordinances, special consideration items, hearing items, and other items before the City Council requiring Council action, except those that are adjudicatory or solely administrative in nature. This rule shall not limit the public's right to speak during the open forum.
- B. No member of the public may speak without first being recognized for that purpose by the Chair. Except for named parties to an adjudicative hearing, a person may be required to sign a sign-up sheet and provide their city of residence as a condition of recognition. Council members must be recognized by the Chair for the purpose of obtaining the floor.
- C. Each person speaking in a public Council meeting shall verbally identify themselves by name, city of residence, and, if appropriate, representative capacity.
- D. Each speaker shall follow all written and verbal instructions so that verbal remarks are electronically recorded, and documents submitted for the record are identified and marked by the Clerk.
- E. In order that evidence and expressions of opinion be included in the record and that decorum befitting a deliberative process be maintained, no modes of expression not provided by these rules, including but not limited to demonstrations, banners, signs, applause, profanity, vulgar language, or personal insults will be permitted.
- F. A speaker asserting a statement of fact may be asked to document and identify the sources of the factual datum being asserted.

- G. When addressing the Council, members of the public shall direct all remarks to the Council President, shall refrain from remarks directed personally to any Council Member, and shall confine remarks to the matters that are specifically before the Council at that time.
- H. When any person, including members of the public, City staff, and others, are addressing the Council, Council members shall observe the same decorum and process, as the rules require among the members *inter se*. That is, a Council member shall not engage the person addressing the Council in colloquy but shall speak only when granted the floor by the Council President. All persons and/or Council members shall not interrupt one another. The duty of mutual respect set forth in Rule 1.2 and the rules governing debate set forth in *Robert's Rules of Order, newly revised*, shall extend to all speakers before the City Council. The City Council's Policy Director and/or City Attorney shall, with the assistance of Council staff, assist the Council President to ensure that all individuals desiring to speak shall be identified, appropriately recognized, and provided the opportunity to speak.

Rule 2.16 PUBLIC TESTIMONY REGARDING LEGISLATIVE AGENDA ITEMS – TIME LIMITS

- A. The City Council shall take public testimony on all matters included on its legislative agenda as described at Rule 2.16(A), with those exceptions stated in Rule 2.17(B). Public testimony shall be limited to the final Council action, except that public testimony shall be allowed at the first reading of ordinances. Public testimony shall be limited to three (3) minutes per speaker, unless, at their discretion, the Chair determines that, because of the number of speakers signed up to testify, less time will be needed for each speaker in order to accommodate all 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 items on the Council's consent agenda, amendments to legislative agenda items, or solely procedural, parliamentary, or administrative matters of the Council, including amendments to these Rules.
- C. For legislative or hearing items that may affect an identifiable individual, association, or group, the following procedure may be implemented at the discretion of the Council President:
 - 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 their presentation the testimony of expert witnesses, visual displays, and any other reasonable methods of presenting the case. Up to thirty (30) minutes may be granted for the proponent's presentation. If there be more than one designated representative, they shall allocate the allotted time between or among themselves.
 - c. Following the presentation of the proponents of the issue, three (3) minutes shall be granted for any other person not associated with the designated representative of the proponents 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 amount of time which was allotted to the proponents.
 - e. Following the presentation by the opponents of the issue, three (3) minutes shall be granted for any other person not associated with the designated representative of the opponents who wishes to speak on behalf of the opponents' position.
 - f. Up to ten (10) minutes of rebuttal time may 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 (3) minutes to present their 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, JANUARY 24, 2022

MISSION STATEMENT

**TO DELIVER EFFICIENT AND EFFECTIVE SERVICES
THAT FACILITATE ECONOMIC OPPORTUNITY
AND ENHANCE QUALITY OF LIFE.**

MAYOR NADINE WOODWARD

COUNCIL PRESIDENT BREEAN BEGGS

COUNCIL MEMBER JONATHAN BINGLE

COUNCIL MEMBER LORI KINNEAR

COUNCIL MEMBER BETSY WILKERSON

COUNCIL MEMBER MICHAEL CATHCART

COUNCIL MEMBER KAREN STRATTON

COUNCIL MEMBER ZACK ZAPPONE

**CITY COUNCIL CHAMBERS
CITY HALL**

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

LAND ACKNOWLEDGEMENT

We acknowledge that we are on the unceded land of the Spokane people. And that these lands were once the major trading center for the Spokanes as they shared this place and welcomed other area tribes through their relations, history, trade, and ceremony. We also want to acknowledge that the land holds the spirit of the place, through its knowledge, culture, and all the original peoples Since Time Immemorial.

As we take a moment to consider the impacts of colonization may we also acknowledge the strengths and resiliency of the Spokanes and their relatives. As we work together making decisions that benefit all, may we do so as one heart, one mind, and one spirit.

We are grateful to be on the shared lands of the Spokane people and ask for the support of their ancestors and all relations. We ask that you recognize these injustices that forever changed the lives of the Spokane people and all their relatives.

We agree to work together to stop all acts of continued injustices towards Native Americans and all our relatives. It is time for reconciliation. We must act upon the truths and take actions that will create restorative justice for all people.

Adopted by Spokane City Council on the 22nd day of March, 2021
via Resolution 2021-0019

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.

ADDRESSING THE COUNCIL

- No member of the public may speak without first being recognized for that purpose by the Chair. Except for named parties to an adjudicative hearing, a person may be required to sign a sign-up sheet and provide their city of residence as a condition of recognition.
- Each person speaking at the public microphone shall verbally identify themselves by name, city of residency 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, no modes of expression including but not limited to demonstrations, banners, signs, applause, profanity, vulgar language or personal insults will 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 by accessing the City website at www.spokanecity.org.

(Council Chambers Lower Level of City Hall)
(No Public Testimony Taken)

Current Agenda Review

hardware equipment—\$750,000 (plus tax and shipping.)

- c. Software House International, Inc. for software products including professional services, maintenance, and support subscriptions/upgrades—\$650,000 (plus tax and shipping).

(Council Sponsor: Council Member Cathcart)

Michael Sloon

OPR 2022-0044

3. Value Blanket Renewal with Gall's, LLC (Spokane) for 2021 and 2022 Police Jumpsuit orders—estimated \$150,000 per year (incl. alterations and tax). (Council Sponsor: Council Member Kinnear) **Approve** OPR 2019-0888 RFP 776-19

Michelle Loucks

4. Cooperative Integrated Medical Services Staffing Agreement, per RCW 39.34, with Spokane Valley Fire Department for the provision of an Integrated Medical Services Program for a three-year term, with two possible one-year renewals—estimated \$318,044.34 revenue. (Council Sponsor: Council Member Kinnear) **Approve** OPR 2022-0045

Brian Schaeffer

5. Two-year Contract Extension with Absolute Drug Testing LLC (Spokane, WA) for random urinalysis drug testing and results for Municipal Court and Community Justice Services for pretrial, community supervision, and therapeutic court monitoring from October 1, 2021 through September 30, 2023—not to exceed \$65,000. (Council Sponsor: Council Member Kinnear) **Approve** OPR 2018-0861

Michael Diamond

6. Multiple Family Housing Property Tax Exemption Conditional Agreements with: **Approve All**

- a. Foothills Project, LLC for the construction of 24 housing units at Parcel No. 35082.4105 commonly known as 519 E. North Foothills Drive. OPR 2022-0046

- b. Liberty Project, LLC for the construction of 24 housing units at Parcel No. 35033.1306, commonly known as 3027 E. Liberty Avenue. OPR 2022-0047

(Council Sponsor: Council Member Cathcart)

Teri Stripes

7. Amendment No. 2 to City and County Memorandum of Agreement for wastewater treatment charges and payments for 2022 through 2026, including extension of term for Amendment No. 1 through 2021—\$74,440.61 Revenue. (Council Sponsor: Council President Beggs) **Approve** OPR 2013-0051

Marlene Feist

- | | | |
|---|------------------------------------|---------------|
| 8. Report of the Mayor of pending: | Approve &
Authorize
Payments | CPR 2022-0002 |
|
a. Claims and payments of previously approved obligations, including those of Parks and Library, through _____, 2022, 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 _____, 2022: \$_____. | | |
|
9. City Council Meeting Minutes: _____, 2022. | | |
| | Approve
All | CPR 2022-0013 |

EXECUTIVE SESSION

(Closed Session of Council)

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

CITY COUNCIL SESSION

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

(Council Briefing Center)

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

LEGISLATIVE SESSION

(6:00 P.M.)

(Council Reconvenes in Council Chamber)

WORDS OF INSPIRATION

PLEDGE OF ALLEGIANCE

ROLL CALL OF COUNCIL

ANNOUNCEMENTS

(Announcements regarding Changes to the City Council Agenda)

BOARDS AND COMMISSIONS APPOINTMENTS

(Includes Announcements of Boards and Commissions Vacancies)

APPOINTMENTS

RECOMMENDATION

Arts Commission: Four Appointments

Approve

CPR 1981-0043

ADMINISTRATIVE REPORT

COUNCIL COMMITTEE REPORTS

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

LEGISLATIVE AGENDA

SPECIAL BUDGET ORDINANCE

(Requires Five Affirmative, Recorded Roll Call Votes)

Ordinance C36167 amending Ordinance No. C36161 passed by the City Council December 13, 2021, and entitled, "An Ordinance adopting the Annual Budget of the City of Spokane for 2022, making appropriations to the various funds of the City of Spokane government for the fiscal year ending December 31, 2022, and providing it shall take effect immediately upon passage," and declaring an emergency and appropriating funds in:

American Rescue Plan Fund

1) Increase appropriation by \$1,450,000, funded from the City's direct allocation of the State and Local Fiscal Recovery Fund of the American Rescue Plan Act.

A) Of the increased appropriation, \$1,450,000 is provided to the City of Spokane Parks and Recreation Division to replace funding lost due to COVID-19 solely for the renovation of the Centennial Trail Don Kardong Pedestrian Bridge.

(This action arises from the need to provide appropriation authority for The Centennial Trail Renovations to the Don Kardong Bridge. (Council Sponsors: Council President Beggs and Council Member Kinnear)

Garrett Jones

EMERGENCY ORDINANCE

(Requires Five Affirmative, Recorded Roll Call Votes)

- ORD C36064 Clarifying the requirements for the adaptive re-use of historic properties; amending sections 17C.335.010 and 17C.335.110 of the Spokane Municipal Code; declaring an emergency; and providing for an immediate effective date. (Deferred from October 18, 2021, Agenda) (Council Sponsor: Council Member Wilkerson)
Brian McClatchey

RESOLUTIONS

(Require Four Affirmative, Recorded Roll Call Votes)

- RES 2022-0009 Approving Settlement Agreement and General Release of All Claims of Trisha L. and Corey Christian as agreed to by the parties—\$195,000. (Council Sponsor: Council Member Stratton)
Nathaniel Odle
- RES 2022-0010 Appointing Spencer Gardner as Planning Services Director. (Council Sponsor: Council President Beggs)
Meghann Steinolfson
- RES 2022-0011 Expressing the intention of the City Council to designate a multi-family tax exemption (MFTE) residential targeted area. (Council Sponsors: Council President Beggs and Council Member Stratton)
Teri Stripes

NO FINAL READING ORDINANCES

FIRST READING ORDINANCE

- ORD C36166 (To be considered under Hearings Item H1.b.)

FURTHER ACTION DEFERRED

NO SPECIAL CONSIDERATIONS

HEARINGS

RECOMMENDATION

- | | |
|--|-------------------------------------|
| H1. a. Hearing on vacation of Perry Street between Celesta and Hartson, as requested by the owners of the Liberty Park Apartments. | Approve
Subject to
Conditions |
|--|-------------------------------------|

- b. First Reading Ordinance C36166 vacating Perry Street between the north line of Hartson Avenue and the south line of Celesta Avenue.
(Council Sponsor: Council Member Wilkerson)
Eldon Brown

Further
Action
Deferred

ORD C36166

**Motion to Approve Advance Agenda for January 24, 2022
(per Council Rule 2.1.2)**

OPEN FORUM

At each meeting after the conclusion of the legislative agenda, the Council shall hold an open public comment period until 9:30 p.m., which may be extended by motion. Each speaker is limited to no more than three minutes. In order to participate in Open Forum, you must sign up here: <https://forms.gle/Vd7n381x3seal1NW6>. The form will open at 5:00 p.m. on Monday, January 24, and will close at 6:00 p.m. Instructions for participating are available on the form. The Open Forum is a limited public forum; all matters discussed in the open forum shall relate to the affairs of the City and items of interest not relating to 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.

ADJOURNMENT

The January 24, 2022, Regular Legislative Session of the City Council is adjourned to January 31, 2022.

NOTES

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

01/24/2022

Date Rec'd

1/12/2022

Clerk's File #

OPR 2022-0040

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

ENGINEERING SERVICES

Contact Name/Phone

DAN BULLER 625-6391

Project #

2018060/2010132

Contact E-Mail

DBULLER@SPOKANECITY.ORG

Bid #

5565-22

Agenda Item Type

Purchase w/o Contract

Requisition #

CR 23212

Agenda Item Name

3700 - HD FOWLER COMPANY MATERIAL PURCHASE CONTRACT

Agenda Wording

Material purchase of pipe pre-order in support of Cochran Basin Project. Total purchase value for HD Fowler Company: \$282,472.00.

Summary (Background)

Sealed bids were accepted through the City's electronic bidding portal 1/10/22 to support the Cochran Basin Stormwater project. Award is recommended across two respondents in accordance with the low responsive, responsible bidder able to deliver timely in each category. HD Fowler Company 60" elbows - \$106,000.00, 60" megalugs - \$87,625.00, 48" HDPE pipe-70LF - \$13,657.00, and 36" HDPE pipe-630LF - \$75,190.00.

Lease? NO

Grant related? NO

Public Works? YES

Fiscal Impact**Budget Account**

Expense \$ \$194,847

4250-98817-94310-56501-14395

Expense \$ \$87,625

4250-43354-94310-56501-14482

Select \$

#

Select \$

#

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

TWOHIG, KYLE

Study Session\Other

UE 12/13/21

Division Director

FEIST, MARLENE

Council Sponsor

Beggs

Finance

KECK, KATHLEEN

Distribution List**Legal**

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eraea@spokanecity.org

For the Mayor

ORMSBY, MICHAEL

publicworksaccounting@spokanecity.org

Additional Approvals

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Purchasing

dbuller@spokanecity.org

ddaniels@spokanecity.org

jgraff@spokanecity.org

josha@hdfowler.com

Briefing Paper

PIES

Division & Department:	Public Works, Engineering
Subject:	Cochran Basin Project – Pipe Pre-Order
Date:	12-13-21
Contact (email & phone):	Dan Buller (dbuller@spokanecity.org 625-6391)
City Council Sponsor:	Breen Beggs
Executive Sponsor:	Marlene Feist
Committee(s) Impacted:	PIES
Type of Agenda item:	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	These projects are in the 6 Year Sewer & Street Plans
Strategic Initiative:	Innovative Infrastructure
Deadline:	
Outcome: (deliverables, delivery duties, milestones to meet)	Approval of materials purchase contracts

Background/History:

- The Cochran storm drainage basin covers approximately 5,300 acres in NE Spokane, generally bounded on the west by Alberta St., on the north by Francis Ave. on the east by Market St. and on the south by Montgomery St.
- Stormwater from this basin currently flows untreated to the Spokane River at the northwest end of the TJ Meenach Br. For several years the City has been seeking and has now acquired funding necessary to correct this issue.

Executive Summary:

- At the June 2021 PIES meeting, we presented a briefing paper and exhibit showing the various projects which will together divert the untreated stormwater to proposed swales where it will be treated prior to infiltration to the ground. The exhibit from that briefing paper is attached.
- One of those projects, the TJ Meenach road reconstruction project, includes replacement of several large diameter stormwater pipes. Given current supply chain issues nationwide, the needed large diameter pipes have a 5 month lead time.
- If we wait for the contractor to order the pipe after the project is bid and awarded in spring of 2022, by the time the pipe is delivered we will miss the 2022 construction season and construction will span into 2023.
- Because the multi-million dollar state grant that will pay for roughly half this project expires as the end of 2022, we need to pre-order the pipe so it is available to the contract toward the beginning of the 2022 construction season so we can get the work done in 2022 and don't lose the large grant.

Budget Impact:

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

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

If new, specify funding source:

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

Operations Impact:

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

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

Bid Response Summary

Bid Number ITB 5565-22
Bid Title Miscellaneous Waterworks Products - TJ Meenach Sewer Piping (Re-Bid)
Due Date Monday, January 10, 2022 1:00:00 PM [(UTC-08:00) Pacific Time (US & Canada)]
Bid Status Closed to Bidding
Company H D FOWLER CO
Submitted By JOSH ALDERMAN - Monday, January 10, 2022 11:37:30 AM [(UTC-08:00) Pacific Time (US & Canada)]
 JOSH@HDFOWLER.COM 5095688400

Comments

Question Responses

Group	Reference Number	Question	Response
Contact			
	1	Indicate the appropriate point of contact (phone number and email) regarding this quote and placement of order if awarded. If these actions will not be managed by the same person, explicitly specify all relevant contacts.	Josh Alderman 509-370-2723 josh@hdfowler.com
Council Approval			
	1	This purchase is subject to City Council approval. Approval is anticipated in mid- January 2022. The City assumes no obligation to purchase until the purchase is approved by Council and a City purchase order is issued.	I understand and I agree
General			
	1	Acceptable product makes/models, where specified, must be adhered to. In the absence of specified acceptable products, the listed technical specifications in each product category represent the minimum qualifications for acceptable product. The make/model of products bid may be required at bid submission; if so, the field will be indicated required on the 'Pricing' tab.	I understand and I agree
	2	The City of Spokane may award the products to multiple vendors based on size or product.	I understand and I agree
Withdrawal of Bid			
	1	Suppliers may withdraw Bids prior to the scheduled Bid due date and time. Unless otherwise specified, no Bids may be withdrawn for fourteen (14) calendar days after the due date.	I understand and I agree
Use of American Iron and Steel			

1	<p>This provision applies to projects for the construction, alteration, maintenance, or repair of a “treatment works” as defined in the Federal Water Pollution Control Act (33 USC 1381 et seq.). This provision does not apply if the engineering plans and specifications for the project were approved by the Ecology prior to January 17, 2014. The Contractor acknowledges to and for the benefit of the Project Owner and the State of Washington that it understands the goods and services under this Agreement are being funded with monies made available by the Water Pollution Control Revolving Fund which contains provisions commonly known as “American Iron and Steel,” that requires all of the iron and steel products used in the project be produced in the United States (“American Iron and Steel Requirements”) including iron and steel products provided by the Contractor pursuant to this Agreement. “Iron and Steel products” means the following products made primarily of iron or steel: lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and construction materials.</p>	I understand and I agree
2	<p>The Contractor hereby represents and warrants to and for the benefit of the Project Owner and the State that: (a) the Contractor has reviewed and understands the American Iron and Steel Requirements, (b) all of the iron and steel products used in the project will be and/or have been produced in the United States in a manner that complies with the American Iron and Steel Requirements, unless a waiver of the requirements is approved, and (c) the Contractor will provide any further verified information, certification or assurance of compliance with this paragraph, or information necessary to support a waiver of the American Iron and Steel Requirements, as may be requested by the Project Owner or the State.</p>	I understand and I agree
3	<p>Notwithstanding any other provision of this Agreement, any failure to comply with this paragraph by the Contractor shall permit the Project Owner or State to recover as damages against the Contractor any loss, expense or cost (including without limitation attorney’s fees) incurred by the Project Owner or State resulting from any such failure (including without limitation any impairment or loss of funding, whether in whole or in part, from the State or any damages owed to the State by the Project Owner). While the Contractor has no direct contractual privity with the State, as a lender to the Project Owner for the funding of its project, the Project Owner and the Contractor agree that the State is a third-party beneficiary and neither this paragraph (nor any other provision of the Agreement necessary to give this paragraph force or effect shall be amended or waived without the prior written consent of the State.</p>	I understand and I agree
Product - Restraint Joint Bend & Associated Restraints		
1	<p>Fitting shall meet the requirements of WSDOT General Specifications section 9-30.2(1), 9-30.2(6) and of the “Use of American Iron and Steel” contained herein.</p>	I understand and I agree

2	Associated restraints can be any of the following: • TR Flex Gripper Ring as manufactured by U.S. Pipe • TR flex restraint joints as manufactured by U.S. Pipe; Lok-Tyton restraint joints as manufactured by U.S. Pipe; • Tyton-Lok mechanical joints as manufactured by Pacific States Cast Iron Pipe Company; • American Lok-Ring restraint joints as manufactured by American Ductile Iron Pipe Company; • MEGALUG as manufactured by EBAA Inc.; • Field Lok Gaskets as manufactured by United States Pipe & Foundry Company; • American Fast Grip Gaskets as manufactured by American Ductile Iron Pipe; • SuperLug as manufactured by Sigma Corporation; • Snap-Loc restraints for push-on joints as manufactured by Griffin Pipe Products Co.; • HP Loc Restrained joint pipe as manufactured by U.S. Pipe Co; • Star Grip as manufactured by Star Pipe Products.	I understand and I agree
3	ALL MECHANICAL JOINT LOCKING GLAND NEATLY PACKAGED KITS WITH STANDARD MJ GASKET.	I understand and I agree
4	Supplier acknowledges that they understand delivery is needed as soon as product can be obtained. Supplier's best estimate as to when these supplies will be available for delivery is:	120 working days ARO
Product - Pipe: Ductile Iron 60" dia - Restrained Joint Pressure Class 150		
1	This pipe shall meet the requirements of WSDOT General Specifications section 9-30.1(1) and 9-30.2(6) and of the "Use of American Iron and Steel" contained herein.	I understand and I agree
2	Supplier acknowledges that they understand delivery is needed as soon as product can be obtained. Supplier's best estimate as to when these supplies will be available for delivery is:	80 working days ARO
Product - Pipe: Ductile Iron 48" dia - Tyton Joint Pressure Class 150		
1	This pipe shall meet the requirements of WSDOT Standard Specifications section 9-30.1(1) and 9-30.2(6). This pipe does not need to meet the requirements of "Use of American Iron and Steel" contained herein.	I understood and I agree
2	Supplier acknowledges that they understand delivery is needed as soon as product can be obtained. Supplier's best estimate as to when these supplies will be available for delivery is:	80 working days ARO
***	The City will purchase either the 48" HDPE or the 48" DI, at it's option - YOU DO NOT NEED TO BID ON BOTH.	I understand and I agree
Product - Pipe: Ductile Iron 36" dia - Tyton Joint Pressure Class 150		
1	This pipe shall meet the requirements of WSDOT Standard Specifications section 9-30.1(1) and 9-30.2(6). This pipe does not need to meet the requirements of "Use of American Iron and Steel" contained herein.	I understand and I agree
2	Supplier acknowledges that they understand delivery is needed as soon as product can be obtained. Supplier's best estimate as to when these supplies will be available for delivery is:	80 working days ARO
***	The City will purchase either the 36" HDPE or the 36" DI, at it's option - YOU DO NOT NEED TO BID ON BOTH.	I understand and I agree

Product - Pipe: HDPE Sewer 48" dia		
1	This pipe shall meet the requirements of WSDOT Standard Specifications section 9-05.24(2) with further stipulations that the pipe shall be gray and double gasketed.	I understand and I agree
2	Supplier acknowledges that they understand delivery is needed as soon as product can be obtained. Supplier's best estimate as to when these supplies will be available for delivery is:	35 working days ARO
***	The City will purchase either the 48" HDPE or the 48" DI, at it's option - YOU DO NOT NEED TO BID ON BOTH.	I understand and I agree
Product - Pipe: HDPE Sewer 36" dia		
1	This pipe shall meet the requirements of WSDOT Standard Specifications section 9-05.24(2) with further stipulations that the pipe shall be gray and double gasketed.	I understand and I agree
2	Supplier acknowledges that they understand delivery is needed as soon as product can be obtained. Supplier's best estimate as to when these supplies will be available for delivery is:	35 working days ARO
***	The City will purchase either the 36" HDPE or the 36" DI, at it's option - YOU DO NOT NEED TO BID ON BOTH.	I understand and I agree
Delivery		
1	All freight expenses shall be the responsibility of the winning supplier. Unit pricing on this quote is understood to include delivery to the FOB point.	I understand and I agree
2	All product shall be ordered/delivered FOB: Destination to 909 E. Sprague Avenue Spokane, WA 99208.	I understand and I agree
3	PARTIAL DELIVERIES ARE REQUIRED and any delivery delays must be communicated to the City employee who placed the order *before* the anticipated delivery date. Supplier is responsible for ensuring all deliveries meet promised timelines and for any resulting expenses, such as expedited freight costs.	I understand and I agree
4	Supplier acknowledges that they understand delivery is needed as soon as product can be obtained.	I understand and I agree
5	24-hour prior notice of delivery is required to Mike Lowden at (509) 625-7909.	I understand and I agree
Additional Items		
1	The City of Spokane reserves the right to purchase additional items at the quoted price. Supplier agrees to sell at the same price, terms, and conditions.	No
Payment Terms		
1	Supplier agrees payment shall be made via direct deposit/ACH (except as provided by state law or if paid by credit card) according to net30 terms after receipt of goods ordered. A completed ACH application is required (if not already on file) 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.	I understand and I agree
Sales Tax		
1	The City of Spokane is not a tax exempt entity and is therefore obligated to pay sales tax under Washington State law. Sales tax should not be included in respondent's pricing. All submissions shall be tabulated with the applicable sales tax rate whether that tax shall be charged through the supplier or paid by the City as use tax.	I understand and I agree

Business Registration Requirement		
1	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 as provided in this chapter. The supplier 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 supplier 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.	Understood and Agreed
2	Supplier's Business Registration No.	179016679
Polychlorinated Biphenyls (PCBs)		
1	In accordance with SMC 7.06.172(A), respondent certifies the products quoted and to be supplied (to include product packaging) do not contain polychlorinated biphenyls (PCBs). 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 respondent 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.	I do not understand and I do not agree.
2	As far as you know, has this product type been tested for PCBs by a WA State accredited lab using EPA Method 1668c (or equivalent as updated)?	No
3	If so, were PCBs found at a measurable level?	
4	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)?	No
5	If so, note from whom the results can be obtained.	
6	Do you have reason to believe the product contains measurable levels of PCBs?	No
7	Do you have reason to believe the product packaging contains measurable levels of PCBs?	No
Terms & Conditions		
1	Submission of a bid constitutes acceptance of the Terms & Conditions of this request in accordance with the document so named in the 'Documents' tab.	I understand and I agree
Other		

1	48" HDPE Sewer Pipe	Base	If	70.00	\$195.10	\$13,657.00	See comments in questions field regarding pipe footages
Product - Pipe: HDPE Sewer 36" dia							
1	36" HDPE Sewer Pipe	Base	If	630.00	\$119.35	\$75,190.50	See comments in questions field regarding pipe footages
Total Base Bid		\$1,230,569.50					

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

01/24/2022

Date Rec'd

1/12/2022

Clerk's File #

OPR 2022-0041

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

ENGINEERING SERVICES

Contact Name/Phone

DAN BULLER 625-6391

Project #

2010132

Contact E-Mail

DBULLER@SPOKANECITY.ORG

Bid #

5565-22

Agenda Item Type

Purchase w/o Contract

Requisition #

CR 23212

Agenda Item Name

0370 - COCHRAN BASIN PROJECT MATERIAL PURCHASE - PIPE PRE ORDER

Agenda Wording

Purchase of large diameter pipe in support of the Cochran Basin Project. Total purchase value for Core & Main: \$704,690.00.

Summary (Background)

Sealed bids were accepted through the City's electronic bidding portal 1/10/22 to support the Cochran Basin Stormwater project. Award is recommended across two respondents in accordance with the low responsive, responsible bidder able to deliver timely in each category. Core & Main (Spokane Valley, WA) is recommended to provide 500 linear feet of 60" diameter ductile iron pipe.

Lease? NO

Grant related? NO

Public Works? YES

Fiscal Impact**Budget Account**

Expense \$ \$704,690.00

4250-43354-94310-56501-14482

Select \$

#

Select \$

#

Select \$

#

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

TWOHIG, KYLE

Study Session\Other

UE 12/13/21

Division Director

FEIST, MARLENE

Council Sponsor

Beggs

Finance

KECK, KATHLEEN

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ddaniels@spokanecity.org

curtis.allred@coreandmain.com

dbuller@spokanecity.com

Briefing Paper

PIES

Division & Department:	Public Works, Engineering
Subject:	Cochran Basin Project – Pipe Pre-Order
Date:	12-13-21
Contact (email & phone):	Dan Buller (dbuller@spokanecity.org 625-6391)
City Council Sponsor:	Breen Beggs
Executive Sponsor:	Marlene Feist
Committee(s) Impacted:	PIES
Type of Agenda item:	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	These projects are in the 6 Year Sewer & Street Plans
Strategic Initiative:	Innovative Infrastructure
Deadline:	
Outcome: (deliverables, delivery duties, milestones to meet)	Approval of materials purchase contracts

Background/History:

- The Cochran storm drainage basin covers approximately 5,300 acres in NE Spokane, generally bounded on the west by Alberta St., on the north by Francis Ave. on the east by Market St. and on the south by Montgomery St.
- Stormwater from this basin currently flows untreated to the Spokane River at the northwest end of the TJ Meenach Br. For several years the City has been seeking and has now acquired funding necessary to correct this issue.

Executive Summary:

- At the June 2021 PIES meeting, we presented a briefing paper and exhibit showing the various projects which will together divert the untreated stormwater to proposed swales where it will be treated prior to infiltration to the ground. The exhibit from that briefing paper is attached.
- One of those projects, the TJ Meenach road reconstruction project, includes replacement of several large diameter stormwater pipes. Given current supply chain issues nationwide, the needed large diameter pipes have a 5 month lead time.
- If we wait for the contractor to order the pipe after the project is bid and awarded in spring of 2022, by the time the pipe is delivered we will miss the 2022 construction season and construction will span into 2023.
- Because the multi-million dollar state grant that will pay for roughly half this project expires at the end of 2022, we need to pre-order the pipe so it is available to the contract toward the beginning of the 2022 construction season so we can get the work done in 2022 and don't lose the large grant.

Budget Impact:

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

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

If new, specify funding source:

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

Operations Impact:

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

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

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

01/24/2022

Date Rec'd

1/11/2022

Clerk's File #

OPR 2022-0042

Renews #**Submitting Dept**

INNOVATION & TECHNOLOGY

Contact Name/Phone

MICHAEL 625-6468

Contact E-Mail

MSLOON@SPOKANECITY.ORG

Agenda Item Type

Purchase w/o Contract

Agenda Item Name

5300 CDW-G VALUE BLANKET 2022

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

VALUE BLANKET

Agenda Wording

Approval to purchase technology equipment (hardware and software) from CDW Government (Vernon Hills, IL), without bringing each purchase over the City Purchase Limit (\$50,000.00) to City Council for approval. January 1, 2022 through December 31, 2022.

Summary (Background)

The City of Spokane currently utilizes CDW-G for hardware and software purchases for various departments. The City of Spokane Innovation and Technology Services Division has utilized the National IPA CO-OP Contract #2018011-01 for its selection of CDW-G. In addition, the following contracts will be used to procure reasonable pricing;

Lease? NO

Grant related? NO

Public Works? NO

Fiscal Impact**Budget Account**

Expense \$ \$120,000 plus tax and shipping

Various Accounts

Select \$

#

Select \$

#

Select \$

#

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

SLOON, MICHAEL

Study Session\Other

1/10/2022 Urban

Division Director

SLOON, MICHAEL

Council Sponsor

CM Michael Cathcart

Finance

BUSTOS, KIM

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WAHL, CONNIE

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IT - itadmin@spokanecity.org

Tax & Licenses

Danny Higgins - dannhig@cdwg.com



Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

Requesting \$120,000.00, plus tax and shipping. Currently 2021 - \$100,000.00, plus tax shipping.

Summary (Background)

King County Directors' Association (KCDA) Agreement #AEPA 018-A; WA State Contract #06016; GSA Federal Contract #47QTCA18D004K, Schedule 70 and Sourcewell contract# 081419.

Fiscal Impact

Select \$

Select \$

Budget Account

#

#

Distribution List

Briefing Paper

Urban Experience Committee

Division & Department:	Innovation and Technology Services Division
Subject:	CDW Government (CDW-G) Value Blanket
Date:	January 10, 2022
Author (email & phone):	Michael Sloon, msloon@spokanecity.org , 625-6468
City Council Sponsor:	CM Michael Cathcart
Executive Sponsor:	Michael Sloon and Dusty Patrick
Committee(s) Impacted:	Urban Experience Committee
Type of Agenda item:	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	ITSD – Value Blanket Utilizing various budget accounts per Department/Division orders.
Strategic Initiative:	Sustainable Resources
Deadline:	December 31, 2021
Outcome: (deliverables, delivery duties, milestones to meet)	Approval to purchase technology equipment (hardware and software) from CDW Government (Vernon Hills, IL), without bringing each purchase over the City Purchase Limit (\$50,000.00) to City Council for approval.
Background/History: The City of Spokane currently utilizes CDW-G for hardware and software purchases for various departments. The City of Spokane Innovation and Technology Services Division has utilized the National IPA CO-OP Contract #2018011-01 for its selection of CDW-G. In addition, the following contracts will be used to procure the reasonable pricing; King County Directors' Association (KCDA) Agreement #AEPA 018-A; WA State Contract #06016; GSA Federal Contract #47QTCA18D004K, Schedule 70 and Sourcewell contract# 081419.	
Executive Summary: <ul style="list-style-type: none"> Approval to purchase technology equipment (hardware and software) from CDW Government (Vernon Hills, IL) without bringing each purchase over the City Purchase Limit (\$50,000.00) to City Council for approval. January 1, 2022, through December 31, 2022. Requesting \$120,000.00, plus tax. Current 2021 - \$100,000.00, plus tax. 	
Budget Impact: 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.)	
Operations Impact: 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:	

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

01/24/2022

Date Rec'd

1/11/2022

Clerk's File #

OPR 2022-0043

Renews #**Submitting Dept**

INNOVATION & TECHNOLOGY

Contact Name/Phone

MICHAEL 625-6468

Contact E-Mail

MSLOON@SPOKANECITY.ORG

Agenda Item Type

Purchase w/o Contract

Agenda Item Name

5300 DELL VALUE BLANKET 2022

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

VALUE BLANKET

Agenda Wording

Approval to purchase PC, laptop, monitors, docks, ink/toner and mobile data hardware equipment, from Dell Marketing L.P. (Dell Financial, L.L.C.) without bringing each purchase over the City Purchase Limit (\$50,000.00) to City Council for approval.

Summary (Background)

The City of Spokane currently utilizes Dell Marketing L.P. for PC, laptop, ink/toner, and mobile data hardware equipment purchases for various departments. The purpose of the new equipment is for efficiencies, improved service, high-speed connectivity, future capacity, and aligns with the City of Spokane's standard for PC, laptop, and mobile data equipment.

Lease? NO

Grant related? NO

Public Works? NO

Fiscal Impact**Budget Account**

Expense \$ \$750,000.00 plus tax and shipping

Various Accounts

Select \$

#

Select \$

#

Select \$

#

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

SLOON, MICHAEL

Study Session\Other

1/10/2022 Urban

Division Director

SLOON, MICHAEL

Council Sponsor

CM Michael Cathcart

Finance

BUSTOS, KIM

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Purchasing

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IT - itadmin@spokanecity.org

Tax & Licenses

Charles.Anglin@dell.com



Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

January 1, 2022 through December 31, 2022. Requesting \$750,000 plus tax and shipping, same cost as previous year(2021).

Summary (Background)

The City of Spokane Innovation and Technology Services Division has utilized Washington State Contract #05815-003/MNWNC-108 for its selection of Dell Marketing L.P. (Dell Financial, L.L.C.). In addition, the following contract will be used NCPA Contract# 01-42.

Fiscal Impact

Select \$

Select \$

Budget Account

#

#

Distribution List

Briefing Paper

Urban Experience Committee

Division & Department:	Innovation and Technology Services Division
Subject:	Dell Marketing L.P. (Dell Financial, L.L.C.) Value Blanket
Date:	January 10, 2022
Author (email & phone):	Michael Sloon, msloon@spokanecity.org , 625-6468
City Council Sponsor:	CM Michael Cathcart
Executive Sponsor:	Michael Sloon and Dusty Patrick
Committee(s) Impacted:	Urban Experience Committee
Type of Agenda item:	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	ITSD – Value Blanket Utilizing various budget accounts for individual Division/Department orders, but primarily from ITSD 5310 Capital Replacement funds.
Strategic Initiative:	Innovative Infrastructure
Deadline:	December 31, 2021
Outcome: (deliverables, delivery duties, milestones to meet)	Approval to purchase PC, laptop, monitors, docks, ink/toner and mobile data hardware equipment, from Dell Marketing L.P. (Dell Financial, L.L.C.) without bringing each purchase over the City Purchase Limit (\$50,000.00) to City Council for approval.
Background/History: The City of Spokane currently utilizes Dell Marketing L.P. (Dell Financial, L.L.C.) (Austin, TX) for PC, laptop, and mobile data hardware equipment purchases for various departments. The purpose of the new equipment is for efficiencies, improved service, high-speed connectivity, future capacity, and aligns with the City of Spokane's standard for PC, laptop, and mobile data equipment. The City of Spokane Innovation and Technology Services Division has utilized Washington State Contract #05815-003/MNWNC-108 for its selection of Dell Marketing L.P. (Dell Financial, L.L.C.). In addition, the following contract will be used NCPA Contract# 01-42.	
Executive Summary: <ul style="list-style-type: none"> Approval to purchase PC, laptop, and mobile data hardware equipment from Dell Marketing L.P. (Dell Financial, L.L.C.) without bringing each purchase over the City Purchase Limit (\$50,000.00) to City Council for approval. January 1, 2022, through December 31, 2022. Requesting \$750,000.00, plus tax and shipping. Current 2021 - \$750,000.00, plus tax and shipping. 	
Budget Impact: 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.)	
Operations Impact: 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:	

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

01/24/2022

Date Rec'd

1/4/2022

Clerk's File #

OPR 2022-0044

Renews #**Submitting Dept**

INNOVATION & TECHNOLOGY

Contact Name/Phone

MICHAEL 625-6468

Contact E-Mail

MSLOON@SPOKANECITY.ORG

Agenda Item Type

Purchase w/o Contract

Agenda Item Name

5300 SHI VALUE BLANKET 2022

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

VALUE BLANKET

Agenda Wording

Approval to purchase software products including professional services, maintenance, & support subscriptions/upgrades from Software House International, w/o bringing each purchase over the City Purchase Limit (\$50,000.00) to City Council for approval.

Summary (Background)

Washington State DES currently provides NASPO Valuepoint Master agreements for previously negotiated pricing and established contracts with pricing advantages for other government agencies to utilize. The City of Spokane Innovation and Technology Services Division utilizes this opportunity whenever possible. We will utilize Washington State Master Contract No. 06016 and Sourcewell Contract # 081419-SHI with Software House International Corp. for various software purchases.

Lease? NO

Grant related? NO

Public Works? NO

Fiscal Impact**Budget Account**

Expense \$ \$650,000 plus tax & shipping

Various Accounts

Select \$

#

Select \$

#

Select \$

#

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

SLOON, MICHAEL

Study Session\Other

Urban Experience

Division Director

SLOON, MICHAEL

Council Sponsor

CM Michael Cathcart

Finance

BUSTOS, KIM

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WAHL, CONNIE

Purchasing - cwahl@spokanecity.org

IT - itadmin@spokanecity.org

Tax & Licenses

Ben Callahan - Ben_Callahan@shi.com



Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

January 1, 2022, through December 31, 2022. Requesting \$650,000, plus tax and shipping. This is a decrease from the 2021 (\$1,500,000). Microsoft is paid via Contract.

Summary (Background)

For 2022, ITSD intends to continue purchasing VMware, Azure, Bluebeam, Autoturn, DocuSign, Microcall, Symantec, Nuance, Mindjet, Tenable, Netmotion, KnowBe4, Microsoft Premier, Smarsh, and other necessary software for which SHI provides best pricing and service.

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

Distribution List

Briefing Paper

Urban Experience Committee

Division & Department:	Innovation and Technology Services Division
Subject:	Software House International, Inc. (SHI) Value Blanket
Date:	January 10, 2022
Author (email & phone):	Michael Sloon, msloon@spokanecity.org , 625-6468
City Council Sponsor:	CM Michael Cathcart
Executive Sponsor:	Michael Sloon and Dusty Patrick
Committee(s) Impacted:	Urban Experience Committee
Type of Agenda item:	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	ITSD – Value Blanket Utilizing various budget accounts from Divisions and Departments that place orders. The majority of the purchases will be from ITSD budgeted funds in 5300.
Strategic Initiative:	Sustainable Resources
Deadline:	December 31, 2021
Outcome: (deliverables, delivery duties, milestones to meet)	Approval to purchase software products including maintenance and support subscriptions/upgrades from Software House International, Inc., (SHI) without bringing each purchase over the City Purchase Limit (\$50,000.00) to City Council for approval.

Background/History:

Washington State DES currently provides NASPO Valuepoint Master agreements for previously negotiated pricing and established contracts with pricing advantages for other government agencies to utilize. The City of Spokane Innovation and Technology Services Division utilizes this opportunity whenever possible. We will utilize Washington State Master Contract No. 06016 and Sourcewell Contract # 081419-SHI with Software House International Corp. for various software purchases.

For 2022, ITSD intends to continue purchasing VMware, Azure, Bluebeam, Autoturn, DocuSign, Microcall, Symantec, Nuance, Mindjet, Tenable, Netmotion, KnowBe4, Microsoft Premier, Smarsh, and other necessary software for which SHI provides best pricing and service.

Executive Summary:

- Approval to purchase software products including maintenance and support subscriptions/upgrades from Software House International, Inc., (SHI) without bringing each purchase over the City Purchase Limit (\$50,000.00) to City Council for approval.
- January 1, 2022, through December 31, 2022. Requesting \$650,000, plus tax and shipping. This is a decrease from the 2021 (\$1,500,000). Microsoft is paid via Contract.

Budget Impact:

Approved in current year budget? ☒ Yes ☐ No

Annual/Reoccurring expenditure? ☒ Yes ☐ No

If new, specify funding source:

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

Operations Impact:

Consistent with current operations/policy? ☒ Yes ☐ No

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

Specify changes required:

Known challenges/barriers:



Agenda Sheet for City Council Meeting of:
01/24/2022

<u>Date Rec'd</u>	12/29/2021
<u>Clerk's File #</u>	OPR 2019-0888
<u>Renews #</u>	
<u>Cross Ref #</u>	
<u>Project #</u>	
<u>Bid #</u>	
<u>Requisition #</u>	

<u>Submitting Dept</u>	POLICE
<u>Contact Name/Phone</u>	JENNIFER HAMMOND 625-4056
<u>Contact E-Mail</u>	JHAMMOND@SPOKANEPOLICE.ORG
<u>Agenda Item Type</u>	Purchase w/o Contract
<u>Agenda Item Name</u>	0680 POLICE JUMPSUITS

Agenda Wording

Approval to renew VB301096 for 2021 and 2022 Police Jumpsuit orders. Estimate \$150,000 per year, which includes alterations and tax.

Summary (Background)

In 2019 Gall's LLC won the bid to provide jumpsuits to the department for 1 year with the option to purchase from the company for an additional 4 years. Approval of 2021 and 2022 will be the second and third renewals on this value blanket.

Lease? NO Grant related? NO Public Works? NO

Fiscal Impact

Expense	\$ 150,000 annually	<u>Budget Account</u>	# 0680-11410-21250-53202-99999
Select	\$		#
Select	\$		#
Select	\$		#

Approvals

Dept Head LUNDGREN, JUSTIN

Division Director LUNDGREN, JUSTIN

Finance SCHMITT, KEVIN

Legal PICCOLO, MIKE

For the Mayor ORMSBY, MICHAEL

Additional Approvals

Purchasing

Council Notifications

Study Session\Other Urban Experience
12/13/21

Council Sponsor CM Kinnear

Distribution List

spdfinance@spokanepolice.org

Briefing Paper

Urban Experience Committee

Division & Department:	Public Safety, Police Department
Subject:	Police Jumpsuits Value Blanket
Date:	December 1, 2021
Author (email & phone):	Michelle Loucks, dloucks@spokanepolice.org 625-4055
City Council Sponsor:	Lori Kinnear
Executive Sponsor:	Jennifer Hammond
Committee(s) Impacted:	Urban Experience, Public Safety, Finance
Type of Agenda item:	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	Strategic Plan
Strategic Initiative:	
Deadline:	
Outcome: (deliverables, delivery duties, milestones to meet)	Approval to renew VB301096 for 2021 and 2022 Police Jumpsuit orders. Estimate \$150,000 per year, which includes alterations and tax.
Background/History: In 2019 Gall's LLC won the bid to provide jumpsuits to the department for 1 year with the option to purchase from the company for an additional 4 years. Approval of 2021 and 2022 will be the second and third renewals on this value blanket.	
Executive Summary: <ul style="list-style-type: none"> <i>Renewal of Jumpsuit VB will provide police officers with essential duty gear</i> <i>Recommend approval of value blanket renewal</i> 	
Budget Impact: 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.)	
Operations Impact: 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:	

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

01/24/2022

Date Rec'd

1/5/2022

Clerk's File #

OPR 2022-0045

Renews #**Submitting Dept**

FIRE

Cross Ref #**Contact Name/Phone**

BRIAN SCHAEFFER X7001

Project #**Contact E-Mail**

BSCHAEFFER@SPOKANECITY.ORG

Bid #**Agenda Item Type**

Contract Item

Requisition #**Agenda Item Name**

1970 INTEGRATED MEDICAL SERVICES PROGRAM AGREEMENT

Agenda Wording

Agreement, per RCW 39.34, with Spokane Valley Fire Department (SVFD) to enter into a cooperative agreement for the provision of an Integrated Medical Services Program (IMSP). The term shall be 3 years with 2 possible 1 year renewals.

Summary (Background)

The IMSP will be empowered to provide direction and oversight to both Agencies Emergency Medical Programs and lay the ground work that will enable the Agencies to implement a comprehensive, cooperative, and Regional Integrated Health Services. Management of the IMSP will be done by the Integrated Emergency Medicine Coordinator (IEMC), under the supervision of the Medical Advisor, and directed by Agency designees. SVFD will share 40% of the estimated management cost, billed quarterly.

Lease? NO

Grant related? NO

Public Works? NO

Fiscal Impact**Budget Account**

Revenue \$ \$318,044.34

1970-35121-99999-34221-99999

Select \$

#

Select \$

#

Select \$

#

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

SCHAEFFER, BRIAN

Study Session\Other

PSC 01/10/2022

Division Director

SCHAEFFER, BRIAN

Council Sponsor

CM Kinnear

Finance

SCHMITT, KEVIN

Distribution List**Legal**

PICCOLO, MIKE

SVFD: charterm@spokanevalleyfire.com

For the Mayor

ORMSBY, MICHAEL

bschaeffer@spokanecity.org

Additional Approvals

fireaccounting@spokanecity.org

Purchasing



City of Spokane Fire Department

**COOPERATIVE INTEGRATED MEDICAL
SERVICES STAFFING AGREEMENT**

This Agreement is made and entered into by and between the **CITY OF SPOKANE FIRE DEPARTMENT** as ("City"), a Washington municipal corporation, and **SPOKANE VALLEY FIRE DEPARTMENT**, 2120 North Wilbur Road, Spokane Valley, Washington 99206 as ("SVFD"), individually hereafter referenced as a "party", and together as the "parties".

WHEREAS, both SFD and SVFD ("Agencies") provide Advanced Life Support (ALS) Emergency Medical Services to their citizens in compliance with WAC 246-976 et seq., and;

WHEREAS, due to national policy changes, technical advances in Pre-hospital Emergency Medicine, the growing complexity of delivering an integrated emergency medical education program, as well as other factors, the expertise required of firefighters, EMT's, and Paramedics has never been greater; and

WHEREAS, education, quality improvement, integrated system evaluation, and constant improvement are critical elements for the operation of effective and efficient fire and rescue operations; and

WHEREAS, it is challenging for individual fire and rescue organizations to provide adequate leadership and support systems within the confines of limited fiscal constraints; and

WHEREAS, the Agencies participating in this Agreement have determined that a cooperative Integrated Medical Services Program (IMSP) is an efficient means of individually building their leadership and management capacity, as well as the overall improvement in coordination between the Fire Departments; and

WHEREAS, RCW 39.34 empowers joint exercise by two (2) or more local governmental agencies of any power authorized common to them; and

WHEREAS, it is the desire of the signatories hereto to provide for a cooperative IMSP for their mutual advantage and concern.

NOW, THEREFORE, for and in consideration of the promises, the mutual advantages to be derived there from, and in consideration of the mutual covenants herein contained, it is agreed by the Agencies as follows:

1. Cooperative Agreement Established. Pursuant to the joint powers authorization of RCW 39.34, the undersigned do hereby enter into a cooperative Agreement for the provision of an Integrated Medical Services Program (IMSP).

2. Program Scope. Under the umbrella of this Agreement the IMSP is empowered to provide direction and oversight to both Agencies' Emergency Medical Programs and lay the groundwork that will enable the Agencies to implement a comprehensive, cooperative, and Regional Integrated Health Services (Community Paramedicine).

3. IMSP Management and Direction to Provide Services. Management of the IMSP will be done by the Integrated Emergency Medicine Coordinator (IEMC), under the supervision of the Medical Advisor, and directed by Agency designees. Job requirements and selection of the Medical Advisor and Integrated Emergency Medicine Coordinator will be made through a cooperative process as defined, and agreed to, by the Agencies. The Medical Advisor and IEMC may be the employee of either of the agencies. Final recommendation of the Medical Advisor and Integrated Emergency Medicine Coordinator will be made by Agency Designees to their respective governing bodies, through processes defined, and required by Agency policies for approval. When the selected Integrated Emergency Medicine Coordinator (IEMC) is a current employee of a participating Agency, he/she shall remain an employee of that Agency.

4. Services Provided by the IEMC. The IEMC shall provide the following Training, Development, and QA/QI Services to each Agency participating in this Agreement:

- (a) PCR review
- (b) QA/QI Data Collection and Interpretation
- (c) Trend Analysis
- (d) Training Development to Address Agency Needs
- (e) Development, Coordination, and Oversight of Regional Integrated Health Services (Community Paramedicine)
- (f) Program Reporting
- (g) Compliance Oversight
- (h) Other duties cooperatively agreed upon by Agency Designees

5. Proportional Division of IMSP Services. The cost of the IMSP will be divided proportionally among the participating Agencies in accordance with the division of the Cooperative IMSP Program Costs as set out in Section 6 of this Agreement. It shall be the responsibility of the IEMC to document services provided to and/or proportional benefits received by each of the Agencies participating in this Agreement. This documentation shall be reviewed quarterly by Agency Designees.

6. Cooperative IMSP Services Costs. Participating Agencies agree to pay the Agency employing the IEMC and contracting with the Medical Advisor the following proportion of costs associated with employment, as outlined in the following table:

Total IEMC and Medical Advisor Cost,		\$257,243.46
Agency	Share of Service	Annual Cost
City of Spokane	60%	\$154,346.46
Spokane Valley Fire	40%	\$102,897.00

The Agency employing the IEMC and contracting with the Medical Advisor shall bill each participating Agency quarterly the amounts provided for above, and the Agency shall pay their respective fee within thirty (30) days of invoice receipt. The Annual Cost for Years two (2) and three (3) shall increase each year by 3.0%, regardless of increases in actual employment costs

experienced by the Agency employing the IEMC, as a means to absorb rising salary, benefit and ancillary costs.

7. Adjustment to Proportional Costs. Not less than sixty days (60) before the end of the first (1st) year of the term of this Agreement, Agency Designees shall meet to consider adjustment to the share of service and proportional costs set out in Section 5 for Year two (2) and Year three (3). The stated goal of Article 7 of this Agreement is to revise the share of service so that by Year three (3) the annual cost between the Agencies is equal. However, this will be considered on a year by year basis. Agencies must agree to adjust the share of service and shall do so by written amendment to this Agreement.

8. Additional Support for IMSP. In addition to the payments described above, the Agencies shall provide a central work and conference room space for the IEMC.

9. Accountability and Program Oversight. Designees of participating Agencies shall provide supervision to the IMSP, and, as a group shall direct the IMSP's projects and activities. This oversight shall include decision-making regarding allocation of IMSP efforts among the Agencies in accordance with this Agreement. To ensure that each Agency is receiving the agreed upon level of service, the IEMC shall submit a detailed monthly report to Agency Designees, and make available supporting time logs, training curricula, etc. Agency Designees shall meet or confer monthly to discuss the IMSP's accomplishments, plan future activities, and generally direct shared EMS efforts under this Program.

10. Amendments. This Agreement may not be further amended, except by formal written amendment and resolution of all current parties to it. However, the IEMC is authorized to recommend for approval supplemental binding policies and procedures that will provide for more detailed administration of the shared EMS Program. Said policies and procedures may be adopted and amended by unanimous consent of Agency Designees, provided such amendments do not conflict with the terms set forth in this Agreement.

11. Additional Participants. With the approval of the Agencies who are a party to this Agreement, additional agencies may participate in the Agreement, under the terms of a written addendum stating the reallocation of the "Share of Service" to be received, and the reallocation of annual costs to be paid by additional Agencies becoming a party to this Agreement.

12. Duration/Termination. This Agreement shall run for a term of three (3) years, unless terminated earlier, with the possibility of two (2) one-year extensions, upon written mutual agreement of the parties. By providing sixty (60) of termination in writing, and supporting documentation outlining continued failure of the IMSP to provide the services outlined in this Agreement, a participating Agency may formally withdraw from the IMSP, and/or suspend payment until such time that measures are taken to satisfactorily address documented failures. Either party may unilaterally terminate this agreement for any reason by providing the other party with one hundred and eighty (180) days written notice.

13. Authorization. Prior to execution of this Agreement, each participating Agency shall deliver to the other participating Agencies, a certified copy of a suitable ordinance or resolution authorizing and directing the execution of this Agreement.

14. Effective Date. This Agreement shall become effective on January 1, 2021 and shall run through December 31, 2023.

IN WITNESS WHEREOF, the undersigned have set their signatures on the respective dates set forth below. This document may be signed in duplicate originals.

SPOKANE VALLEY FIRE DEPARTMENT

By _____
Signature Date

Type or Print Name

Title

Attest:

City Clerk

CITY OF SPOKANE FIRE DEPARTMENT

By _____
Signature Date

Type or Print Name

Title

Approved as to form:

Assistant City Attorney

Attachments that are part of this Agreement:

"Attachment A" - RCW 39.34 REQUIRED CLAUSES for Interlocal Agreements

Attachment A
RCW 39.34 REQUIRED CLAUSES
For Interlocal Agreements

- A. Purpose: See Section No.2 of the SFD/Valley Fire Interlocal Agreement.
- B. Duration: See Section No. 12 of the SFD/Valley Fire Interlocal Agreement.
- C. Separate Legal Entity: It is the intent of the parties that this Agreement does not create, nor seek to create a separate legal entity pursuant to RCW 39.34.030.
- D. Responsibilities of the Parties: See provisions of the SFD/Valley Fire Interlocal Agreement.
- E. Agreement to be Filed: The City shall file this Agreement with its City Clerk. The Valley Fire Department shall file this Agreement or place it on its web site or other electronically retrievable public source.
- F. Financing: Each Party shall be responsible for the financing of its contractual obligations under its normal budgetary process.
- G. Termination: See Section No. 12 of the SFD/Valley Fire Interlocal Agreement.
- H. Disposal of Property Upon Termination: All property acquired during the term of this MOU will remain the property of the entity whom was responsible for payment. In the case of mutual contribution towards property purchase, one (1) entity may buy out the other contributing entity at current fair market value of the property.

Briefing Paper (Public Safety and Community Health)

Division & Department:	Fire
Subject:	Ongoing Service Agreement for Integrated Healthcare Service Partnership with Spokane Valley Fire Department (SVFD)
Date:	December 28, 2021
Author (email & phone):	mlopez@spokanefire.org 435-1092
City Council Sponsor:	CM Kinnear
Executive Sponsor:	Brian Schaeffer
Committee(s) Impacted:	Public Safety and Community Health
Type of Agenda item:	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	SFD Strategic Plan, Comprehensive Plan for Regionalization, and Inter-Government Cooperation
Strategic Initiative:	Public Safety and Community Health
Deadline:	January 30, 2022
Outcome: (deliverables, delivery duties, milestones to meet)	Continuation of partnership, revenue of \$100,000
Background/History: SFD and SVFD have been partnering with Integrated Medical Services for several years where the SFD provides specialty Emergency Medicine Overhead services to supplement their programs. As a benefit to the City, we have access to larger data sets to measure the impact of programs and interventions on the EMS system in both jurisdictions.	
Executive Summary: <ul style="list-style-type: none"> • Annual Impact – Improved data leading to increased decision-making <ul style="list-style-type: none"> ○ Improved services with consolidated protocols and training programs for automatic aid partners ○ Consistent care for case-managed clients in CARES Program, HotSpotters, and the mental health system 	
Budget Impact: 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: N/A Other budget impacts: revenue generating,	
Operations Impact: 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: None Known challenges/barriers: None	



Agenda Sheet for City Council Meeting of: 01/24/2022

<u>Date Rec'd</u>	12/15/2021
<u>Clerk's File #</u>	OPR 2018-0861
<u>Renews #</u>	
<u>Cross Ref #</u>	
<u>Project #</u>	
<u>Bid #</u>	
<u>Requisition #</u>	MASTER/CR 23163

<u>Submitting Dept</u>	MUNICIPAL COURT
<u>Contact Name/Phone</u>	MICHAEL X5806 DIAMOND
<u>Contact E-Mail</u>	MDIAMOND@SPOKANECITY.ORG
<u>Agenda Item Type</u>	Contract Item
<u>Agenda Item Name</u>	0560 - DRUG TESTING - ADT CONTRACT EXTENSION

Agenda Wording

Two year extension for random urinalysis drug testing and results for Municipal Court and Community Justice Services for pretrial, community supervision, and therapeutic court monitoring. Testing not to exceed \$65,000 annually.

Summary (Background)

The Municipal DUI Court has had a long-standing relationship with Absolute Drug Testing. ADT has performed the UA Testing necessary for DUI Court since the Therapeutic Court's inception. These costs are covered by the DUI Court Grant from Washington Traffic Safety Commission. ADT was awarded the original contract due to its ability to offer UA testing randomly on all days of the weeks and holidays, which is aligned with evidence-based practices for therapeutic courts.

Lease? NO Grant related? YES Public Works? YES

Fiscal Impact

Expense	\$ 38,000 Year One	<u>Budget Account</u>	# 1360-91209-12500-54101-99999
Expense	\$ 27,000 Year One	#	Various
Expense	\$ 65,000 Year Two	#	Various
Select	\$	#	

Approvals

<u>Dept Head</u>	HARTE, AMY	<u>Council Notifications</u>	
<u>Division Director</u>	LOGAN, MARY	<u>Study Session\Other</u>	PSCHC - 12/6/2021
<u>Finance</u>	BUSTOS, KIM	<u>Council Sponsor</u>	CM Kinnear
<u>Legal</u>	PICCOLO, MIKE	<u>Distribution List</u>	
<u>For the Mayor</u>	ORMSBY, MICHAEL		

Additional Approvals

<u>Purchasing</u>		shenry@spokanecity.org
<u>GRANTS, CONTRACTS & PURCHASING</u>	BROWN, SKYLER	mdiamond@spokanecity.org



City of Spokane

CONTRACT RENEWAL

**Title: RANDOM URINALYSIS TESTING FOR
CITY OF SPOKANE'S MUNICIPAL COURT**

This Contract Renewal is made and entered into by and between the **CITY OF SPOKANE**, Washington municipal corporation, as ("City"), and **ABSOLUTE DRUG TESTING, LLC.**, whose address is 1710 West Mission Avenue, Spokane, Washington, 99201, as ("Company"), individually hereafter referenced as a "party", and together as the "parties".

WHEREAS, the parties entered into a Contract wherein the Company agreed to provide the City with random urinalysis testing services for its Municipal Court; and,

WHEREAS the parties now wish to renew that agreement for services for a new term and continue to include the City's Probation Department (0690) and Miscellaneous Grant Funds (1360) for those services under this Renewal Document;

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

1. CONTRACT DOCUMENTS.

The Contract, dated October 21, 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 TERM.

This Contract Renewal is for a two (2) year term and shall become effective on October 1, 2021 and shall end September 30, 2023.

3. COMPENSATION.

The City shall pay an additional annual amount not to exceed **SIXTY FIVE THOUSAND AND 00/100 DOLLARS (\$65,000.00)**, per year, including taxes, for everything furnished and done under this Contract Renewal. This is the maximum amount to be paid under this Renewal, and shall not be exceeded without the prior written authorization of the City, memorialized with the same formality as the original Contract and this document.

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

ABSOLUTE DRUG TESTING, 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

Briefing Paper City Council

Division & Department:	Municipal Court
Subject:	Absolute Drug Testing (ADT) Contract Extension for Drug Testing
Date:	January 24, 2022
Contact (email & phone):	mdiamond@spokanecity.org / 509-622-5806
City Council Sponsor:	CM L. Kinnear
Executive Sponsor:	
Committee(s) Impacted:	City Council
Type of Agenda item:	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	Budget & Strategic Plan
Strategic Initiative:	Advance public safety through criminal justice reform
Deadline:	January 24, 2022 (contract expired 9/30/21)
Outcome: (deliverables, delivery duties, milestones to meet)	Will secure a two year contract extension with ADT for continued Drug and Alcohol Testing services in support of evidence-based practices in Therapeutic Courts and Community Supervision strategies.
<p>The Spokane Municipal DUI Therapeutic Court and Municipal Court has had a long-standing relationship with Absolute Drug Testing. ADT has performed the drug and alcohol urinalysis testing necessary for DUI Court to continue operations since DUI Court's inception. The contract allows for the application of best practices concerning the National Association of Drug Court Professionals for therapeutic court randomized drug/alcohol testing as well as ensure sobriety for substance abuse and dependence defendants. ADT was awarded the original contract due to its ability to adhere to best practices and utilize randomized drug/alcohol testing protocols including all days of the weeks and holidays. The approval of the two year contract extension would allow for the Court to enter procurement in 2022 well before the 2023 end of contract. The DUI Court currently has a one year extension from the Washington Traffic Safety Commission for DUI Court including a \$38,000 allowance for drug/alcohol testing.</p>	
<p><u>Executive Summary:</u></p> <ul style="list-style-type: none"> • Contract with Alcohol Drug Testing for drug and alcohol urinalysis testing. • Washington Traffic Safety Commission grant award including \$38,000 for testing. • Contract extension for two years for a total of five years with procurement incurring in 2022. 	
<p><u>Budget Impact: No 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>If new, specify funding source: Washington Safety Traffic Commission</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: Will require a new procurement process in 2022 to secure a new contract for Drug and Alcohol Testing before the listed end date of September 30, 2023.</p>	

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

01/24/2022

Date Rec'd

1/11/2022

Clerk's File #

OPR 2022-0046

Renews #**Submitting Dept**

PLANNING & ECONOMIC

Cross Ref #**Contact Name/Phone**

TERI STRIPES 625-6597

Project #**Contact E-Mail**

TSTRIPES@SPOKANECITY.ORG

Bid #**Agenda Item Type**

Contract Item

Requisition #**Agenda Item Name**

0650- MFTE CONDITIONAL AGREEMENT – FOOTHILLS APARTMENTS

Agenda Wording

Multiple Family Housing Property Tax Exemption Conditional Agreement with Foothills Project LLC for the construction of 24 housing units at Parcel Number(s) 35082.4105, commonly known as 519 E NORTH FOOTHILLS DR.

Summary (Background)

Chapter 84.14 RCW authorizes the City to create a multiple family housing property tax exemption program and to certify qualified property owners for that property tax exemption. SMC 08.15 Multiple-family Housing Property Tax Exemption outlines the City of Spokane MFTE Program and project eligibility.

Lease? NO

Grant related? NO

Public Works? NO

Fiscal Impact**Budget Account**

Neutral \$

#

Select \$

#

Select \$

#

Select \$

#

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

MEULER, LOUIS

Study Session\Other

UE 1/10/22

Division Director

MACDONALD, STEVEN

Council Sponsor

CM Cathcart

Finance

ORLOB, KIMBERLY

Distribution List**Legal**

PICCOLO, MIKE

tstripes@spokanecity.org

For the Mayor

ORMSBY, MICHAEL

tblack@spokanecity.org

Additional Approvals

lmeuler@spokanecity.org

Purchasing

sbishop@spokanecity.org

smacdonald@spokanecity.org

mpiccolo@spokanecity.org



Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

This Conditional Agreement will ultimately result in the issuance of a final certificate of tax exemption to be filed with the Spokane County Assessor's Office post construction.

Summary (Background)

Staff has determined that the Foothill Apts Conditional application meets the Project Eligibility defined in SMC 08.15.040 and is located in a previously adopted Residential Target Areas identified in SMC 08.15.030. Once the project is constructed, the applicant intends to rent units at a market rate.

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

Distribution List

Briefing Paper

Urban Experience Committee

Division & Department:	Planning & Economic Development
Subject:	MFTE (Two) Conditional Agreement – Liberty Park 2 & Foothills
Date:	January 10, 2022
Contact (email & phone):	Teri Stripes (tstripes@spokanecity.org , 625-6597)
City Council Sponsor:	Council Member Cathcart
Executive Sponsor:	Louis Meuler (lmeuler@spokanecity.org , 625-6096)
Committee(s) Impacted:	Urban Experience
Type of Agenda item:	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget , Comp Plan, Policy, Charter, Strategic Plan)	<p>SMC 08.15 Multi- Family Housing Property Tax Exemption</p> <p>A. The purposes of this chapter are to:</p> <ol style="list-style-type: none"> 1. encourage more multi-family housing opportunities, including affordable housing opportunities, within the City; 2. stimulate the construction of new multifamily housing and the rehabilitation of existing vacant and underutilized buildings for multi-family housing; 3. increase the supply of mixed-income multifamily housing opportunities within the City; 4. accomplish the planning goals required under the Growth Management Act, chapter 36.70A RCW, as implemented from time to time by the City's current and future comprehensive plans; 5. promote community development, neighborhood revitalization, and availability of affordable housing; 6. preserve and protect buildings, objects, sites and neighborhoods with historic, cultural, architectural, engineering or geographic significance located within the City; and 7. encourage additional housing in areas that are consistent with planning for public transit systems. <p>Comprehensive Plan Land Use Policies:</p> <p>LU 1.4 Higher Density Residential Uses</p> <p>LU 3.5 Mix of Uses in Centers</p> <p>LU 4.2 Land Uses That Support Travel Options and Active Transportation</p> <p>LU 4.6 Transit-Supported Development</p> <p>Comprehensive Plan Housing Policies:</p> <p>H 1.9 Mixed-Income Housing</p> <p>H 1.4 Use of Existing Infrastructure</p> <p>H 1.10 Lower-Income Housing Development Incentives</p> <p>H 1.11 Access to Transportation</p> <p>H 1.18 Distribution of Housing Options</p> <p>Comprehensive Plan Economic Development Policies:</p> <p>ED 2.4 Mixed-Use</p> <p>ED 7.4 Tax Incentives for Land Improvement</p>
Strategic Initiative:	
Deadline:	Will file for Council consideration following committee meeting
Outcome: (deliverables, delivery duties, milestones to meet)	Approval of Conditional Multi-Family Tax Exemption Agreement(s)
Background/History: Chapter 84.14 RCW authorizes the City to create a multiple family housing property tax exemption program and to certify qualified property owners for that property tax	

exemption. SMC [08.15](#) Multiple-family Housing Property Tax Exemption outlines the City of Spokane MFTE Program and project eligibility.

Staff has determined that both the **Foothills and the Liberty 2 Apartments** Conditional applications meet the Project Eligibility defined in SMC [08.15.040](#) and is located in a previously adopted Residential Target Areas identified in SMC [08.15.030](#).

Once the projects are constructed, the applicant intends to offer the units at market rate.

This Conditional Agreement authorizes the appropriate city official to enter into the Multiple Family Housing Property Tax Exemption Conditional Agreement, which will ultimately result in the issuance of a final certificate of tax exemption to be filed with the Spokane County Assessor's Office post construction.

Executive Summary:

Foothills Apartments: the applicant applied for a Conditional MFTE Agreement for **24 units, at 519 E North Foothills Dr**

- Property is zoned [GC-70](#) , Centers/Corridors 3- EC, 70 ft height limit; and the proposed use is allowed.
- Estimated Construction Costs: \$7.5M
- Located in the Logan neighborhood.

Liberty 2 Apartments: the applicant is applied for a Conditional MFTE Agreement for **24 units, at 3027 E Liberty Ave**

- Property is zoned [GC-70](#) , 70 ft height limit; and the proposed use is allowed.
- Estimated Construction Costs: \$2.5M
- Located in the Bemis neighborhood.

Budget Impact:

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

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

If new, specify funding source:

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

Operations Impact:

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

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

Specify changes required:

Known challenges/barriers:

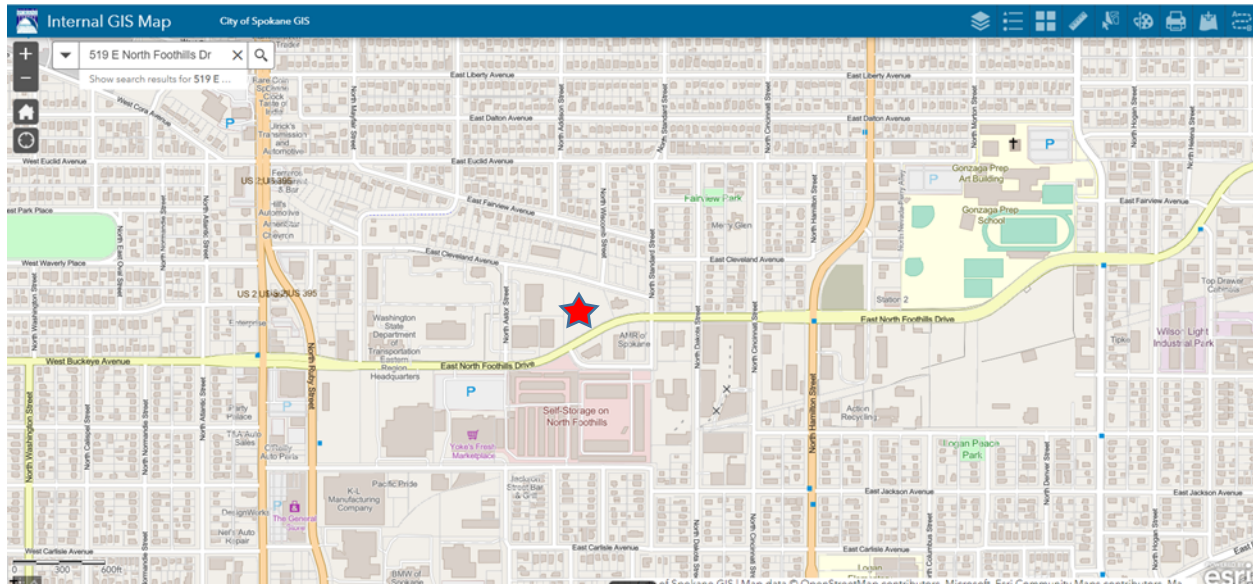
Tax Exemption Information:

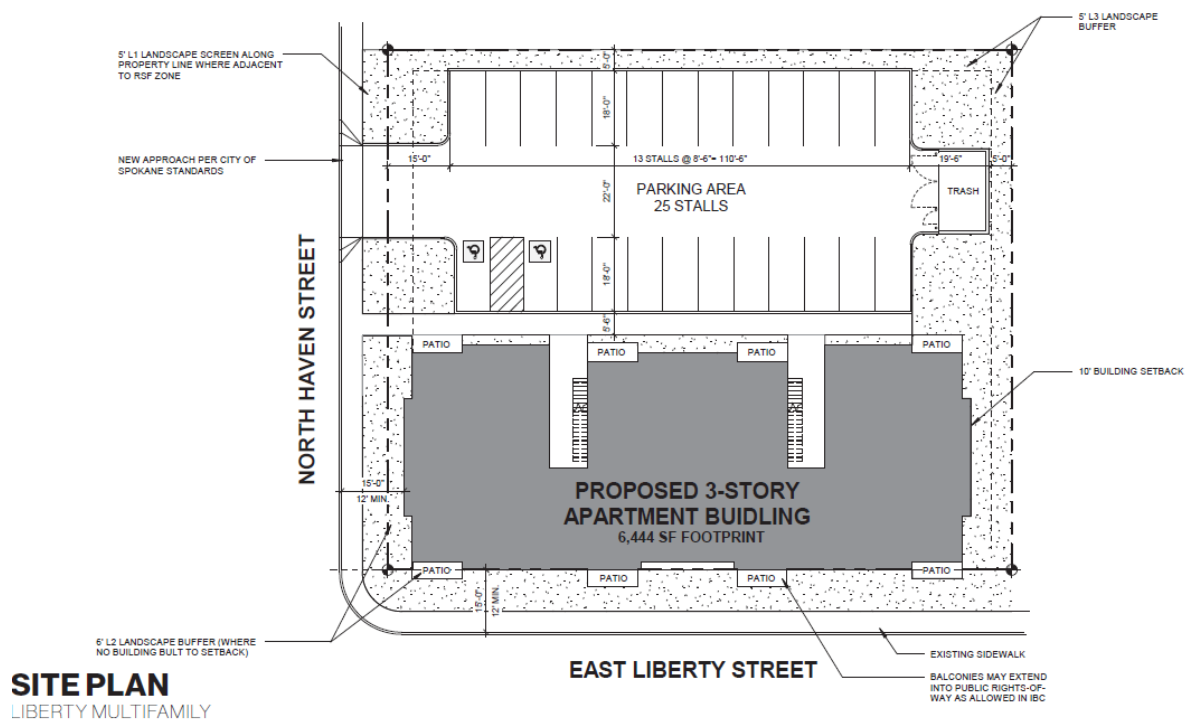
2021 Multi-Family Tax Exemption MFTE Property Tax Calculator	
Project Name: Foothills Apts	
Current Taxable Property Value	\$533,980
Number of units in the project	24
*Average Property Value Exempt per unit	\$128,300
Annual City Property Tax forgone per unit	\$522
Estimated Property Tax saved per project annually	\$36,341
Enter the number of years of MFTE (8 or 12)	8
Estimated Property Tax saved during the term of exemption	\$290,724
Estimated City Tax forgone per year 2021 City Tax Rate 4.07	\$12,534
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<i>Estimated Taxable Property Value at the end of the exemption</i>	\$17,223,000
Estimated Property Tax post exemption	
Annual estimate based on 2021 Total Tax Rate 11.85	\$203,231
Annual estimate based on 2021 City Tax Rate 4.07	\$70,098
<i>Once a project has met programmatic criteria the owner can expect to save approximately \$1,185 on their tax bill for every \$100,000 of Exempt Assessed Value on the housing portions of the property.</i>	
*Average Property Value Exempt per unit is based upon the average of all properties currently in the MFTE Program and 2021 Property value assessments.	

2021 Multi-Family Tax Exemption MFTE Property Tax Calculator	
Project Name: Liberty 2 Apts	
Current Taxable Property Value	\$70,000
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*Average Property Value Exempt per unit is based upon the average of all properties currently in the MFTE Program and 2021 Property value assessments.	

Site & Map(s):

Foothills Apartments:





MULTIPLE FAMILY HOUSING PROPERTY
TAX EXEMPTION AGREEMENT

THIS AGREEMENT is between the City of Spokane, a Washington State municipal corporation, as "City", and Foothills Project LLC, as "Owner/Taxpayer" whose business address is 915 W 2nd Ave Spokane, WA 99201.

W I T N E S S E T H:

WHEREAS, the City has, pursuant to the authority granted to it by Chapter 84.14 RCW, designated various residential targeted areas for the provision of a limited property tax exemption for new and rehabilitated multiple family residential housing; and

WHEREAS, the City has, through Chapter 8.15 SMC, enacted a program whereby property owner/taxpayers may qualify for a Final Certificate of Tax Exemption which certifies to the Spokane County Assessor that the Owner/Taxpayer is eligible to receive the multiple family housing property tax exemption; and

WHEREAS, the Owner/Taxpayer is interested in receiving the multiple family property tax exemption for new multiple family residential housing units in a residential targeted area; and

WHEREAS, the Owner/Taxpayer has submitted to the City a complete application form for no fewer than a total of four new multiple family permanent residential housing units to be constructed on property legally described as:

RESURVEY BLKS 3 THRU 18 OF JM MORGANS ADDITION CITY SP87-10 "NORTH FOOTHILLS BUSINESS PARK" AUDITORS #8903070096 BK 6 PG 26 - LTS F, G & H EXC PTN LT H LYG ELY OF FOLL DESC LN; BEG AT NW COR LT F, TH SELY ALG N LN LTS F & H 266.07FT TO TRUE POB, TH S21DEG 22MIN 15SDS E 194.57FT TO NLY R/W OF NORTH FOOTHILLS DR & TERM OF SD LN

Assessor's Parcel Number(s) 35082.4105, commonly known as 519 E NORTH FOOTHILLS DR

WHEREAS, the City has determined that the improvements will, if completed as proposed, satisfy the requirements for a Final Certificate of Tax Exemption; --
NOW, THEREFORE,

The City and the Owner/Taxpayer do mutually agree as follows:

1. The City agrees to issue the Owner/Taxpayer a Conditional Certificate of Acceptance of Tax Exemption subsequent to the City Council's approval of this agreement.

2. The project must comply with all applicable zoning requirements, land use requirements, design review recommendations and all building, fire, and housing code requirements contained in the Spokane Municipal Code at the time a complete application for a building permit is received. However, if the proposal includes rehabilitation or demolition in preparation for new construction, the residential portion of the building shall fail to comply with one or more standards of applicable building or housing codes, and the rehabilitation improvements shall achieve compliance with the applicable building and construction codes.

3. If the property proposed to be rehabilitated is not vacant, the Owner/Taxpayer shall provide each existing tenant with housing of comparable size, quality and price and a reasonable opportunity to relocate.

4. The Owner/Taxpayer intends to construct on the site, approximately 24 new multiple family residential housing units substantially as described in their application filed with and approved by the City. In no event shall such construction provide fewer than a total of four multiple family permanent residential housing units.

5. The Owner/Taxpayer agrees to complete construction of the agreed-upon improvements within three years from the date the City issues the Conditional Certificate of Acceptance of Tax Exemption or within any extension granted by the City.

6. The Owner/Taxpayer agrees, upon completion of the improvements and upon issuance by the City of a temporary or permanent certificate of occupancy, to file with the City's Business & Development Services Department the following:

(a) a statement of the actual development cost of each multiple family housing unit, and the total expenditures made in the rehabilitation or construction of the entire property;

(b) a description of the completed work and a statement that the rehabilitation improvements or new construction of the Owner/Taxpayer's property qualifies the property for the exemption;

(c) a statement that the project meets the affordable housing requirements, if applicable; and

(d) a statement that the work was completed within the required three-year period or any authorized extension of the issuance of the conditional certificate of tax exemption.

7. The City agrees, conditioned on the Owner/Taxpayer's successful completion of the improvements in accordance with the terms of this Agreement and on the Owner/Taxpayer's filing of the materials described in Paragraph 6 above, to file a Final Certificate of Tax Exemption with the Spokane County Assessor indicating that the Owner/Taxpayer is qualified for the limited tax exemption under Chapter 84.14 RCW.

8. The Owner/Taxpayer agrees, within 30 days following the first anniversary of the County's filing of the Final Certificate of Tax Exemption and each year thereafter for a period of twelve years, to file a declaration with the City's Business and Development Services Department, verified upon oath and indicating the following:

(a) a statement of occupancy and vacancy of the multiple family units during the previous year;

(b) a certification that the property has not changed use and, if applicable, that the property has been in compliance with the affordable housing requirements as described in SMC 8.15.090 since the date of the filing of the Final Certificate of Tax Exemption, and continues to be in compliance with this Agreement and the requirements of SMC Chapter 8.15; and

(c) a description of any improvements or changes to the property made after the filing of the final certificate or last declaration.

9. The parties acknowledge that the units are to be used and occupied for multifamily residential use. The parties further acknowledge that the certificate of occupancy issued by the City is for multifamily residential units. The Owner/Taxpayer acknowledges and agrees that the units shall be used primarily for multi-family housing for permanent residential occupancy as defined in SMC 8.15.020 and RCW 84.14.010 and any business activities shall only be incidental and ancillary to the residential occupancy. Any units that are converted from multi-family housing for permanent residential occupancy shall be reported to the Spokane County Assessor's Office and removed from eligibility for the tax exemption. If the removal of the ineligible unit or units causes the number of units to drop below the number of units required for tax exemption eligibility, the remaining units shall be removed from eligibility pursuant to state law.

10. To qualify for the twelve-year tax exemption, the Owner/Taxpayer commits to renting or selling at least twenty percent of the multiple family housing units as affordable housing units to low and moderate-income households in addition to the other requirements set forth in the Agreement. The Owner/Taxpayer is further required to comply with the rental relocation assistance requirements set forth in RCW 84.14.020 (7) and (8).

11. If the Owner/Taxpayer converts to another use any of the multiple family residential housing units constructed under this Agreement, or if applicable, if the owner/taxpayer intends to discontinue compliance with the affordable housing requirements as described in SMC 8.15.090 or any other condition to exemption, the Owner/Taxpayer shall notify the Spokane County Assessor and the City's Business and Development Services Department within 60 days of such change in use.

12. The Owner/Taxpayer will have the right to assign its rights under this Agreement. The Owner/Taxpayer agrees to notify the City promptly of any transfer of Owner/Taxpayer's ownership interest in the Site or in the improvements made to the Site under this Agreement.

13. The City reserves the right to cancel the Final Certificate of Tax Exemption should the Owner/Taxpayer, its successors and assigns, fail to comply with any of the terms and conditions of this Agreement or of SMC Chapter 8.15.

14. No modifications of this Agreement shall be made unless mutually agreed upon by the parties in writing.

15. The Owner/Taxpayer acknowledges its awareness of the potential tax liability involved if and when the property ceases to be eligible for the incentive provided pursuant to this agreement. Such liability may include additional real property tax, penalties and interest imposed pursuant to RCW 84.14.110. The Owner/Taxpayer further acknowledges its awareness and understanding of the process implemented by the Spokane County Assessor's Office for the appraisal and assessment of property taxes. The Owner/Taxpayer agrees that the City is not responsible for the property value assessment imposed by Spokane County at any time during the exemption period.

16. In the event that any term or clause of this Agreement conflicts with applicable law, such conflict shall not affect other terms of this Agreement, which can be given effect without the conflicting term or clause, and to this end, the terms of this Agreement are declared to be severable.

17. The parties agree that this Agreement, the Final Certificate of Acceptance of Tax Exemption and the construction of the multiple family residential

housing units referenced above shall be subject to the applicable provisions of Chapter 84.14 RCW and Chapter 8.15 SMC that exist at the time this agreement is signed by the parties. The parties may agree to amend this Agreement and the Final Certificate of Acceptance of Tax Exemption based upon applicable amendments and additions to Chapter 84.14 RCW as set forth in ESSSB 5287 adopted by the Washington State Legislature during the 2021 Regular Session effective July 25, 2021.

18. The Owner/Taxpayer acknowledges that RCW 84.14.020 (6) authorizes an extension of the exemption period for an additional twelve-years beyond the exemption period authorized in the Final Certificate of Tax Exemption conditioned upon compliance with the Owner renting or selling at least twenty percent of the multiple family housing units as affordable housing units for low-income households as set forth in RCW 84.14.020 (6) and providing the rental relocation assistance requirements and notice provisions set forth in RCW 84.14.020 (7) and (8). It is the Owner/Taxpayer's responsibility to make a timely request the extension as set forth in RCW 84.14.020 (6). The City shall not be responsible if the Owner/Taxpayer fails to make a timely request for the extension.

19. Nothing in this Agreement shall permit or be interpreted to permit either party to violate any provision of Chapter 84.14 RCW or Chapter 8.15 SMC

20. This Agreement is subject to approval by the City Council.

DATED this _____ day of _____, 2022.

CITY OF SPOKANE

Foothills Project LLC

By: _____

Mayor, Nadine Woodward

By: _____

Its: _____

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

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

01/24/2022

Date Rec'd

1/11/2022

Clerk's File #

OPR 2022-0047

Renews #**Submitting Dept**

PLANNING & ECONOMIC

Contact Name/Phone

TERI STRIPES 625-6597

Contact E-Mail

TSTRIPES@SPOKANECITY.ORG

Agenda Item Type

Contract Item

Agenda Item Name

0650- MFTE CONDITIONAL AGREEMENT – LIBERTY 2 APARTMENTS

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

Multiple Family Housing Property Tax Exemption Conditional Agreement with Liberty Project LLC for the construction of 24 housing units at Parcel Number(s) 35033.1306, commonly known as 3027 E Liberty Ave.

Summary (Background)

Chapter 84.14 RCW authorizes the City to create a multiple family housing property tax exemption program and to certify qualified property owners for that property tax exemption. SMC 08.15 Multiple-family Housing Property Tax Exemption outlines the City of Spokane MFTE Program and project eligibility.

Lease? NO

Grant related? NO

Public Works? NO

Fiscal Impact**Budget Account**

Neutral \$

#

Select \$

#

Select \$

#

Select \$

#

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

MEULER, LOUIS

Study Session\Other

UE 1/10/22

Division Director

MACDONALD, STEVEN

Council Sponsor

CM Cathcart

Finance

ORLOB, KIMBERLY

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tstripes@spokanecity.org

For the Mayor

ORMSBY, MICHAEL

tblack@spokanecity.org

Additional Approvals

lmeuler@spokanecity.org

Purchasing

sbishop@spokanecity.org

smacdonald@spokanecity.org

mpiccolo@spokanecity.org



Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

This Conditional Agreement will ultimately result in the issuance of a final certificate of tax exemption to be filed with the Spokane County Assessor's Office post construction.

Summary (Background)

Staff has determined that the Liberty 2 Apts Conditional application meets the Project Eligibility defined in SMC 08.15.040 and is located in a previously adopted Residential Target Areas identified in SMC 08.15.030. Once the project is constructed, the applicant intends to rent units at a market rate.

Fiscal Impact

Select \$

Select \$

Budget Account

#

#

Distribution List

Briefing Paper

Urban Experience Committee

Division & Department:	Planning & Economic Development
Subject:	MFTE (Two) Conditional Agreement – Liberty Park 2 & Foothills
Date:	January 10, 2022
Contact (email & phone):	Teri Stripes (tstripes@spokanecity.org , 625-6597)
City Council Sponsor:	Council Member Cathcart
Executive Sponsor:	Louis Meuler (lmeuler@spokanecity.org , 625-6096)
Committee(s) Impacted:	Urban Experience
Type of Agenda item:	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget , Comp Plan, Policy, Charter, Strategic Plan)	<p>SMC 08.15 Multi- Family Housing Property Tax Exemption</p> <p>A. The purposes of this chapter are to:</p> <ol style="list-style-type: none"> 1. encourage more multi-family housing opportunities, including affordable housing opportunities, within the City; 2. stimulate the construction of new multifamily housing and the rehabilitation of existing vacant and underutilized buildings for multi-family housing; 3. increase the supply of mixed-income multifamily housing opportunities within the City; 4. accomplish the planning goals required under the Growth Management Act, chapter 36.70A RCW, as implemented from time to time by the City's current and future comprehensive plans; 5. promote community development, neighborhood revitalization, and availability of affordable housing; 6. preserve and protect buildings, objects, sites and neighborhoods with historic, cultural, architectural, engineering or geographic significance located within the City; and 7. encourage additional housing in areas that are consistent with planning for public transit systems. <p>Comprehensive Plan Land Use Policies:</p> <p>LU 1.4 Higher Density Residential Uses</p> <p>LU 3.5 Mix of Uses in Centers</p> <p>LU 4.2 Land Uses That Support Travel Options and Active Transportation</p> <p>LU 4.6 Transit-Supported Development</p> <p>Comprehensive Plan Housing Policies:</p> <p>H 1.9 Mixed-Income Housing</p> <p>H 1.4 Use of Existing Infrastructure</p> <p>H 1.10 Lower-Income Housing Development Incentives</p> <p>H 1.11 Access to Transportation</p> <p>H 1.18 Distribution of Housing Options</p> <p>Comprehensive Plan Economic Development Policies:</p> <p>ED 2.4 Mixed-Use</p> <p>ED 7.4 Tax Incentives for Land Improvement</p>
Strategic Initiative:	
Deadline:	Will file for Council consideration following committee meeting
Outcome: (deliverables, delivery duties, milestones to meet)	Approval of Conditional Multi-Family Tax Exemption Agreement(s)
Background/History: Chapter 84.14 RCW authorizes the City to create a multiple family housing property tax exemption program and to certify qualified property owners for that property tax	

exemption. SMC [08.15](#) Multiple-family Housing Property Tax Exemption outlines the City of Spokane MFTE Program and project eligibility.

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- Property is zoned [GC-70](#) , Centers/Corridors 3- EC, 70 ft height limit; and the proposed use is allowed.
- Estimated Construction Costs: \$7.5M
- Located in the Logan neighborhood.

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- Estimated Construction Costs: \$2.5M
- Located in the Bemis neighborhood.

Budget Impact:

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

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

If new, specify funding source:

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

Operations Impact:

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

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

Specify changes required:

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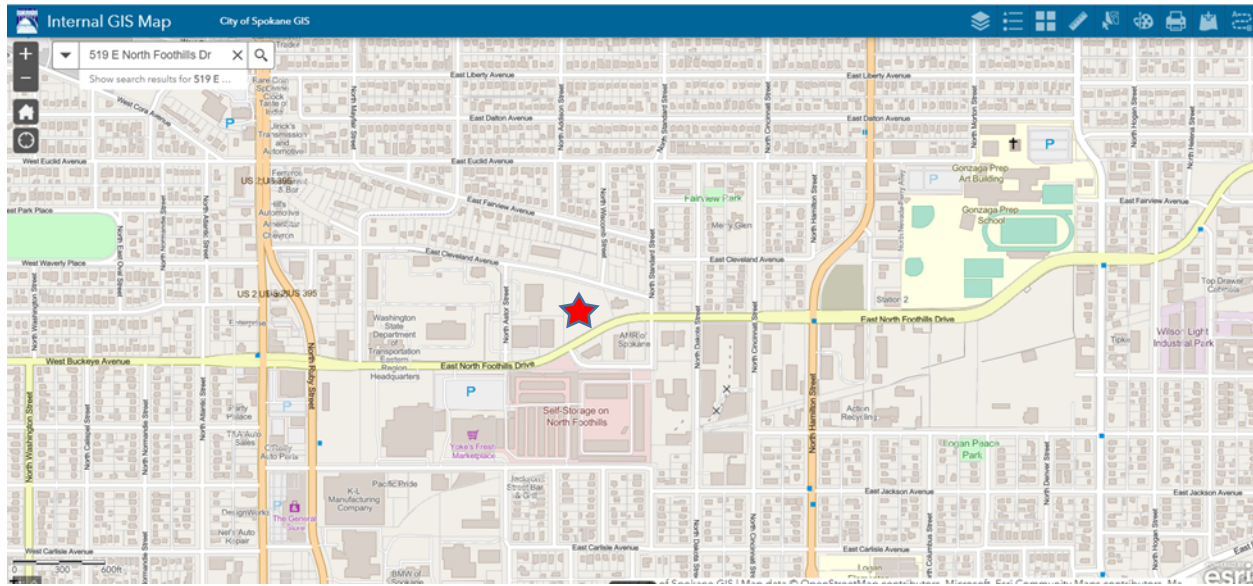
Tax Exemption Information:

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Project Name: Foothills Apts	
Current Taxable Property Value	\$533,980
Number of units in the project	24
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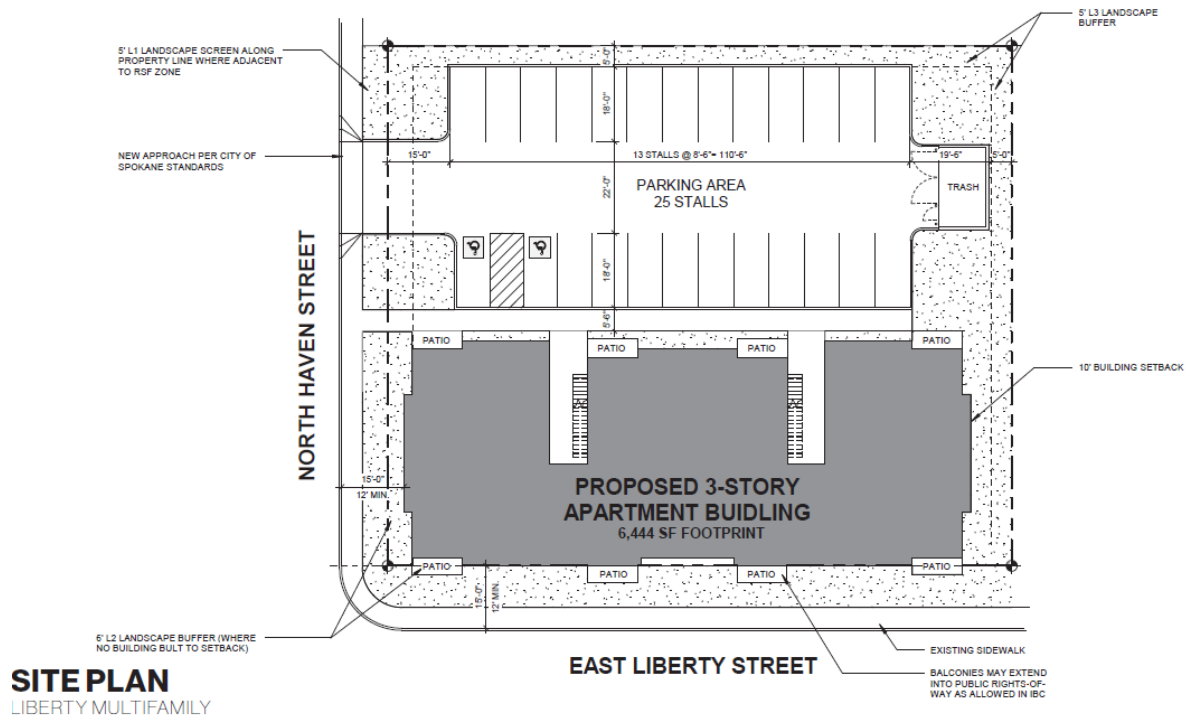
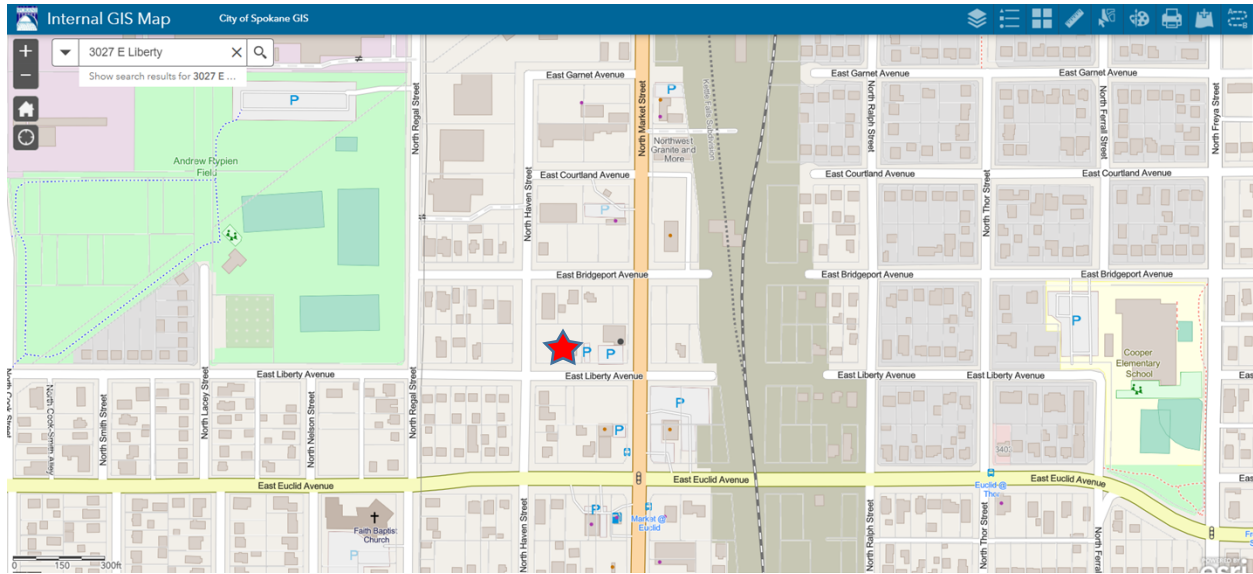
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Site & Map(s):

Foothills Apartments:



Liberty 2 Apartments:



MULTIPLE FAMILY HOUSING PROPERTY
TAX EXEMPTION AGREEMENT

THIS AGREEMENT is between the City of Spokane, a Washington State municipal corporation, as "City", and Liberty Project LLC, as "Owner/Taxpayer" whose business address is 915 W 2nd Ave Spokane, WA 99201.

W I T N E S S E T H:

WHEREAS, the City has, pursuant to the authority granted to it by Chapter 84.14 RCW, designated various residential targeted areas for the provision of a limited property tax exemption for new and rehabilitated multiple family residential housing; and

WHEREAS, the City has, through Chapter 8.15 SMC, enacted a program whereby property owner/taxpayers may qualify for a Final Certificate of Tax Exemption which certifies to the Spokane County Assessor that the Owner/Taxpayer is eligible to receive the multiple family housing property tax exemption; and

WHEREAS, the Owner/Taxpayer is interested in receiving the multiple family property tax exemption for new multiple family residential housing units in a residential targeted area; and

WHEREAS, the Owner/Taxpayer has submitted to the City a complete application form for no fewer than a total of four new multiple family permanent residential housing units to be constructed on property legally described as:

: MINNEHAHA ADD L10-11-12B13

Assessor's Parcel Number(s) 35033.1306, commonly known as 3027 E Liberty Ave

WHEREAS, the City has determined that the improvements will, if completed as proposed, satisfy the requirements for a Final Certificate of Tax Exemption; --
NOW, THEREFORE,

The City and the Owner/Taxpayer do mutually agree as follows:

1. The City agrees to issue the Owner/Taxpayer a Conditional Certificate of Acceptance of Tax Exemption subsequent to the City Council's approval of this agreement.

2. The project must comply with all applicable zoning requirements, land use requirements, design review recommendations and all building, fire, and housing code requirements contained in the Spokane Municipal Code at the time a complete application for a building permit is received. However, if the proposal includes rehabilitation or demolition in preparation for new construction, the residential portion of the building shall fail to comply with one or more standards of applicable building or housing codes, and the rehabilitation improvements shall achieve compliance with the applicable building and construction codes.

3. If the property proposed to be rehabilitated is not vacant, the Owner/Taxpayer shall provide each existing tenant with housing of comparable size, quality and price and a reasonable opportunity to relocate.

4. The Owner/Taxpayer intends to construct on the site, approximately 24 new multiple family residential housing units substantially as described in their application filed with and approved by the City. In no event shall such construction provide fewer than a total of four multiple family permanent residential housing units.

5. The Owner/Taxpayer agrees to complete construction of the agreed-upon improvements within three years from the date the City issues the Conditional Certificate of Acceptance of Tax Exemption or within any extension granted by the City.

6. The Owner/Taxpayer agrees, upon completion of the improvements and upon issuance by the City of a temporary or permanent certificate of occupancy, to file with the City's Business & Development Services Department the following:

(a) a statement of the actual development cost of each multiple family housing unit, and the total expenditures made in the rehabilitation or construction of the entire property;

(b) a description of the completed work and a statement that the rehabilitation improvements or new construction of the Owner/Taxpayer's property qualifies the property for the exemption;

(c) a statement that the project meets the affordable housing requirements, if applicable; and

(d) a statement that the work was completed within the required three-year period or any authorized extension of the issuance of the conditional certificate of tax exemption.

7. The City agrees, conditioned on the Owner/Taxpayer's successful completion of the improvements in accordance with the terms of this Agreement and on the Owner/Taxpayer's filing of the materials described in Paragraph 6 above, to file a Final Certificate of Tax Exemption with the Spokane County Assessor indicating that the Owner/Taxpayer is qualified for the limited tax exemption under Chapter 84.14 RCW.

8. The Owner/Taxpayer agrees, within 30 days following the first anniversary of the County's filing of the Final Certificate of Tax Exemption and each year thereafter for a period of twelve years, to file a declaration with the City's Business and Development Services Department, verified upon oath and indicating the following:

(a) a statement of occupancy and vacancy of the multiple family units during the previous year;

(b) a certification that the property has not changed use and, if applicable, that the property has been in compliance with the affordable housing requirements as described in SMC 8.15.090 since the date of the filing of the Final Certificate of Tax Exemption, and continues to be in compliance with this Agreement and the requirements of SMC Chapter 8.15; and

(c) a description of any improvements or changes to the property made after the filing of the final certificate or last declaration.

9. The parties acknowledge that the units are to be used and occupied for multifamily residential use. The parties further acknowledge that the certificate of occupancy issued by the City is for multifamily residential units. The Owner/Taxpayer acknowledges and agrees that the units shall be used primarily for multi-family housing for permanent residential occupancy as defined in SMC 8.15.020 and RCW 84.14.010 and any business activities shall only be incidental and ancillary to the residential occupancy. Any units that are converted from multi-family housing for permanent residential occupancy shall be reported to the Spokane County Assessor's Office and removed from eligibility for the tax exemption. If the removal of the ineligible unit or units causes the number of units to drop below the number of units required for tax exemption eligibility, the remaining units shall be removed from eligibility pursuant to state law.

10. To qualify for the twelve-year tax exemption, the Owner/Taxpayer commits to renting or selling at least twenty percent of the multiple family housing units as affordable housing units to low and moderate-income households in addition to the other requirements set forth in the Agreement. The Owner/Taxpayer is further required to comply with the rental relocation assistance requirements set forth in RCW 84.14.020 (7) and (8).

11. If the Owner/Taxpayer converts to another use any of the multiple family residential housing units constructed under this Agreement, or if applicable, if the owner/taxpayer intends to discontinue compliance with the affordable housing requirements as described in SMC 8.15.090 or any other condition to exemption, the Owner/Taxpayer shall notify the Spokane County Assessor and the City's Business and Development Services Department within 60 days of such change in use.

12. The Owner/Taxpayer will have the right to assign its rights under this Agreement. The Owner/Taxpayer agrees to notify the City promptly of any transfer of Owner/Taxpayer's ownership interest in the Site or in the improvements made to the Site under this Agreement.

13. The City reserves the right to cancel the Final Certificate of Tax Exemption should the Owner/Taxpayer, its successors and assigns, fail to comply with any of the terms and conditions of this Agreement or of SMC Chapter 8.15.

14. No modifications of this Agreement shall be made unless mutually agreed upon by the parties in writing.

15. The Owner/Taxpayer acknowledges its awareness of the potential tax liability involved if and when the property ceases to be eligible for the incentive provided pursuant to this agreement. Such liability may include additional real property tax, penalties and interest imposed pursuant to RCW 84.14.110. The Owner/Taxpayer further acknowledges its awareness and understanding of the process implemented by the Spokane County Assessor's Office for the appraisal and assessment of property taxes. The Owner/Taxpayer agrees that the City is not responsible for the property value assessment imposed by Spokane County at any time during the exemption period.

16. In the event that any term or clause of this Agreement conflicts with applicable law, such conflict shall not affect other terms of this Agreement, which can be given effect without the conflicting term or clause, and to this end, the terms of this Agreement are declared to be severable.

17. The parties agree that this Agreement, the Final Certificate of Acceptance of Tax Exemption and the construction of the multiple family residential housing units referenced above shall be subject to the applicable provisions of Chapter 84.14 RCW and Chapter 8.15 SMC that exist at the time this agreement is signed by the parties. The parties may agree to amend this Agreement and the Final Certificate of Acceptance of Tax Exemption based upon applicable amendments and additions to Chapter 84.14 RCW as set forth in ESSSB 5287

adopted by the Washington State Legislature during the 2021 Regular Session effective July 25, 2021.

18. The Owner/Taxpayer acknowledges that RCW 84.14.020 (6) authorizes an extension of the exemption period for an additional twelve-years beyond the exemption period authorized in the Final Certificate of Tax Exemption conditioned upon compliance with the Owner renting or selling at least twenty percent of the multiple family housing units as affordable housing units for low-income households as set forth in RCW 84.14.020 (6) and providing the rental relocation assistance requirements and notice provisions set forth in RCW 84.14.020 (7) and (8). It is the Owner/Taxpayer's responsibility to make a timely request the extension as set forth in RCW 84.14.020 (6). The City shall not be responsible if the Owner/Taxpayer fails to make a timely request for the extension.

19. Nothing in this Agreement shall permit or be interpreted to permit either party to violate any provision of Chapter 84.14 RCW or Chapter 8.15 SMC

20. This Agreement is subject to approval by the City Council.

DATED this _____ day of _____, 2022.

CITY OF SPOKANE

Liberty Project LLC

By: _____
Mayor, Nadine Woodward

By: _____
Its: _____

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

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

01/24/2022

Date Rec'd

1/4/2022

Clerk's File #

OPR 2013-0051

Renews #**Submitting Dept**

WASTEWATER MANAGEMENT

Cross Ref #**Contact Name/Phone**

MARLENE FEIST 625-6505

Project #**Contact E-Mail**

MFEIST@SPOKANECITY.ORG

Bid #**Agenda Item Type**

Contract Item

Requisition #**Agenda Item Name**

4250-SECOND AMENDMENT CITY AND COUNTY MOA -TREATMENT RATES

Agenda Wording

Amendment No. 2 to City and County Memorandum of Agreement for wastewater treatment charges and payments.

Summary (Background)

The City of Spokane and Spokane County entered into an updated Memorandum of Agreement in 2013 that detailed the charges for treatment of wastewater at the City's Riverside Park Water Reclamation Facility from areas within the County. A first amendment to this agreement was adopted in 2017 and expired at the end of 2020. This Amendment No. 2 extends the terms of the first amendment through 2021 and then updates the terms for the period of 2022 through 2026

Lease? NO

Grant related? NO

Public Works? NO

Fiscal Impact**Budget Account**

Revenue \$ 74,400.61

0

Select \$

#

Select \$

#

Select \$

#

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

GENNETT, RAYLENE

Study Session\Other

UE 1/10/22

Division Director

FEIST, MARLENE

Council Sponsor

CP Beggs

Finance

ALBIN-MOORE, ANGELA

Distribution List**Legal**

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Tax & Licenses

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publicworksaccounting@spokanecity.org

mfeist@spokanecity.org

Briefing Paper

Urban Experience

Division & Department:	Public Works Division & Wastewater Department
Subject:	Amendment No. 2 to the MOA between the City and County regarding wastewater treatment charges & payments.
Date:	12/17/2021
Author (email & phone):	Marlene Feist mfeist@spokanecity.org (509) 625-6505
City Council Sponsor:	Breean Beggs
Executive Sponsor:	Marlene Feist
Committee(s) Impacted:	Public Infrastructure, Environment and Sustainability Committee
Type of Agenda item:	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	Comp Plan, Link Spokane, Interlocal between City and County on wastewater services
Strategic Initiative:	Innovative Infrastructure
Deadline:	January 2022
Outcome: (deliverables, delivery duties, milestones to meet)	Approve 5-year amendment to the MOA between the City of Spokane and Spokane County that details charges for treating County wastewater at the City's RPWRF.
Background/History: The City of Spokane and Spokane County entered into an updated Memorandum of Agreement in 2013 that detailed the charges for treatment of wastewater at the City's Riverside Park Water Reclamation Facility from areas within the County. A first amendment to this agreement was adopted in 2017 and expired at the end of 2020. This Amendment No. 2 extends the terms of the first amendment through 2021 and then updates the terms for the period of 2022 through 2026.	
Executive Summary: The City of Spokane and Spokane County have long partnered to provide the community with wastewater treatment services. This agreement continues our long-standing partnership. This amendment is to the agreement that details the charges that the County will pay for wastewater sent to the Riverside Park Water Reclamation Facility from portions of unincorporated Spokane County. The amendment will continue for five years. Staff from both the City of Spokane and Spokane County recommend the adoption of this amendment by both the County Commission and the City Council.	
Budget Impact: 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: N/A Other budget impacts: (revenue generating, match requirements, etc.)	
Operations Impact: 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	

City of Spokane Clerk Number: _____
Spokane County Resolution Number: _____

**AMENDMENT NUMBER 2 to the
MEMORANDUM OF AGREEMENT BETWEEN
THE CITY OF SPOKANE AND SPOKANE COUNTY
REGARDING WASTEWATER TREATMENT CHARGES AND PAYMENTS**

This **AMENDMENT NUMBER 2 to the MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF SPOKANE AND SPOKANE COUNTY REGARDING WASTEWATER TREATMENT CHARGES AND PAYMENTS** is made and entered into between the CITY OF SPOKANE, a Washington State municipal corporation, having offices for the transaction of business at Riverside Park Water Reclamation Facility, 4401 N. Aubrey L. White Parkway, Spokane, Washington 99205, hereinafter referred to as the "CITY", and SPOKANE COUNTY, a political subdivision of the State of Washington, having offices for the transaction of business at Environmental Services Department, 1026 West Broadway Avenue, Spokane, Washington 99260, hereinafter referred to as the "COUNTY", jointly hereinafter referred to as the "PARTIES".

WITNESSETH:

WHEREAS, pursuant to the provisions of RCW 36.32.120(6), the Board of County Commissioners has the care of COUNTY property and management of COUNTY funds and business; and

WHEREAS, pursuant to the provisions of chapter 36.94 RCW, the COUNTY may construct, operate, and maintain a sewerage system as that term is defined in RCW 36.94.010(1); and

WHEREAS, pursuant to the provisions of chapter 35.92 RCW, the CITY may construct, operate, and maintain a sewerage system as defined within the chapter; and

WHEREAS, pursuant to the provisions of chapter 39.34 RCW, two or more public entities may jointly cooperate between each other to perform functions which each entity may individually perform; and

WHEREAS, the CITY and COUNTY have a "City and County Wastewater Management Agreement, dated December 22, 1980, which includes approximately seven (7) amendments thereto, hereinafter collectively referred to as the "Wastewater Management Agreement" (City OPR Number: 1981-1053; County Resolution Number: 1980-1555); and

WHEREAS, the Wastewater Management Agreement provides that the cost of operation and maintenance of that portion of the CITY system providing service to the COUNTY Wastewater Utility Service Area (WWUSA) shall include all labor, materials, administrative, legal, engineering, and other necessary operational expense of the sewer utility; and

WHEREAS, the CITY and COUNTY executed a Memorandum of Agreement (MOA) on January 29, 2013 (City: OPR 2013-0051; County: 2013-0113) establishing a methodology for the determination of the COUNTY's user charge rate for wastewater treatment at the Riverside Park Water Reclamation Facility (RPWRF), and that MOA stipulated the calculation approach for the user charge rate through 2015; and

WHEREAS, the CITY and COUNTY executed Amendment Number 1 to the MOA on September 6, 2017 (City: OPR 2013-0051; County: 2016-____) establishing an updated methodology for the determination of the COUNTY's user charge rate for wastewater treatment at the RPWRF, and that Amendment stipulated a revised calculation approach for the user charge rate through 2020; and

WHEREAS, the terms of that Amendment Number 1 to the MOA have now expired, and the PARTIES agree that it is reasonable to extend the term of Amendment Number 1 through calendar year 2021; and

WHEREAS, the PARTIES also agree that it will be mutually beneficial to execute a second amendment that will take effect January 1, 2022, adding clarification and refinement to the calculation process for the COUNTY's user charge rate in the future;

NOW THEREFORE, for and in consideration of the mutual promises set forth hereinafter, the CITY and COUNTY do hereby agree as follows:

1. **PURPOSE:** The purpose of this Amendment is for the PARTIES to continue and refine a mutually agreeable calculation process for the annual wastewater user charge rate during the term of this Amendment for wastewater treatment billing purposes.
2. **PAYMENTS IN LIEU OF TAXES:** The COUNTY will make the annual Payment In Lieu of Taxes (hereinafter "PILT") to the CITY in January of 2022 for calendar year 2021, consistent with provisions in the Wastewater Management Agreement, Amendment No. 5 (City: OPR 1981-1053; County: 2007-0373).
3. **METER READINGS:** All flow meters are will be read monthly by the COUNTY, typically on the third Wednesday of each month, for the purposes of the CITY's calculation and preparation of monthly billings to the COUNTY for wastewater treatment at the RPWRF.
4. **EXTENSION OF TERM FOR AMENDMENT NUMBER 1:** The PARTIES agree that the term for Amendment Number 1, and its associated calculation approach, will be extended through the flow measurement period ending in December 15, 2021. Accordingly, the CITY will continue to bill the COUNTY using the rate computed in the first quarter of 2021 (\$1,986.65 per million

gallons) for the remaining flow measurement periods in 2021. Reconciliation of the 2020 monthly billings will also be in accordance with Amendment Number 1.

5. **CALCULATION REFINEMENTS:** This Amendment includes an updated calculation process for the COUNTY's user charge rate over the term beginning December 16, 2021 and ending December 16, 2026, as described below:
 - a. In the first quarter of each year, commencing in 2022, the CITY will compute the actual average cost of wastewater treatment at the RPWRF during the previous calendar year, and will determine the cost per million gallons for that year based on the total flow volume treated at the RPWRF. The computational approach to be used is presented in Exhibit A, attached hereto.
 - b. The rate computed in "5.a." above shall then be used as the basis for the following:
 - i. the determination of a reconciling payment by the COUNTY, or credit by the CITY, considering the total amount previously paid for flows sent to the RPWRF during the twelve monthly metering periods ending on the third Wednesday in December of the previous calendar year, and
 - ii. the CITY's calculation of the monthly bills to the COUNTY for those billing periods ending after the annual rate computation and continuing to the next annual rate computation.
 - c. Reconciling payments to be made by the COUNTY pursuant to "5.b.i." above shall be included in the CITY's next monthly billing following the annual rate computation. Similarly, credits due to the COUNTY shall be applied and shown in the CITY's monthly billing(s) following the annual rate computation. The reconciling payment or credit calculated in 2022 for 2021 will also include the applicable adjustment of the PILT for 2021.
6. **ADMINISTRATION:** The CITY hereby designates the City's Wastewater Treatment Facility Director, as its representative for the purposes of administering the provisions of this Amendment. The COUNTY hereby designates the County's Environmental Services Director, as its representative for the purposes of administering the provisions of this Amendment.
7. **TERMINATION:** Either Party may terminate this Amendment upon twelve (12) months written notice to the other Party prior to the termination date provided herein. Any personal or real property acquired or used by either Party in meeting its responsibilities under the terms of this Amendment shall remain under the ownership of the acquiring Party upon termination of this Amendment.
8. **REQUIRED TERMS:** In accordance with the INTERLOCAL COOPERATION ACT, pursuant to RCW 39.34.030 (3) and (4), the PARTIES further agree:

- a. Effective Date and Duration: This Amendment shall commence and be effective upon signature of both PARTIES and shall terminate December 31, 2026, unless mutually extended in writing by both PARTIES. A reconciling payment or credit for 2026 shall be calculated by the CITY in the first quarter of 2027, as stipulated in Item 5.b.i, and subsequently billed or credited to the COUNTY as intended herein.
- b. Precise Organization of any separate entity created: No separate entity is created. Each Party shall continue to administer its own affairs subject to this Amendment as to any specific terms.
- c. Purpose: Purpose of this Amendment is specified in Item 1, above.
- d. Financing: Financing related to the Amendment is the responsibility of each individual Party.
- e. Termination/Disposal of Property: Termination of this Amendment and disposal of property are specified in Item 7 above.

9. FILING: This Amendment shall be filed with the COUNTY Auditor in accordance with RCW 39.34.040.

Dated: _____

BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON

Chair

ATTEST:

Vice-Chair

Ginna Vasquez, Clerk of the Board

Commissioner

Dated: _____

CITY OF SPOKANE

By: _____
Mayor

ATTEST: _____
City Clerk

Approved as to form:

Assistant City Attorney

Exhibit A – Calculation Methodology for County Treatment Rate

The methodology presented in the summary table below provides the framework for the calculation of the County's equitable rate for treatment of wastewater at the Riverside Park Water Reclamation Facility (RPWRF). Representative costs for 2020 have been used for illustration purposes. Cost elements to be included are summarized in four main categories, as shown. Appropriate adjustments are then made to remove certain costs that are not related to the provision of wastewater treatment services to the County. An indirect rate of 20% of the payroll and benefit costs is then added to account for overhead costs and certain generalized interfund charges. Finally, the applicable Washington State B & O Tax is added to the resulting cost per million gallons to determine the County's rate for treatment.

Following the summary table, further details are provided regarding the four cost categories, the adjustments for certain costs, and the items covered through the indirect rate.

Each year, the City will use the format provided herein to tabulate the actual costs for the previous calendar year in each of the four categories, and appropriate related deductions, and submit the tabulation to the County for review. Following concurrence of the Parties, the costs shall be used to calculate the County's treatment rate. That treatment rate will then be used for 1) the reconciliation and true-up of amounts billed for the previous calendar year and 2) the establishment of a billing rate for remainder of the current year.

Description	2020 Actuals	Less Non- Cash Pension		Less Capital Not Related		Subtotal
		Pretreatment	Charge	to Treatment		
Direct Payroll and Associated Benefits	12,273,841	(622,953)	-	-		11,650,888
Supplies and Minor Equipment	3,201,156	(21,669)	-	-		3,179,488
Utilities, Repairs, Professional Services, and Judgements	3,940,010	(22,405)	(480,015)	-		3,437,590
Capital	663,390	-	-	(179,263)		484,127
Subtotal	20,078,397	(667,026)	(480,015)	(179,263)		18,752,093
Less:						
Revenue Adjustment						(3,445)
Biosolids Incineration Feasibility Study Credit						(126,166)
Total						18,622,481
Indirect Rate applied to Payroll						20%
Total Adjusted Expenses						20,952,659
Total Million Gallons Treated						10,787.84
Total Cost per Million Gallons						1,942.25
B&O Tax						1.75%
Total Cost Per MG						1,976.24
Millions of Gallons of County Flow						738.96
Calculated Cost of Spokane County						\$ 1,460,366.81
Actual Amount Paid During 2020 by Spokane County						(1,390,461.46)
Sub-Total Amount Due to City of Spokane						\$ 69,905.35
PILT adj @ 5% for 2020 ¹						3,495.27
Reconciled Amount Due to City of Spokane						\$ 73,400.61

¹ Note the last year PILT will be applied is in January 2022 per contract

Direct Payroll and Associated Benefits

Direct payroll, including overtime and associated benefits, is for labor costs that are tracked and directly attributable to wastewater treatment, operations, and maintenance activities at the RPWRF. Any time spent on the City's industrial pre-treatment program will either be excluded or subtracted in the adjustment section. Work by the City's billing personnel related to the billing of the City's utility customers will also be excluded. Positions normally included are as follows:

00030	CLERK III	06450	WWTP OPERATOR III
00390	PROGRAM PROFESSIONAL	06460	WW TREAT PLANT OP SUPVR
00500	SAFETY COORDINATOR	06470	SENIOR INSTRUMENT TECHNICIAN
01610	BUSINESS SYSTEMS ANALYST II	06480	INSTRUMENT REPAIR TECHNICIAN
01620	SENIOR BUSINESS STM ANALYST	06490	WWTP MAINTENANCE MECHANIC
01640	INFO SYSTEMS ANALYST I	06500	SENIOR WWTP MAINTENANCE MECHN
01710	INVENTORY CONTROL SPECIALIST	06510	WW TREAT PLANT MAINT SUPVR
02340	PRINCIPAL ENGINEER	06520	WW INSTRUMENTN/DATA SUPERVISOR
02710	ELECTRONICS TECHNICAL AIDE	06540	LABORATORY TECHNICIAN
04140	CUSTODIAN I	06550	CHEMIST
05020	LABORER II	06560	LABORATORY SUPERVISOR
05370	FACILITY LOGISTICS SPECIALIST	06570	ENVIRONMENTAL ANALYST
06020	INDUSTRIAL ELECTRICIAN	06590	WWTP ASSISTANT PLANT MANAGER
06040	STATIONARY ENGINEER	06600	WWTP PLANT MANAGER
06050	ELECTRICIAN	07160	DIRECTOR - WASTEWATER
06130	STATIONARY ENGINEER SUPERVISOR	08300	CITY ENGINEER/CONTRACT MGR
06220	HEAVY EQUIPMENT OPERATOR	08490	TEMPORARY SEASONAL
06410	WWTP OPERATOR I	08500	PROJECT EMPLOYEE
06420	WWTP OPERATOR II		

The related associated salary and benefit lines include the following:

51210	OVERTIME	51640	DEFERRED COMPENSATION-MATCHING
51220	OUT OF GRADE	51671	DAY TRAVEL PER DIEM
51225	STANDBY PAY	52110	SOCIAL SECURITY
51230	SHIFT DIFFERENTIAL PREMIUM	52210	RETIREMENT
51250	TERMINATED SICK LEAVE PAY	52310	MEDICAL INSURANCE
51260	TERMINATED VACATION LEAVE PAY	52320	DENTAL INSURANCE
51275	ANNUAL LEAVE PAYOUT	52330	LIFE INSURANCE
51290	LONGEVITY PAY	52340	DISABILITY INSURANCE
51400	SPECIALTY PAY	52400	INDUSTRIAL INSURANCE
51610	CLOTHING ALLOWANCE	52600	WA PAID FAMILY & MEDICAL LEAVE

Supplies and Minor Equipment

Supplies and minor equipment include any operating supplies, chemical supplies, repair supplies, and any minor equipment directly related to wastewater treatment operations and maintenance activities at the RPWRF. Account codes used include the following:

53101	OFFICE SUPPLIES	53211	VEHICLE REPAIR & MAINT SUPPLY
53102	PUBLICATIONS	53302	LUBRICANTS
53103	POSTAGE	53303	MOTOR FUEL-OUTSIDE VENDOR
53104	SOFTWARE (NONCAPITALIZED)	53501	SMALL TOOLS
53105	NON-TRAVEL MEALS/LGHT RFRSHMT	53502	MINOR EQUIPMENT
53201	OPERATING SUPPLIES	53503	MINOR SAFETY EQUIPMENT
53203	CHEMICAL/LAB SUPPLIES	53505	OFFICE FURNITURE (NON CAPITAL)
53204	SAFETY SUPPLIES	53521	COMPUTERS
53210	REPAIR & MAINTENANCE SUPPLIES	53528	PROTECTIVE GEAR/CLOTHING

Utilities, Repairs, Professional Services, Judgements

This category includes the direct cost of utilities, insurance, repairs, professional services, permits, legal, and any judgements that are directly attributable to the cost of treatment, operations, or maintenance of the RPWRF. Account codes used include the following:

54101	PROFESSIONAL SERVICES	54801	REPAIRS/MAINTENANCE
54103	MEDICAL SERVICES	54802	BUILDING REPAIRS/MAINTENANCE
54105	LEGAL SERVICES	54803	EQUIPMENT REPAIRS/MAINTENANCE
54120	STATE AUDIT CHARGES	54820	SOFTWARE MAINTENANCE
54201	CONTRACTUAL SERVICES	54841	IF FLEET REPAIRS/MAINTENANCE
54209	IT/DATA SERVICES	54842	IF FACILITY MAINTENANCE
54301	TELEPHONE	54844	IF FLEET COMMUNICATIONS
54302	CELL PHONE	54848	IF FUEL
54401	AIRFARE	54850	OTHER REPAIRS/MAINTENANCE
54402	LOCAL MILEAGE	54854	IF PAVING REPAIRS/MAINTENANCE
54406	PARKING/TOLLS (LOCAL)	54899	MISC REPAIRS/MAINTENANCE
54407	LODGING	54901	MISC SERVICES/CHARGES
54408	PER DIEM	54902	REGISTRATION/SCHOOLING
54409	OTHER TRANSPORTATION EXPENSES	54905	JUDGEMENTS/DAMAGES
54501	OPERATING RENTALS/LEASES	54906	LAUNDRY/JANITORIAL SERVICES
54603	INSURANCE PREMIUMS ***	54908	PERMITS/OTHER FEES
54701	PUBLIC UTILITY SERVICE	54909	PRINTING/BINDING/REPRO
54702	UTILITY LIGHT/POWER SERVICE	54910	PENSIONS
54703	UTIL GARBAGE/WASTE REMOVAL	54923	OPEB EXPENSE
54704	HAZARDOUS WASTE DISPOSAL	54950	TESTING SERVICES
54705	HEATING SUPPLIES	54999	OTHER MISC CHARGES
54706	UTILITY NATURAL GAS		

*** Allowable insurance costs is the cost of coverage secured separately and specifically for the RPWRF

Capital Costs

Capital costs included in this calculation will include those minor capital costs that are directly related to supporting wastewater treatment at the RPWRF. All capital costs not related to wastewater treatment at RPWRF will be subtracted from the total expenditures. The City will provide a schedule that specifies the capital costs included. The account codes for capital are as follows:

56301	OTHER IMPROVEMENTS	56409	COMPUTER/MICRO EQUIPMENT
56401	MACHINERY/EQUIPMENT	56412	TV'S/AUDIO VISUAL EQUIPMENT
56404	VEHICLES	56501	CONSTRUCTION OF FIXED ASSETS
56405	HEAVY DUTY WORK EQUIPMENT	56592	INTERFUND COSTS TO CAPITAL
56407	LAB EQUIPMENT	56602	LEASE/PURCHASE AGREEMENTS

Deductions

Some costs such as the City's industrial pre-treatment program, certain capital expenses, biosolids feasibility studies, and non-cash pension charges not related to the provision of treatment service to the County may have been included in the initial accounting for the cost categories, and will then need to be deducted prior to the addition of the indirect rate and calculation of the County's treatment rate. Deductions may also be needed for miscellaneous revenue that offsets some of the costs included.

Indirect Rate

The indirect rate of 20% of payroll and benefit costs is an agreed allowance for various interfund and overhead costs that are typically distributed to various City departments to recover the City's administrative costs. *(Note: These costs do not reflect labor and expenditures that are "tracked" for specific activities or projects. Rather, they are generally distributed in accordance with a formula, one or more metrics, or an established percentage.)*

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

01/24/2022

Date Rec'd

1/10/2022

Clerk's File #

CPR 1981-0043

Renews #**Submitting Dept**

MAYOR

Cross Ref #**Contact Name/Phone**

TESSA DELBRIDGE 625-6716

Project #**Contact E-Mail**

TDELBRIDGE@SPOKANECITY.ORG

Bid #**Agenda Item Type**Boards and Commissions
Appointments**Requisition #****Agenda Item Name**

0520 APPOINTMENT TO ARTS COMMISSION

Agenda Wording

Appoint Michael Bethely, Dylan Le, Kelly Baker, and Audrey Overstreet to a three-year term on the Arts Commission to serve from 1/1/2022 to 12/31/2024.

Summary (Background)

Appoint Michael Bethely, Dylan Le, Kelly Baker, and Audrey Overstreet to a three-year term on the Arts Commission to serve from 1/1/2022 to 12/31/2024.

Lease? NO

Grant related? NO

Public Works? NO

Fiscal Impact**Budget Account**

Select \$

#

Select \$

#

Select \$

#

Select \$

#

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

COTE, BRANDY

Study Session\Other**Division Director****Council Sponsor****Finance****Distribution List****Legal**


tdelbridge@spokanecity.org

For the Mayor

ORMSBY, MICHAEL




mhuggins@spokanearts.org

Additional Approvals**Purchasing**

 Agenda Sheet for City Council Meeting of* 01/24/2022 <input type="text"/> Briefing date: 01/24/2022 Status: SUBMITTED TO AGENDA		? Date Rec'd (Clerk use only) 1/6/2022
		? Clerk's File # ORD C36167
		? Renewals #
Submitting Dept*:	PARKS & RECREATION <input type="text"/>	? Cross Ref #
Contact Name & Phone*:	GARRETT JONES 363-5462	? Project #
? Contact E-Mail*	GJONES@SPOKANECITY.ORG	? Bid #
? Add'l Docs Attached? <input type="checkbox"/>	Special Budget Ordinance <input type="text"/>	? Requisition #
? Agenda Item Name: Begin with Dept # 1400 - DON KARDONG BRIDGE SBO		
? Agenda Wording*: (93 character max) <input type="checkbox"/> Additional attached? Centennial Trail Don Kardong Pedestrian Bridge renovation project SBO allocating American Rescue Plan Act funding to the project not to exceed \$1.45 million.		
? Summary (Background)*: (59 character max.) <input type="checkbox"/> Additional attached? The Don Kardong Bridge is one of 4 city-maintained pedestrian bridges along the Centennial Trail carrying more than 161,000 users annually. The bridge deck requires complete replacement to remain in service. Approximately \$800,000 in grant funds have been secured. Total repair cost is estimated at \$2.25 million, requiring a local funding match of \$1.45 million. This SBO utilizes ARPA funds to match grant funds and complete the project.		
Lease? Yes <input type="radio"/> No <input checked="" type="radio"/> Grant related? Yes <input type="radio"/> No <input checked="" type="radio"/> Public Works? Yes <input checked="" type="radio"/> No <input type="radio"/>		
? Fiscal Impact		Budget Account <input type="checkbox"/> Additional attached?
Select <input type="text"/>	\$ <input type="text"/>	# <input type="text"/>
Select <input type="text"/>	\$ <input type="text"/>	# <input type="text"/>
Select <input type="text"/>	\$ <input type="text"/>	# <input type="text"/>
Select <input type="text"/>	\$ <input type="text"/>	# <input type="text"/>
? Approvals		? Council Notifications (Date) <input type="checkbox"/> None
Dept Head	CONLEY, JASON K.	Study Session / Other Study Session - 01/06/2022
Division Director	JONES, GARRETT	Council Sponsor Beggs; Kinnear
Finance	MURRAY, MICHELLE	? Distribution List (Emails preferred) <input checked="" type="checkbox"/> Additional?
Legal	PICCOLO, MIKE	pclarke@spokanecity.org
For the Mayor	ORMSBY, MICHAEL	nhamad@spokanecity.org
? Additional Approvals		
Purchasing		
MANAGEMENT & BUI <input type="text"/>		
Select Dept 2 <input type="text"/>		
Select Dept 3 <input type="text"/>		
<div> <input type="button" value="Save"/> <input type="button" value="Cancel"/> <input type="button" value="View Related Documents"/> </div>		

Briefing Paper

City Council Study Session

Division & Department:	Parks and Recreation – Parks Administration
Subject:	Don Kardong Bridge Resolution
Date:	Jan. 24, 2022 – City Council meeting
Author (email & phone):	Nick Hamad (nhamad@spokanecity.org – 509.363.5452)
City Council Sponsor:	Breean Beggs & Lori Kinnear
Executive Sponsor:	Garrett Jones
Committee(s) Impacted:	
Type of Agenda item:	  
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	City Council Resolution 2021-0080 – ARPA Allocation Framework City Comp. Plan ‘PRS 2.2 Access to open Space & Park Amenities’, ‘PRS 2.5 Park Funding’, ‘PRS 3.1 Bicycle & Pedestrian Circulation’, ‘PRS 3.2 Trail Corridor Development’, ‘PRS 4.2 Park Circulation Patterns’.
Strategic Initiative:	
Deadline:	February 2022
Outcome: (deliverables, delivery duties, milestones to meet)	Renovated Don Kardong Bridge without deferring other planned park capital projects in neighborhood parks.
<p>Background/History: The Don Kardong Bridge is one of 4 city-maintained pedestrian bridges along the Spokane River Centennial Trail. The bridge, which carries more than 161,000 pedestrians and cyclists annually, has not received substantial repairs or investment beyond routine maintenance since its construction in the early 1990s. The deck of the bridge is rated to be in ‘poor to critical condition.’ Since 2017, Spokane Parks has planned repairs, sought funding, and completed engineering work for the required bridge repairs. Not implementing required repairs may result in the closure of the bridge to all public use within the immediate future. Implementing bridge repairs is estimated to extend the useable life of the bridge for an additional 50 years.</p> <p>To date, Parks has secured private and state grant funds for the project totaling ~\$800,000. Total project cost is estimated to be \$2.25 million including contingencies, requiring a local funding match of \$1.45 million to implement the project. Despite securing significant grant dollars, securing the necessary local match funding is a significant burden for the Parks as the Division experienced greatly decreased revenues as a result of the COVID-19 pandemic, requiring planned implementation of this planned project to be postponed. Division revenue losses, as a direct result of COVID-19, total approximately \$1.6 million.</p> <p>As a result of unplanned revenue reduction and subsequent project delay, Parks secured an WA State grant contract extension through April 2023 but must complete all necessary bridge repairs and re-open the bridge to the public prior to that deadline or forfeit and/or reimburse all WA state-awarded grant funds. If the Parks Division is required to complete the remaining project amount without additional funding support, Parks’ ability to complete annual regular repairs to citywide park infrastructure will be significantly compromised.</p> <p>Park staff proposed American Rescue Plan Act (ARPA) funds be utilized to fund this bridge renovation project to restore the critical pedestrian bridge while enabling the Parks Division to implement regular repairs to other park assets citywide.</p>	

The bridge is located within (2) qualified census tracts and within the City of Spokane, Qualified Opportunity Zone.

This proposal was discussed at length at the January 6th, 2022 council study session.

Executive Summary:

- *Resolution allocates an amount not to exceed \$1.45million of American Rescue Plan Act funding to the renovation of the Centennial Trail Don Kardong Bridge located in the Logan Neighborhood.*
- *The bridge deck is rated in 'poor to critical condition'. Immediate repairs / replacement required for continued service.*
- *City Parks Division experienced greatly reduced revenues due to COVID-19, total reduction of ~\$1.6million, which required the previous postponement of this project and which compromises the Parks Divisions' ability to solely fund the project.*
- *Not allocating proposed funding either:*
 - *Places significant financial burden on Parks Division to repair bridge, significantly reducing the Division's capacity to maintain or repair park infrastructure citywide, or*
 - *Requires the City forfeit ~\$800,000 in grants allocated to the project and potentially requires the closure of the bridge to the public.*
- *Allocating proposed funding fully funds project to extend lifespan of the bridge for an estimated 50 years.*
 - *If funding is allocated to project, bridge repairs can commence in Spring 2022 and proceed to substantial completion by Spring 2023.*
 - *Bridge renovation planning, design & engineering are complete. Project is ready to be issued to bid.*
- *If, after proposed ARPA allocation is approved, Parks Division can secure additional project funding (separate from ARPA), Parks Division will update Council on revised project budget and re-assess whether full ARPA allocation is still necessary.*

Budget Impact:

Approved in current year budget? ☐ Yes ☒ No

Annual/Reoccurring expenditure? ☐ Yes ☒ No

If new, specify funding source: ARPA

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

Operations Impact:

Consistent with current operations/policy? ☐ Yes ☐ No

Requires change in current operations/policy? ☐ Yes ☐ No

Specify changes required:

Known challenges/barriers:

ORDINANCE NO C36167

An ordinance amending Ordinance No. C36161, passed by the City Council December 13, 2021, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2022, making appropriations to the various funds of the City of Spokane government for the fiscal year ending December 31, 2022, and providing it shall take effect immediately upon passage," and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2022 budget Ordinance No. C-36161, as above entitled, and which passed the City Council December 13, 2021, it is necessary to make changes in the appropriations of the American Rescue Plan 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 American Rescue Plan Fund, and the budget annexed thereto with reference to the American Rescue Plan Fund, the following changes be made:

- 1) Increase appropriation by \$1,450,000, funded from the city's direct allocation of the State and Local Fiscal Recovery Fund of the American Rescue Plan Act.
- A) Of the increased appropriation, \$1,450,000 is provided to the City of Spokane Parks and Recreation Division to replace funding lost due to COVID-19 solely for the renovation of the Centennial Trail Don Kardong Pedestrian Bridge.

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 provide appropriation authority for The Centennial Trail Renovations to the Don Kardong Bridge, and because of such need, an urgency and emergency exists for the passage of this ordinance, and also, because the same makes an appropriation, it shall take effect and be in force immediately upon its passage.

Passed the City Council _____

Council President

Attest: _____
City Clerk

Approved as to form: _____
Assistant City Attorney

Mayor

Date

Effective Date

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

06/14/2021

Date Rec'd

6/2/2021

Clerk's File #

ORD C36064

Renews #**Submitting Dept**

CITY COUNCIL

Cross Ref #**Contact Name/Phone**BRIAN 625-6210
MCCLATCHEY**Project #****Contact E-Mail**

BMCCLATCHEY@SPOKANECITY.ORG

Bid #**Agenda Item Type**

Emergency Ordinance

Requisition #**Agenda Item Name**

0320 - CLARIFYING HISTORIC RE-USE REGULATIONS

Agenda Wording

An ordinance clarifying the requirements for the adaptive re-use of historic properties; amending sections 17C.335.010 and 17C.335.110 of the Spokane Municipal Code; declaring an emergency; and providing for an immediate effective date.

Summary (Background)

This ordinance clarifies that the historic re-use regulations apply to the entire property, rather than just to the structure on the property. This ordinance also restricts historic re-use to properties on the Spokane Historic Register, and gives the Historic Landmarks Commission a greater role in the approval of historic re-use applications.

Lease? NO

Grant related? NO

Public Works? NO

Fiscal Impact**Budget Account**

Neutral \$

#

Select \$

#

Select \$

#

Select \$

#

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

ALLERS, HANNAHLEE

Study Session\Other

UD Comm., 5-10-2021

Division Director**Council Sponsor**

CM Wilkerson

Finance

WALLACE, TONYA

Distribution List**Legal**

PICCOLO, MIKE

For the Mayor

ORMSBY, MICHAEL

Additional Approvals**Purchasing**

ORDINANCE NO. C36064

An ordinance clarifying the requirements for the adaptive re-use of historic properties; amending sections 17C.335.010 and 17C.335.110 of the Spokane Municipal Code; declaring an emergency; and providing for an immediate effective date.

WHEREAS, Spokane has an array of historic properties, many of which are underused, abandoned, or have the potential for blighted conditions, and which can be reused in ways that complement and help spur additional development in neighborhoods that very much need the development of new housing, office space, and retail uses; and

WHEREAS, currently, the Spokane Municipal Code allows for the re-use of historic properties in ways that complement, but may not exactly match the underlying zoning; and

WHEREAS, however, current chapter 17C.335 of the Spokane Municipal Code contains inherent, internal contradictions and conflicts, which the City Council intends to clarify immediately to help spur the responsible reuse and redevelopment of historic properties located near the city's core in our historic neighborhoods; and

WHEREAS, given the existing housing crisis and the dire need for development near or within the City's core, which is also the area within which we are likely to see historic properties in need of re-use, the City Council determines that this ordinance should become effective immediately to more rapidly get these unused historic properties back into productive use and therefore increase the taxable value and improve the economic, aesthetic, and social conditions in neighborhoods that desperately need it.

NOW THEREFORE, the City of Spokane does ordain:

Section 1. That section 17C.335.010 of the Spokane Municipal Code is amended to read as follows:

Section 17C.335.010 Purpose

The purpose of this chapter is to establish clear and efficient standards and process for the use and re-use of historic structures and the properties on which they are located and to encourage the adaptive reuse of historic structures and properties to more effectively enable economic development, community revitalization, and aesthetic benefit.

Section 2. That section 17C.335.110 of the Spokane Municipal Code is amended to read as follows:

Section 17C.335.110 Development Standards

A. Applicability.

The development standards of this section apply only to those structures ~~((or))~~ listed in the ~~((National))~~ Spokane Register of Historic Places and the property on which they are located. All such structures and properties ~~((listed in the National Register))~~ are subject to all of the use restrictions and development standards of the base zone as minimum standards unless otherwise specifically provided by this section or by an approved planned unit development.

B. Permits Required.

A change in the use of an historic structure and/or the property on which such structure is located to any use allowed in the base zoning district is permitted through the issuance of a certificate of occupancy so long as there are no significant exterior alterations made to the structure. A Certificate of Appropriateness for any new construction on the property must be applied for and received by the Spokane Historic Landmarks Commission before a building permit may be issued.

C. Change in Use.

A change to any use of an historic structure and/or the property on which it is located other than a use listed as permitted in the base zoning district may be allowed by Type III permit from the hearing examiner if the following criteria are met:

1. The structure is listed on the Spokane Register ~~((or National Register))~~ of Historic Places.
2. All proposed changes to the structure or the property on which it is located have been approved by the landmarks commission as being compatible with the historical designation of the structure or property, the form of approval being specified in the rules of procedure of the hearing examiner.
3. The change in use is demonstrated as necessary to ensure that the structure will be preserved, considering all uses allowed in the underlying zone.
4. The benefits to the public arising out of preserving the structure are greater than the harm to the public resulting from allowing the proposed use of the structure or property, considering such factors as public access to the structure or property provided by the proposed use, the distinctive character of the proposed use, the need for the proposed use in the neighborhood in which the ~~((building))~~property is located or in the City, the amount of traffic, noise and other off-site impacts anticipated to be caused by the use and the means available to mitigate any potential off-site impacts.
5. Any change of use of an historic structure which is permitted under this section shall also apply to the remainder of the property on which such historic structure is located.

Section 3. That the City Council declares that the need for the expedient redevelopment of historic properties in and near the city core presents an urgency and emergency such that this ordinance is needed to protect the public health, safety, and/or for the support of existing public institutions, and that because of such need, this ordinance shall be effective immediately, under Section 19 of the City Charter, upon the affirmative vote of one more than a majority of the City Council.

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:
01/24/2022

Date Rec'd	1/11/2022
Clerk's File #	RES 2022-0009
Renews #	
Cross Ref #	
Project #	
Bid #	
Requisition #	PAID THRU CLAIMS

Submitting Dept	CITY ATTORNEY
Contact Name/Phone	NATHANIEL ODLE 6288
Contact E-Mail	NODLE@SPOKANECITY.ORG
Agenda Item Type	Resolutions
Agenda Item Name	0500 SETTLEMENT RESOLUTION

Agenda Wording

Resolution approving Settlement Agreement and General Release of All Claims of Trisha L. and Corey Christian in the amount of \$195,000.00, as agreed to by the parties.

Summary (Background)

On July 2, 2020, a claim for damages was filed with the City of Spokane by Trisha and Corey Christian (plaintiffs), regarding alleged injuries arising from an automobile collision with a vehicle driven by City Code Enforcement employee Brian Hartling on July 13, 2018. Litigation was subsequently initiated in Spokane County Superior Court. The parties conducted a mediation with Frank Hoover on December 14, 2021 and a resolution was reached.

Lease? NO Grant related? NO Public Works? NO

Fiscal Impact

Expense	\$ \$195,000.00	<u>Budget Account</u>	# 5800-78100-19000-54601
Select	\$		#
Select	\$		#
Select	\$		#

Approvals

<u>Dept Head</u>	PICCOLO, MIKE
<u>Division Director</u>	
<u>Finance</u>	BUSTOS, KIM
<u>Legal</u>	PICCOLO, MIKE
<u>For the Mayor</u>	ORMSBY, MICHAEL

Council Notifications

<u>Study Session\Other</u>	UE Committee 01/10/22
<u>Council Sponsor</u>	CM Karen Stratton

Distribution List

<u>Additional Approvals</u>	MOrmsby@spokanecity.org
<u>Purchasing</u>	RKokot@spokanecity.org
	tstrothman@spokanecity.org

RES 2022-0009

RESOLUTION RE SETTLEMENT OF
CIVIL CLAIMS AGAINST CITY OF SPOKANE

WHEREAS, on June 25, 2018, a claim for damages was filed with the City of Spokane by COREY CHRISTIAN (Plaintiff), and on July 2, 2020, a claim for damages was filed with the City of Spokane by TRISHA L. CHRISTIAN (Plaintiff), arising out of an automobile collision occurring on July 13, 2018 between Plaintiffs and a City vehicle driven by City employee Defendant Brian Hartling, in the City of Spokane, as more fully described in the claim for damages; and

WHEREAS, on March 17, 2021, Plaintiff subsequently commenced an action in the Superior Court of Spokane County, under the caption "TRISHA CHRISTIAN and COREY CHRISTIAN, Plaintiffs vs. BRIAN HARTLING and JANE DOE HARTLING, Husband and Wife, and the martial community composed thereof; and the CITY OF SPOKANE, a legal subdivision of the state of Washington, Defendants, Cause No. 21-2-00733-32 alleging various state causes of action seeking economic and non-economic damages, as more fully described in the complaint filed in said cause; and

WHEREAS, the City has determined to resolve all claims with Plaintiffs and any third parties who may claim a subrogated interest against the City, its officers, agents, employees and contractors, for a payment of ONE HUNDRED NINETY-FIVE THOUSAND DOLLARS (\$195,000.00); and

WHEREAS, Plaintiffs have agreed to accept said payment and in return to release any and all claims against the City of Spokane and Defendant Hartling as well as to dismiss with prejudice the underlying lawsuit against the City of Spokane and Defendant Hartling.

NOW THEREFORE, be it resolved by the City Council of the City of Spokane:

1. The City of Spokane authorizes that payment in the amount of ONE HUNDRED NINETY-FIVE THOUSAND DOLLARS (\$195,000.00), to be paid to Plaintiffs through their counsel, Martin A. Peltram, with the law firm of Peltram Law Office, in trust for TRISHA L. CHRISTIAN and COREY CHRISTIAN, without admission of fault or liability, as a full settlement and compromise of the above-referenced litigation and/or claim, and in exchange the Plaintiffs will provide a signed release fully extinguishing all claims by Plaintiffs in connection with the subject automobile collision, dismissing their lawsuit with prejudice as against the City of Spokane and Defendant Hartling, and pledging to fully protect and indemnify the City of Spokane and Defendant Hartling, their officers, agents, employees, contractors and insurers, against all loss or liability in connection with said claim.

PASSED the City Council this ____ day of _____, 2022.

City Clerk

Approved as to form:
Assistant City Attorney

Assistant City Attorney

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

01/24/2022

Date Rec'd

1/12/2022

Clerk's File #

RES 2022-0010

Renews #**Submitting Dept**

HUMAN RESOURCES

Cross Ref #**Contact Name/Phone**MEGHANN 6903
STEINOLFSON**Project #****Contact E-Mail**

MSTEINOLFSON@SPOKANECITY.ORG

Bid #**Agenda Item Type**

Resolutions

Requisition #**Agenda Item Name**0620 RESOLUTION APPOINTING SPENCER GARDNER TO PLANNING SERVICES
DIRECTOR**Agenda Wording**

Resolution Appointing Spencer Gardner to Planning Services Director

Summary (Background)

Resolution Appointing Spencer Gardner to Planning Services Director

Lease? NO

Grant related? NO

Public Works? NO

Fiscal Impact**Budget Account**

Select \$

#

Select \$

#

Select \$

#

Select \$

#

Approvals**Council Notifications****Dept Head**STEINOLFSON,
MEGHANN**Study Session\Other**1/24 Finance &
Administration**Division Director**STEINOLFSON,
MEGHANN**Council Sponsor**

CP Beggs

Finance

MURRAY, MICHELLE

Distribution List**Legal**

PICCOLO, MIKE

rcouch@spokanecity.org

For the Mayor

ORMSBY, MICHAEL

jquick@spokanecity.org

Additional Approvals**Purchasing**

RESOLUTION 2022 - 0010

A Resolution approving the appointment of Spencer Gardner as Director of Planning and Economic Development Services.

WHEREAS, Section 24 of the City Charter provides that the Mayor shall have the power to appoint department heads subject to the approval of the City Council; and

WHEREAS, Section 2.14 F of the City Council Rules of Procedures states that approval of appointment of department heads shall be by resolution during the City Council's legislative session; and

WHEREAS, after full consideration, Mayor Nadine Woodward has appointed Spencer Gardner as Director of Planning and Economic Development Services.

NOW, THEREFORE, BE IT RESOLVED by the City Council for the City of Spokane that it hereby approves the appointment of Spencer Gardner as Director of Planning and Economic Development Services.

PASSED BY THE CITY COUNCIL ON _____, 2022.

City Clerk

Approved as to form:

Assistant City Attorney

Committee Agenda Sheet

Finance & Administration Committee

Submitting Department	Human Resources
Contact Name & Phone	Meghann Steinolfson, x6903
Contact Email	msteinolfson@spokanecity.org
Council Sponsor(s)	Council President Beggs
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested: _____
Agenda Item Name	Council Confirmation of Mayoral Appointee – Planning Services Director
Summary (Background)	<p>All administrative department heads shall not perform the duties of the position or be compensated directly or indirectly by the City of Spokane until approved by City Council SMC 03.01A.195.</p> <p><u>Appointment of Spencer Gardner to Planning Services Director</u></p> <ul style="list-style-type: none"> The Director of Planning Services recruitment opened on October 6, 2021 and closed on November 1, 2021. 9 applications were received; 7 met the minimum qualifications. 2 candidates were selected for interviews, only one candidate participated. Spencer Gardner was selected for appointment to the position by Mayor Woodward and is being presented for confirmation to Planning Services Director.
Proposed Council Action & Date:	Confirm the Appointment of Spencer Gardner to Planning Services Director
Fiscal Impact: Total Cost: Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Funding Source <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring Specify funding source: Expense Occurrence <input type="checkbox"/> One-time <input type="checkbox"/> Recurring Other budget impacts: (revenue generating, match requirements, etc.)	
Operations Impacts	
What impacts would the proposal have on historically excluded communities? N/A	
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities? N/A	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution? N/A	
Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others? N/A	

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

01/24/2022

Date Rec'd

1/11/2022

Clerk's File #

RES 2022-0011

Renews #**Submitting Dept**

PLANNING & ECONOMIC

Contact Name/Phone

TERI STRIPES 625-6597

Contact E-Mail

TSTRIPES@SPOKANECITY.ORG

Agenda Item Type

Resolutions

Agenda Item Name

0650-SETTING A PUBLIC HEARING TO DESIGNATE A RESIDENTIAL TARGET

Agenda Wording

RESOLUTION EXPRESSING THE INTENTION OF THE CITY COUNCIL TO DESIGNATE A MULTI-FAMILY TAX EXEMPTION (MFTE) RESIDENTIAL TARGETED AREA

Summary (Background)

Chapter 84.14 RCW authorizes the City to create a multiple family housing property tax exemption program and to certify qualified property owners for that property tax exemption. The City Council desires to modify the boundary of the existing designated residential targeted area listed in SMC 8.15.030 as set forth in Ordinance No. _____, amending SMC 8.15.030; and, RCW 84.14.040 requires public notice and a hearing before the City designates residential targeted areas.

Lease? NO

Grant related? NO

Public Works? NO

Fiscal Impact**Budget Account**

Neutral \$

#

Select \$

#

Select \$

#

Select \$

#

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

MEULER, LOUIS

Study Session\Other

UE 9/13/21

Division Director

MACDONALD, STEVEN

Council Sponsor

CP Beggs & CM Stratton

Finance

ORLOB, KIMBERLY

Distribution List**Legal**

PICCOLO, MIKE

tstripes@spokanecity.org

For the Mayor

ORMSBY, MICHAEL

tblack@spokanecity.org

Additional Approvals

lmeuler@spokanecity.org

Purchasing

sbishop@spokanecity.org

smacdonald@spokanecity.org

mpiccolo@spokanecity.org



Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

Summary (Background)

It is the intent of the City of Spokane to designate a revised residential targeted area as set forth in Ordinance No. _____ and as generally identified in Attachment A to the ordinance. ** The ordinance is attached for reference - the agenda sheet request for the ORD to be submitted Jan 25 for the first reading 2/7 Terri's team will assign the ORD # **

Fiscal Impact

Select \$

Select \$

Budget Account

#

#

Distribution List

Briefing Paper

Urban Experience Committee

Division & Department:	Planning & Economic Development
Subject:	MFTE Designating Residential Targeted Areas (Garland & University District)
Date:	January 10, 2022
Contact (email & phone):	Teri Stripes (tstripes@spokanecity.org , x6597)
City Council Sponsor:	Council President Beggs and Council Member Stratton
Executive Sponsor:	Steve MacDonald (smacdonald@spokanecity.org x6835)
Committee(s) Impacted:	Urban Experience
Type of Agenda item:	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget , Comp Plan, Policy, Charter, Strategic Plan)	<p>SMC 08.15 Multi- Family Housing Property Tax Exemption</p> <p>A. The purposes of this chapter are to:</p> <ol style="list-style-type: none"> 1. encourage more multi-family housing opportunities, including affordable housing opportunities, within the City; 2. stimulate the construction of new multifamily housing and the rehabilitation of existing vacant and underutilized buildings for multi-family housing; 3. increase the supply of mixed-income multifamily housing opportunities within the City; 4. accomplish the planning goals required under the Growth Management Act, chapter 36.70A RCW, as implemented from time to time by the City's current and future comprehensive plans; 5. promote community development, neighborhood revitalization, and availability of affordable housing; 6. preserve and protect buildings, objects, sites and neighborhoods with historic, cultural, architectural, engineering or geographic significance located within the City; and 7. encourage additional housing in areas that are consistent with planning for public transit systems. <p>Comprehensive Plan Land Use Policies:</p> <ul style="list-style-type: none"> LU 1.4 Higher Density Residential Uses LU 3.5 Mix of Uses in Centers LU 4.2 Land Uses That Support Travel Options and Active Transportation LU 4.6 Transit-Supported Development <p>Comprehensive Plan Housing Policies:</p> <ul style="list-style-type: none"> H 1.9 Mixed-Income Housing H 1.4 Use of Existing Infrastructure H 1.10 Lower-Income Housing Development Incentives H 1.11 Access to Transportation H 1.18 Distribution of Housing Options <p>Comprehensive Plan Economic Development Policies:</p> <ul style="list-style-type: none"> ED 2.4 Mixed-Use ED 7.4 Tax Incentives for Land Improvement
Strategic Initiative:	Housing
Deadline:	Will file for Council consideration following committee meeting

Outcome: (deliverables, delivery duties, milestones to meet)	Approval of Multi-Family Tax Exemption Target Area/Boundary changes in the Garland District and the South University District.
<p>Background/History:</p> <p>In response to the housing shortage in Spokane, it is the desire of the City to expand the MFTE boundary to again incentivizes the creation of multifamily housing in the Garland target area and to expand the MFTE boundary in the south University District following notice and public hearings as prescribed in RCW 81.14.040, the Council may designate one or more residential targeted areas, upon a finding by the Council in its sole discretion.</p> <p>Attachments:</p> <ul style="list-style-type: none"> • Attachment B: zoomed in Spokane’s Multi-Family Tax Exemption Target Area for presentations • Res of Intent to Designate RTA • Ord Amending MFTE SMC Section 8.15.030 <p>Tentative Process and Timeline:</p> <ul style="list-style-type: none"> • Jan. 10, 2022 – Urban Experience Committee Briefing • Jan. 24, 2022 - Council Agenda Briefing and action to occur on the same day (post-holiday) on Resolution of intention/setting hearing for Feb 14, 2022 • Jan. 31, 2022 – Briefing of first reading ordinance on February 7 Advance Agenda • February 7 – Briefing of “hearing on final reading ordinance” during 3:30 p.m. Briefing Session and First Reading of Ordinance held during 6:00 p.m. Session • Feb 14, 2022 – Hearing and 2nd reading of Ordinance • Ordinance replacing the Boundary Map goes into effect 30 days later 	
<p>Executive Summary:</p> <ul style="list-style-type: none"> • Adding the Garland District back into the MFTE Target Area/Boundary • Adding a small portion of the south University District into the MFTE Target Area/Boundary 	
<p>Budget Impact:</p> <p>Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p> <p>Annual/Reoccurring expenditure? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p> <p>If new, specify funding source:</p> <p>Other budget impacts: (revenue generating, match requirements, etc.)</p>	
<p>Operations Impact:</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>	

RESOLUTION NO. 2022-0011

A RESOLUTION EXPRESSING THE INTENTION OF THE CITY COUNCIL TO DESIGNATE A RESIDENTIAL TARGETED AREA, AMEND SMC 8.15.030 AND SET A PUBLIC HEARING.

WHEREAS, Chapter 84.14 RCW authorizes cities to enact multifamily housing property tax incentive programs by designating residential targeted areas within urban centers; and

WHEREAS, the City of Spokane exercised its authority under Chapter 84.14 RCW by enacting Ordinance No. 32575, as codified and amended in Chapter 8.15 SMC, which provides a property tax incentive for multifamily housing in urban centers by establishing a methodology for granting such incentives and designating the urban centers and residential targeted areas; and

WHEREAS, the City Council has subsequently revised the designated residential targeted areas; and

WHEREAS, the City Council, along with the City Administration has performed a review of the designation of the residential targeted areas; and

WHEREAS, the City Council desires to modify the boundary of the existing designated residential targeted areas listed in SMC 8.15.030 as set forth in Ordinance No. _____, amending SMC 8.15.030; and

WHEREAS, RCW 84.14.040 requires public notice and a hearing before the City designates residential targeted areas.

NOW, THEREFORE, it is resolved by the City Council that it is the intent of the City of Spokane to designate a revised residential targeted area as set forth in Ordinance No. _____ and as generally identified in Attachment A to the ordinance.

IT IS FURTHER RESOLVED that the City of Spokane shall conduct a public hearing on February 14, 2022 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 designation of the targeted area as set forth above.

***** The format of the February 14, 2022 hearing and the method for public testimony may be held in a virtual format depending on the status of Governor Inslee's Proclamations and other COVID – 19 related directives regarding the conduct of open public meetings. Individuals wishing to attend the hearing or provide public testimony will need to review the City Council's February 14, 2022 agenda packet for meeting notice updates regarding a possible virtual meeting format and how to provide public testimony telephonically through instructions set out in the City Council**

agenda packet for the February 14, 2022 City Council meeting posted on the City Council's website at:

<https://my.spokanecity.org/citycouncil/documents/>.

IT IS FURTHER RESOLVED that the City Council shall also consider adoption of Ordinance No _____ to amend SMC 8.15.030 to designate, in its sole discretion, all or a portion of the revised residential targeted area as set forth in Attachment A subsequent to the hearing called for in this resolution.

PASSED BY THE CITY COUNCIL ON _____, 2022.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date

ORDINANCE NO. C - _____

An ordinance relating to multiple family housing property tax exemption; amending SMC section 8.15.030 D, by amending the map Attachment A: Spokane MFTE Target Area through expansion of the target area boundary.

WHEREAS, the expansion of Spokane's multi-family tax exemption (MFTE) Target Area in the Garland and the south University District urban centers will provide additional housing opportunity within the City, including affordable housing within the targeted area assisting in achieving one or more of the following purposes:

1. encouraging more multi-family housing opportunities, including affordable housing opportunities, within the City;
2. stimulating the construction of new multifamily housing and the rehabilitation of existing vacant and underutilized buildings for multi-family housing;
3. increasing the supply of mixed-income multifamily housing opportunities within the City;
4. accomplishing the planning goals required under the Growth Management Act, chapter 36.70A RCW, as implemented from time to time by the City's current and future comprehensive plans;
5. promoting community development, neighborhood revitalization, and availability of affordable housing;
6. preserving and protecting buildings, objects, sites and neighborhoods with historic, cultural, architectural, engineering or geographic significance located within the City; and
7. encouraging additional housing in areas that are consistent with planning for public transit systems.

Now, Therefore, the City of Spokane does ordain:

Section 1. That SMC section 8.15.030 is amended to read as follows:

8.15.030 Residential Targeted Areas – Criteria – Designation

- A. Following notice and public hearing as prescribed in RCW 84.14.040, the council may designate one or more residential targeted areas, upon a finding by the

council in its sole discretion that the residential targeted area meets the following criteria:

1. The residential targeted area is within an urban center.
 2. The residential targeted area lacks sufficient available, desirable, and convenient residential housing, including affordable housing, to meet the needs of the public who would be likely to live in the urban center if affordable, desirable, attractive, and livable residences were available; and
 3. Providing additional housing opportunity, including affordable housing, in the residential targeted area will assist in achieving one or more of the following purposes:
 - a. Encourage increased residential opportunities within the City, including mixed-income and affordable housing opportunities; or
 - b. Stimulate the construction of new multifamily housing; or
 - c. Encourage the rehabilitation of existing vacant and underutilized buildings for multifamily housing.
- B. In designating a residential targeted area, the council may also consider other factors, including whether:
1. additional housing, including affordable housing units, in the residential targeted area will attract and maintain an increase in the number of permanent residents;
 2. an increased permanent residential population in the residential targeted area will help to achieve the planning goals mandated by the Growth Management Act under chapter 36.70A RCW, as implemented through the City's current and future comprehensive plans;
 3. encouraging additional housing in the residential targeted area is consistent with public transportation plans; or
 4. additional housing may contribute to revitalization of a distressed neighborhood or area within the City.
- C. At any time the council may, by ordinance, in its sole discretion, amend or rescind the designation of a residential targeted area pursuant to the same procedural requirements as set forth in this chapter for original designation.

D. The following area, as shown in [Attachment A](#) , is designated as a residential targeted area under this chapter:

1. Spokane's MFTE

E. If a part of any legal lot is within a designated residential targeted area with zoning allowing for construction of multifamily housing, Centers and Corridors Zones: CC1, CC2, CC3 overlay, and CC4, Residential Zones: RMF, RHD and Commercial Zones: DTG, DTU, DTS, DTC, CA1, CA2, CA3, CA4, O, OR, NR, NMU, CB, GC and where multi-family housing is allowed in LI as shown in [Attachment A](#), then the entire lot shall be deemed to lie within such residential targeted area. The area designated as a residential targeted area is bound by the streets described in Attachment A. Property located outside of, but adjacent to, the described area is not designated as a residential targeted area.

PASSED BY THE CITY COUNCIL ON _____, 2022.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date



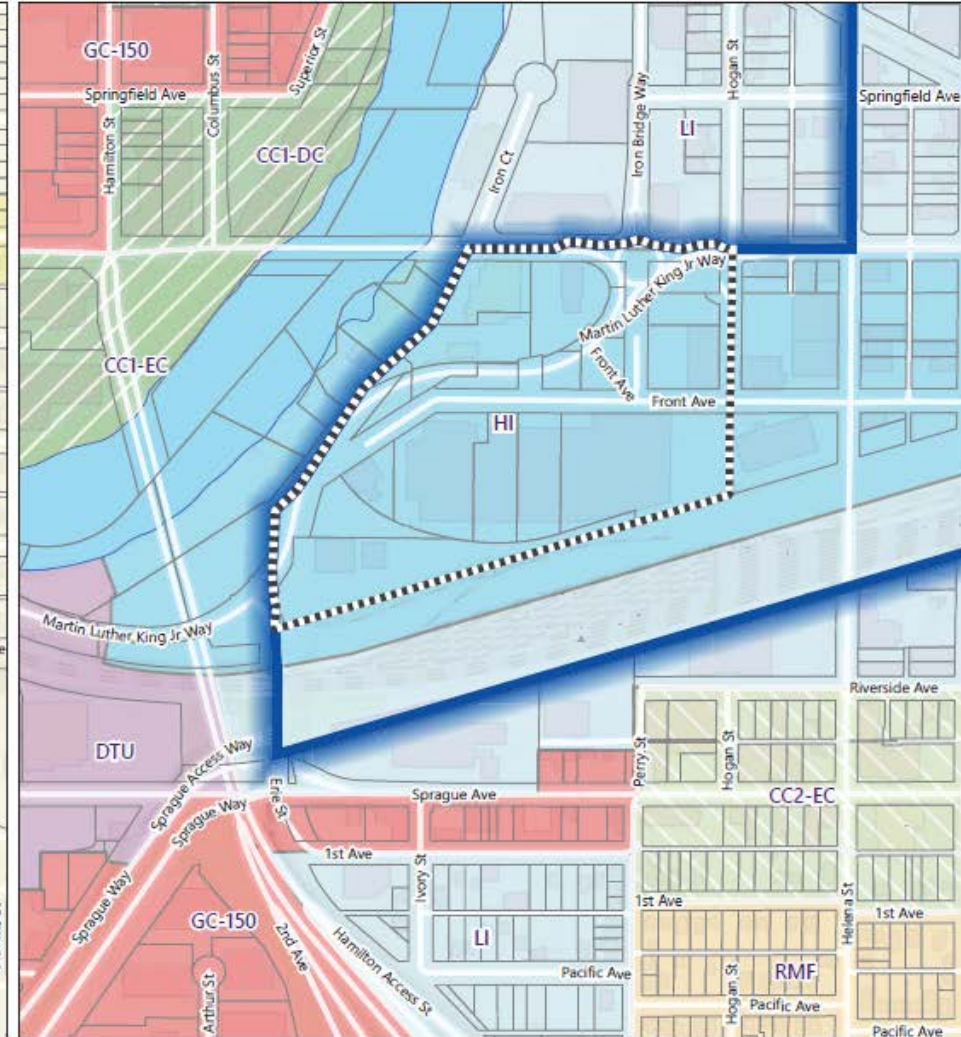
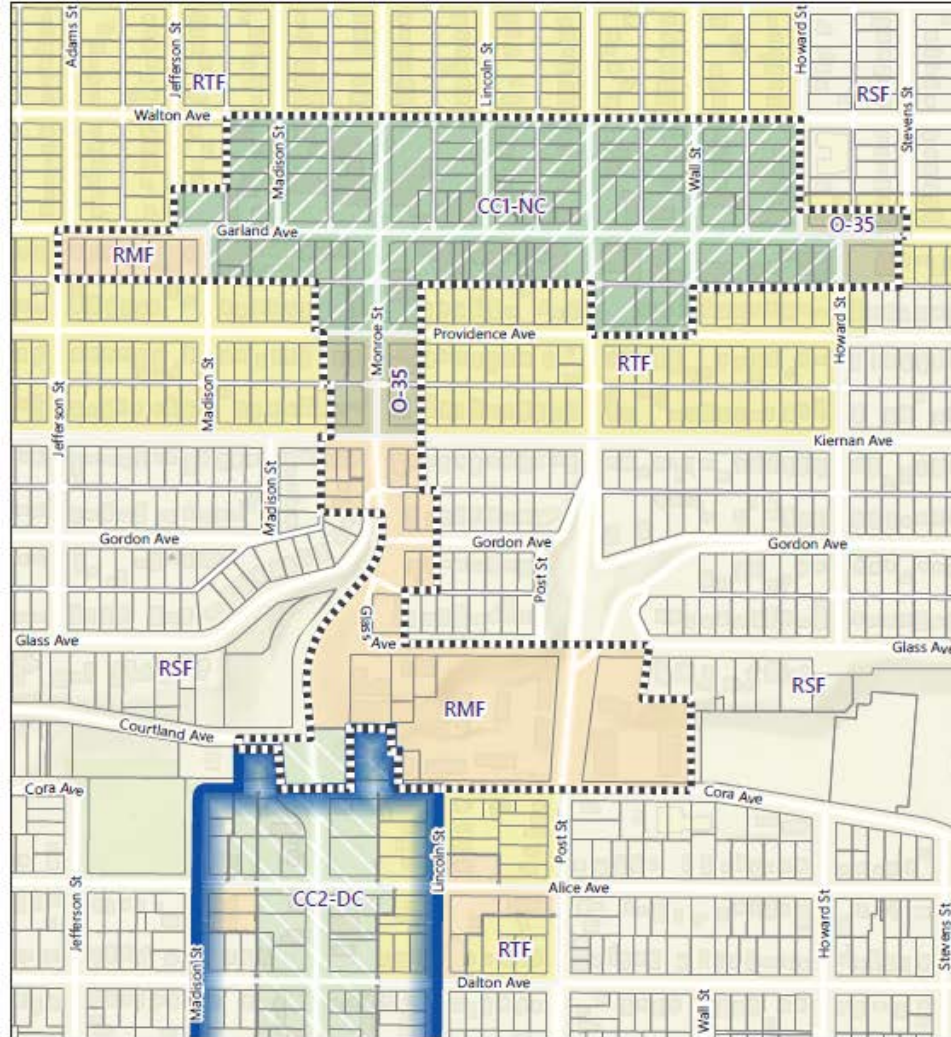
MFTE Residential Target Area Changes

In response to the housing shortage in Spokane, it is the desire of the City to expand the MFTE boundary to incentivizes the creation of multifamily housing in the Garland district and to expand the boundary in the south University District.

SMC 08.15 Multi-Family Housing Property Tax Exemption (MFTE)




A. The purposes of this chapter are to:

1. encourage more multi-family housing opportunities, including affordable housing opportunities, within the City;
2. stimulate the construction of new multifamily housing and the rehabilitation of existing vacant and underutilized buildings for multi-family housing;
3. increase the supply of mixed-income multifamily housing opportunities within the City;
4. accomplish the planning goals required under the Growth Management Act, chapter 36.70A RCW, as implemented from time to time by the City's current and future comprehensive plans;
5. promote community development, neighborhood revitalization, and availability of affordable housing;
6. preserve and protect buildings, objects, sites and neighborhoods with historic, cultural, architectural, engineering or geographic significance located within the City; and
7. encourage additional housing in areas that are consistent with planning for public transit systems.



Attachment B: Spokane's Multi-Family Tax Exemption Target Area

December, 2021

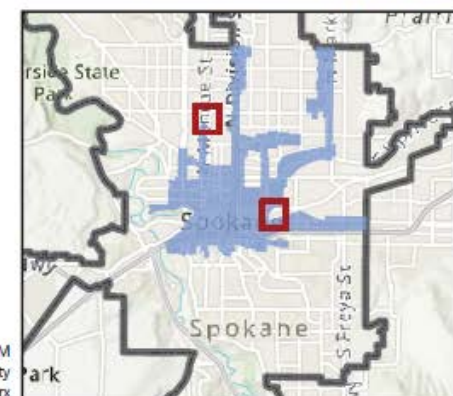
-  Proposed Additional MFTE Area
-  Existing MFTE Area
-  Parcel

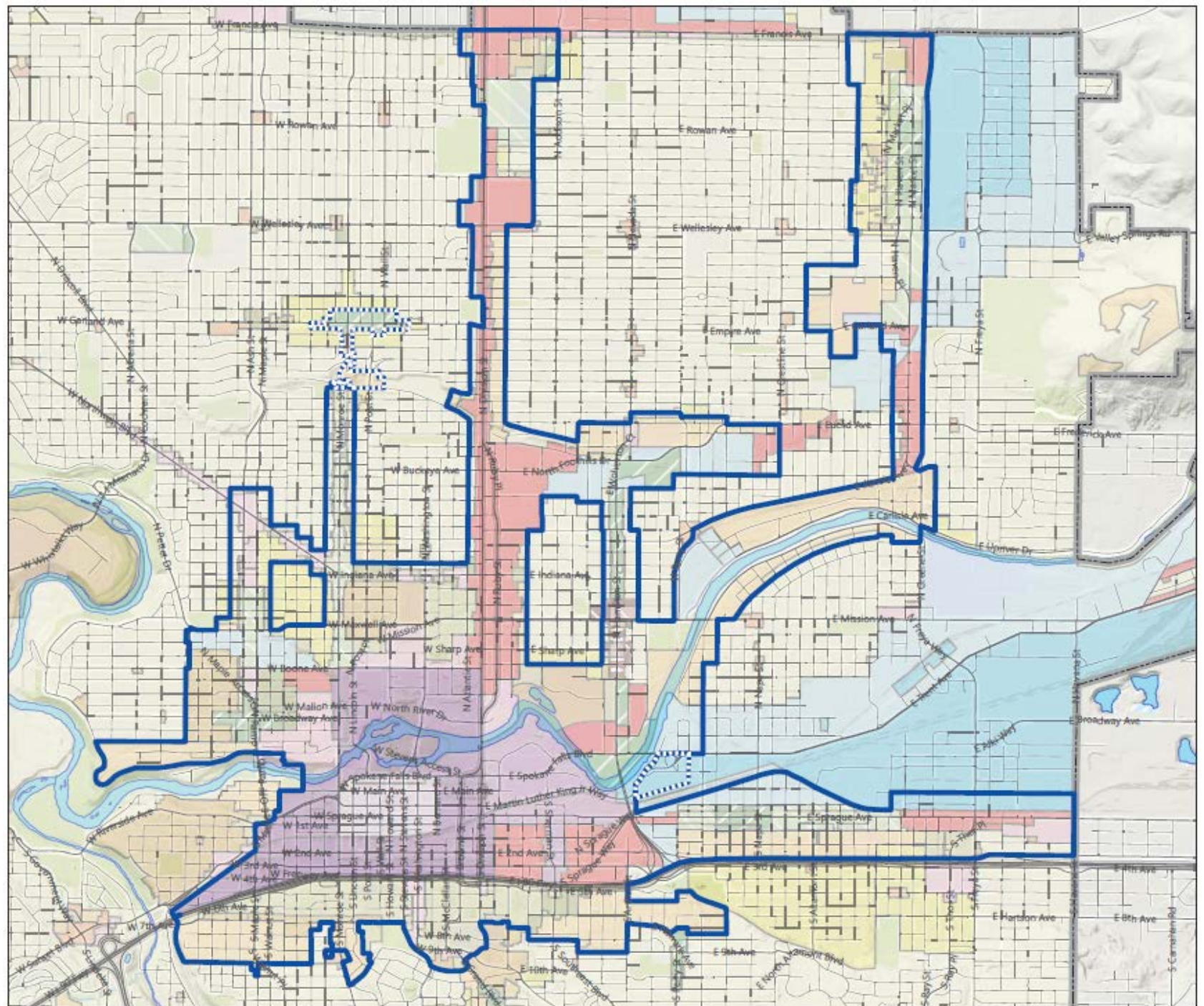
0 50 100 200 300 400 Yards

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.

Drawn By: Kevin Freibott, Planning Department Date Saved: 12/13/2021 11:40 AM

Path: H:\Planning\Projects-Current\EDS TIPS\Multi-Family Tax Exemption and City Zoning Map\MFTE Boundaries\MFTE Boundary.aprx





Residential Target Area Size

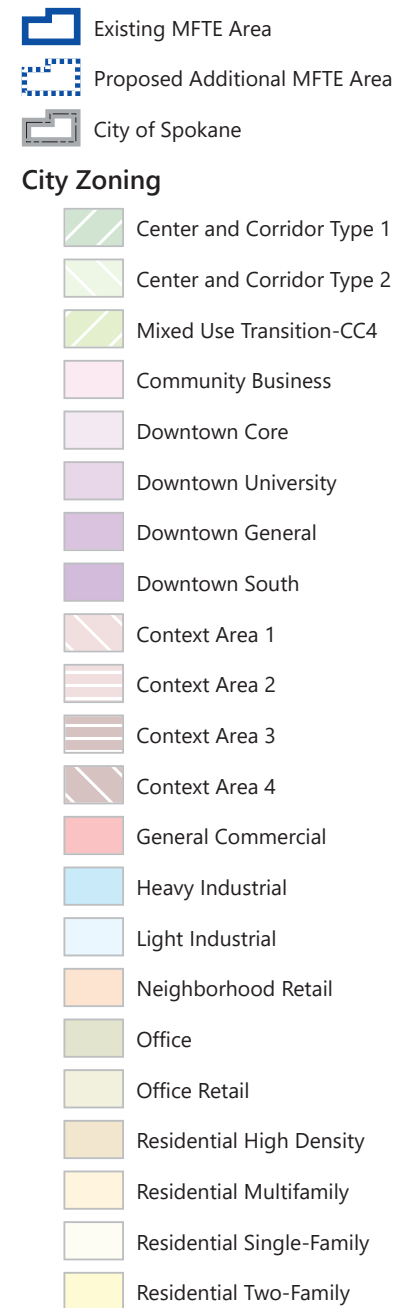
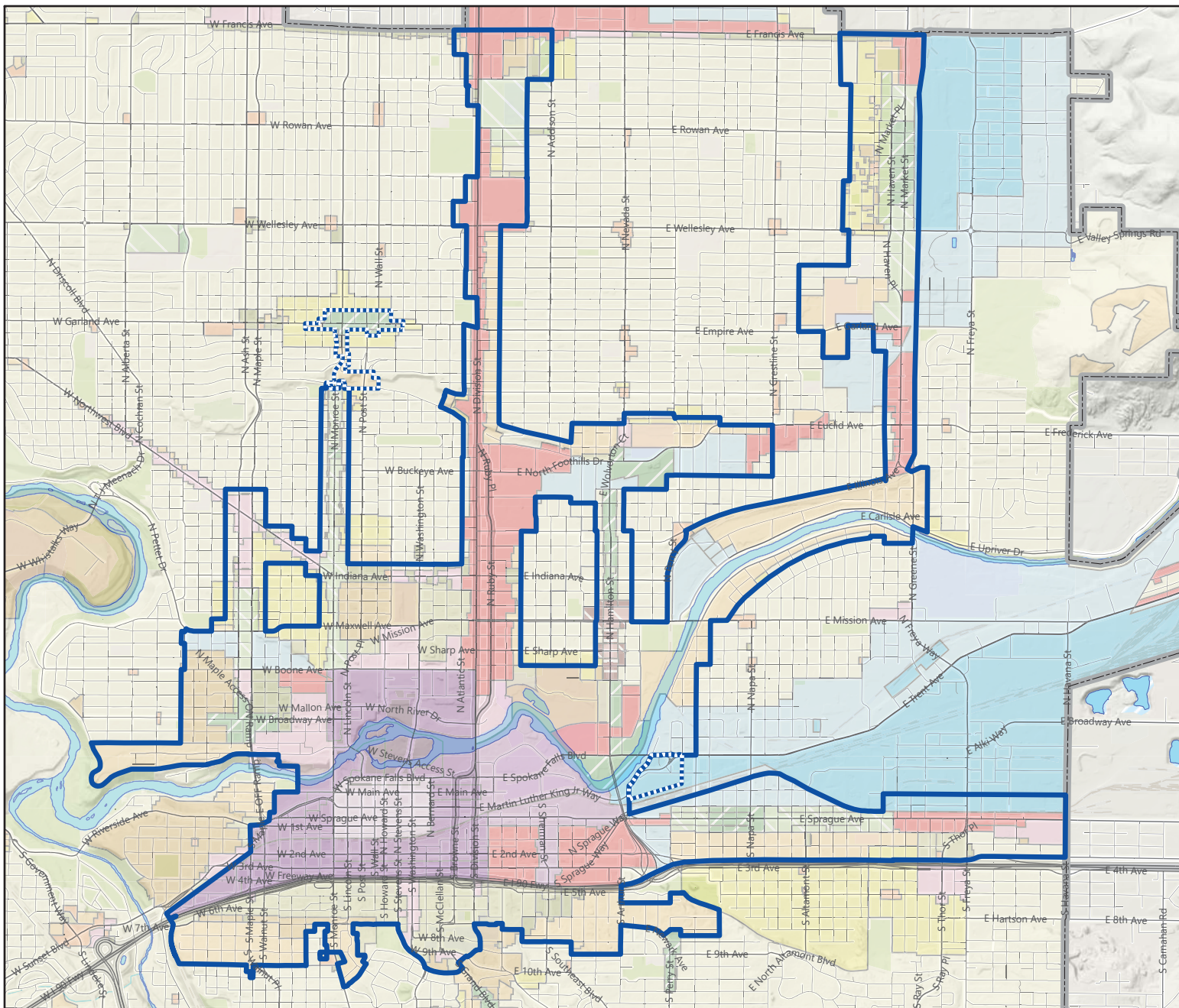
Spokane's MFTE Residential Target Area is 4,926.8 acres

Garland district will add	45.27 acres
University District will add	25.95 acres

The new revised Spokane MFTE Residential Target Area would then be 4,998.02 acres.

Tentative Process and Timeline

- Jan. 10, 2022 – Urban Experience Committee Briefing
- Jan. 24, 2022 - Council Agenda Briefing and action to occur on the same day (post-holiday) on **Resolution** of intention/setting hearing for Feb 14, 2022
- Jan. 31, 2022 – Briefing of first reading **Ordinance** on February 7 Advance Agenda
- Feb. 7, 2022 – Briefing of “hearing on final reading ordinance” during 3:30 p.m. Briefing Session and First Reading of Ordinance held during 6:00 p.m. Session
- Feb. 14, 2022 – **Hearing** and 2nd reading of Ordinance
- Ordinance replacing the Residential Target Area Map goes into effect 30 days later



Attachment A: Spokane's Multi-Family Tax Exemption Target Area

December 2021

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Drawn By: Kevin Freibott, Planning Department Date Saved: 12/13/2021 11:40 AM
 Path: H:\Planning\Projects-Current\EDS TIPS\Multi-Family Tax Exemption and City Zoning Map\MFTE Boundary\MFTE Boundary.aprx





Agenda Sheet for City Council Meeting of:
01/24/2022

<u>Date Rec'd</u>	12/8/2021
<u>Clerk's File #</u>	ORD C36166
<u>Renews #</u>	
<u>Cross Ref #</u>	
<u>Project #</u>	
<u>Bid #</u>	
<u>Requisition #</u>	
<u>Agenda Item Name</u>	4700 - STREET VACATION OF PERRY ST. BETWEEN CELESTA AND HARTSON

Agenda Wording

Vacation of Perry St. between Celesta and Hartson, as requested by the owners of the Liberty Park Apartments.

Summary (Background)

At its legislative session held on December 13, 2021, the City Council set a hearing on the above vacation for Perry St. between Celesta and Hartson. Staff has solicited responses from all concerned parties.

Lease? NO Grant related? NO Public Works? NO

Fiscal Impact

Neutral	\$	#
Select	\$	#
Select	\$	#
Select	\$	#

Budget Account

Approvals

<u>Dept Head</u>	BECKER, KRIS
<u>Division Director</u>	BECKER, KRIS
<u>Finance</u>	ORLOB, KIMBERLY
<u>Legal</u>	PICCOLO, MIKE
<u>For the Mayor</u>	ORMSBY, MICHAEL

Council Notifications

<u>Study Session\Other</u>	PIES 11/23/21
<u>Council Sponsor</u>	CM Betsy Wilkerson

Distribution List

<u>Additional Approvals</u>	edjohnson@spokanecity.org
<u>Purchasing</u>	ebrown@spokanecity.org
	kbecker@spokanecity.org
	rbenzie@spokanecity.org

City of Spokane
Development Services Center
808 West Spokane Falls Blvd.
Spokane, WA 99201-3343
(509) 625-6300

ORDINANCE NO. C36166

An ordinance vacating Perry Street between the north line of Hartson Avenue and the south line of Celesta Avenue;

WHEREAS, a petition for the vacation of Perry Street between the north line of Hartson Avenue and the south line of Celesta Avenue has been filed with the City Clerk representing 100% of the abutting property owners, and a hearing has been held on this petition before the City Council as provided by RCW 35.79; and

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

The City of Spokane does ordain:

Section 1. That Perry Street between the north line of Hartson Avenue and the south line of Celesta Avenue and located partially in the NE $\frac{1}{4}$ of Section 20, Township 25N, Range 43E, W.M. and partially in the NW $\frac{1}{4}$ of Section 21, Township 25N, Range 43 E, W.M. is hereby vacated. Parcel number not assigned.

Passed the City Council _____

Council President

Attest: _____
City Clerk

Approved as to Form:

Assistant City Attorney

Mayor

Date: _____

Effective Date: _____



**CITY OF SPOKANE
DEVELOPMENT SERVICES**

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

**STREET VACATION REPORT
November 24, 2021**

LOCATION: Perry – Hartson to Celesta

PROPONENT: Liberty Park Apartments

PURPOSE: To expand the existing apartment complex by adding approximately 30 multifamily units.

HEARING: January 24, 2022

REPORTS:

AVISTA UTILITIES – I have reviewed the documents and have no concerns.

COMCAST – Comcast has reviewed the vacation request. We have no objections for the vacation.

INLAND POWER - Inland Power & Light Co has no facilities within the proposed area to be vacated.

SPOKANE REGIONAL EMERGENCY COMMUNICATIONS - City GIS doesn't have this in their street data currently, so neither does public safety GIS, so we have no concerns from the 911 side.

LIGHT SPEED NETWORKS – There are no LS Networks facilities in this area.

EXteNet – ExteNet facilities are 'clear'. We created ticket INF-1767294 to track this request.

CENTURYLINK – Upon review of our records, we have no facilities in the proposed vacation area indicated in the attached Vacation Map and are in the clear to proceed accordingly.

ZAYO COMMUNICATIONS – Zayo has no comment and or objection to the requested ROW Vacation.

INTEGRATED CAPITAL MANAGEMENT – No concerns

FIRE DEPARTMENT - I know that this is to support a new project, so we do not have any issue. This new project will affect the vacant properties so that they will not become land-locked and there is quite a slope at the north end of the vacated ROW.

Fire has no concerns with the vacation.

NEIGHBORHOOD SERVICES - No comments

PARKS DEPARTMENT - No comments

PLANNING & DEVELOPMENT – TRAFFIC DESIGN – No comments

PLANNING & DEVELOPMENT – PLANNING – No concerns

POLICE DEPARTMENT - No comments

SOLID WASTE MANAGEMENT – Solid Waste does not have and concerns with this proposal

STREET DEPARTMENT - We have reviewed the design plans and have the following comments.

Option 1

A hammerhead should be installed on Perry just north of the Perry/Hartson intersection according to City Standard plans.

Install “End of Road Barricade” per City of Spokane Standard Plans G-92A, Type 3X2.

Option 2

Or install curbing and sidewalk along an arc between the north curb line of Hartson and the west curb line of Perry. This allows the “End of Road Barricade” to be omitted.

WASTEWATER MANAGEMENT – Wastewater Management has no objection to the vacation provided on site runoff be maintained and treated on site. If the existing catch basin on the northeast corner of Perry & Hartson will be within the vacation area or impacted by the proposed construction, it will need to be replaced and properly located within the public right of way in accordance to COS standards and as approved by WWM.

WATER DEPARTMENT – No comments

BICYCLE ADVISORY BOARD - No comments

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

1. If the existing catch basin on the northeast corner of Perry & Hartson will be within the vacation area or impacted by the proposed construction, it will need to be replaced and properly located within the public right of way in accordance to COS standards and as approved by WWM.
2. Closure work will be required on the north side of Hartson and must be completed or bonded for prior to vacation finalization.
3. The proponent shall pay to the City of Spokane the assessed valuation for the vacated land as defined by the latest information from the County Assessor's Office. This is calculated to be \$62,418.97 and is to be deposited to Budget Account #3200 49199 99999 39510.
4. That the final reading of the vacation be held in abeyance until all of the above conditions are met and that the above conditions are met by December 1, 2022.

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

EDJ

A handwritten signature in black ink, appearing to read "Eldon W. Brown". The signature is fluid and cursive, with the first name "Eldon" being more prominent than the last name "Brown".




P2107037VACA



Right-of-way Description:
Perry Street from the north line of
Hartson Ave to the south line of Celesta Ave

Legend

 **Proposed Vacation**

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.



From: [Hanson, Rich](#)
To: [Studer, Duane](#); [Coe, Melanie](#)
Cc: [Morris, Mike](#)
Subject: RE: Notice of Proposed Street Vacation - Perry St from Hartson to Celesta
Date: Thursday, December 30, 2021 11:31:31 AM
Attachments: [image002.png](#)

Melanie,

We do not object to the vacation under the following condition:

- The resulting vacation would prohibit the two “land locked” lots from having the ability to obtain sewer and water services from the City provided systems. Therefore, language should be included such that future utility easements are provided for as a part of this vacation process or are allowed for in the future at no cost to the owners of these lots, as allowed within the regulations.

Please let me know if you have any questions on this comment.

Have a wonderful New Years. I hope that you and your family are well!

Rich Hanson

From: Studer, Duane <dstuder@spokanecity.org>
Sent: Thursday, December 30, 2021 8:13 AM
To: Coe, Melanie <mcoe@spokanecity.org>
Cc: Hanson, Rich <rahanson@spokanecity.org>; Morris, Mike <mmorris@spokanecity.org>
Subject: RE: Notice of Proposed Street Vacation - Perry St from Hartson to Celesta

Thanks Melanie.

Duane.

From: Coe, Melanie <mcoe@spokanecity.org>
Sent: Wednesday, December 29, 2021 4:12 PM
To: Studer, Duane <dstuder@spokanecity.org>
Subject: RE: Notice of Proposed Street Vacation - Perry St from Hartson to Celesta

Hi Duane,

The hearing is set for January 24th, 2022. I can accept comments to add to the packet for that date anytime between now and Wednesday, January 19th.



Melanie Coe | City of Spokane | City Clerk's Office | Clerk III
808 W. Spokane Falls Boulevard, Spokane, WA 99201-3342
509.625.6360 | fax 509.625.6217 | mcoe@spokanecity.org

ADVISORY: Please be advised the City of Spokane is required to comply with the Public Records Act Chapter 42.56 RCW. This act establishes a strong state mandate in favor of disclosure of public records. As such, the information you submit to the City via email, including personal information, may ultimately be subject to disclosure as a public record.

From: Studer, Duane <dstuder@spokanecity.org>
Sent: Wednesday, December 29, 2021 4:08 PM
To: Coe, Melanie <mcoe@spokanecity.org>
Subject: RE: Notice of Proposed Street Vacation - Perry St from Hartson to Celesta

Melanie,

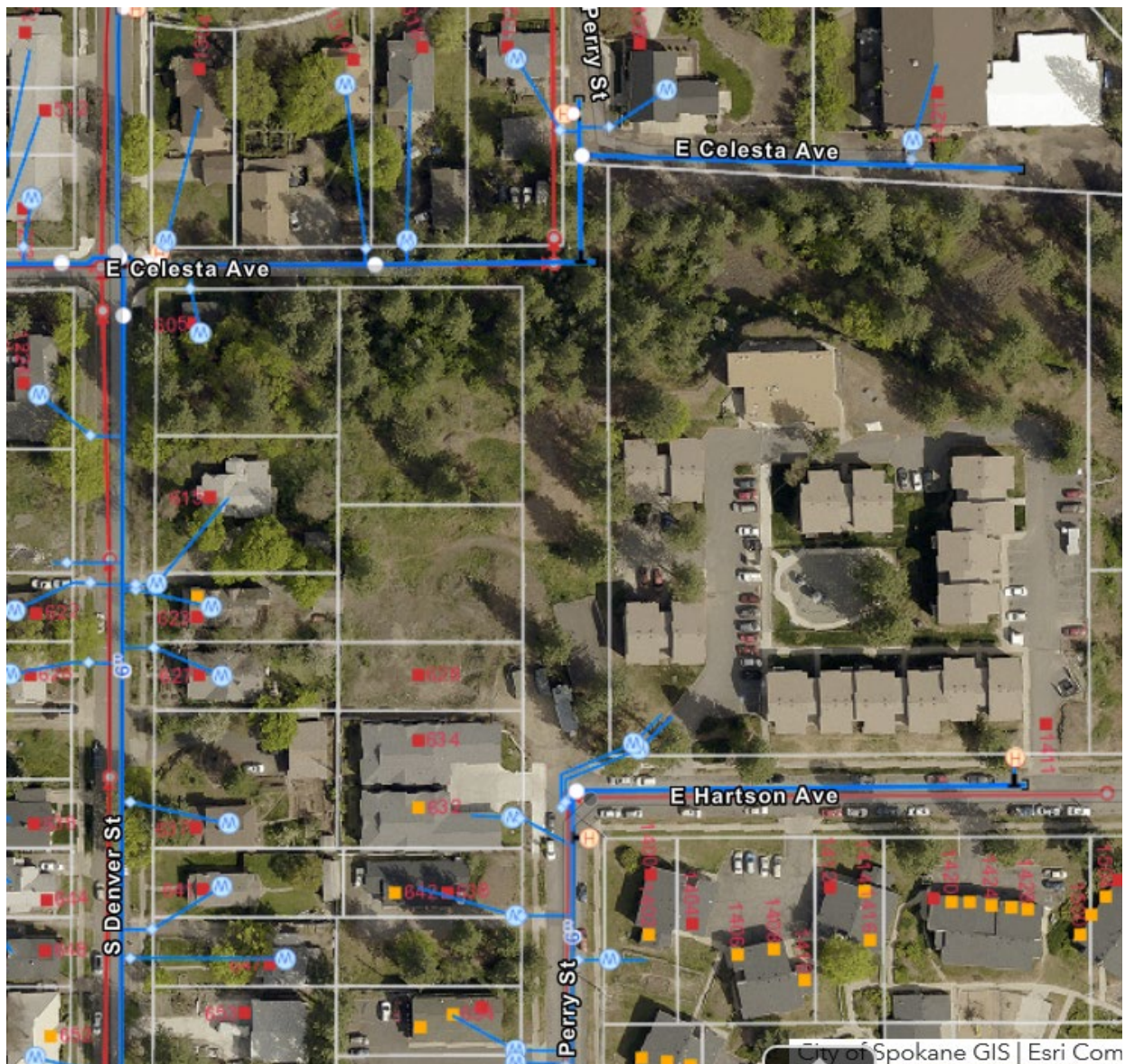
Doesn't seem too busy of street as far current utilities that need easement; how long to we have to respond with any comments to this?

It looks like the vacation may create a landlocked lot in the west side of Perry there.

Thanks,



Duane Studer, P.E. | City of Spokane | Principal Engineer
909 E. Sprague, Spokane, WA 99202 | Wastewater Management Dept.
509-625-7902 | cell 509-440-2892 | dstuder@spokanecity.org | spokanecity.org



From: Coe, Melanie <mcoe@spokanecity.org>
Sent: Wednesday, December 22, 2021 2:47 PM
Subject: Notice of Proposed Street Vacation - Perry St from Hartson to Celesta

Greetings!

Attached please find a Notice of Proposed Street Vacation (hearing set by Resolution 2021-0100) regarding the proposed vacation of Perry Street from the north line of Hartson Avenue to the south line of Celesta Avenue.

Thank you,



Melanie Coe | City of Spokane | City Clerk's Office | Clerk III

808 W. Spokane Falls Boulevard, Spokane, WA 99201-3342

509.625.6360 | fax 509.625.6217 | mcoe@spokanecity.org

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From: [Lines, John](#)
To: [Coe, Melanie](#)
Cc: [Morris, Mike](#); [Hanson, Rich](#); [Studer, Duane](#)
Subject: FW: RW Vacation Request for Comments - Perry - Hartson to Celesta
Date: Tuesday, January 11, 2022 7:23:15 AM
Attachments: [Vacation Map.pdf](#)
[Application Documents.pdf](#)

Melanie,

On 12/22, you sent out a notice of proposed street vacation on Perry from Hartson to Celesta. Wastewater Management had previously responded to the request that Erik Johnson sent out on 9/8. I am forwarding our response to that previous notice just in case.

Thanks,
John Lines
Wastewater Management
509-625-7913

From: Lines, John
Sent: Thursday, September 9, 2021 3:32 PM
To: Johnson, Erik D. <edjohnson@spokanecity.org>
Cc: Morris, Mike <mmorris@spokanecity.org>
Subject: FW: RW Vacation Request for Comments - Perry - Hartson to Celesta

Erik,

Wastewater Management has no objection to the vacation provided on site runoff be maintained and treated on site. If the existing catch basin on the northeast corner of Perry & Hartson will be within the vacation area or impacted by the proposed construction, it will need to be replaced and properly located within the public right of way in accordance to COS standards and as approved by WWM.

John Lines
Wastewater Management
509-625-7913

From: Morris, Mike <mmorris@spokanecity.org>
Sent: Wednesday, September 8, 2021 8:59 AM
To: Lines, John <jlines@spokanecity.org>
Subject: FW: RW Vacation Request for Comments - Perry - Hartson to Celesta

From: Johnson, Erik D. <edjohnson@spokanecity.org>

Sent: Wednesday, September 8, 2021 8:28 AM

Subject: RW Vacation Request for Comments - Perry - Hartson to Celesta

Good Morning,

The City of Spokane has received a petition to vacate Perry St. between Hartson and Celesta as shown on the attached map. Do you have any comments or concerns with the proposal?

Please reply to this email with any comments, concerns or requests for easements **no later than Friday, September 24, 2021.**

Also attached you will find the application documents including a site plan, project narrative, and answers to a few questions.

Thanks,



Erik Johnson | City of Spokane | Engineering Technician IV

📞 Office 509.625.6445 | Cell 509.995.0870 | edjohnson@spokanecity.org