

CITY OF SPOKANE



NOTICE

REGARDING CITY COUNCIL MEETINGS

Notice is hereby given that City Council has resumed in-person meetings (effective Monday, March 14, 2022). City Council's standing committee meetings, Briefing Sessions, Legislative Sessions and study sessions are held in City Council Chambers – Lower Level of City Hall, 808 W. Spokane Falls Blvd.

City Council Members, City staff, presenters and members of the public will still have the option to participate virtually via WebEx during all meetings, with the exception of Executive Sessions which are closed to the public. Call in information for the August 29, 2022, meetings is below. All meetings will continue to be streamed live on Channel 5 and online at <https://my.spokanecity.org/citycable5/live> and <https://www.facebook.com/spokanecitycouncil>.

WebEx call in information for the week of August 29, 2022:

1:15 p.m. Committee Meeting: 1-408-418-9388; access code: 2491 952 4023; password: 0320

3:30 p.m. Briefing Session: 1-408-418-9388; access code: 2485 018 9050; password: 0320

6:00 p.m. Legislative Session: 1-408-418-9388; access code: 2481 868 6704; password: 0320

Thursday Study Session: 1-408-418-9388; access code: 2480 676 7327; password: 0320

To participate in public comment (including Open Forum):

Testimony sign up is open from 5:00-6:00 p.m. on Monday, August 29, 2022. You must sign up by 6:00 p.m. to be called on to testify. Sign up forms will be available outside of Council Chambers for in-person attendees.

Those wishing to give testimony virtually can sign up between 5:00-6:00 p.m. at <https://forms.gle/Vd7n381x3seaL1NW6>. (If you are unable to access the form by clicking the hyperlink, please copy and paste the link address into your browser window.) 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 the 6:00 p.m. legislative session, after the conclusion of the legislative agenda, the Council shall hold an open forum unless a majority of Council Members vote otherwise. The open forum will not extend past 9:30 p.m. unless extended by a supermajority of the Council.
- B. Members of the public can sign up for open forum in the hour preceding the legislative session via the virtual testimony form linked in the meeting packet or in person outside Council Chambers. The order of the speakers be determined at the discretion of the chair. Each speaker shall be limited to no more than three minutes unless a majority of the Council Members in attendance vote on an alternate time limit.
- C. No action, other than a statement of Council Members' 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 and all matters discussed in the open forum shall relate to the affairs of the City. No person shall be permitted to speak in open forum regarding items on that week's current agenda or the next week's advanced agenda, pending hearing items, or initiatives or referenda in a pending election. Individuals speaking during 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 during the Council's legislative session: the consent agenda as a whole, 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 on issues that are not part of the current or advanced agendas during 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 or any other individual, and shall confine remarks to the matters that are specifically before the Council at that time.
- H. Members of City Council staff may participate in public comment, including open forum, providing they are in compliance with the City of Spokane Code of Ethics and they do the following:
 - 1. Announce at the beginning of their testimony that they are there in their personal capacity or their capacity as a member of a relevant board, commission, committee or community group;
 - 2. Protect confidential information, including, but not limited to, confidential financial information and attorney-client communications;
 - 3. Do not use, or be perceived to use, City funds, including giving testimony during paid work time, or City property, including using a City-issued computer or cell phone, in giving testimony.
- I. 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 Director of Policy and Government Relations 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 2.15(A), with those exceptions stated in Rule 2.16(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 the time limit is adjusted by a majority vote of the Council. The chair may allow additional time if the speaker is asked to respond to questions from the Council. Public testimony and consideration of an item may be extended to a subsequent meeting by a majority vote of the Council.
- B. No public testimony shall be taken on amendments to consent or legislative agenda items, or solely procedural, parliamentary, or administrative matters of the Council.
- C. Public testimony will be taken on consent and legislative items that are moved to Council's regular briefing session or study session unless a majority of Council votes otherwise during the meeting in which the items are moved.
- D. 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.
 - 4. In the event that the side for which individuals wish to speak is not identified, those wishing to give testimony shall be granted three (3) minutes to present their position after all sides have made their initial presentations and before each side's rebuttal period.
- E. 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.
 - F. Testimony may also be submitted by mail to City Council Office, Spokane City Hall, 808 W. Spokane Falls Blvd., Spokane, WA, 99201, by email to all Council Members, or via the Contact form on the Council's website.¹

¹ <https://my.spokanecity.org/citycouncil/members/>

THE CITY OF SPOKANE



ADVANCE COUNCIL AGENDA

MEETING OF MONDAY, AUGUST 29, 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

BRIEFING AND LEGISLATIVE SESSIONS

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. Pursuant to Council Rule 2.16.C, public testimony will be taken on consent and legislative items that are moved to Council's regular Briefing Session unless a majority of Council votes otherwise during the meeting in which the items are moved. The Legislative Session is also open to the public and public comment will be taken on Legislative Session items, except those that are adjudicatory or solely administrative in nature. Following the conclusion of the Legislative Agenda, an Open Forum will be held unless a majority of Council Members vote otherwise. Please see additional Open Forum information that appears at the end of the City Council agenda.

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.

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. Council Members must be recognized by the chair for the purpose of obtaining the floor.
- Each person speaking in a public Council meeting shall verbally identify themselves by name, city of residency and, if appropriate, representative capacity.
- 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. (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.
- 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 or any other individual, and shall continue to the matters that are specifically before the Council at that time.
- Members of the City Council staff may participate in public comment, including open forum, providing they are in compliance with the City of Spokane Code of Ethics and they follow the steps outlined in the City Council Rules of Procedure.

SPEAKING TIME LIMITS: Unless the time limit is adjusted by a majority vote of the Council, each person addressing the Council shall be limited to a three-minute speaking time. The chair may allow additional time if the speaker is asked to respond to questions from the Council. Public testimony and consideration of an item may be extended to a subsequent meeting by a majority vote of the Council.
Note: No public testimony shall be taken on amendments to consent or legislative agenda items, or solely procedural, parliamentary, or administrative matters of the Council.

CITY COUNCIL AGENDA: The City Council Advance and Current Agendas may be obtained prior to Council Meetings by accessing the City website at <https://my.spokanecity.org>.

BRIEFING SESSION

(3:30 p.m.)

(Council Chambers Lower Level of City Hall)

(No Public Testimony Taken)

ROLL CALL OF COUNCIL

INTERVIEWS OF NOMINEES TO BOARDS AND COMMISSIONS

COUNCIL OR STAFF REPORTS OF MATTERS OF INTEREST

ADVANCE AGENDA REVIEW (Staff or Council Member briefings and discussion)

APPROVAL BY MOTION OF THE ADVANCE AGENDA

CURRENT AGENDA REVIEW (Presentation of any new background information and discussion of any adjustments)

EXECUTIVE SESSION

(Closed Session of Council)

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

LEGISLATIVE SESSION

(6:00 P.M.)

(Council Reconvenes in Council Chamber)

PLEDGE OF ALLEGIANCE

WORDS OF INSPIRATION AND SPECIAL INTRODUCTIONS

ROLL CALL OF COUNCIL

COUNCIL AND COMMITTEE REPORTS

(Committee Reports for City Council Standing Committees and other Boards and Commissions)

PROCLAMATIONS AND SALUTATIONS

**REPORTS FROM NEIGHBORHOOD COUNCILS AND/OR OTHER CITY-SPONSORED
COMMUNITY ORGANIZATIONS**

ANNOUNCEMENTS

(Announcements Regarding Adjustments to the City Council Agenda)

BOARDS AND COMMISSIONS APPOINTMENTS

(Includes Announcements of Boards and Commissions Vacancies)

APPOINTMENTS**RECOMMENDATION**

Spokane Human Rights Commission: One Appointment Approve CPR 1991-0068

ADMINISTRATIVE REPORTS**CONSENT AGENDA****REPORTS, CONTRACTS AND CLAIMS****RECOMMENDATION**

- | | | |
|---|--|--|
| <p>1. Contract Renewal 2 of 2 with Rubicon Global, LLC (Atlanta, GA) for solid waste collections management and telematics system for Solid Waste Collection and Street vehicles from October 1, 2022 through September 30, 2023—\$189,092.11 (incl. tax). (Council Sponsor: Council Member Wilkerson)
Michael Sloon</p> <p>2. Contract Extension with Assetworks (Wayne, PA) for annual maintenance and support of the City's Fleet Asset Management System from October 1, 2022 through September 30, 2023—\$101,433.69 (incl. tax). (Council Sponsor: Council Member Wilkerson)
Michael Sloon</p> <p>3. Purchase of property, casualty, terrorism and cyber insurance from Willis Towers Watson Insurance (Seattle, WA) for the City for the period of September 1, 2022 to August 31, 2023—\$4,078,526. (Council Sponsor: Council Member Wilkerson)
Michael Ormsby</p> <p>4. Report of the Mayor of pending:</p> <p style="padding-left: 20px;">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 \$_____.</p> <p style="padding-left: 20px;">b. Payroll claims of previously approved obligations through_____, 2022: \$_____.</p> | <p>Approve</p> <p>Approve</p> <p>Approve</p> <p>Approve & Authorize Payments</p> | <p>OPR 2018-0598
RFP 4430-18</p> <p>OPR 2016-0794</p> <p>OPR 2022-0597</p> <p>CPR 2022-0002</p> <p>CPR 2022-0003</p> |
|---|--|--|

5. City Council Meeting Minutes: _____, 2022.

Approve
All

CPR 2022-0013

ACTION ON CONSENT AGENDA

LEGISLATIVE AGENDA

SPECIAL BUDGET ORDINANCES

(Require Five Affirmative, Recorded Roll Call Votes)

Ordinance C36261 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 \$160,000, funded from the city's direct allocation of the State and Local Fiscal Recovery Fund of the American Rescue Plan Act. This ARP fund appropriation qualifies as part of the General Government Services program category.

(A) \$160,000 of the appropriation is provided solely for the replacement of playground equipment to be purchased through the Parks department.

(This action arises from the need to provide appropriation for Parks Playground Equipment.) (Council Sponsors: Council President Beggs and Council Member Wilkerson)

Michelle Murray

NO EMERGENCY ORDINANCES

RESOLUTIONS

(Require Four Affirmative, Recorded Roll Call Votes)

RES 2022-0076 Declaring the intention of City Council to change or establish certain assessment rates within the East Sprague Parking and Business Improvement Area, and setting hearing for September 19, 2022. (Council Sponsors: Council Members Bingle and Cathcart)

Amanda Beck

RES 2022-0078 Approving settlement of Tina Lee v. City of Spokane, Spokane County Superior Court Cause No. 20-2-02838-32, arising out of an incident occurring on April 12, 2019—\$80,000. (Council Sponsors: Council President Beggs and Council Member Wilkerson)

Lynden Smithson

NO FINAL READING ORDINANCES

NO FIRST READING ORDINANCES

NO SPECIAL CONSIDERATIONS

NO HEARINGS

Motion to Approve Advance Agenda for August 29, 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 by 6:00 p.m. A sign-up form will be available on the day of the meeting from 5:00-6:00 p.m. outside of Council Chambers for in-person attendees. Those wishing to comment virtually can sign up between 5:00-6:00 p.m. at <https://forms.gle/Vd7n381x3seal1NW6>. (If you are unable to access the form by clicking the hyperlink, please copy and paste the link address into your browser window.) Instructions for virtual 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.

ADJOURNMENT

The August 29, 2022, Regular Legislative Session of the City Council will be held and is adjourned to September 12, 2022.

Note: There is no City Council meeting on Monday, September 5, 2022, due to the recognized observance of the Labor Day holiday. There will be no regularly scheduled City Council meeting held on Tuesday, September 6, 2022.

NOTES



Agenda Sheet for City Council Meeting of:
08/29/2022

<u>Date Rec'd</u>	8/11/2022
<u>Clerk's File #</u>	CPR 1991-0068
<u>Renews #</u>	
<u>Cross Ref #</u>	
<u>Project #</u>	
<u>Bid #</u>	
<u>Requisition #</u>	

<u>Submitting Dept</u>	MAYOR
<u>Contact Name/Phone</u>	TESSA DELBRIDGE 625-6716
<u>Contact E-Mail</u>	TDELBRIDGE@SPOKANECITY.ORG
<u>Agenda Item Type</u>	Boards and Commissions Appointments
<u>Agenda Item Name</u>	0520 APPOINTMENT TO SPOKANE HUMAN RIGHTS COMMISSION

Agenda Wording

Appoint Livia Koh to serve in the youth position on the Spokane Human Rights Commission for a one-year term expiring on September 1, 2023

Summary (Background)

Appoint Livia Koh to serve in the youth position on the Spokane Human Rights Commission for a one-year term expiring on September 1, 2023

Lease? NO	Grant related? NO	Public Works? NO
<u>Fiscal Impact</u>	<u>Budget Account</u>	
Select \$	#	
Select \$	#	
Select \$	#	
Select \$	#	
<u>Approvals</u>		<u>Council Notifications</u>
<u>Dept Head</u>	KIRK, JESSICA	<u>Study Session\Other</u>
<u>Division Director</u>		<u>Council Sponsor</u>
<u>Finance</u>		<u>Distribution List</u>
<u>Legal</u>		tdelbridge@spokanecity.org
<u>For the Mayor</u>	ORMSBY, MICHAEL	lkissler@spokanecity.org
<u>Additional Approvals</u>		jkirk@spokanecity.org
<u>Purchasing</u>		

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

08/29/2022

Date Rec'd

8/15/2022

Clerk's File #

OPR 2018-0598

Renews #**Submitting Dept**INNOVATION & TECHNOLOGY
SERVICES**Cross Ref #****Contact Name/Phone**

MICHAEL SLOON 625-6468

Project #**Contact E-Mail**

MSLOON@SPOKANECITY.ORG

Bid #

RFP 4430-18

Agenda Item Type

Contract Item

Requisition #

CR 23911

Agenda Item Name

5300 RUBICON ANNUAL MAINTENANCE & SUPPORT

Agenda Wording

Annual maintenance with Rubicon Global, LLC for solid waste collections management & telematics system for Solid Waste Collection & Street vehicles. Contract amount is \$189,092.11 including tax. Contracted term Oct. 1, 2022 through Sept. 30, 2023.

Summary (Background)

The City selected Rubicon Global, LLC through RFP #4430-18 to provide route management and telematics solutions. This technology provides paperless routing, navigation, route optimization, service confirmations, exception flagging, photo capabilities, vehicle reports, and additional data collection. The 2020 cost was \$179,936.11 including applicable tax. This year's cost is \$189,092.11 including tax. The increase in costs are due to additional tablet purchases.

Lease? NO

Grant related? NO

Public Works? NO

Fiscal Impact**Budget Account**

Expense \$ 62,400.41

4500-44200-37148-54201

Expense \$ 126,691.70

4500-45100-37148-54201

Select \$

#

Select \$

#

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

SLOON, MICHAEL

Study Session\Other8/15/22 Finance &
Administration Committee**Division Director**

SLOON, MICHAEL

Council Sponsor

CM Wilkerson

Finance

BUSTOS, KIM

Distribution List**Legal**

HARRINGTON, MARGARET

Accounting - ywang@spokanecity.org

For the Mayor

PERKINS, JOHNNIE

Contract Accounting - ddaniels@spokanecity.org

Additional Approvals

Legal - modle@spokanecity.org

Purchasing

WAHL, CONNIE

Purchasing - cwahl@spokanecity.org

IT - itadmin@spokanecity.org

Tax & Licenses

Michael Allegretti - mallegetti@rubicon.com

Committee Agenda Sheet

Finance & Administration Committee

Submitting Department	Innovation and Technology Services Division
Contact Name & Phone	Michael Sloon, 625-6468
Contact Email	msloon@spokanecity.org
Council Sponsor(s)	CM Wilkerson
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested: 8/15/2022
Agenda Item Name	Rubicon Global, LLC Annual Software Maintenance, Support and purchase of vehicle tablets.
Summary (Background)	The City selected Rubicon Global, LLC through RFP #4430-18 to provide route management and telematics solutions. This technology provides paperless routing, navigation, route optimization, service confirmations, exception flagging, photo capabilities, vehicle reports, and additional data collection. The 2020 cost was \$179,936.11 including applicable tax. This year's cost is \$189,092.11 including tax. The increase in costs are due to additional tablet purchases.
Proposed Council Action & Date:	Approval of Council on August 29, 2022.
Fiscal Impact: Total Cost: \$189,092.11 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 – Annual Specify funding source: 4500-44200-37148-54201: \$62,400.41 4500-45100-37148-54201: \$126,691.70 Expense Occurrence <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring - Annual Other budget impacts: NA	
Operations Impacts	
What impacts would the proposal have on historically excluded communities?	
Not applicable – annual software maintenance	
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?	
Not applicable – annual software maintenance	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?	
Not applicable – annual software maintenance	
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?	
This service aligns with the Sustainable Resources strategic initiative based on sound financial objectives, and quality customer service for our solid waste collections management and telematics system for Solid Waste Management and Streets.	



City of Spokane

**CONTRACT RENEWAL
2 OF 2**

**Title: MASTER SOFTWARE
SERVICES AGREEMENT**

This Contract Renewal is made and entered into by and between the **CITY OF SPOKANE** as ("City"), a Washington municipal corporation, and **RUBICON GLOBAL, LLC**, a Delaware limited liability company, whose address is 950 East Paces Ferry Road, Suite 1900, Atlanta, Georgia 30326 as ("Rubicon"), individually hereafter referenced as a "party", and together as the "parties".

WHEREAS, the parties entered into a Contract wherein Rubicon agreed to provide ongoing annual maintenance and support for solid waste collections management and telematics system for Solid Waste Collection vehicles for the City; and

WHEREAS, the initial contract provided for two (2) additional one-year renewals, with this being the second of those renewals.

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

1. CONTRACT DOCUMENTS.

The Contract, dated October 4, 2018 and October 8, 2018, any previous amendments, renewals and / or extensions / thereto, are incorporated by reference into this document as though written in full and shall remain in full force and effect except as provided herein.

2. EFFECTIVE DATE.

This Contract Renewal shall become effective on October 1, 2022 and shall run through September 30, 2023.

3. COMPENSATION.

The City shall pay a maximum cost not to exceed **ONE HUNDRED EIGHTY-NINE THOUSAND NINETY-TWO AND 11/100 DOLLARS (\$189,092.11)** including applicable tax, for everything furnished and done under this Contract Renewal pursuant to Company's July 6, 2022 Proposal. 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.

4. DEBARMENT AND SUSPENSION.

The Contractor has provided its certification that it is in compliance with and shall not contract with individuals or organizations which are debarred, suspended, or otherwise excluded from or

ineligible from participation in Federal Assistance Programs under Executive Order 12549 and “Debarment and Suspension”, codified at 29 CFR part 98.

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.

RUBICON GLOBAL, 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

Attachments that are part of this Agreement:

Rubicon’s July 6, 2022 Proposal

22-132

EXHIBIT A

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION

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

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

1. The lower tier contractor certifies, by signing this contract that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.
 2. Where the lower tier contractor is unable to certify to any of the statements in this contract, such contractor shall attach an explanation to this contract.
4. I understand that a false statement of this certification may be grounds for termination of the contract.

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

EXHIBIT B



RUBICON

CITY OF SPOKANE – CONTRACT RENEWAL – 07/06/2022

RUBICONSmartCity™ is a suite of technology products and services designed to help city governments run waste and recycling operations faster, smarter, and more effectively. With our unique technology installed in city trucks, Rubicon helps the City of Spokane save money and provide more effective solid waste and recycling services. The City selected Rubicon Global, LLC through RFP # 4430-18 to provide route management and telematics solutions. Our technology provides paperless routing, navigation, route optimization, service verifications, exception flagging, photo capabilities, vehicle reports, and additional data collection.

The City's initial three-year term expires on the current contract (OPR 2018-0598) on September 30, 2021. Per the contract, the City has two one-year options to renew at the current rate of \$188,918.63 including tax. The following quote assumes the City exercises it's second one-year option for the contract term of October 1, 2022 – September 30, 2023.

Description	Quantity	Unit	Unit Price	Line Amount
Smart City Subscription – Year 5	1	Year	\$157,819.00	\$165,079.00
Tablets – Recurring Costs	7	Tablet/Yr	\$1,200.00	\$8,400.00

Subtotal Total USD	\$173,479.00
Sales Tax	\$15,613.11
Total USD	\$189,092.11

**License Information:**[New search](#) [Back to results](#)

Entity name: RUBICON GLOBAL, LLC

Business name: RUBICON GLOBAL LLC

Entity type: [Limited Liability Company](#)

UBI #: 604-181-657

Business ID: 001

Location ID: 0001

Location: Active

Location address: 335 MADISON AVE
FL 4
NEW YORK NY 10017-4675

Mailing address: 335 MADISON AVE
FL 4
NEW YORK NY 10017-4675

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

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

Endorsements

Endorsements held at this loc	License #	Count	Details	Status	Expiration date	First issuance
Spokane General Business - Non-Resident				Active	Sep-30-2022	May-10-2018



Governing people**Title**

MEYER, BILL

MORRIS, NATE

Registered Trade Names**Registered trade names****Status****First issued**

RUBICON

Active

Aug-24-2021

The Business Lookup information is updated nightly. Search date and time: 8/27/2021
10:26:14 AM

Contact us[How are we doing?](#)**[Take our survey!](#)**[Don't see what you expected?](#)**[Check if your browser is supported](#)**



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

4/11/2022

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

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

PRODUCER ABD Insurance and Financial Services, Inc. 777 Mariners Island Blvd Suite 250 San Mateo, CA 94404 www.theabdteam.com		CONTACT NAME: Cert Request PHONE (A/C, No, Ext): 650-488-8565 FAX (A/C, No): E-MAIL ADDRESS: TechCertRequest@theabdteam.com	
INSURED Rubicon Technologies, LLC 950 E Paces Ferry Rd, Ste 1900 Atlanta GA 30326		INSURER(S) AFFORDING COVERAGE INSURER A: Atlantic Specialty Insurance Company INSURER B: Lloyds of London INSURER C: INSURER D: INSURER E: Markel Insurance Company INSURER F:	
		NAIC # 27154 38970	

COVERAGES

CERTIFICATE NUMBER: 67660668

REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			711-01-70-74-0003	4/4/2022	4/4/2023	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$1,000,000 MED EXP (Any one person) \$15,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY			711-01-70-74-0003	4/4/2022	4/4/2023	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			711-01-70-74-0003	4/4/2022	4/4/2023	EACH OCCURRENCE \$5,000,000 AGGREGATE \$5,000,000 \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N	N/A	406-04-67-35-0002	4/4/2022	4/4/2023	PER STATUTE OTH-ER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000
B	Errors & Omissions W/ Cyber Primary			PRO10010952305	4/4/2022	4/4/2023	Limit: \$5,000,000
E	Errors & Omissions/ Cyber - Excess			MKL1V1XEO000281	4/4/2022	4/4/2023	Limit: \$5,000,000

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

RE: Evidence Of Insurance.

CERTIFICATE HOLDER

Evidence Of Insurance

CANCELLATION

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

AUTHORIZED REPRESENTATIVE

Rod Sockolov

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ACORD 25 (2016/03)

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

08/29/2022

Date Rec'd

8/15/2022

Clerk's File #

OPR 2016-0794

Renews #**Submitting Dept**

INNOVATION & TECHNOLOGY

Contact Name/Phone

MICHAEL 625-6468

Contact E-Mail

MSLOON@SPOKANECITY.ORG

Agenda Item Type

Contract Item

Agenda Item Name

5300 ASSETWORKS M-5 ANNUAL MAINTENANCE & SUPPORT

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

RES 2018-0082

Requisition #

CR 23913

Agenda Wording

Contract with Assetworks for annual maintenance & support of City's Fleet Asset Management System (M5). Assetworks was deemed a sole source provider in 2018. Contract Oct. 1, 2022 - Sept. 30, 2023. Contract amount is \$101,433.69 including tax.

Summary (Background)

This contract is necessary in order to obtain software upgrades for all M5 and receive AssetWorks Help Desk support. AssetWorks is the only authorized firm to provide maintenance services on the M5 software system. Included in this support are: FleetFocus M5, Chrystal Reports, FuelFocus for Fleet and Asset Management, and TripCard software. The 2021 cost was \$95,692.17 including applicable tax. This year's cost is \$101,433.69 including tax.

Lease? NO

Grant related? NO

Public Works? NO

Fiscal Impact**Budget Account**

Expense \$ 101,433.69

5300-73300-18850-54820

Select \$

#

Select \$

#

Select \$

#

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

SLOON, MICHAEL

Study Session\Other

8/15/22 Finance &

Division Director

SLOON, MICHAEL

Council Sponsor

CM Wilkerson

Finance

BUSTOS, KIM

Distribution List**Legal**

HARRINGTON,

Accounting - ywang@spokanecity.org

For the Mayor

PERKINS, JOHNNIE

Contract Accounting - ddaniels@spokanecity.org

Additional Approvals

Legal - mharrington@spokanecity.org

Purchasing

WAHL, CONNIE

Purchasing - cwahl@spokanecity.org

IT - itadmin@spokanecity.org

Tax & Licenses

Steven Occhiolini -



Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

Summary (Background)

The increase in costs are due to the annual CPI increase per the contract.

Fiscal Impact

Select \$

Select \$

Budget Account

#

#

Distribution List

Committee Agenda Sheet

Finance & Administration Committee

Submitting Department	Innovation and Technology Services Division
Contact Name & Phone	Michael Sloon, 625-6468
Contact Email	msloon@spokanecity.org
Council Sponsor(s)	CM Wilkerson
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested: 8/15/2022
Agenda Item Name	AssetWorks Fleet Asset Management System (M5) Annual Software Maintenance and Support
Summary (Background)	This contract is necessary in order to obtain software upgrades for all M5 and receive AssetWorks Help Desk support. AssetWorks is the only authorized firm to provide maintenance services on the M5 software system. Included in this support are: FleetFocus M5, Chrystal Reports, FuelFocus for Fleet and Asset Management, and TripCard software. The 2021 cost was \$95,692.17 including applicable tax. This year's cost is \$101,433.69 including tax. The increase in costs are due to the annual CPI increase per the contract.
Proposed Council Action & Date:	Approval from Council on August 29, 2022.
Fiscal Impact: Total Cost: \$101,433.69 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 – Annual Specify funding source: 5300 73300 18850 54820 Expense Occurrence <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring - Annual Other budget impacts: NA	
Operations Impacts	
What impacts would the proposal have on historically excluded communities?	
Not applicable – annual software maintenance	
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?	
Not applicable – annual software maintenance	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?	
Not applicable – annual software maintenance	
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?	
This service aligns with the Sustainable Resources strategic initiative based on sound financial objectives, and quality customer service for our Fleet Asset Management System.	



City of Spokane

**CONTRACT EXTENSION
WITH COST**

**Title: Annual Support and Upgrades for Fleet
Services Equipment System Software**

This Contract Extension including additional compensation is made and entered into by and between the **CITY OF SPOKANE** as ("City"), a Washington municipal corporation, and **ASSETWORKS**, whose address is 998 Old Eagle School Road, Suite 1215, Wayne, Pennsylvania 19087 as ("**Consultant**"), individually hereafter referenced as a "party", and together as the "parties."

*WHEREAS, the parties entered into a Contract wherein the **Consultant** agreed to provide for the City Annual Software Maintenance and Support for FleetFocus M5, Crystal Reports, FuelFocus, includes product updates and enhancements, unlimited email and telephone support for 12 months; and*

WHEREAS, additional time is required, and thus the Contract time for performance needs to be formally extended by this written document.

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

1. CONTRACT DOCUMENTS.

The Contract, dated August 25, 2010 and September 27, 2010, any previous amendments, addendums and / or extensions / renewals thereto, are incorporated by reference into this document as though written in full and shall remain in full force and effect except as provided herein.

2. EFFECTIVE DATE.

This Contract Extension shall become effective on October 1, 2022.

3. EXTENSION.

The contract documents are hereby extended and shall run through September 30, 2023.

4. COMPENSATION.

The City shall pay an additional amount not to exceed **NINETY THREE THOUSAND FIFTY-EIGHT AND 43/100 DOLLARS (\$93,058.43)**, and applicable tax, in accordance with Company's Maintenance Renewal Statement dated March 1, 2022, for everything furnished and done under this Contract Extension.

5. DEBARMENT AND SUSPENSION.

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

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

ASSETWORKS

CITY OF SPOKANE

By _____
Signature Date

By _____
Signature Date

Type or Print Name

Type or Print Name

Title

Title

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Attachments that are part of this Contract Extension:

Certificate of Debarment

AssetWorks' Annual Maintenance Renewal Statement dated March 1, 2022,

22-120

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

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

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

1. The lower tier contractor certified, by signing this contract that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.
 2. Where the lower tier contractor is unable to certify to any of the statements in this contract, such contractor shall attach an explanation to this contract.
4. I understand that a false statement of this certification may be grounds for termination of the contract.

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



MAINTENANCE RENEWAL STATEMENT

998 Old Eagle School Road | Suite 1215 | Wayne PA 19087-1805
Tel (484) 588-5515 Fax (610) 971-9447

Number 8366 M5FL MNT22

TO: City of Spokane
FROM: AssetWorks LLC
DATE: March 1, 2022
RE: FleetFocus M5 Maintenance and Support Renewal

Prices valid through September 30, 2023

Annual Software Maintenance and Support for period 10/1/2022 - 9/30/2023

FleetFocus M5	\$	75,706.98
Crystal Reports	\$	1,620.92
TripCard module	\$	2,989.17
FuelFocus software for Fleet	\$	12,062.03
FuelFocus software for Asset Management	\$	679.33
<i>Includes product updates and enhancements, unlimited email and telephone support for 12 months</i>		

Subtotal, Current Maintenance, not including tax and options \$ **93,058.43**

REMIT TO:

CHECKS

AssetWorks
PO Box 202525
Dallas TX 75320-2525

WA Sales Tax: 9.0000% \$ 8,375.26

All software updates are electronically delivered

GRAND TOTAL, Taxes Included **\$ 101,433.69**

EFT, ACH, OR DIRECT DEPOSIT

Wells Fargo, 8601 N. Scottsdale Rd., Scottsdale AZ 85253
ABA # 122105278
Account # 5076434348

US Tax ID # 98-0358175

Canada GST/HST # 834113896 RT0001

AssetWorks LLC is a subsidiary of Trapeze Software Group Inc.

*If you require a separate invoice, complete this form and return it by email or fax; AssetWorks will issue an invoice as you instruct below. If your organization requires us to reference a purchase order number on our invoice, we must receive that PO by email to Colleen.Boutcher@AssetWorks.com or by fax to (610) 971-9447. **Do not mail POs to our remittance address.***

Terms

Unless there is a signed agreement between the parties, this maintenance renewal is subject to the terms and conditions of the AssetWorks Master Service Agreement found at <http://www.assetworks.com/TC-Fleet/>. The parties will continue to be bound by those terms during any renewal period unless otherwise agreed by both parties through a signed amendment. Notification of termination of maintenance is required 90 days prior to annual renewal date.

SOLE SOURCE

FleetFocus is proprietary property of AssetWorks LLC and protected by law. Another party cannot alter, modify, change, manipulate or provide maintenance for this product without infringing upon AssetWorks' ownership rights. Accordingly, **AssetWorks is the sole source for software, maintenance and services of its products.**

I, the undersigned, accept this maintenance renewal as described above.

Name: _____ **Title:** _____

Signature: _____ **Date:** _____

☐ PO REQUIRED: # _____

☐ NO PO REQUIRED

☐ NO SEPARATE INVOICE
NEEDED

☐ Please MAIL invoice to: _____

☐ Please E-MAIL invoice to: _____

→ If you have any questions, please contact Colleen Boutcher at (484) 588-5515 or Colleen.Boutcher@AssetWorks.com. **Thank You!** ←

[Business Lookup](#)

License Information:

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

Entity name: ASSETWORKS INC.

Business name: ASSETWORKS INC

Entity type: [Profit Corporation](#)

UBI #: 602-882-207

Business ID: 001

Location ID: 0001

Location: Active

Location address: 16201 E INDIANA AVE
STE 2000
SPOKANE VALLEY WA 99206-6806

Mailing address: 998 OLD EAGLE SCHOOL RD
STE 1215
WAYNE PA 19087-1805

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

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

Endorsements

Endorsements held at this location	License #	Count	Details	Status	Expiration date	First issuance date
Spokane General Business - Non-Resident	T12056839BUS			Active	Apr-30-2023	Oct-15-2012

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

Governing people	Title
BEATTIE, BRIAN	
MILLER, MARK	

Registered Trade Names

Registered trade names	Status	First issued
ASSETWORKS LLC	Active	Jun-22-2016

[View Additional Locations](#)

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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
09/24/2021

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

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

PRODUCER Marsh Canada Limited 120 Bremner Blvd., Suite 800 Attn: Canada.Certrequest@marsh.com Toronto, ON, M5J 0A8	CONTACT NAME:	FAX (A/C, No):	
	PHONE (A/C, No, Ext):	E-MAIL ADDRESS:	
INSURED CONSTELLATION SOFTWARE INC. AND ASSETWORKS LLC 998 OLD EAGLE SCHOOL ROAD SUITE 1215 WAYNE, PA 19087	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: Federal Insurance Company		20281
	INSURER B: Great Northern Insurance Company		20303
	INSURER C:		
	INSURER D:		
INSURER E:			
INSURER F:			

COVERAGES

CERTIFICATE NUMBER:

HOU-003828334-01

REVISION NUMBER: 0

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:			9950-48-39	09/27/2021	09/27/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ 25,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000 \$
B	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input checked="" type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			73600397	09/27/2021	09/27/2022	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$			9365-24-30	09/27/2021	09/27/2022	EACH OCCURRENCE \$ 14,000,000 AGGREGATE \$ 14,000,000 \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input checked="" type="checkbox"/> Y <input checked="" type="checkbox"/> N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	7176-4342	09/27/2021	09/27/2022	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A	Professional Liability and Technology E&O			9950-48-39	09/27/2021	09/27/2022	Limit \$ 5,000,000 SIR \$ 5,000,000

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

CERTIFICATE HOLDER

CANCELLATION

CITY OF SPOKANE
808 WEST SPOKANE FALLS BLVD.
SPOKANE, WA 99201

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

AUTHORIZED REPRESENTATIVE
of Marsh USA Inc.

Manashi Mukherjee

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**ADDITIONAL REMARKS SCHEDULE**Page 2 of 2

AGENCY Marsh Canada Limited		NAMED INSURED CONSTELLATION SOFTWARE INC. AND ASSETWORKS LLC 998 OLD EAGLE SCHOOL ROAD SUITE 1215 WAYNE, PA 19087
POLICY NUMBER		
CARRIER	NAIC CODE	EFFECTIVE DATE:

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,
FORM NUMBER: 25 **FORM TITLE:** Certificate of Liability Insurance

CITY OF SPOKANE , ITS AGENTS, OFFICERS AND EMPLOYEES IS ADDED AS ADDITIONAL INSURED WITH RESPECT TO THE COMMERCIAL GENERAL LIABILITY POLICY, BUT ONLY WITH RESPECT TO LIABILITY ARISING OUT OF THE OPERATIONS OF THE NAMED INSURED WHERE REQUIRED BY WRITTEN CONTRACT..

THE US COMMERCIAL GENERAL LIABILITY POLICY, US AUTOMOBILE POLICY, US WORKERS COMPENSATION & EMPLOYER'S LIABILITY POLICY, AND TECHNOLOGY E&O LIABILITY POLICY HAVE BEEN PLACED BY SERVICE OF MARSH USA INC. MARSH CANADA LIMITED HAS ONLY ACTED IN THE ROLE OF A CONSULTANT TO THE CLIENT WITH RESPECT TO THESE PLACEMENTS WHICH ARE INDICATED HERE FOR YOUR CONVENIENCE.



Agenda Sheet for City Council Meeting of:
08/29/2022

Date Rec'd	8/17/2022
Clerk's File #	OPR 2022-0597
Renews #	
Cross Ref #	
Project #	
Bid #	
Requisition #	

Submitting Dept	RISK MANAGEMENT
Contact Name/Phone	MICHAEL ORMSBY 6287
Contact E-Mail	MORMSBY@SPOKANECITY.ORG
Agenda Item Type	Contract Item
Agenda Item Name	5800 2022-2023 INSURANCE RENEWALS

Agenda Wording

Approval of the purchase of property, casualty, terrorism and cyber insurance for the City of Spokane for the period of September 2, 2022 to August 31, 2023.

Summary (Background)

Various insurance policies of the City expire on August 31, 2022. The City's broker, Willis Towers Watson Insurance has marketed the City's insurance requirements and hopes to provide premium estimates to the City on or before August 29th so that the agenda item can be approved that evening to have replacement insurance in place by September 1, 2022.

Lease? NO Grant related? NO Public Works? NO

Fiscal Impact

Expense	\$ 4,078,526.00	<u>Budget Account</u>
Select	\$	# Various accounts
Select	\$	#
Select	\$	#
Select	\$	#

Approvals

Dept Head ORMSBY, MICHAEL

Division Director WALLACE, TONYA

Finance BUSTOS, KIM

Legal MURAMATSU, MARY

For the Mayor PERKINS, JOHNNIE

Additional Approvals

Purchasing

Council Notifications

Study Session\Other 8/15/22 Committee Meeting

Council Sponsor Council Member Wilkerson

Distribution List

twallace@spokanecity.org

mormsby@spokanecity.org

jlargent@spokanecity.org

sdhansen@spokanecity.org

BRIEFING PAPER

City of Spokane

Subject

Approval of the purchase of insurance recommended to the City by its insurance broker Willis Towers Watson of Seattle. The policies will become effective on September 1, 2022.

Background

Each year our broker markets the City's insurance needs and brings forward insurance proposals. The policy coverages included in the proposed renewal are below. The Broker has been shopping these policies to various national and international insurance carriers. (A separate Memorandum describing general market conditions and specific components of the insurance package for the City will be transmitted separately to the City Council).

Impact

The City is self-insured and purchases excess insurance coverage to limit financial exposure. This excess coverage protects the City in the event a qualifying event exceeds our self-insured retention limits (for most qualifying events, the City has exposure up to 1.5 million dollars). Without excess coverage, the City would have to cover the full cost of a qualifying event. The total cost for the 2021-2022 renewal was \$3,381,025. This constitutes an increase of approximately twenty percent (20%) over last year

Action

Approve agenda item.

Funding

Risk, Worker's Comp, Water/Wastewater, Streets, Fire, Solid Waste Disposal 2022-2023, IT and various General Fund transfers. Approximately sixty percent (60%) of the cost of the insurance premiums will be paid from Enterprise Funds.

Insurance Coverage	Proposed Policy Increase	Premium for 2022-2023
Excess Workers Compensation (Safety National)	5% \$14,952	\$313,982
Cyber (AIG)	27% \$25,475	\$120,713
General City Property	10% \$20,580	\$262,380
Upriver Dam	20%	\$327,902

	\$54,651	
Excess Liability (various companies)	20% \$358,497	\$1,717,014
Waste to Energy (various companies)	17.5% \$105,955	\$711,413
Waste Water Treatment Plant and Waste Water Management ¹	25% \$85,361	\$426,804
Equipment Breakdown (Liberty Mutual)	25% \$20,660	\$103,299
Terrorism (Lloyds of London)	10% \$5,531	\$60,838
Crime (Faithful Performance) (Great American)	15% \$3,673	\$28,162
Inland Marine (AGCS)	5% \$1,819	\$38,193
Aviation (Drones) (Global Aerospace)	10% \$348	\$3,827
Total Proposed Premium Cost for 2022-2023	\$3,381,025	\$4,078,526

¹ This is the first year of complete coverage for the entire year for the improvement to Next Level Treatment.



Agenda Sheet for City Council Meeting of: 08/29/2022

<u>Date Rec'd</u>	8/17/2022
<u>Clerk's File #</u>	ORD C36261
<u>Renews #</u>	

<u>Submitting Dept</u>	ACCOUNTING	<u>Cross Ref #</u>	
<u>Contact Name/Phone</u>	MICHELLE MURRAY 509-625-6320	<u>Project #</u>	
<u>Contact E-Mail</u>	MMURRAY@SPOKANECITY.ORG	<u>Bid #</u>	
<u>Agenda Item Type</u>	Special Budget Ordinance	<u>Requisition #</u>	
<u>Agenda Item Name</u>	5600 ARPA PARKS PLAYGROUND EQUIPMENT ALLOCATION		

Agenda Wording

Re-establish budget within the ARPA fund for a previous allocation of \$160,000 to the Parks Department for Playground equipment.

Summary (Background)

On June 7, 2021 Special Budget Ordinance was passed allocating \$160,000 of ARPA funds to go towards playground equipment. These funds were directly transferred from the ARPA fund to the Park Cumulative Reserve fund. On July 1, 2022 the Accounting Department transferred the \$160,000 back to the ARPA fund. This Special Budget Ordinance is simply establishing budget within the ARPA fund for the allocation.

Lease? NO Grant related? YES Public Works? NO

Fiscal Impact

Expense	\$ 160,000	<u>Budget Account</u>	# 1425-88155-94000-56313-97239
Select	\$		#
Select	\$		#
Select	\$		#

Approvals

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

Council Notifications

<u>Study Session\Other</u>	F&A 8/15/22
<u>Council Sponsor</u>	CP Beggs & CM Wilkerson

Distribution List

<u>Additional Approvals</u>	
<u>Purchasing</u>	
<u>MANAGEMENT & BUDGET</u>	STRATTON, JESSICA
<u>ACCOUNTING - GRANTS</u>	MURRAY, MICHELLE

Committee Agenda Sheet

Finance & Administration

Submitting Department	Accounting
Contact Name & Phone	Michelle Murray 509-625-6320
Contact Email	mmurray@spokanecity.org
Council Sponsor(s)	CP Beggs & CM Wilkerson
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested:
Agenda Item Name	ARPA Parks Playground Equipment Allocation
Summary (Background)	<p>On June 7, 2021 Special Budget Ordinance was passed allocating \$ 160,000 of ARP funds to go towards playground equipment. These funds were directly transferred from the ARPA fund to the Park Cumulative Reserve fund. This all happened prior to establishing reporting requirements for the ARP fund and determining the need for these expenditures be spent directly from the ARP fund to keep these funds in tact and trackable by project with in the ARP classification.</p> <p>On July 1, 2022 the Accounting Department transferred the \$160,000 back to the ARP fund. This Special Budget Ordinance is simply establishing budget with in the ARPA fund for the allocation and so that the Parks Department can purchase needed playground equipment and allow accounting to track these expenses appropriately according to the federal rules.</p>
Proposed Council Action & Date: 8/29/22	Re-establish budget within the ARPA fund for a previous allocation of \$160,00 to the Parks Department for Playground equipment.
Fiscal Impact: Total Cost: Approved in current year budget? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A Funding Source <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring Specify funding source: American Rescue Plan Act Funds Expense Occurrence <input checked="" 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

ORDINANCE NO C36261

An ordinance amending Ordinance No. C-36161, 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 \$160,000, funded from the city's direct allocation of the State and Local Fiscal Recovery Fund of the American Rescue Plan Act. This ARP fund appropriation qualifies as part of the General Government Services program category.

(A) \$160,000 of the appropriation is provided solely for the replacement of playground equipment to be purchased through the Parks department.

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 for Parks Playground Equipment 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: _____

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

08/29/2022

Date Rec'd

8/3/2022

Clerk's File #

RES 2022-0076

Renews #**Submitting Dept**

PLANNING & ECONOMIC

Cross Ref #

ORD C36255

Contact Name/Phone

AMANDA BECK 6414

Project #**Contact E-Mail**

ABECK@SPOKANECITY.ORG

Bid #**Agenda Item Type**

Resolutions

Requisition #**Agenda Item Name**

0650 - E. SPRAGUE BID ASSESSMENT RATE INCREASE RESOLUTION

Agenda Wording

A resolution of intention to change the assessment rates within the East Sprague Parking and Business Improvement Area.

Summary (Background)

As permitted by RCW 35.87A.140, City Council may change assessment rates within the East Sprague Parking and Business Improvement Area. Changes to the assessment rate must be established by resolution, followed by a public hearing and ordinance amending SMC 04.31C.040. To ensure the East Sprague BID continues to be able to fund and provide ratepayer services within the BID, an annual increase to the special assessment is proposed commensurate with any change to the Consumer Price Index from the

Lease? NO

Grant related? NO

Public Works? NO

Fiscal Impact**Budget Account**

Neutral

\$

#

Select

\$

#

Select

\$

#

Select

\$

#

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

GARDNER, SPENCER

Study Session\Other

Finance and

Division Director

MACDONALD, STEVEN

Council Sponsor

CMs Bingle and Cathcart

Finance

WALLACE, TONYA

Distribution List**Legal**

PICCOLO, MIKE

sgardner@spokanecity.org

For the Mayor

PERKINS, JOHNNIE

smacdonald@spokanecity.org

Additional Approvals

tstripes@spokanecity.org

Purchasing

abeck@spokanecity.org

mpiccolo@spokanecity.org

laverne.esba@gmail.com

jchurchill@spokanecity.org



Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

initial year of BID establishment.

Summary (Background)

Fiscal Impact

Select \$

Select \$

Budget Account

#

#

Distribution List

rbenzie@spokanecity.org

Committee Agenda Sheet

Finance

Submitting Department	Planning Services, Community and Economic Development
Contact Name & Phone	Amanda Beck, 625-6414
Contact Email	abeck@spokanecity.org
Council Sponsor(s)	Council Member Bingle, Council Member Cathcart
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested:
Agenda Item Name	East Sprague BID Special Assessment Rate Change
Summary (Background)	<p>The East Sprague business improvement district (ESBID) was established in 2016 to provide a variety of programs and services in the East Sprague/Sprague Union business district, including cleaning and greening, neighborhood beautification, district branding and marketing, and safety and security. The East Sprague Business Association (ESBA) administers and operates these programs through a contract with the City of Spokane. The BID collects an annual assessment from property owners within the district to provide funding for programs and services, as outlined in Chapter 4.31C SMC.</p> <p>Pursuant to RCW 35.87A.140, City Council may change the rate or additional rate of special assessment as specified in the ordinance establishing the area, approved and adopted by ordinance following a public hearing.</p> <p>The East Sprague BID requested the City's assistance in increasing the minimum and maximum rates because of the escalating costs of providing service. The Finance Department's analysis of existing code language and the annual special assessment collections determined that the minimum and the maximum rates should be increased as well as adjusted annually subject to the percentage change in the Consumer Price Index (CPI) West Region since the first assessment year (2016).</p> <p>The proposed ordinance changes would:</p> <ul style="list-style-type: none"> • For Zone 1, increase the minimum special assessment amount from \$200 to \$250, and increase the maximum from \$1,000 to \$1,200. • For Zone 2, increase the minimum special assessment amount from \$100 to \$125, and increase the maximum from \$500 to \$600. • For Zone 3, increase the minimum special assessment amount from \$50 to \$65, and increase the maximum from \$250 to \$300. • New language which adds an annual adjustment to the minimum and maximum assessment rates determined in the same manner as the CPI adjustment for inflation listed in in SMC 4.31C.040(C). <ul style="list-style-type: none"> ○ The annual Consumer Price Index (CPI) inflation adjustment is equal to the percentage change in CPI West Region since the first assessment year (2016).

Proposed Council Action & Date:	Approve proposed resolution, set date for ordinance public hearing
Fiscal Impact: Total Cost: N/A Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A Funding Source <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring <input type="checkbox"/> N/A Specify funding source: N/A Expense Occurrence <input type="checkbox"/> One-time <input type="checkbox"/> Recurring <input checked="" type="checkbox"/> N/A Other budget impacts: N/A	
Operations Impacts	
What impacts would the proposal have on historically excluded communities? In administering the BID contract, ESBA is tasked with assisting existing and potential businesses that want to be located with the East Sprague BID, and this including women and minority owned businesses that benefit from an entity that can manage district-wide marketing and events to attract customers that support local Spokane businesses.	
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? ESBA, the BID contract manager, completes an annual management plan as part of the annual special assessment process, which includes information on how the BID serves rate payers. No specific information is broken down by racial, gender identity, or other metrics at this time. Feedback from ratepayers to the ESBID Ratepayer Board is one avenue through which both the City and ESBA knows if ratepayers believe they are receiving services commensurate with the collected special assessment.	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution? Effectiveness of the proposed changes would be collected annually during the special assessment process, and as analyzed in the annual management plan ESBA completes as the BID contract manager. The ability to maintain, or expand, existing services based on increased special assessments would be a positive indicator that the BID is self-sufficient.	
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? The creation of, and continuation of the East Sprague BID achieves a large goal from the 2014 East Sprague Targeted Investment Pilot (TIP) Advisory Board's Implementation Plan, in alignment with the recommendations from the Smart Growth America technical assistance grant report on how to achieve an economically vibrant neighborhood through targeted public and private investments. The proposed ordinance ensures ESBID is able to be a self-sufficient and sustaining economic development entity focused specifically on the East Sprague area, in alignment with the vision and values of Comprehensive Plan Chapter 7, Economic Development , and policy ED 1.2.	

RESOLUTION NO. 2022-0076

A RESOLUTION OF INTENTION TO CHANGE OR ESTABLISH CERTAIN ASSESSMENT RATES WITHIN THE EAST SPRAGUE PARKING AND BUSINESS IMPROVEMENT AREA.

WHEREAS, RCW 35.87A.140 authorizes the City Council to take legislative action to change the assessment rates within the East Sprague Parking and Business Improvement Area (PBIA); and

WHEREAS, the proposed changes to the assessment rates relate to the minimum and maximum assessment rates for zones 1, 2 and 3 of the East Sprague PBIA as well as an annual Consumer Price Index (CPI) adjustment as set forth in Ordinance C36255 amending SMC 04.31C.040.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE SPOKANE CITY COUNCIL THAT:

1. The City Council declares its intentions to change certain assessment rates of the East Sprague Parking and Business Improvement Area pursuant to RCW 35.87A.140 as set forth in the attached ordinance as follows:
 - a. Ratepayers will be assessed by the City of Spokane annually, beginning with the base year of the authorization (2016). Beginning in July 2016 for the initial year, the assessment will be as follows:
 - i. For properties in Zone 1, the assessment will be 2.5¢ per Lot Square Foot (LSF) plus 60¢ per \$1,000 Total Assessed Value (TAV) based on the 2015 Spokane County records, with a minimum of ~~(((\$200))~~ \$250 per property parcel and a maximum of ~~(((\$1,000))~~ \$1,200 per property parcel.
 - ii. For properties within Zone 2, the assessment will be 1.3¢ per LSF plus 30¢ per \$1,000 of TAV based on the 2015 Spokane County records, with a minimum of ~~(((\$400))~~ \$125 per property parcel and a maximum of ~~(((\$500))~~ \$600 per property parcel.
 - iii. For properties within Zone 3, the assessment will be 0.6¢ per LSF plus 15¢ per \$1,000 TAV based on the 2015 Spokane County records, with a minimum of ~~(((\$50))~~ \$65 per property parcel and a maximum of ~~(((\$250))~~ \$300 per property parcel.
 - b. Adjustment to the minimum and maximum assessment rates set forth in SMC 04.31C.040(B) shall be made on an annual basis in the same percentage and manner as determined by the CPI Factor as set forth in SMC 04.31C.040(C).

2. A public hearing before the City Council to take public testimony and to consider the proposed change shall be held on September 19, 2022 beginning at 6:00 P.M. in the City Council Chambers in the lower level of City Hall located at 808 W. Spokane Falls Blvd.
3. Notice of the hearing shall be given by one publication of the resolution of intention in the Official Gazette and mailing a complete copy of the resolution of intention to each business and multifamily residential or mixed-use project in the East Sprague Parking and Business Improvement Area. Publication and mailing shall be completed at least ten days prior to the time of the September 19, 2022 hearing date.

ADOPTED by the City Council this ____ day of _____ 2022.

City Clerk

Approved as to form:

Assistant City Attorney



Agenda Sheet for City Council Meeting of:
08/29/2022

Date Rec'd	8/17/2022
Clerk's File #	RES 2022-0078
Renews #	
Cross Ref #	
Project #	
Bid #	
Requisition #	PAID THRU CLAIMS

Submitting Dept	CITY ATTORNEY
Contact Name/Phone	LYNDEN SMITHSON 6283
Contact E-Mail	LSMITHSON@SPOKANECITY.ORG
Agenda Item Type	Resolutions
Agenda Item Name	RESOLUTION APPROVING SETTLEMENT

Agenda Wording

Resolution approving settlement of TINA LEE v. CITY OF SPOKANE, Spokane County Superior Court Cause No. 20-2-02838-32, arising out of an incident occurring on April 12, 2019.

Summary (Background)

This claim was settled through mediation.

Lease? NO	Grant related? NO	Public Works? NO
Fiscal Impact	Budget Account	
Expense \$ 80,000.00	# 5800-78100-14780-54601	
Select \$	#	
Select \$	#	
Select \$	#	
Approvals		Council Notifications
Dept Head	PICCOLO, MIKE	Study Session\Other 8/15/22 Committee Meeting
Division Director		Council Sponsor Council Member Wilkerson & Council President Beggs
Finance	BUSTOS, KIM	Distribution List
Legal	PICCOLO, MIKE	sfaggiano@spokanecity.org
For the Mayor	PERKINS, JOHNNIE	skoegler@spokanecity.org
Additional Approvals		James.Scott@davies-group.com
Purchasing		jlargent@spokanecity.org

RESOLUTION RE SETTLEMENT OF
CIVIL CLAIM AGAINST CITY OF SPOKANE

WHEREAS, on January 24, 2020, a claim for damages was filed with the City of Spokane by TINA LEE (Plaintiff), arising out of an incident occurring on April 12, 2019, in the City of Spokane, as more fully described in the claim for damages; and

WHEREAS, on October 14, 2020, Plaintiff subsequently commenced an action in the Superior Court of Spokane County, under the caption "TINA LEE, Plaintiff v. CITY OF SPOKANE, a municipal corporation, and DOES I-V, unknown parties, Defendants", Cause No. 20-2-02838-32 alleging negligence, and 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 Plaintiff and any third parties who may claim a subrogated interest against the City, its officers, agents, employees and contractors, for a payment of EIGHTY THOUSAND AND NO/100 DOLLARS (\$80,000.00); and

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

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 EIGHTY THOUSAND AND NO/100 DOLLARS (\$80,000.00), to be paid to Plaintiff through her counsel, Mark J. King, with the law firm of Craig Swapp & Associates, in trust for TINA LEE, without admission of fault or liability, as a full settlement and compromise of the above-referenced litigation and/or claim, and in exchange the Plaintiff will provide a signed release fully extinguishing all claims by Plaintiff in connection with the incident, dismissing her lawsuit with prejudice as against the City of Spokane and pledging to fully protect and indemnify the City of Spokane, its officers, agents, employees, contractors, and insurers, against all loss or liability in connection with said claim.

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

City Clerk

Approved as to form:

Assistant City Attorney