

## CITY OF SPOKANE



### REGARDING CITY COUNCIL MEETINGS

Notice is hereby given that City Council has resumed in-person meetings. 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 July 31, 2023, 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 July 31, 2023:**

3:30 p.m. Briefing Session: 1-408-418-9388; access code: 2485 859 8861; password: 0320

6:00 p.m. Legislative Session: 1-408-418-9388; access code: 2489 252 2857; password: 0320

Thursday Study Session: 1-408-418-9388; access code: 2490 239 4174; password: 0320

#### **To participate in public comment (including Open Forum):**

Testimony sign up is open from 5:00-6:00 p.m. on Monday, July 31, 2023. You must sign up by 6:00 p.m. to be called on to testify. 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 public testimony on legislative items (two minutes for open forum)!**

**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, prior to the consideration of consent or legislative items, the Council shall hold an open forum unless a majority of Council Members vote otherwise. The open forum shall have 15 (fifteen) spaces of two minutes each available and members of the public who have not spoken during open forum during that calendar month will be prioritized for spaces ahead of those who have spoken during that calendar month.
- B. Members of the public can sign up for open forum in the hour preceding the legislative session, or at the conclusion of the briefing session, whichever is later, via the virtual testimony form linked in the meeting packet or in person outside Council Chambers. Each speaker must sign themselves using their true first and last name. Members of the public who are unable to sign up during the sign up period or who attempt to sign up late will not be added to the list of speakers. The order of the speakers will be determined at the discretion of the chair. Each speaker shall be limited to no more than two 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 maintain decorum as laid out in Rule 2.15(E). Legal or personal matters between private parties that do not impact the governance of the City of Spokane are not a permissible topic of open forum testimony.

**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, all first reading ordinances together (with the exception of first reading ordinances associated with Hearings, which shall be taken separately), 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 true first and last 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 obscene speech, physically pounding the dais or other furniture, yelling, or personal comments or verbal insults about any individual will be permitted.
- F. A speaker asserting a statement of fact may be asked by a Council Member 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. City employees 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 while in uniform; 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 and avoiding unlawful harassment 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. All persons attending City Council Meetings or City Council sponsored meetings shall refrain from unlawfully harassing other attendees or risk being removed and/or prohibited from attending future meetings.

**Rule 2.16 PUBLIC TESTIMONY REGARDING LEGISLATIVE AGENDA ITEMS – TIME LIMITS**

- A. Members of the public can sign up to give testimony in the hour preceding the legislative session, or at the conclusion of the briefing session, whichever is later, via the virtual testimony form linked in the meeting packet or in person outside Council Chambers. Each speaker must sign themselves using their true first and last name. Members of the public who are unable to sign up during the sign up period or who attempt to sign up late will not be added to the list of speakers. The order of the speakers shall be determined at the discretion of the chair.
- B. 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.
- C. No public testimony shall be taken on amendments to consent or legislative agenda items, votes to override a Mayoral veto, or solely procedural, parliamentary, or administrative matters of the Council.
- D. 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.
- E. 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.
- F. 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.
- G. 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.

# THE CITY OF SPOKANE



## ADVANCE COUNCIL AGENDA

MEETING OF MONDAY, JULY 31, 2023

### **MISSION STATEMENT**

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

**MAYOR NADINE WOODWARD**

**COUNCIL PRESIDENT LORI KINNEAR**

**COUNCIL MEMBER JONATHAN BINGLE**

**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 at the public microphone shall verbally identify themselves by their true first and last 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.
- City 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 two-minute speaking time during Open Forum and a three-minute speaking time for other matters. 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, including veto overrides.

**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)

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## **EXECUTIVE SESSION**

(Closed Session of Council)

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

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## **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 Changes to the City Council Agenda)

**NO BOARDS AND COMMISSIONS APPOINTMENTS**

**ADMINISTRATIVE REPORTS**

**OPEN FORUM**

At each meeting before the consideration of the Consent Agenda, the Council shall hold an open public comment period for up to 15 (fifteen) speakers. Each speaker is limited to no more than two minutes. In order to participate in Open Forum, you must sign up by 6:00 p.m. If more than 15 (fifteen) speakers wish to participate in Open Forum, members of the public who have not spoken during that calendar month will be prioritized. 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. Virtual sign up is open 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.

**CONSENT AGENDA**

**REPORTS, CONTRACTS AND CLAIMS**

**RECOMMENDATION**

- |    |   |                |               |
|----|---|----------------|---------------|
| 1. | Five-year Master Value Blankets for the purchase of new and recycled aggregate materials, to include the recycling of, on an as-needed basis, with:   | Approve<br>All |               |
|    | a. William Winkler Company (Newman Lake, WA) —\$800,000 (plus tax).   |                | OPR 2023-0716 |
|    | b. Action Materials (Cheney, WA)—\$800,000 (plus tax).<br>(Council Sponsor: Council Member Stratton)<br><b>Rick Rinderle</b>  |                | OPR 2023-0717 |
| 2. | Contract with Northeast Community Center Association (Spokane) from July 1, 2023, through June 30, 2024, for the Northeast Community Center Association Triplex Project, and a request to change the funding source from Community Development Block Grant funds to 1590 funds—\$300,000. (Council Sponsor: Council Member Stratton)<br><b>Jenn Cerecedes</b> | Approve        | OPR 2023-0718 |

- |    |  |                                    |   |
|----|--|------------------------------------|---|
| 3. | <p><b>Consultant Agreement with KPFF Consulting Engineers, Inc. (Spokane) for Latah Bridge Inspection and Load Rating from August 1, 2023, through December 31, 2023—\$157,000 (plus tax, if applicable). (Council Sponsor: Council President Kinnear)</b><br/> <b>Lorena Croucher</b></p>   | Approve                            | <p>OPR 2023-0719<br/>                 ENG 2023103<br/>                 RFQU 5902-23</p> |
| 4. | <p><b>Contract with EA Engineering, Science and Technology, Inc., PBC (Hunt Valley, MD) to conduct asset management strategy and program development for the Water and Wastewater Department utilities —\$329,203.73. (Council Sponsor: Council President Kinnear)</b><br/> <b>Lorena Croucher</b></p>   | Approve &<br>Authorize<br>Contract | <p>OPR 2023-0720<br/>                 ENG 2022094<br/>                 RFQU 5822-23</p> |
| 5. | <p><b>Contract Amendment and Extension with J.R. Swigart Co., Inc. (Pasco, WA) for roof replacement of areas B, C, and D at the Combined Communications Building from August 31, 2023, through November 30, 2023—not to exceed \$315,277.05 (incl. tax, if applicable). (Council Sponsors: Council President Kinnear and Council Member Cathcart)</b><br/> <b>Brian Schaeffer</b></p>  | Approve                            | <p>OPR 2022-0411<br/>                 PW ITB 5589-22</p>                                |
| 6. | <p><b>Low Bid of (to be determined) (City, ST) for the Maple Street Bridge Deck Rehabilitation project—\$_____.</b><br/> <b>An administrative reserve of \$_____, which is 10% of the contract price, will be set aside. (West Central/Peaceful Valley Neighborhood) (Council Sponsor: Council Member Kinnear)</b><br/> <b>Dan Buller</b></p>  | Approve                            | <p>OPR 2023-0721<br/>                 ENG 2021089</p>                                   |
| 7. | <p><b>Contract with Key Code Media, Inc. (Kent, WA) for audio video system upgrades to City Council Chambers and the City Council Briefing Center from August 1, 2023, to March 31, 2024, utilizing interlocal with Omnia, Purchasing Agreement 2019-001407—\$225,762.37 (plus tax). (Relates to Special Budget Ordinance C36419) (Council Sponsors: Council President Kinnear and Council Members Wilkerson and Zappone)</b><br/> <b>Jeff Bollinger</b></p> | Approve                            | <p>OPR 2023-0722</p>  |
| 8. | <p><b>Permission to disburse the new eviction prevention funds from the Washington State Department of Commerce as part of the Consolidated Homeless Grant for Eviction Prevention activities per the RFP committee recommendations—\$2,336,200. (Council Sponsor: Council Member Wilkerson)</b><br/> <b>Jenn Cerecedes</b></p>  | Approve                            | <p>OPR 2023-0723</p>  |
| 9. | <p><b>Not-for-profit Assistance Awards, Round 2, in accordance with the approved Tranche 3 of ARPA Allocations, to 82 local not-for-profit</b></p>   | Approve                            | <p>OPR 2023-0727</p>  |

entities—\$2,684,039.36. (Council Sponsors: Council Members Wilkerson and Stratton)

**Michelle Murray**

- 10. Report of the Mayor of pending: Approve
  - a. Claims and payments of previously approved obligations, including those of Parks and Library, through \_\_\_\_\_, 2023, total \$\_\_\_\_\_, with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$\_\_\_\_\_ CPR 2023-0002
  - b. Payroll claims of previously approved obligations through \_\_\_\_\_, 2023: \$\_\_\_\_\_ CPR 2023-0003
- 11. City Council Meeting Minutes: \_\_\_\_\_, 2023. Approve & Authorize Payments CPR 2023-0013

# LEGISLATIVE AGENDA

## SPECIAL BUDGET ORDINANCES

(Require Five Affirmative, Recorded Roll Call Votes)

Ordinances amending Ordinance No. C36345 passed by the City Council December 12, 2022, and entitled, "An Ordinance adopting the Annual Budget of the City of Spokane for 2023, making appropriations to the various funds of the City of Spokane government for the fiscal year ending December 31, 2023, and providing it shall take effect immediately upon passage," and declaring an emergency and appropriating funds in:

- ORD C36418 **General Capital Improvements Fund**
  - 1) Increase revenue by \$1,400,000.
    - A) Of the increased revenue, \$1,400,000 is provided by Washington State per Senate Bill 5200 for expansion of the Spokane PD Academy.
  - 2) Increase appropriation by \$1,400,000.
    - A) Of the increased appropriation, \$1,400,000 is provided solely for construction of fixed assets.

(This action arises from the need to accept the WA state budget allocation for Spokane Academy expansion.) (Council Sponsors: Council Members Wilkerson, Zappone, and Bingle)

**Jacqui MacConnell**

- ORD C36419 **American Rescue Plan Fund**
  - 1) Increase appropriation by \$350,000 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, \$250,000 is provided for the purpose of providing funding to update the Audio/Visual technologies of the Spokane City Council Briefing Chambers and Council Chambers to enhance accessibility to the public.

B) Of the increased appropriation, \$50,000 is provided for capital expenditures for the transportation of the City owned firehouse.

(This action arises from the need to provide appropriation authority for funding critical service and accessibilities to the community.) (Relates to Consent Agenda Item No. 7) (Council Sponsors: Council Members Wilkerson and Zappone)

**Matt Boston**

## **NO EMERGENCY ORDINANCES**

## **RESOLUTIONS & FINAL READING ORDINANCES**

(Require Four Affirmative, Recorded Roll Call Votes)

RES 2023-0063 Regarding the approval of year 2024 traffic calming applications and projects to be paid through the Traffic Calming Measures Fund. (Council Sponsors: Council President Kinneer and Council Members Cathcart and Zappone)

**Abigail Martin**

RES 2023-0064 Adopting the revised allocations and project prioritization from the 2024-2025 Two Year Residential Street Maintenance Program utilizing Transportation Benefit District Funding. (Council Sponsors: Council President Kinneer and Council Members Zappone and Cathcart)

**Abigail Martin**

RES 2023-0067 (To be considered under Hearings Item H4.c.)

RES 2023-0068 Of Spokane County, City of Spokane, City of Spokane Valley and Cities of Medical Lake, Airway Heights, Cheney, and Liberty Lake in support of providing leadership and staff support for the period of August 1, 2023, through October 15, 2023. (Council Sponsors: Council President Kinneer and Council Member Bingle)

**Council Member Bingle**

ORD C36408 (To be considered under Hearings Item H4.b.)

ORD C36414 (To be considered under Hearings Item H3.)

ORD C36415 Relating to revenue from cannabis sales, creating a special revenue fund in Article II of Chapter 07.08 of the Spokane Municipal Code, and enacting new section 07.08.159 of the Spokane Municipal Code. (Council Sponsors: Council Members Stratton and Wilkerson)

**Matt Boston**

ORD C36416 Renaming a portion of West Dean Avenue from Howard Street to Washington Street to "Joe Albi Way." (Council Sponsors: Council Members Bingle and Zappone)

**Taylor Berberich**

ORD C36417 Relating to Regulations of Residential Rental Housing; adopting a new section 10.57.115 to chapter 10.57 SMC; and repealing SMC 18.08.010, 18.08.020, 18.08.030, 18.08.040, 18.08.050, 18.08.060, 18.08.070, 18.08.080, 18.08.090, 18.08.100, 18.08.110, 18.08.120, 18.08.130, 18.08.140, 18.08.150, and 18.08.160 to chapter 18 of the Spokane Municipal Code; and setting an effective date. (Council Sponsors: Council Members Bingle and Cathcart)  
**Elizabeth Schoedel**

## FIRST READING ORDINANCES

ORD C36420 Relating to Parks; amending Section 12.06A.040 of the Spokane Municipal Code concerning park rules and regulations, and adding a new section 12.06A.055 to Chapter 12.06A of the Spokane Municipal Code. (Council Sponsors: Council Members Stratton, Cathcart, and Bingle)

**Chris Wright**

ORD C36421 (To be considered under Hearings Item H1.b.)

ORD C36422 (To be considered under Hearings Item H2.b.)

FURTHER ACTION DEFERRED

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## NO SPECIAL CONSIDERATIONS

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## HEARINGS

### RECOMMENDATION

- |     |   |                                     |            |
|-----|---|-------------------------------------|------------|
| H1. | a. Hearing on vacation of Conklin Street south of 8 <sup>th</sup> Avenue, as requested by the Spokane Housing Authority.  | Approve<br>Subject to<br>Conditions |            |
|     | b. First Reading Ordinance C36421 vacating Conklin Street south of the south line of 8 <sup>th</sup> Avenue and more particularly described in the ordinance.<br>(Council Sponsors: Council President Kinnear and Council Member Wilkerson)<br><b>Eldon Brown</b> | Further<br>Action<br>Deferred       | ORD C36421 |
| H2. | a. Hearing on vacation of the alley between 4 <sup>th</sup> Avenue and 5 <sup>th</sup> Avenue, from Washington Street to Bernard Street, as requested by Koz on West 4 <sup>th</sup> , LLC.   | Approve<br>Subject to<br>Conditions |            |
|     | b. First Reading Ordinance C36422 vacating the alley between 4 <sup>th</sup> Avenue and 5 <sup>th</sup> Avenue, from the east   |                                     |            |

	line of Washington Street to the west line of Bernard Street. (Council Sponsors: Council President Kinnear and Council Member Wilkerson) <b>Eldon Brown</b>	Further Action Deferred	ORD C36422
H3.	Final Reading Ordinance C36414 relating to Proposal File Z23-112comp, amending Chapter 3, Land Use, and the glossary of the Comprehensive Plan with the goal of incorporating and accommodating middle housing types in all residential areas of the City and improving the overall implementation and effectiveness of vision, values, and policies of the chapter. (Council Sponsors: Council Members Wilkerson and Cathcart) <b>Kevin Freibott</b>	Pass Upon Roll Call Vote	ORD C36414
H4.	a. Hearing on validated Proposed Initiative No. 2023-4 petition signatures filed on behalf of Brian Hansen, petitioner, regarding prohibiting encampments near schools, parks, playgrounds, and child care facilities.	Hold Hearing	LGL 2023-0027
	b. Final Reading Ordinance C36408 regarding prohibiting encampments near schools, parks, playgrounds, and child care facilities.	Further Action Deferred to Voters	ORD C36408
	c. Resolution 2023-0067 requesting the Spokane County Auditor to hold a special election on November 7, 2023, in conjunction with the scheduled general election to submit to the voters of the City of Spokane a proposition regarding an amendment to the Spokane Municipal Code relating to the prohibition of encampments within one thousand feet of a public or private school, public park, playground, or licensed child care facility. (Council Sponsors: Council President Kinnear and Council Member Bingle) <b>Terri Pfister</b>	Adopt Upon Roll Call Vote	RES 2023-0067

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**Motion to Approve Advance Agenda for July 31, 2023**  
(per Council Rule 2.1.2)

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## **ADJOURNMENT**

The July 31, 2023, Regular Legislative Session of the City Council will be held and is adjourned to August 21, 2023.

**Note:** The regularly scheduled City Council meetings for Monday, August 7, 2023, and Monday, August 14, 2023, have been canceled.

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**AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION:** The City of Spokane is committed to providing equal access to its facilities, programs and services for persons with disabilities. The Spokane City Council Chamber in the lower level of Spokane City Hall, 808 W. Spokane Falls Blvd., is wheelchair accessible and also is equipped with an infrared assistive listening system for persons with hearing loss. Headsets may be checked out (upon presentation of picture I.D.) at the City Cable 5 Production Booth located on the First Floor of the Municipal Building, directly above the Chase Gallery or through the meeting organizer. Individuals requesting reasonable accommodations or further information may call, write, or email Risk Management at 509.625.6221, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or [mlowmaster@spokanecity.org](mailto:mlowmaster@spokanecity.org). Persons who are deaf or hard of hearing may contact risk Management through the Washington Relay Service at 7-1-1. Please contact us forty-eight (48) hours before the meeting date.

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## **NOTES**



**Agenda Sheet for City Council Meeting of:**  
07/31/2023

<b>Date Rec'd</b>	7/19/2023
<b>Clerk's File #</b>	OPR 2023-0716
<b>Renews #</b>	

<b>Submitting Dept</b>	CONTRACTS & PURCHASING	<b>Cross Ref #</b>	
<b>Contact Name/Phone</b>	RICK RINDERLE 509 625 6527	<b>Project #</b>	
<b>Contact E-Mail</b>	RRINDERLE@SPOKANECITY.ORG	<b>Bid #</b>	
<b>Agenda Item Type</b>	Purchase w/o Contract	<b>Requisition #</b>	
<b>Agenda Item Name</b>	5500 MASTER VALUE BLANKET AGGREGATE MATERIALS WITH WM. WINKLER		

**Agenda Wording**  
 Approve a five-year Master VB with Wm. Winkler Co. (Newman Lake, WA) for the purchase of new and recycled aggregate materials, to include the recycling of, on an as-needed basis. Recommend approval for \$800,000 and applicable tax (\$160,000 annually)

**Summary (Background)**  
 Formal bid ITB 5901-23, was issued on 5/18/23 via the City's electronic bidding portal, and ads were placed in the Gazette. Bid was issued to enable multiple awards to provide flexibility to all requirements among awarded suppliers, and to best meet the City's needs. Only two responses were received by the Bid Due Date of 6/12/23. Asking for approval to enter into a 5-year term Master VB with Wm. Winkler Co. Total Compensation shall be based on the unit prices accepted and the volume purchased by

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

Expense \$ 800000	# Various
Select \$	#
Select \$	#
Select \$	#

<b>Approvals</b>		<b>Council Notifications</b>	
<b>Dept Head</b>	NECHANICKY, JASON	<b>Study Session\Other</b>	UEM 7/10/23
<b>Division Director</b>	WALLACE, TONYA	<b>Council Sponsor</b>	Karen Stratton
<b>Finance</b>	KECK, KATHLEEN	<b>Distribution List</b>	
<b>Legal</b>	HARRINGTON,	rrinderle@spokanecity.org	
<b>For the Mayor</b>	JONES, GARRETT	tprince@spokanecity.org	
<b>Additional Approvals</b>			
<b>Purchasing</b>			





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

### **Agenda Wording**

the City. Wm. Winkler's unit pricing shall be firm throughout the first year of the contract period. Wm. Winkle can request pricing adjustments on the anniversary of the award with justification.

### **Summary (Background)**

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

### **Distribution List**

<b>Distribution List</b>	

## Committee Agenda Sheet

### Urban Experience Committee

<b>Submitting Department</b>	PURCHASING
<b>Contact Name</b>	RICK RINDERLE
<b>Contact Email &amp; Phone</b>	<a href="mailto:RRINDERLE@SPOKANECITY.ORG">RRINDERLE@SPOKANECITY.ORG</a> 509 625 6527
<b>Council Sponsor(s)</b>	<a href="#">Karen Stratton</a>
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion    Time Requested:
<b>Agenda Item Name</b>	Master VB with Wm. Winkler Company
<b>Summary (Background)</b>  *use the Fiscal Impact box below for relevant financial information	<p>Bid ITB 5901-23 for Purchase of New and Recycled Aggregate Materials, to include the Recycling of, was opened on 6/12/2023. Bid was issued to enable multiple awards to provide flexibility to allow requirements among awarded suppliers, and to best meet the City's needs.</p> <p>Impact- Master Value Blanket Order to be set up for use by multiple City departments.</p> <p>Action- Recommended approval for \$800,000 and applicable tax (\$160,000 annually and applicable tax), which will be effective upon award and shall terminate five years from award date. The contract period is for a five year period, not to exceed five years.</p> <p>Funding- Funding is available in the affected department's budgets.</p>
<b>Proposed Council Action</b>	APPROVE MASTER VALUE BLANKET
<p><b>Fiscal Impact</b></p> <p>Total Cost: <u>\$800,000 (\$160,000 annually) plus applicable tax</u></p> <p>Approved in current year budget?    <input checked="" type="checkbox"/> Yes    <input type="checkbox"/> No    <input type="checkbox"/> N/A</p> <p>Funding Source    <input checked="" type="checkbox"/> One-time    <input type="checkbox"/> Recurring Specify funding source: <a href="#">Click or tap here to enter text.</a></p> <p>Expense Occurrence    <input checked="" type="checkbox"/> One-time    <input type="checkbox"/> Recurring</p> <p>Other budget impacts: (revenue generating, match requirements, etc.)</p>	
<b>Operations Impacts</b>	
What impacts would the proposal have on historically excluded communities? <b>None</b>	
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? <b>Data would not be collected</b>	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution? <b>A review of aggregates purchased, by Departments, throughout the five year period, could be conducted to assist in determining future contracting requirements.</b>	
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? <b>Aggregates are required by various city departments to maintain infrastructures that they are responsible for.</b>	

**BIDDER MUST COMPLETE THESE THREE PAGES AND UPLOAD INTO THE CITY OF SPOKANE'E ELETRONIC BIDDING SYSTEM**

**REVISED PRICING PAGE ITB 5901-23 Addendum 1, 5-18-2023**

PRODUCT	PRODUCT	DELIVERED	PICKED-UP	QUANTITY	INDICATE	INDICATE
ITEM NO.	DESCRIPTION	PRICE	PRICE	ANNUAL ESTIMATED	Minimum Delivered Load Quantity	Minimum Pick-up Load Quantity
1	3/8" PEA GRAVEL	\$ n/a / Ton	\$ n/a / Ton	as-needed		
2	SAND/GRAVEL MIX	\$ n/a / Ton	\$ n/a / Ton	as-needed	n/a	1
3	COARSE SAND	\$ n/a / Ton	\$ n/a / Ton	as-needed	n/a	1
4	MEAD SAND	\$ n/a / Ton	\$ 17.50 / Ton	as-needed	n/a	1
5	3/4" ROUND GRAVEL (WASHED)	\$ n/a / Ton	\$ n/a / Ton	as-needed	n/a	1
6	1-1/4" MINUS CRUSHED GRAVEL	\$ n/a / Ton	\$ 11.00 / Ton	as-needed	n/a	1
7	3/4" MINUS CRUSHED GRAVEL	\$ n/a / Ton	\$ n/a / Ton	as-needed	n/a	1
8	3/8" MINUS CRUSHED GRAVEL	\$ n/a / Ton	\$ n/a / Ton	as-needed	n/a	1
9	5/8" MINUS CRUSHED GRAVEL	\$ n/a / Ton	\$ 11.00 / Ton	as-needed	n/a	1
10	1-1/2" ROUND ROCK	\$ n/a / Ton	\$ n/a / Ton	as-needed	n/a	1
11	CONCRETE SAND	\$ n/a / Ton	\$ n/a / Ton	as-needed	n/a	1
12	CONCRETE READY-MIX SACKS	\$ n/a / Ton	\$ n/a / Ton	as-needed	n/a	1
13	2-1/2" WSDOT STATE BALLAST CRUSHED ROCK	\$ n/a / Ton	\$ n/a / Ton	as-needed	n/a	1
14	SILICA SAND	\$ n/a / Ton	\$ n/a / Ton	as-needed	n/a	1

**Other New Products. In addition to other items not listed above on pricing page, Bidder shall provide a list of its other new standard products and pricing for inclusion in its bid submittal.**

15.1

**DISCOUNT OFFERED ON OTHER NEW PRODUCTS STANDARD PRODUCT IF NOT ALREADY LISTED ON THE PRICING PAGE**

n/a

**LIST ANY OTHER COST TO BE INCURRED FOR DELIVERY NOT INCLUDED IN THE DELIVERED PRICE**

DELIVERED

n/a

ENTER PICK-UP LOCATIONS

**LIST ANY OTHER COST TO BE INCURRED FOR PICK-UP NOT INCLUDED IN THE PICK-UP PRICE**

**ITEM AVAILABLE AT STATED PICK-UP LOCATION**

302 Park Rd. Spokane Valley, WA 99212

none

all items priced above

**ADDITIONAL COMMENTS:**

RECYCLED PRODUCT						
RECYCLED PRODUCT	RECYCLED PRODUCT	DELIVERED	PICKED-UP	QUANTITY	INDICATE	INDICATE
ITEM NO.	DESCRIPTION	PRICE	PRICE	ANNUAL ESTIMATED	Minimum Delivered Load Quantity	Minimum Pick-up Load Quantity
1	5/8 SPEC TOP/COURSE CONCRETE	\$ n/a / Ton	\$ 11.00 / Ton	5800 Tons	n/a	1
2	5/8 TOP COURSE SPEC ROCK	\$ n/a / Ton	\$ 11.00 / Ton	4000 Tons	n/a	1
3	3/4 MINUS STRUCTURAL FILL	\$ n/a / Ton	\$ 3.50 / Ton	300 Tons	n/a	1
4	BEDDING C SAND	\$ n/a / Ton	\$ 17.50 / Ton	1 Tons	n/a	1
DELIVERED	LIST ANY OTHER COST TO BE INCURRED FOR DELIVERY NOT INCLUDED IN THE DELIVERED PRICE					
	n/a					
ENTER PICK-UP LOCATIONS	LIST ANY OTHER COST TO BE INCURRED FOR PICK-UP NOT INCLUDED IN THE PICK-UP PRICE		ITEM AVAILABLE AT STATED PICK-UP LOCATION			
302 Park Rd. Spokane Valley, WA 99212	none		all items priced above			
ADDITIONAL COMMENTS:						
RECYCLED SERVICES	RECYCLED SERVICES	UNIT PRICE	QUANTITY	INDICATE	INDICATE	
ITEM NO.	DESCRIPTION	PER TON	ANNUAL ESTIMATED	Minimum Delivered Load Quantity	Minimum Pick-up Load Quantity	
1	DIRT RECYCLING	\$ 23.25 / Tons	7000 Tons (this a combined total estimate)	n/a	1	
1	ROCK RECYCLING	\$ 13.25 / Tons		n/a	1	
1	DIRT AND ROCK MIX RECYCLING	\$ 23.25 / Tons		n/a	1	
2	ASPHALT RECYCLING	\$ 18.00 / Tons	1600 Tons	n/a	1	
3	CONCRETE RECYCLING (Varying Mix of Sizes. May Include Rebar/Metal)	\$ 19.80 / Tons		n/a	1	

3	CONCRETE RECYCLING (Varying Mix of Sizes. Without Rebar)	\$ 13.25 / Tons	300 Tons (this a combined total estimate)	n/a	1
4	BEDDING C SAND	n/a	1 Tons	n/a	1

DELIVERED	LIST ANY OTHER COST TO BE INCURRED FOR DELIVERY NOT INCLUDED IN THE DELIVERED PRICE	
	n/a	
ENTER PICK-UP LOCATIONS	LIST ANY OTHER COST TO BE INCURRED FOR PICK-UP NOT INCLUDED IN THE PICK-UP PRICE	ITEM AVAILABLE AT STATED PICK-UP LOCATION
302 Park Rd. Spokane Valley, WA 99212	none	all items priced above
ADDITIONAL COMMENTS:		

ITB 5901-23		Purchase of New and Recycled Aggregate Materials, to include the Recycling of – to be used by various City of Spokane Departments - Value Blanket				
CONTRACTOR		Action Materials, INC				
PRODUCT	PRODUCT	DELIVERED	PICKED-UP	QUANTITY	INDICATE	INDICATE
ITEM NO.	DESCRIPTION	PRICE	PRICE	ANNUAL ESTIMATED	Minimum Delivered Load Quantity	Minimum Pick-up Load Quantity
1	3/8" PEA GRAVEL	\$25.75 / Ton	\$17.00 / Ton	as-needed	30 TONS	NONE
2	SAND/GRAVEL MIX	No Bid	No Bid	as-needed	No Bid	NONE
3	COARSE SAND	\$15.00 / Ton	\$6.25 / Ton	as-needed	30 TONS	NONE
4	MEAD SAND	No Bid	No Bid	as-needed	No Bid	NONE
5	3/4" ROUND GRAVEL (WASHED)	\$20.00 / Ton	\$11.25 / Ton	as-needed	30 TONS	NONE
6	1-1/4" MINUS CRUSHED GRAVEL	\$17.50 / Ton	\$8.75 / Ton	as-needed	30 TONS	NONE
7	3/4" MINUS CRUSHED GRAVEL	No Bid	No Bid	as-needed	No Bid	NONE
8	3/8" MINUS CRUSHED GRAVEL	No Bid	No Bid	as-needed	No Bid	NONE
9	5/8" MINUS CRUSHED GRAVEL	\$17.50 / Ton	\$8.75 / Ton	as-needed	30 TONS	NONE
10	1-1/2" ROUND ROCK	\$20.00 / Ton	\$11.75 / Ton	as-needed	30 TONS	NONE
11	CONCRETE SAND	No Bid	No Bid	as-needed	No Bid	NONE
12	CONCRETE READY-MIX SACKS	No Bid	No Bid	as-needed	No Bid	NONE
13	2-1/2" WSDOT STATE BALLAST CRUSHED ROCK	No Bid	No Bid	as-needed	No Bid	NONE
14	SILICA SAND	No Bid	No Bid	as-needed	No Bid	NONE
15	<b>Other New Products. In addition to other items not listed above on pricing page, Bidder shall provide a list of its other new standard products and pricing for inclusion in its bid submittal.</b>					
15.1	<b>DISCOUNT OFFERED ON OTHER NEW PRODUCTS STANDARD PRODUCT IF NOT ALREADY LISTED ON THE PRICING PAGE</b>				<b>\$0.25 per Ton Discount</b>	
DELIVERED	LIST ANY OTHER COST TO BE INCURRED FOR DELIVERY NOT INCLUDED IN THE DELIVERED PRICE					
	Taxes					
	ENTER PICK-UP LOCATIONS	LIST ANY OTHER COST TO BE INCURRED FOR PICK-UP NOT INCLUDED IN THE PICK-UP PRICE	ITEM AVAILABLE AT STATED PICK-UP LOCATION			
	9518 Grove Rd, Spokane, WA 99224	None	Item Numbers 1, 3, 5, 6, 9, 10			
RECYCLED PRODUCT	RECYCLED PRODUCT	DELIVERED	PICKED-UP	QUANTITY	INDICATE	INDICATE
ITEM NO.	DESCRIPTION	PRICE	PRICE	ANNUAL ESTIMATED	Minimum Delivered Load Quantity	Minimum Pick-up Load Quantity

1	5/8 SPEC TOP/COURSE CONCRETE	\$16.50 / Ton	\$7.75 / Ton	5800 Tons	30 TONS	NONE
2	5/8 TOP COURSE SPEC ROCK	\$16.50 / Ton	\$7.75 / Ton	4000 Tons	30 TONS	NONE
3	3/4 MINUS STRUCTURAL FILL	No Bid	No Bid	300 Tons	No Bid	No Bid
4	BEDDING C SAND	No Bid	No Bid	1 Tons	No Bid	No Bid

DELIVERED	LIST ANY OTHER COST TO BE INCURRED FOR DELIVERY NOT INCLUDED IN THE DELIVERED PRICE					
	Taxes					

	ENTER PICK-UP LOCATIONS	LIST ANY OTHER COST TO BE INCURRED FOR PICK-UP NOT INCLUDED IN THE PICK-UP PRICE	ITEM AVAILABLE AT STATED PICK-UP LOCATION
	9518 Grove Rd, Spokane, WA 99224	None	Item Numbers 1, 2

RECYCLED SERVICES	RECYCLED SERVICES	UNIT PRICE	QUANTITY	INDICATE	INDICATE
ITEM NO.	DESCRIPTION	PER TON	ANNUAL ESTIMATED	Minimum Delivered Load Quantity	Minimum Pick-up Load Quantity
1	DIRT RECYCLING	\$5.00 / Tons	7000 Tons (this a combined total estimate)	30 TONS	NONE
1	ROCK RECYCLING	\$5.00 / Tons		30 TONS	NONE
1	DIRT AND ROCK MIX RECYCLING	\$5.00 / Tons		30 TONS	NONE
2	ASPHALT RECYCLING	\$3.25 / Tons	1600 Tons	30 TONS	NONE
3	CONCRETE RECYCLING (Varying Mix of Sizes. May Include Rebar/Metal)	\$14.75 / Tons	300 Tons (this a combined total estimate)	30 TONS	NONE
3	CONCRETE RECYCLING (Varying Mix of Sizes. Without Rebar)	\$9.75 / Tons		30 TONS	NONE
4	BEDDING C SAND	No Bid	1 Tons	No Bid	No Bid

DELIVERED	LIST ANY OTHER COST TO BE INCURRED FOR DELIVERY NOT INCLUDED IN THE DELIVERED PRICE					
	Taxes					

	ENTER PICK-UP LOCATIONS	LIST ANY OTHER COST TO BE INCURRED FOR PICK-UP NOT INCLUDED IN THE PICK-UP PRICE	ITEM AVAILABLE AT STATED PICK-UP LOCATION
	9518 Grove Rd, Spokane, WA 99224	None	Item Numbers 1, 2, 3



**WSDOT CRUSHED SURFACING TOP COURSE  
RECYCLED CONCRETE  
LABORATORY SUMMARY**

LABORATORY NUMBER					23-0409	23-0425
SAMPLED BY					Client	Client
SAMPLE TYPE					Bulk	Bulk
DATE RECEIVED					5/8/2023	5/11/2023
SAMPLE SOURCE					Park Rd. 0-5000 Tons	Park Rd. 7500 Tons
		UNITS	WSDOT FOP for TEST METHOD	WSDOT 9-03.9 (3) SPEC		
<b>FRACTURED FACES</b>		%	AASHTO T335	75 min	98	
<b>SAND EQUIVALENT</b>			AASHTO T176	40 min	69	
<b>SIEVE ANALYSIS</b>			AASHTO T27/11			
S	3/4"	%		99-100	100	100
I	1/2"			80-100	100-	96
E	3/8"	P			90	84
V	1/4"	A			70	64
E	#4	S		46-66	59	53
	#10	S			35	31
S	#16	N			26	23
I	#30	G			18	17
Z	#40			8-24	16	14
E	#100				10	9
	#200			10.0 max	7.7	7.2



10710 S Cheney-Spokane Rd Cheney, WA 99004 (509) 443-6230 Office (509) 443-6234 Fax  
 9518 S Grove Rd Spokane, WA 99224 (509) 534-7000 Dispatch (509) 443-6234 Fax

**2023 CONTRACTOR PRICING**

**Dispatch (509) 534-7000**

DESCRIPTION	UNIT	\$ Per TN	\$ Per CY
<b>Crushed Gravel Products - prices do not include trucking</b>			
5/8", 1 1/4" Minus Basalt (meets WSDOT spec)	TN	\$ 9.00	
3" Minus Basalt	TN	\$ 12.50	
5/8" Select	TN	\$ 8.00	
5/8", 1 1/4", 3" Minus Crushed Concrete	TN	\$ 8.00	
5/8", 1 1/4" Minus Recycled Asphalt	TN	\$ 11.00	
3/4", 1 1/2", 2 1/2" Basalt Chips	TN	\$ 15.00	
1/4" Basalt Chips - Chip sealing (check for availability)	TN	\$ 24.00	
Crusher Scalpings	TN	\$ 7.50	
Small P1 Spalls, 2"-4"	TN	\$ 15.00	
Large P1 Spalls, 4"-10"	TN	\$ 24.00	
Boulders (Delivered local)	TN	\$ 55.00	picked up \$50.00
1.5' Boulders or smaller (Delivered local)	TN	\$ 80.00	picked up \$70.00
<b>Round Rock Products - prices do not include trucking</b>			
3/8" Pea Gravel - (check for availability)	TN	\$ 17.25	
3/4" Drain Rock (Radon Rock)	TN	\$ 11.50	
1 1/2" Drain Rock	TN	\$ 12.00	
1 - 3" Drywell Rock	TN	\$ 14.00	
<b>Sand Products - prices do not include trucking</b>			
Avista Spec Sand (check for availability)	TN	\$ 17.00	
C33 Sand/Concrete Sand (check for availability)	TN	\$ 24.00	
Pipe Zone Bedding	TN	\$ 8.50	
Tailings	TN	\$ 6.50	
Top Dressing Sand	TN	\$ 28.50	
Gravel Borrow WSDOT Structural Fill	TN	\$ 6.50	
Recycled Gravel Borrow	TN	\$ 6.00	
<b>Topsoil &amp; Bark Products - prices do not include trucking</b>			
Sandy Loam	CY		\$ 23.00
Screened Topsoil	CY		\$ 16.50
Commercial Topsoil	CY		\$ 10.50
Garden Blend Soil	CY		\$ 31.50
Bio-Infiltration Soil (Spokane Regional Stormwater Spec)	CY		\$ 20.00
Bio-Retention Soil	CY		\$ 26.00
Turf Builder	CY		\$ 31.50
Dark & Fresh Fines Bark, Medium Shred Bark	CY		\$ 31.50
Compost	CY		\$ 36.00
<b>Contractor Disposal - RECYCLING</b>		<b>UNIT</b>	<b>PRICE/UNIT</b>
Clean Concrete (no steel, rebar, mesh, reinforcing)		TN	\$ 10.00
Dirty Concrete (reinforced or containing mixed native product)		TN	\$ 15.00
Asphalt		TN	\$ 3.50
Native Material (sand, dirt, rocks)		TN	\$ 5.25
Sod		TN	\$ 10.50
Clean Green Debris (no root balls or stumps) 3" diameter and smaller		TN	\$ 61.00
<b>Delivery Rates - Based on Round Trip Times</b>		<b>QTY (MAY VARY)</b>	<b>HOURLY</b>
Solo Dump Truck		15TN/12CY	\$ 150.00
Dump Truck & Pup		32TN/24CY	\$ 160.00
Dump Truck & Transfer		32TN/24CY	\$ 170.00
Super Dump		24TN/18CY	\$ 160.00
End Dump		27TN/50CY	\$ 170.00
Side Dump		30TN/24CY	\$ 160.00
Lowboy		VARIES	Quoted

CONTRACTOR		Wm. Winkler Co.				
PRODUCT	PRODUCT	DELIVERED	PICKED-UP	QUANTITY	INDICATE	
ITEM NO.	DESCRIPTION	PRICE	PRICE	ANNUAL ESTIMATED	Minimum Delivered Load	Quantity
						INDICATE Minimum Pick-up Load Quantity
1	3/8" PEA GRAVEL	N/A	N/A	as-needed	N/A	
2	SAND/GRAVEL MIX	N/A	N/A	as-needed	N/A	
3	COARSE SAND	N/A	N/A	as-needed	N/A	
4	MEAD SAND	N/A	\$ 17.50 / Ton	as-needed	N/A	1 Ton
5	3/4" ROUND GRAVEL (WASHED)	N/A	N/A	as-needed	N/A	
6	1-1/4" MINUS CRUSHED GRAVEL	N/A	N/A	as-needed	N/A	
7	3/4" MINUS CRUSHED GRAVEL	N/A	\$ 11.00 / Ton	as-needed	N/A	1 Ton
8	3/8" MINUS CRUSHED GRAVEL	N/A	N/A	as-needed	N/A	
9	5/8" MINUS CRUSHED GRAVEL	N/A	\$ 11.00 / Ton	as-needed	N/A	1 Ton
10	1-1/2" ROUND ROCK	N/A	N/A	as-needed	N/A	
11	CONCRETE SAND	N/A	N/A	as-needed	N/A	
12	CONCRETE READY-MIX SACKS	N/A	N/A	as-needed	N/A	
13	2-1/2" WSDOT STATE BALLAST CRUSHED ROCK	N/A	N/A	as-needed	N/A	
14	SILICA SAND	N/A	N/A	as-needed	N/A	
15	<b>Other New Products. In addition to other items not listed above on pricing page, Bidder shall provide a list of its other new standard products and pricing for inclusion in</b>					
15.1	DISCOUNT OFFERED ON OTHER NEW PRODUCTS STANDARD PRODUCT IF NOT ALREADY LISTED ON THE PRICING PAGE				N/A	
DELIVERED		LIST ANY OTHER COST TO BE INCURRED FOR DELIVERY NOT INCLUDED IN THE DELIVERED PRICE				
		N/A				
ENTER PICK-UP LOCATIONS		LIST ANY OTHER COST TO BE INCURRED FOR PICK-UP NOT INCLUDED IN THE PICK-UP PRICE	ITEM AVAILABLE AT STATED PICK-UP LOCATION			
302 Park Road, Spokane Valley, WA 99212		None	All Items Priced Above			
RECYCLED PRODUCT	RECYCLED PRODUCT	DELIVERED	PICKED-UP	QUANTITY	INDICATE	
ITEM NO.	DESCRIPTION	PRICE	PRICE	ANNUAL ESTIMATED	Minimum Delivered Load	Quantity
						INDICATE Minimum Pick-up Load Quantity
1	5/8 SPEC TOP/COURSE CONCRETE	N/A	\$ 11.00 / Ton	5800 Tons	N/A	1 Ton
2	5/8 TOP COURSE SPEC ROCK	N/A	\$ 11.00 / Ton	4000 Tons	N/A	1 Ton
3	3/4 MINUS STRUCTURAL FILL	N/A	\$ 3.50 / Ton	300 Tons	N/A	1 Ton
4	BEDDING C SAND	N/A	\$ 17.50 / Ton	1 Tons	N/A	1 Ton
DELIVERED		LIST ANY OTHER COST TO BE INCURRED FOR DELIVERY NOT INCLUDED IN THE DELIVERED PRICE				
		N/A				
ENTER PICK-UP LOCATIONS		LIST ANY OTHER COST TO BE INCURRED FOR PICK-UP NOT INCLUDED IN THE PICK-UP PRICE	ITEM AVAILABLE AT STATED PICK-UP LOCATION			
302 Park Road, Spokane Valley, WA 99212		None	All Items Priced Above			
RECYCLED SERVICES	RECYCLED SERVICES	UNIT PRICE	QUANTITY		INDICATE	
ITEM NO.	DESCRIPTION	PER TON	ANNUAL ESTIMATED		Minimum Delivered Load	Quantity
						INDICATE Minimum Pick-up Load Quantity
1	DIRT RECYCLING	\$ 23.25 / Ton	7000 Tons (this a combined total estimate)		N/A	1 Ton
1	ROCK RECYCLING	\$ 13.25 / Ton			N/A	1 Ton
1	DIRT AND ROCK MIX RECYCLING	\$ 23.25 / Ton			N/A	1 Ton

2	ASPHALT RECYCLING	\$ 18.00 /Ton	1600 Tons	N/A	1 Ton
3	CONCRETE RECYCLING (Varying Mix of Sizes. May Include Rebar/Metal)	\$ 19.80 /Ton	300 Tons (this a combined total estimate)	N/A	1 Ton
3	CONCRETE RECYCLING (Varying Mix of Sizes. Without Rebar)	\$ 13.25 /Ton		N/A	1 Ton
4	BEDDING C SAND	n/a	1 Tons	N/A	N/A

LIST ANY OTHER COST TO BE INCURRED FOR DELIVERY NOT INCLUDED IN THE DELIVERED PRICE					
DELIVERED					
	ENTER PICK-UP LOCATIONS	LIST ANY OTHER COST TO BE INCURRED FOR PICK-UP NOT INCLUDED IN THE PICK-UP PRICE	ITEM AVAILABLE AT STATED PICK-UP LOCATION		
	302 Park Road, Spokane Valley, WA 99212	NONE	All Items Priced Above		

**WSDOT CRUSHED SURFACING TOP COURSE  
RECYCLED CONCRETE  
LABORATORY SUMMARY**

LABORATORY NUMBER					23-0409	23-0425
SAMPLED BY					Client	Client
SAMPLE TYPE					Bulk	Bulk
DATE RECEIVED					5/8/2023	5/11/2023
SAMPLE SOURCE					Park Rd. 0-5000 Tons	Park Rd. 7500 Tons
		<u>UNITS</u>	WSDOT FOP for TEST <u>METHOD</u>	WSDOT 9-03.9 (3) <u>SPEC</u>		
<b>FRACTURED FACES</b>		%	AASHTO T335	75 min	98	
<b>SAND EQUIVALENT</b>			AASHTO T176	40 min	69	
<b>SIEVE ANALYSIS</b>			AASHTO T27/11			
S	3/4"	%		99-100	100	100
I	1/2"			80-100	100-	96
E	3/8"	P			90	84
V	1/4"	A			70	64
E	#4	S		46-66	59	53
	#10	S			35	31
S	#16	N			26	23
I	#30	G			18	17
Z	#40			8-24	16	14
E	#100				10	9
	#200			10.0 max	7.7	7.2



## Qualified Product List

### Product Information

**Manufacturer:** Pro-Recycle, LLC - Spokane Valley, WA

**Product Name :** Tier 1 and Tier 3 - Recycled Concrete Aggregate (RS-C-345)

**Standard Spec :** 9-03.21(1)C, Recycled Concrete Aggregate

**Product Description :** Tier 1 and Tier 3 - Recycled Concrete Aggregate is approved for the following aggregate materials; 9-03.1(4) Coarse Aggregate for Commercial Concrete (Class B, 3000), 9-03.10 Aggregate for Gravel Base, 9-03.12(1)B Gravel Backfill for Foundations Class B, 9-03.12(2) Gravel Backfill for Walls, 9-03.12(3) Gravel Backfill for Pipe Zone Bedding, 9-03.14(1) Gravel Borrow, 9-03.14(2) Select Borrow, 9-03.14(2) Select Borrow (greater than 3 feet below subgrade and side slope), 9-03.14(3) Common Borrow, 9-03.14(3) Common Borrow (greater than 3 feet below subgrade and side slope), 9-03.17 Foundation Material Class A and Class B, 9-03.18 Foundation Materials Class C, and 9-03.19 Bank Run Gravel for Trench Backfill. \*\*\*\*\* For Tier 3 only - 9-03.9 Ballast and Crushed Surfacing; 9-03.12(1)A Gravel Backfill for Foundations Class A. See ASA for additional information.

**Product Restriction :**

Need to provide toxicity testing and certification of toxicity characteristics in accordance with Section 9-03.21(1).

**Acceptance Code :** 1175

**Code Description :** Acceptance is based on Toxicity Test Report and Certification of Toxicity Characteristics in accordance with Section 9-03.21(1) and Field Testing for Grading, Sand Equivalency and/or Dust Ratio in accordance with Sections 3-04 and 9-03.

**Last Updated :** Sep 5, 2019

**Contractors with WSDOT** [Click here for Contractor Product Info Page](#)

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**Agenda Sheet for City Council Meeting of:**  
07/31/2023

<b>Date Rec'd</b>	7/19/2023
<b>Clerk's File #</b>	OPR 2023-0717
<b>Renews #</b>	

<b>Submitting Dept</b>	CONTRACTS & PURCHASING	<b>Cross Ref #</b>	
<b>Contact Name/Phone</b>	RICK RINDERLE 509 625 6527	<b>Project #</b>	
<b>Contact E-Mail</b>	RRINDERLE@SPOKANECITY.ORG	<b>Bid #</b>	
<b>Agenda Item Type</b>	Purchase w/o Contract	<b>Requisition #</b>	
<b>Agenda Item Name</b>	5500 MASTER VALUE BLANKET AGGREGATE MATERIALS WITH ACTION		

**Agenda Wording**  
 Approve a five-year Master VB with Action Materials (Cheney, WA) for the purchase of new and recycled aggregate materials, to include the recycling of, on an as-needed basis. Recommend approval for \$800,000 and applicable tax (\$160,000 annually).

**Summary (Background)**  
 Formal bid ITB 5901, was issued on 5/18/23 via the City's electronic bidding portal, and ads were placed in the Gazette. Bid was issued to enable multiple awards to provide flexibility to allow requirements among awarded suppliers, and to best meet the City's needs. Only two responses were received by the Bid Due Date of 6/12/23. Asking for approval to enter into a 5-year term Master VB with Action Materials. Total Compensation shall be based on the unit prices accepted and the volume purchased

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

Expense \$ 800000	# Various
Select \$	#
Select \$	#
Select \$	#

<b>Approvals</b>		<b>Council Notifications</b>	
<b>Dept Head</b>	NECHANICKY, JASON	<b>Study Session\Other</b>	UEC 7/10/23
<b>Division Director</b>	WALLACE, TONYA	<b>Council Sponsor</b>	Karen Stratton
<b>Finance</b>	KECK, KATHLEEN	<b>Distribution List</b>	
<b>Legal</b>	HARRINGTON,	rrinderle@spokanecity.org	
<b>For the Mayor</b>	JONES, GARRETT	tprince@spokanecity.org	

<b>Additional Approvals</b>	
<b>Purchasing</b>	



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

**Agenda Wording**

**Summary (Background)**

by the City. Unit pricing shall be firm throughout the first year of the contract period. Pricing adjustments can be requested on the anniversary of the award with justification.

**Fiscal Impact**

Select \$

Select \$

**Budget Account**

#

#

**Distribution List**




## Committee Agenda Sheet

### Urban Experience Committee

<b>Submitting Department</b>	PURCHASING
<b>Contact Name</b>	RICK RINDERLE
<b>Contact Email &amp; Phone</b>	<a href="mailto:RRINDERLE@SPOKANECITY.ORG">RRINDERLE@SPOKANECITY.ORG</a> 509 625 6527
<b>Council Sponsor(s)</b>	<a href="#">Karen Stratton</a>
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion    Time Requested:
<b>Agenda Item Name</b>	Master VB with Action Materials
<b>Summary (Background)</b>  *use the Fiscal Impact box below for relevant financial information	<p>Bid ITB 5901-23 for Purchase of New and Recycled Aggregate Materials, to include the Recycling of, was opened on 6/12/2023. Bid was issued to enable multiple awards to provide flexibility to allow requirements among awarded suppliers, and to best meet the City's needs.</p> <p>Impact- Master Value Blanket Order to be set up for use by multiple City departments.</p> <p>Action- Recommended approval for \$800,000 and applicable tax (\$160,000 annually and applicable tax), which will be effective upon award and shall terminate five years from award date. The contract period is for a five year period, not to exceed five years.</p> <p>Funding- Funding is available in the affected department's budgets.</p>
<b>Proposed Council Action</b>	Approve Master Value Blanket
<b>Fiscal Impact</b>	
Total Cost: <u>\$800,000 (\$160,000 annually) plus applicable tax</u>	
Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
Funding Source <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring	
Specify funding source: <a href="#">Click or tap here to enter text.</a>	
Expense Occurrence <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring	
Other budget impacts: (revenue generating, match requirements, etc.)	
<b>Operations Impacts</b>	
What impacts would the proposal have on historically excluded communities? <b>None</b>	
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? <b>Data would not be collected</b>	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution? <b>A review of aggregates purchased, by Departments, throughout the five year period, could be conducted to assist in determining future contracting requirements.</b>	
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? <b>Aggregates are required by various city departments to maintain infrastructures that they are responsible for.</b>	

**BIDDER MUST COMPLETE THESE THREE PAGES AND UPLOAD INTO THE CITY OF SPOKANE'E ELETRONIC BIDDING SYSTEM**

**REVISED PRICING PAGE ITB 5901-23 Addendum 1, 5-18-2023**

PRODUCT	PRODUCT	DELIVERED	PICKED-UP	QUANTITY	INDICATE	INDICATE
ITEM NO.	DESCRIPTION	PRICE	PRICE	ANNUAL ESTIMATED	Minimum Delivered Load Quantity	Minimum Pick-up Load Quantity
1	3/8" PEA GRAVEL	\$ 25.75/ Ton	\$ 17.00/ Ton	as-needed	30 TONS	NONE
2	SAND/GRAVEL MIX	\$ NO BID/ Ton	\$ NO BID/ Ton	as-needed	NO BID	NONE
3	COARSE SAND	\$ 15.00/ Ton	\$ 6.25/ Ton	as-needed	NO BID	NONE
4	MEAD SAND	\$ NO BID/ Ton	\$ NO BID/ Ton	as-needed	NO BID	NONE
5	3/4" ROUND GRAVEL (WASHED)	\$ 20.00/ Ton	\$ 11.25/ Ton	as-needed	30 TONS	NONE
6	1-1/4" MINUS CRUSHED GRAVEL	\$ 17.50/ Ton	\$ 8.75/ Ton	as-needed	30 TONS	NONE
7	3/4" MINUS CRUSHED GRAVEL	\$ NO BID/ Ton	\$ NO BID/ Ton	as-needed	NO BID	NONE
8	3/8" MINUS CRUSHED GRAVEL	\$ NO BID/ Ton	\$ NO BID/ Ton	as-needed	NO BID	NONE
9	5/8" MINUS CRUSHED GRAVEL	\$ 17.50/ Ton	\$ 8.75/ Ton	as-needed	30 TONS	NONE
10	1-1/2" ROUND ROCK	\$ 20.50/ Ton	\$ 11.75/ Ton	as-needed	30 TONS	NONE
11	CONCRETE SAND	\$ NO BID/ Ton	\$ NO BID/ Ton	as-needed	NO BID	NONE
12	CONCRETE READY-MIX SACKS	\$ NO BID/ Ton	\$ NO BID/ Ton	as-needed	NO BID	NONE
13	2-1/2" WSDOT STATE BALLAST CRUSHED ROCK	\$ NO BID/ Ton	\$ NO BID/ Ton	as-needed	NO BID	NONE
14	SILICA SAND	\$ NO BID/ Ton	\$ NO BID/ Ton	as-needed	NO BID	NONE
15	<b>Other New Products. In addition to other items not listed above on pricing page, Bidder shall provide a list of its other new standard products and pricing for inclusion in its bid submittal.</b>					
15.1	DISCOUNT OFFERED ON OTHER NEW PRODUCTS STANDARD PRODUCT IF NOT ALREADY LISTED ON THE PRICING PAGE				25 cents per TN discount	

DELIVERED	LIST ANY OTHER COST TO BE INCURRED FOR DELIVERY NOT INCLUDED IN THE DELIVERED PRICE	
	Taxes	

ENTER PICK-UP LOCATIONS	LIST ANY OTHER COST TO BE INCURRED FOR PICK-UP NOT INCLUDED IN THE PICK-UP PRICE	ITEM AVAILABLE AT STATED PICK-UP LOCATION
9518 S Grove Rd Spokane, WA 99224	NONE	Item numbers: 1, 3, 5, 6, 9, 10

ADDITIONAL COMMENTS:

RECYCLED PRODUCT	RECYCLED PRODUCT	DELIVERED	PICKED-UP	QUANTITY	INDICATE	INDICATE
ITEM NO.	DESCRIPTION	PRICE	PRICE	ANNUAL ESTIMATED	Minimum Delivered Load Quantity	Minimum Pick-up Load Quantity
1	5/8 SPEC TOP/COURSE CONCRETE	\$ 16.50/ Ton	\$ 7.75/ Ton	5800 Tons	30 TONS	NONE
2	5/8 TOP COURSE SPEC ROCK	\$ 16.50/ Ton	\$ 7.75/ Ton	4000 Tons	30 TONS	NONE
3	3/4 MINUS STRUCTURAL FILL	\$ NO BID/ Ton	\$ NO BID/ Ton	300 Tons	NO BID	NO BID
4	BEDDING C SAND	\$ NO BID/ Ton	\$ NO BID/ Ton	1 Tons	NO BID	NO BID

DELIVERED	LIST ANY OTHER COST TO BE INCURRED FOR DELIVERY NOT INCLUDED IN THE DELIVERED PRICE	
	Taxes	

ENTER PICK-UP LOCATIONS	LIST ANY OTHER COST TO BE INCURRED FOR PICK-UP NOT INCLUDED IN THE PICK-UP PRICE	ITEM AVAILABLE AT STATED PICK-UP LOCATION
9518 S Grove Rd Spokane WA 99224	NONE	Item numbers: 1, 2

ADDITIONAL COMMENTS:

RECYCLED SERVICES	RECYCLED SERVICES	UNIT PRICE	QUANTITY	INDICATE	INDICATE
ITEM NO.	DESCRIPTION	PER TON	ANNUAL ESTIMATED	Minimum Delivered Load Quantity	Minimum Pick-up Load Quantity
1	DIRT RECYCLING	\$ 5.00/ Ton	7000 Tons (this a combined total estimate)	30 TONS	NONE
1	ROCK RECYCLING	\$ 5.00/ Ton		30 TONS	NONE
1	DIRT AND ROCK MIX RECYCLING	\$ 5.00/ Ton		30 TONS	NONE
2	ASPHALT RECYCLING	\$ 3.25/ Ton	1600 Tons	30 TONS	NONE
3	CONCRETE RECYCLING (Varying Mix of Sizes. May Include Rebar/Metal)	\$ 14.75/ Ton	300 Tons (this a combined total estimate)	30 TONS	NONE
3	CONCRETE RECYCLING (Varying Mix of Sizes. Without Rebar)	\$ 9.75/ Ton		30 TONS	NONE
4	BEDDING C SAND	\$ NO BID/ Ton	1 Tons	NO BID	NO BID

DELIVERED	LIST ANY OTHER COST TO BE INCURRED FOR DELIVERY NOT INCLUDED IN THE DELIVERED PRICE	
	Taxes	

ENTER PICK-UP LOCATIONS	LIST ANY OTHER COST TO BE INCURRED FOR PICK-UP NOT INCLUDED IN THE PICK-UP PRICE	ITEM AVAILABLE AT STATED PICK-UP LOCATION
9518 S Grove Rd Spokane, WA 99224	NONE	Items: 1, 2, 3

ADDITIONAL COMMENTS:



10710 S Cheney-Spokane Rd Cheney, WA 99004 (509) 443-6230 Office (509) 443-6234 Fax  
 9518 S Grove Rd Spokane, WA 99224 (509) 534-7000 Dispatch (509) 443-6234 Fax

## 2023 CONTRACTOR PRICING

Dispatch (509) 534-7000

DESCRIPTION	UNIT	\$ Per TN	\$ Per CY
<b>Crushed Gravel Products - prices do not include trucking</b>			
5/8", 1 1/4" Minus Basalt (meets WSDOT spec)	TN	\$ 9.00	
3" Minus Basalt	TN	\$ 12.50	
5/8" Select	TN	\$ 8.00	
5/8", 1 1/4", 3" Minus Crushed Concrete	TN	\$ 8.00	
5/8", 1 1/4" Minus Recycled Asphalt	TN	\$ 11.00	
3/4", 1 1/2", 2 1/2" Basalt Chips	TN	\$ 15.00	
1/4" Basalt Chips - Chip sealing (check for availability)	TN	\$ 24.00	
Crusher Scalpings	TN	\$ 7.50	
Small P1 Spalls, 2"-4"	TN	\$ 15.00	
Large P1 Spalls, 4"-10"	TN	\$ 24.00	
Boulders (Delivered local)	TN	\$ 55.00	picked up \$50.00
1.5' Boulders or smaller (Delivered local)	TN	\$ 80.00	picked up \$70.00
<b>Round Rock Products - prices do not include trucking</b>			
3/8" Pea Gravel - (check for availability)	TN	\$ 17.25	
3/4" Drain Rock (Radon Rock)	TN	\$ 11.50	
1 1/2" Drain Rock	TN	\$ 12.00	
1 - 3" Drywell Rock	TN	\$ 14.00	
<b>Sand Products - prices do not include trucking</b>			
Avista Spec Sand (check for availability)	TN	\$ 17.00	
C33 Sand/Concrete Sand (check for availability)	TN	\$ 24.00	
Pipe Zone Bedding	TN	\$ 8.50	
Tailings	TN	\$ 6.50	
Top Dressing Sand	TN	\$ 28.50	
Gravel Borrow WSDOT Structural Fill	TN	\$ 6.50	
Recycled Gravel Borrow	TN	\$ 6.00	
<b>Topsoil &amp; Bark Products - prices do not include trucking</b>			
Sandy Loam	CY		\$ 23.00
Screened Topsoil	CY		\$ 16.50
Commercial Topsoil	CY		\$ 10.50
Garden Blend Soil	CY		\$ 31.50
Bio-Infiltration Soil (Spokane Regional Stormwater Spec)	CY		\$ 20.00
Bio-Retention Soil	CY		\$ 26.00
Turf Builder	CY		\$ 31.50
Dark & Fresh Fines Bark, Medium Shred Bark	CY		\$ 31.50
Compost	CY		\$ 36.00
<b>Contractor Disposal - RECYCLING</b>		<b>UNIT</b>	<b>PRICE/UNIT</b>
Clean Concrete (no steel, rebar, mesh, reinforcing)		TN	\$ 10.00
Dirty Concrete (reinforced or containing mixed native product)		TN	\$ 15.00
Asphalt		TN	\$ 3.50
Native Material (sand, dirt, rocks)		TN	\$ 5.25
Sod		TN	\$ 10.50
Clean Green Debris (no root balls or stumps) 3" diameter and smaller *		TN	\$ 61.00
<b>Delivery Rates - Based on Round Trip Times</b>		<b>QTY (MAY VARY)</b>	<b>HOURLY</b>
Solo Dump Truck		15TN/12CY	\$ 150.00
Dump Truck & Pup		32TN/24CY	\$ 160.00
Dump Truck & Transfer		32TN/24CY	\$ 170.00
Super Dump		24TN/18CY	\$ 160.00
End Dump		27TN/50CY	\$ 170.00
Side Dump		30TN/24CY	\$ 160.00
Lowboy		VARIES	Quoted

ITB 5901-23		Purchase of New and Recycled Aggregate Materials, to include the Recycling of – to be used by various City of Spokane Departments - Value Blanket				
CONTRACTOR		Action Materials, INC				
PRODUCT	PRODUCT	DELIVERED	PICKED-UP	QUANTITY	INDICATE	INDICATE
ITEM NO.	DESCRIPTION	PRICE	PRICE	ANNUAL ESTIMATED	Minimum Delivered Load Quantity	Minimum Pick-up Load Quantity
1	3/8" PEA GRAVEL	\$25.75 / Ton	\$17.00 / Ton	as-needed	30 TONS	NONE
2	SAND/GRAVEL MIX	No Bid	No Bid	as-needed	No Bid	NONE
3	COARSE SAND	\$15.00 / Ton	\$6.25 / Ton	as-needed	30 TONS	NONE
4	MEAD SAND	No Bid	No Bid	as-needed	No Bid	NONE
5	3/4" ROUND GRAVEL (WASHED)	\$20.00 / Ton	\$11.25 / Ton	as-needed	30 TONS	NONE
6	1-1/4" MINUS CRUSHED GRAVEL	\$17.50 / Ton	\$8.75 / Ton	as-needed	30 TONS	NONE
7	3/4" MINUS CRUSHED GRAVEL	No Bid	No Bid	as-needed	No Bid	NONE
8	3/8" MINUS CRUSHED GRAVEL	No Bid	No Bid	as-needed	No Bid	NONE
9	5/8" MINUS CRUSHED GRAVEL	\$17.50 / Ton	\$8.75 / Ton	as-needed	30 TONS	NONE
10	1-1/2" ROUND ROCK	\$20.00 / Ton	\$11.75 / Ton	as-needed	30 TONS	NONE
11	CONCRETE SAND	No Bid	No Bid	as-needed	No Bid	NONE
12	CONCRETE READY-MIX SACKS	No Bid	No Bid	as-needed	No Bid	NONE
13	2-1/2" WSDOT STATE BALLAST CRUSHED ROCK	No Bid	No Bid	as-needed	No Bid	NONE
14	SILICA SAND	No Bid	No Bid	as-needed	No Bid	NONE
15	<b>Other New Products. In addition to other items not listed above on pricing page, Bidder shall provide a list of its other new standard products and pricing for inclusion in its bid submittal.</b>					
15.1	<b>DISCOUNT OFFERED ON OTHER NEW PRODUCTS STANDARD PRODUCT IF NOT ALREADY LISTED ON THE PRICING PAGE</b>				<b>\$0.25 per Ton Discount</b>	
DELIVERED	LIST ANY OTHER COST TO BE INCURRED FOR DELIVERY NOT INCLUDED IN THE DELIVERED PRICE					
	Taxes					
	ENTER PICK-UP LOCATIONS	LIST ANY OTHER COST TO BE INCURRED FOR PICK-UP NOT INCLUDED IN THE PICK-UP PRICE	ITEM AVAILABLE AT STATED PICK-UP LOCATION			
	9518 Grove Rd, Spokane, WA 99224	None	Item Numbers 1, 3, 5, 6, 9, 10			
RECYCLED PRODUCT	RECYCLED PRODUCT	DELIVERED	PICKED-UP	QUANTITY	INDICATE	INDICATE
ITEM NO.	DESCRIPTION	PRICE	PRICE	ANNUAL ESTIMATED	Minimum Delivered Load Quantity	Minimum Pick-up Load Quantity

1	5/8 SPEC TOP/COURSE CONCRETE	\$16.50 / Ton	\$7.75 / Ton	5800 Tons	30 TONS	NONE
2	5/8 TOP COURSE SPEC ROCK	\$16.50 / Ton	\$7.75 / Ton	4000 Tons	30 TONS	NONE
3	3/4 MINUS STRUCTURAL FILL	No Bid	No Bid	300 Tons	No Bid	No Bid
4	BEDDING C SAND	No Bid	No Bid	1 Tons	No Bid	No Bid

DELIVERED	LIST ANY OTHER COST TO BE INCURRED FOR DELIVERY NOT INCLUDED IN THE DELIVERED PRICE					
	Taxes					

	ENTER PICK-UP LOCATIONS	LIST ANY OTHER COST TO BE INCURRED FOR PICK-UP NOT INCLUDED IN THE PICK-UP PRICE	ITEM AVAILABLE AT STATED PICK-UP LOCATION
	9518 Grove Rd, Spokane, WA 99224	None	Item Numbers 1, 2

RECYCLED SERVICES	RECYCLED SERVICES	UNIT PRICE	QUANTITY	INDICATE	INDICATE
ITEM NO.	DESCRIPTION	PER TON	ANNUAL ESTIMATED	Minimum Delivered Load Quantity	Minimum Pick-up Load Quantity
1	DIRT RECYCLING	\$5.00 / Tons	7000 Tons (this a combined total estimate)	30 TONS	NONE
1	ROCK RECYCLING	\$5.00 / Tons		30 TONS	NONE
1	DIRT AND ROCK MIX RECYCLING	\$5.00 / Tons		30 TONS	NONE
2	ASPHALT RECYCLING	\$3.25 / Tons	1600 Tons	30 TONS	NONE
3	CONCRETE RECYCLING (Varying Mix of Sizes. May Include Rebar/Metal)	\$14.75 / Tons	300 Tons (this a combined total estimate)	30 TONS	NONE
3	CONCRETE RECYCLING (Varying Mix of Sizes. Without Rebar)	\$9.75 / Tons		30 TONS	NONE
4	BEDDING C SAND	No Bid	1 Tons	No Bid	No Bid

DELIVERED	LIST ANY OTHER COST TO BE INCURRED FOR DELIVERY NOT INCLUDED IN THE DELIVERED PRICE					
	Taxes					

	ENTER PICK-UP LOCATIONS	LIST ANY OTHER COST TO BE INCURRED FOR PICK-UP NOT INCLUDED IN THE PICK-UP PRICE	ITEM AVAILABLE AT STATED PICK-UP LOCATION
	9518 Grove Rd, Spokane, WA 99224	None	Item Numbers 1, 2, 3

**WSDOT CRUSHED SURFACING TOP COURSE  
RECYCLED CONCRETE  
LABORATORY SUMMARY**

LABORATORY NUMBER					23-0409	23-0425
SAMPLED BY					Client	Client
SAMPLE TYPE					Bulk	Bulk
DATE RECEIVED					5/8/2023	5/11/2023
SAMPLE SOURCE					Park Rd. 0-5000 Tons	Park Rd. 7500 Tons
		UNITS	WSDOT FOP for TEST METHOD	WSDOT 9-03.9 (3) SPEC		
<b>FRACTURED FACES</b>		%	AASHTO T335	75 min	98	
<b>SAND EQUIVALENT</b>			AASHTO T176	40 min	69	
<b>SIEVE ANALYSIS</b>			AASHTO T27/11			
S	3/4"	%		99-100	100	100
I	1/2"			80-100	100-	96
E	3/8"	P			90	84
V	1/4"	A			70	64
E	#4	S		46-66	59	53
	#10	S			35	31
S	#16	N			26	23
I	#30	G			18	17
Z	#40			8-24	16	14
E	#100				10	9
	#200			10.0 max	7.7	7.2



10710 S Cheney-Spokane Rd Cheney, WA 99004 (509) 443-6230 Office (509) 443-6234 Fax  
 9518 S Grove Rd Spokane, WA 99224 (509) 534-7000 Dispatch (509) 443-6234 Fax

**2023 CONTRACTOR PRICING**

**Dispatch (509) 534-7000**

DESCRIPTION	UNIT	\$ Per TN	\$ Per CY
<b>Crushed Gravel Products - prices do not include trucking</b>			
5/8", 1 1/4" Minus Basalt (meets WSDOT spec)	TN	\$ 9.00	
3" Minus Basalt	TN	\$ 12.50	
5/8" Select	TN	\$ 8.00	
5/8", 1 1/4", 3" Minus Crushed Concrete	TN	\$ 8.00	
5/8", 1 1/4" Minus Recycled Asphalt	TN	\$ 11.00	
3/4", 1 1/2", 2 1/2" Basalt Chips	TN	\$ 15.00	
1/4" Basalt Chips - Chip sealing (check for availability)	TN	\$ 24.00	
Crusher Scalpings	TN	\$ 7.50	
Small P1 Spalls, 2"-4"	TN	\$ 15.00	
Large P1 Spalls, 4"-10"	TN	\$ 24.00	
Boulders (Delivered local)	TN	\$ 55.00	picked up \$50.00
1.5' Boulders or smaller (Delivered local)	TN	\$ 80.00	picked up \$70.00
<b>Round Rock Products - prices do not include trucking</b>			
3/8" Pea Gravel - (check for availability)	TN	\$ 17.25	
3/4" Drain Rock (Radon Rock)	TN	\$ 11.50	
1 1/2" Drain Rock	TN	\$ 12.00	
1 - 3" Drywell Rock	TN	\$ 14.00	
<b>Sand Products - prices do not include trucking</b>			
Avista Spec Sand (check for availability)	TN	\$ 17.00	
C33 Sand/Concrete Sand (check for availability)	TN	\$ 24.00	
Pipe Zone Bedding	TN	\$ 8.50	
Tailings	TN	\$ 6.50	
Top Dressing Sand	TN	\$ 28.50	
Gravel Borrow WSDOT Structural Fill	TN	\$ 6.50	
Recycled Gravel Borrow	TN	\$ 6.00	
<b>Topsoil &amp; Bark Products - prices do not include trucking</b>			
Sandy Loam	CY		\$ 23.00
Screened Topsoil	CY		\$ 16.50
Commercial Topsoil	CY		\$ 10.50
Garden Blend Soil	CY		\$ 31.50
Bio-Infiltration Soil (Spokane Regional Stormwater Spec)	CY		\$ 20.00
Bio-Retention Soil	CY		\$ 26.00
Turf Builder	CY		\$ 31.50
Dark & Fresh Fines Bark, Medium Shred Bark	CY		\$ 31.50
Compost	CY		\$ 36.00
<b>Contractor Disposal - RECYCLING</b>		<b>UNIT</b>	<b>PRICE/UNIT</b>
Clean Concrete (no steel, rebar, mesh, reinforcing)		TN	\$ 10.00
Dirty Concrete (reinforced or containing mixed native product)		TN	\$ 15.00
Asphalt		TN	\$ 3.50
Native Material (sand, dirt, rocks)		TN	\$ 5.25
Sod		TN	\$ 10.50
Clean Green Debris (no root balls or stumps) 3" diameter and smaller		TN	\$ 61.00
<b>Delivery Rates - Based on Round Trip Times</b>		<b>QTY (MAY VARY)</b>	<b>HOURLY</b>
Solo Dump Truck		15TN/12CY	\$ 150.00
Dump Truck & Pup		32TN/24CY	\$ 160.00
Dump Truck & Transfer		32TN/24CY	\$ 170.00
Super Dump		24TN/18CY	\$ 160.00
End Dump		27TN/50CY	\$ 170.00
Side Dump		30TN/24CY	\$ 160.00
Lowboy		VARIES	Quoted

CONTRACTOR		Wm. Winkler Co.				
PRODUCT	PRODUCT	DELIVERED	PICKED-UP	QUANTITY	INDICATE	
ITEM NO.	DESCRIPTION	PRICE	PRICE	ANNUAL ESTIMATED	Minimum Delivered Load	Quantity
						INDICATE Minimum Pick-up Load Quantity
1	3/8" PEA GRAVEL	N/A	N/A	as-needed	N/A	
2	SAND/GRAVEL MIX	N/A	N/A	as-needed	N/A	
3	COARSE SAND	N/A	N/A	as-needed	N/A	
4	MEAD SAND	N/A	\$ 17.50 / Ton	as-needed	N/A	1 Ton
5	3/4" ROUND GRAVEL (WASHED)	N/A	N/A	as-needed	N/A	
6	1-1/4" MINUS CRUSHED GRAVEL	N/A	N/A	as-needed	N/A	
7	3/4" MINUS CRUSHED GRAVEL	N/A	\$ 11.00 / Ton	as-needed	N/A	1 Ton
8	3/8" MINUS CRUSHED GRAVEL	N/A	N/A	as-needed	N/A	
9	5/8" MINUS CRUSHED GRAVEL	N/A	\$ 11.00 / Ton	as-needed	N/A	1 Ton
10	1-1/2" ROUND ROCK	N/A	N/A	as-needed	N/A	
11	CONCRETE SAND	N/A	N/A	as-needed	N/A	
12	CONCRETE READY-MIX SACKS	N/A	N/A	as-needed	N/A	
13	2-1/2" WSDOT STATE BALLAST CRUSHED ROCK	N/A	N/A	as-needed	N/A	
14	SILICA SAND	N/A	N/A	as-needed	N/A	
15	<b>Other New Products. In addition to other items not listed above on pricing page, Bidder shall provide a list of its other new standard products and pricing for inclusion in</b>					
15.1	DISCOUNT OFFERED ON OTHER NEW PRODUCTS STANDARD PRODUCT IF NOT ALREADY LISTED ON THE PRICING PAGE				N/A	
DELIVERED		LIST ANY OTHER COST TO BE INCURRED FOR DELIVERY NOT INCLUDED IN THE DELIVERED PRICE				
		N/A				
ENTER PICK-UP LOCATIONS		LIST ANY OTHER COST TO BE INCURRED FOR PICK-UP NOT INCLUDED IN THE PICK-UP PRICE	ITEM AVAILABLE AT STATED PICK-UP LOCATION			
302 Park Road, Spokane Valley, WA 99212		None	All Items Priced Above			
RECYCLED PRODUCT	RECYCLED PRODUCT	DELIVERED	PICKED-UP	QUANTITY	INDICATE	
ITEM NO.	DESCRIPTION	PRICE	PRICE	ANNUAL ESTIMATED	Minimum Delivered Load	Quantity
						INDICATE Minimum Pick-up Load Quantity
1	5/8 SPEC TOP/COURSE CONCRETE	N/A	\$ 11.00 / Ton	5800 Tons	N/A	1 Ton
2	5/8 TOP COURSE SPEC ROCK	N/A	\$ 11.00 / Ton	4000 Tons	N/A	1 Ton
3	3/4 MINUS STRUCTURAL FILL	N/A	\$ 3.50 / Ton	300 Tons	N/A	1 Ton
4	BEDDING C SAND	N/A	\$ 17.50 / Ton	1 Tons	N/A	1 Ton
DELIVERED		LIST ANY OTHER COST TO BE INCURRED FOR DELIVERY NOT INCLUDED IN THE DELIVERED PRICE				
		N/A				
ENTER PICK-UP LOCATIONS		LIST ANY OTHER COST TO BE INCURRED FOR PICK-UP NOT INCLUDED IN THE PICK-UP PRICE	ITEM AVAILABLE AT STATED PICK-UP LOCATION			
302 Park Road, Spokane Valley, WA 99212		None	All Items Priced Above			
RECYCLED SERVICES	RECYCLED SERVICES	UNIT PRICE	QUANTITY		INDICATE	
ITEM NO.	DESCRIPTION	PER TON	ANNUAL ESTIMATED		Minimum Delivered Load	Quantity
						INDICATE Minimum Pick-up Load Quantity
1	DIRT RECYCLING	\$ 23.25 / Ton	7000 Tons (this a combined total estimate)		N/A	1 Ton
1	ROCK RECYCLING	\$ 13.25 / Ton			N/A	1 Ton
1	DIRT AND ROCK MIX RECYCLING	\$ 23.25 / Ton			N/A	1 Ton



2	ASPHALT RECYCLING	\$ 18.00 /Ton	1600 Tons	N/A	1 Ton
3	CONCRETE RECYCLING (Varying Mix of Sizes. May Include Rebar/Metal)	\$ 19.80 /Ton	300 Tons (this a combined total estimate)	N/A	1 Ton
3	CONCRETE RECYCLING (Varying Mix of Sizes. Without Rebar)	\$ 13.25 /Ton		N/A	1 Ton
4	BEDDING C SAND	n/a	1 Tons	N/A	N/A

LIST ANY OTHER COST TO BE INCURRED FOR DELIVERY NOT INCLUDED IN THE DELIVERED PRICE					
DELIVERED					
	ENTER PICK-UP LOCATIONS	LIST ANY OTHER COST TO BE INCURRED FOR PICK-UP NOT INCLUDED IN THE PICK-UP PRICE	ITEM AVAILABLE AT STATED PICK-UP LOCATION		
	302 Park Road, Spokane Valley, WA 99212	NONE	All Items Priced Above		

**WSDOT CRUSHED SURFACING TOP COURSE  
RECYCLED CONCRETE  
LABORATORY SUMMARY**

LABORATORY NUMBER					23-0409	23-0425
SAMPLED BY					Client	Client
SAMPLE TYPE					Bulk	Bulk
DATE RECEIVED					5/8/2023	5/11/2023
SAMPLE SOURCE					Park Rd. 0-5000 Tons	Park Rd. 7500 Tons
		<u>UNITS</u>	WSDOT FOP for TEST <u>METHOD</u>	WSDOT 9-03.9 (3) <u>SPEC</u>		
<b>FRACTURED FACES</b>		%	AASHTO T335	75 min	98	
<b>SAND EQUIVALENT</b>			AASHTO T176	40 min	69	
<b>SIEVE ANALYSIS</b>			AASHTO T27/11			
S	3/4"	%		99-100	100	100
I	1/2"			80-100	100-	96
E	3/8"	P			90	84
V	1/4"	A			70	64
E	#4	S		46-66	59	53
	#10	S			35	31
S	#16	N			26	23
I	#30	G			18	17
Z	#40			8-24	16	14
E	#100				10	9
	#200			10.0 max	7.7	7.2



## Qualified Product List

### Product Information

**Manufacturer:** Pro-Recycle, LLC - Spokane Valley, WA

**Product Name :** Tier 1 and Tier 3 - Recycled Concrete Aggregate (RS-C-345)

**Standard Spec :** 9-03.21(1)C, Recycled Concrete Aggregate

**Product Description :** Tier 1 and Tier 3 - Recycled Concrete Aggregate is approved for the following aggregate materials; 9-03.1(4) Coarse Aggregate for Commercial Concrete (Class 3000), 9-03.10 Aggregate for Gravel Base, 9-03.12(1)B Gravel Backfill for Foundations Class B, 9-03.12(2) Gravel Backfill for Walls, 9-03.12(3) Gravel Backfill for Pipe Zone Bedding, 9-03.14(1) Gravel Borrow, 9-03.14(2) Select Borrow, 9-03.14(2) Select Borrow (greater than 3 feet below subgrade and side slope), 9-03.14(3) Common Borrow, 9-03.14(3) Common Borrow (greater than 3 feet below subgrade and side slope), 9-03.17 Foundation Material Class A and Class B, 9-03.18 Foundation Materials Class C, and 9-03.19 Bank Run Gravel for Trench Backfill. \*\*\*\*\* For Tier 3 only - 9-03.9 Ballast and Crushed Surfacing; 9-03.12(1)A Gravel Backfill for Foundations Class A. See ASA for additional information.

**Product Restriction :**

Need to provide toxicity testing and certification of toxicity characteristics in accordance with Section 9-03.21(1).

**Acceptance Code :** 1175

**Code Description :** Acceptance is based on Toxicity Test Report and Certification of Toxicity Characteristics in accordance with Section 9-03.21(1) and Field Testing for Grading, Sand Equivalency and/or Dust Ratio in accordance with Sections 3-04 and 9-03.

**Last Updated :** Sep 5, 2019

**Contractors with WSDOT** [Click here for Contractor Product Info Page](#)

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

07/31/2023

<b>Date Rec'd</b>	7/12/2023
<b>Clerk's File #</b>	OPR 2023-0718
<b>Renews #</b>	
<b>Cross Ref #</b>	OPR 2023-0351
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	

<b>Submitting Dept</b>	HOUSING & HUMAN SERVICES
<b>Contact Name/Phone</b>	RICHARD CULTON 6009
<b>Contact E-Mail</b>	RCULTON@SPOKANECITY.ORG
<b>Agenda Item Type</b>	Contract Item
<b>Agenda Item Name</b>	1680 - NECCA TRIPLEX PROJECT FUNDING CHANGE

**Agenda Wording**

CHHS is seeking Council approval to change the funding source for the Northeast Community Center Association Triplex project from CDBG funds to 1590 funds, and to enter into the attached contract with Northeast Community Center Association.

**Summary (Background)**

A site review conducted prior to contracting with NECCA for CDBG funds revealed that while one unit would be rehabilitated, the other units added to the build would be completely new construction. New construction is NOT an eligible activity for CDBG funding.(See briefing paper for details.) (Related to SBO)

Lease? NO Grant related? YES Public Works? NO

**Fiscal Impact**

Neutral	\$ 300,000
Select	\$
Select	\$
Select	\$

**Budget Account**

# 1595-53121-51010-54201-99999
#
#
#

**Approvals**

<b>Dept Head</b>	CERCEDES, JENNIFER
<b>Division Director</b>	MCCOLLIM, KIMBERLEY
<b>Finance</b>	MURRAY, MICHELLE
<b>Legal</b>	HARRINGTON, MARGARET
<b>For the Mayor</b>	JONES, GARRETT

**Council Notifications**

<b>Study Session\Other</b>	UE 7/11
<b>Council Sponsor</b>	CM Stratton
<b>Distribution List</b>	hpage@spokanecity.org
	chhsgrants@spokanecity.org
	chhsaccounting@spokanecity.org
	rculton@spokanecity.org
<b>ACCOUNTING - GRANTS</b>	kclifton@spokanecity.org

## Committee Agenda Sheet

### Urban Experience Committee

<b>Submitting Department</b>	Community, Housing and Human Services
<b>Contact Name</b>	Richard Culton
<b>Contact Email &amp; Phone</b>	<a href="mailto:rculton@spokanecity.org">rculton@spokanecity.org</a> ; 625-6009
<b>Council Sponsor(s)</b>	Councilmember Wilkerson
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion    Time Requested:
<b>Agenda Item Name</b>	Northeast Community Center Association, Triplex Project Funding Change
<b>Summary (Background)</b>  *use the Fiscal Impact box below for relevant financial information	<p>CHHS is seeking Council approval to change the funding source for the Northeast Community Center Association Triplex project from CDBG funds to 1590 funds, and to enter into the attached contract with Northeast Community Center Association.</p> <p>The Affordable Housing Committee recommended the Northeast Community Center Association (NECCA) Triplex project for funding on Tuesday February 14, 2023. The CHHS Board recommended the NECCA Triplex project for funding on March 1, 2023. The City Council approved the NECCA Triplex project for funding on March 27, 2023. The NECCA Triplex project was originally slated for funding from CDBG funds.</p> <p>The \$300,000 in funding was to be used to <b>rehab existing single-family property</b> owned by NECCA to a multi-family, 3-unit building of affordable housing. The Affordable Housing Committee, and City staff understood the project to be a rehabilitation project. Rehabilitation is an eligible activity under CDBG regulations.</p> <p>A site review conducted prior to contracting with NECCA for CDBG funds revealed that while one unit would be rehabilitated, the other units added to the build would be completely new construction. New construction is NOT an eligible activity for CDBG funding.</p> <p>The Sales and Use Tax Revenue (1590) funding can fund both rehabilitation and new construction. The NECCA Triplex project meets the eligible activities parameters of the 1590 regulations. CHHS is requesting approval to shift the funding source of the NECCA Triplex project from CDBG funds to 1590 funds.</p> <p>Background: CHHS released a Notice of Funding Availability (NOFA) to the public on December 9, 2022 for proposals that would address urgent housing needs for low- and moderate-income residents. The main priorities of the Rapid Capital Acquisition and Reconstruction of Affordable Housing NOFA were to 1.) rapidly allocate CDBG funds which cannot be used to fund new construction, and 2.) to use CDBG, HOME, and Sales and Use Tax revenue funds to increase affordable housing inventory or preserve current affordable housing inventory for low-to-moderate-income households through rapid acquisition and rehabilitation activities. There was roughly \$10,000,000 in</p>

potential funding available for this NOFA comprised of funding through federal HOME and CDBG as well as Sales and Use tax funds 1406 and 1590. Not all of the available 1590 funding was allocated during the initial selection/allocation process.

The Request for Proposals closed on January 16, 2023. CHHS received a total of 18 applications from 12 different agencies, organizations, and individuals. A total of \$18,265.71 in funding was requested.

Members of the CHHS Affordable Housing Committee individually reviewed 16 applications along with staff threshold reviews, and then scored each application. On Tuesday February 14, 2023, the Committee met collectively to discuss scoring and select projects for funding.

All nine(9) projects selected by the Affordable Housing Committee were approved by the CHHS Board on March 1, 2023, and by the City Council on March 27, 2023.

**Fiscal Impact**

Total Cost: [Click or tap here to enter text.](#)

Approved in current year budget?      Yes    No    N/A

Funding Source              One-time    Recurring

Specify funding source: Funds from 1590 Sales and Use Tax Revenue will be used to fund the projects

Expense Occurrence      One-time    Recurring

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

**Operations Impacts (If N/A, please give a brief description as to why)**

What impacts would the proposal have on historically excluded communities?

The proposals recommended for funding will provide services to underserved communities through the creation and retention of affordable housing and housing services for low- to moderate-income households.

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?

CHHS will collect and report basic demographic data on recipients of these funding sources as outlined in their contractual agreements.

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

CHHS utilizes performance-based contracting to ensure the objectives of each proposal are being met in accordance with performance measures as outlined in each contractual agreement.

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 1590 Sales and Use Tax Revenue funding recommendation aligns with the SMC 08.07B.

**AGREEMENT BETWEEN**

**CITY OF SPOKANE ("CITY") AND NORTHEAST COMMUNITY CENTER ASSOCIATION ("GRANTEE")  
IN CONJUNCTION WITH 1590 SALES AND USE TAX REVENUE**

1. Grantee NORTHEAST COMMUNITY CENTER ASSOCIATION 4001 N COOK STREET SPOKANE, WA 99207		2. Contract Amount \$300,000.00		3. Tax ID 91-1196071	
				4. UEI# LWUWRGJNL4A5	
5. Grantee's Program Representative DAVE RICHARDSON 4001 N COOK STREET SPOKANE, WA 99207 509-487-1603, EXT 215 DRICHARDSON@NECOMMUNITYCENTER.COM			6. City's Program Representative HEATHER PAGE 808 W SPOKANE FALLS BLVD SPOKANE, WA 99201-3342 509-625-6578 HPAGE@SPOKANECITY.ORG		
7. Grantee's Contract Representative NIC BOWCUT 4001 N COOK STREET SPOKANE, WA 99207 509-487-1603, EXT 217 NBOWCUT@NECOMMUNITYCENTER.COM			8. City's Contract Representative HEATHER PAGE 808 W SPOKANE FALLS BLVD SPOKANE, WA 99201-3342 509-625-6578 HPAGE@SPOKANECITY.ORG		
9. Grantee's Financial Representative ROSEL AMOR 4001 N COOK STREET SPOKANE, WA 99207 509-487-1603, EXT 204 RAMOR@NECOMMUNITYCENTER.COM			10. City of Spokane Internal Items NECCA TRI-PLEX PROJECT 15770		
11. Grantor Award # N/A		12. Start Date 7/1/2023		13. End Date 6/30/2024	
14. Federal Funds N/A		CFDA # N/A	Federal Agency N/A		Program Title NECCA Tri-Plex Project
15. Total Federal Award N/A		16. Federal Award Date N/A		17. Research & Development? NO	
				18. Indirect Cost Rate N/A	
19. Grantee Selection Process: (check all that apply or qualify) <input type="checkbox"/> Sole Source <input type="checkbox"/> A/E Services <input checked="" type="checkbox"/> Competitive Bidding/RFP <input type="checkbox"/> Pre-approved by Funder			20. Grantee Type: (check all that apply) <input type="checkbox"/> Private Organization/Individual <input type="checkbox"/> Public Organization/Jurisdiction <input type="checkbox"/> CONTRACTOR <input checked="" type="checkbox"/> SUBRECIPIENT <input checked="" type="checkbox"/> Non-Profit <input type="checkbox"/> For-Profit		

(FACE SHEET)





**CITY OF SPOKANE**  
**CONTRACT**  
**Title: Northeast Community Center Association, Tri-Plex Project 1590 Funds**

THIS CONTRACT is between the **CITY OF SPOKANE**, a Washington State municipal corporation, as ("City"), and **NORTHEAST COMMUNITY CENTER ASSOCIATION**, whose address is 4001 N COOK STREET, SPOKANE, WA as ("GRANTEE"), individually hereafter referenced as a "GRANTEE", and together as the "parties".

*WHEREAS, the GRANTEE was selected through RFP as approved by Spokane City Council on March 27, 2023 (OPR 2023-0351);*

The parties agree as follows:

1. **SCOPE OF SERVICE.** The GRANTEE shall provide services in accordance with the proposal dated December 27, 2022. Performance measures are attached as Attachment B.
2. **CONTRACT TERM/PERIOD OF PERFORMANCE.** The Contract shall begin 07/01/2023 and shall run through 06/30/2024, unless terminated sooner. This Contract may be amended as needed by written agreement of the parties.
3. **BUDGET.** The City shall reimburse the GRANTEE a maximum amount not to exceed **three hundred thousand dollars (\$300,000.00)**, for all things necessary or incidental to the performance of services as listed in ATTACHMENT B- SCOPE OF SERVICES. Reimbursement for services shall be in accordance with the terms and conditions attached in ATTACHMENT B- SCOPE OF SERVICES, as well as in accordance with the program performance requirements outlined in ATTACHMENT B-SCOPE OF SERVICES as applicable. The CITY reserves the right to revise this amount in any manner which the CITY may deem appropriate to account for any future fiscal limitations affecting the CITY.
4. **PAYMENT PROCEDURES.** Upon execution of this contract the CITY shall send out a billing sheet to the GRANTEE to be used for reimbursement. The CITY shall reimburse the GRANTEE only for actual incurred costs upon presentation of accurate and complete reimbursement forms as provided by the CITY and approved by the CITY. Only those allowable costs directly related to this Agreement shall be paid. The amount of each request must be limited to the amount needed for payment of eligible costs.

Requests for reimbursement by GRANTEE shall be submitted no more than once per month on or before the 15<sup>th</sup> of each month for the previous month's expenditures as directed below, using the forms provided by the CITY. For expenses incurred during the month of December, the

reimbursement request shall be submitted on or before the 10<sup>th</sup> of January, and for expenses incurred during the month of June, the reimbursement request shall be submitted on or before the 10<sup>th</sup> of July. In conjunction with each reimbursement request, GRANTEE shall certify that services to be performed under this Agreement do not duplicate any services to be charged against any other grant, subgrant or other founding source. **GRANTEE shall submit reimbursement requests to the CITY's Contract Representative designated on the FACE SHEET of this Agreement either by mail to the address listed above or by e-mail to [chhsreports@spokanecity.org](mailto:chhsreports@spokanecity.org).**

A. Reimbursement Requests:

The GRANTEE shall submit monthly invoices that include the billing form, appropriate sub-reports (e.g. payee expense detail, staff expense detail, housing assistance detail report), and the general ledger report for the applicable month. The GRANTEE shall maintain appropriate supporting documentation, including copies of receipts, time and effort tracking, and proof of payment. In addition, the CITY may request all supporting documentation for monitoring purposes during the period of performance of this Agreement and during the records retention period.

B. Payment:

Payment will be made via direct deposit/ACH within thirty (30) days after receipt of the GRANTEE's application except as provided by state law. If the CITY objects to all or any portion of the invoice, it shall notify the GRANTEE and reserves the right to only pay that portion of the invoice not in dispute. In that event, the parties shall immediately make every effort to settle the disputed amount.

In the event that the CITY or Funding Agency determines that any funds were expended by the GRANTEE for unauthorized or ineligible purposes or the expenditures constitute disallowed costs in any other way, the CITY or Funding Agency may order repayment of the same. The GRANTEE shall remit the disallowed amount to the CITY within thirty (30) days of written notice of the disallowance.

- 1) The GRANTEE agrees that funds determined by the CITY to be surplus upon completion of the Agreement will be subject to cancellation by the CITY.
- 2) The CITY shall be relieved of any obligation for payments if funds allocated to the CITY cease to be available for any cause other than misfeasance of the CITY itself.
- 3) The CITY reserves the right to withhold payments pending timely delivery of program reports or documents as may be required under this Agreement.

C. Program Income

If program income is generated by activities carried out with program funds made available under this agreement, the GRANTEE shall report program income monthly on invoices submitted to CITY (program income is defined in ATTACHMENT D- REGULATIONS) By way of further limitations, the GRANTEE may use such income during the Agreement period for activities permitted under this Agreement and shall reduce

requests for additional funds by the amount of any such program income balances on hand. All unexpended program income shall be returned to the CITY at the end of the Agreement period.

D. Indirect Costs

If indirect costs are charged using a methodology other than a Federally negotiated indirect cost rate or 10% of Modified Total Direct Costs (MTDC), as defined in 2 CFR 200.68, the GRANTEE shall submit an indirect cost allocation plan in compliance with 2 CFR Part 200, Subpart E and Appendix IV, including a cost policy statement, to the CITY's Contract Representative for approval prior to charging indirect costs to the project. The CITY's approval of the use of the rate shall be made in writing and the plan and cost policy statement must be updated and submitted annually. Indirect costs shall be applied in accordance with 2 CFR Part 200 Subpart E and 24 CFR 570.206

E. Travel

The GRANTEE shall obtain written approval from the CITY for any travel outside the metropolitan area with funds provided under this Agreement.

5. COMPLIANCE WITH LAWS AND PROGRAM REQUIREMENTS. Each party shall comply with all applicable federal, state, and local laws and regulations. Including program specific regulations as outlined in Attachment D- Program Regulations.

6. ASSIGNMENTS. This Contract is binding on the parties and their heirs, successors, and assigns. Neither party may assign, transfer or subcontract its interest, in whole or in part, without the other party's prior written consent.

7. NOTICES. Notices required by this Agreement shall be in writing and delivered via mail (postage prepaid), commercial courier, or personal delivery or sent by facsimile or other electronic means. Any notice delivered or sent as aforesaid, shall be effective on the date of delivery or sending. All notices and other written communications under this Agreement shall be addressed to the individuals in the capacities indicated below, unless otherwise modified by subsequent written notice by the PARTIES.

Communication and details concerning this Agreement shall be directed to the Agreement representatives as identified on the FACE SHEET.

8. AMENDMENTS. The CITY or GRANTEE may amend this Agreement at any time provided that such amendments make specific reference to this Agreement and are executed in writing and signed by a duly authorized representative of each organization. Such amendments shall not invalidate this Agreement, nor relieve or release the CITY or GRANTEE from its obligations under this Agreement. **All amendments to this agreement must be requested in writing by the GRANTEE and shall be submitted to the CITY's Contract Representative at least ninety (90) days prior to the end date of this Agreement as listed on the FACE SHEET. Requests submitted within the final ninety days of the period of performance of this Agreement shall be denied unless an extenuating circumstance exists which will be reviewed on a case-by-case basis.** Requests for amendments to the budget must be submitted in writing.

The CITY may, in its discretion, amend this Agreement to conform with Federal, state or local governmental guidelines, policies and available funding amounts, or for other reasons. If such amendments result in a change in the overall funding, the scope of services, period of performance or schedule of the activities to be undertaken as part of this Agreement, such modifications will be incorporated only by written amendment signed by both PARTIES.

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

10. TERMINATION. Either party may terminate this Contract by thirty (30) days written notice to the other party. In the event of such termination, the City shall pay the GRANTEE for all work previously authorized and performed prior to the termination date.

A. The CITY may suspend or terminate this Agreement if the GRANTEE materially fails to comply with any terms of this Agreement, which include (but are not limited to) the following:

- 1) Failure to comply with any of the rules, regulations or provisions referred to herein, or such statutes, regulations, executive orders, and policies or directives as may become applicable at any time.
- 2) Failure, for any reason, of the GRANTEE to fulfill in a timely and proper manner its obligations under this Agreement.
- 3) Ineffective or improper use of funds provided under this Agreement; or
- 4) Submission by the GRANTEE to the CITY reports that are incorrect or incomplete in any material respect.

B. This Agreement may also be terminated for convenience by either the CITY or the GRANTEE, in whole or in part, by setting forth the reasons for such termination, the effective date, and, in the case of partial termination, the portion to be terminated. However, if in the case of a partial termination, the CITY determines that the remaining portion of the award will not accomplish the purpose for which the award was made, the CITY may terminate the award in its entirety.

11. INDEMNIFICATION. The Consultant shall defend, indemnify, and hold the City and its officers and employees harmless from all claims, demands, or suits at law or equity asserted by third parties for bodily injury (including death) and/or property damage which arise from the Consultant's negligence or willful misconduct under this Agreement, including attorneys' fees and litigation costs; provided that nothing herein shall require a Consultant to indemnify the City against and hold harmless the City from claims, demands or suits based solely upon the negligence of the City, its agents, officers, and employees. If a claim or suit is caused by or results from the concurrent negligence of the Consultant's agents or employees and the City, its agents, officers and employees, this indemnity provision shall be valid and enforceable to the extent of the negligence of the Consultant, its agents or employees. The Consultant specifically assumes liability and agrees to defend, indemnify, and hold the City harmless for actions brought by the

Consultant's own employees against the City and, solely for the purpose of this indemnification and defense, the Consultant specifically waives any immunity under the Washington State industrial insurance law, or Title 51 RCW. The Consultant recognizes that this waiver was specifically entered into pursuant to the provisions of RCW 4.24.115 and was the subject of mutual negotiation. The indemnity and agreement to defend and hold the City harmless provided for in this section shall survive any termination or expiration of this agreement.

12. INSURANCE. During the term of the Agreement, the Company shall maintain in force at its own expense, the following insurance coverages:

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

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

13. GENERAL CONDITIONS

A. "INDEPENDENT CONTRACTOR".

Nothing contained in this Agreement is intended to, or shall be construed in any manner, as creating or establishing the relationship of employer/employee between the parties. The GRANTEE shall at all times remain an "independent contractor" with respect to the services to be performed under this Agreement. The CITY shall be exempt from payment of all Unemployment Compensation, FICA, retirement, life and/or medical insurance and Workers' Compensation Insurance, as the GRANTEE is an independent contractor.

B. WORKERS' COMPENSATION.

The GRANTEE shall provide Workers' Compensation Insurance coverage for all of its employees involved in the performance of this Agreement.

C. CITY RECOGNITION.

The GRANTEE shall ensure recognition of the role of the CITY in providing services through this Agreement. All activities, facilities and items utilized pursuant to this Agreement shall be prominently labeled as to the funding source. In addition, the GRANTEE will include a reference to the support provided herein in all publications which are made possible via the funds made available under this Agreement.

14. Special Conditions

The GRANTEE shall send essential staff to all mandatory City, and/or funding agency training and information meetings.

The GRANTEE shall notify the CITY in writing of any changes in the Key Personnel assigned within thirty (30) days.

The GRANTEE shall not subaward any funds included in this Agreement without prior approval from the CITY.

The PARTIES shall provide to each other all public information communications that are publicly disseminated area-wide for the purpose of informing the public, including press and public information releases, in order to coordinate the respective communication efforts and to share consistent information with each other and the public. The PARTIES shall strive to provide each other with the drafts of all public information communications at least forty-eight hours prior to public release of the communication so that each agrees to comply with all other applicable Federal, state, and local laws, regulations, and policies governing the funds provided under this Agreement. The GRANTEE Further agrees to utilize funds available under this Agreement to supplement rather than supplant funds otherwise available.

GRANTEE shall comply with the bonding and insurance requirements of 2 CFR 200.304, Bonds, and 2 CFR 200.310, Insurance coverage.

15. 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. ATTACHMENT A.

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

17. STANDARD OF PERFORMANCE. The silence or omission in the Contract regarding any detail required for the proper performance of the work, means that the Company shall perform the best general practice.

18. NONDISCRIMINATION. No individual shall be excluded from participation in, denied the benefit of, subjected to discrimination under, or denied employment in the administration of or in

connection with this Contract because of age, sex, race, color, religion, creed, marital status, familial status, sexual orientation including gender expression or gender identity, national origin, honorably discharged veteran or military status, the presence of any sensory, mental or physical disability, or use of a service animal by a person with disabilities. The Company agrees to comply with, and to require that all subcontractors comply with, Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act, as applicable to the Company.

19. CITY OF SPOKANE BUSINESS LICENSE. Section 8.01.070 of the Spokane Municipal Code states that no person may engage in business with the City without first having obtained a valid annual business registration. The Company shall be responsible for contacting the State of Washington Business License Services at [www.dor.wa.gov](http://www.dor.wa.gov) or 360-705-6741 to obtain a business registration. If the Company 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.

## 20. ADMINISTRATIVE REQUIREMENTS.

### A. DOCUMENTATION AND RECORD KEEPING

#### 1) Records to be Maintained

The GRANTEE shall maintain all records pertinent to the Program and activities to be funded under this Agreement. Such records **may** include and show compliance with the following as applicable, but not be limited to:

- a. Program participant records, housing standards and services provided.
- b. Conflict of interest and confidentiality requirements.
- c. Records documenting compliance with housing standards and Fair Housing.
- d. Program participants annual income, and
- e. Other records necessary to properly and thoroughly document Program compliance as described in ATTACHMENT D - PROGRAM REGULATIONS

#### 2) Retention

The GRANTEE shall retain all financial records, supporting documents, statistical records, and all other records pertinent to this Agreement for a period of at least three (3) years **or as determined by ATTACHMENT D - PROGRAM REGULATIONS** The retention period begins following the date of final payment. Notwithstanding the above, if there is litigation, claims, audits, negotiations, or other actions that involve any of the records cited and have commenced before the expiration of the above referenced period, then such records must be retained until completion of the actions and resolution of all issues.

#### 3) Client Data

The GRANTEE shall maintain client data demonstrating client eligibility for services provided. Such data shall include, but not be limited to client name, address, income level or other basis of determining eligibility, and description of service(s) provided. Such information shall be made available to CITY monitors or their designees for review upon request, during regular business hours.

#### 4) Disclosure

a. "Confidential Information" as used in this section includes:

- i. All material provided to the GRANTEE by CITY that is designated as "confidential" by CITY.

- ii. All material produced by the GRANTEE that is designated as "confidential" by CITY; and
  - iii. All personal information in the possession of the GRANTEE that may not be disclosed under state or Federal law. "Personal information" includes but is not limited to information related to a person's name, health, finances, education, business, use of government services, addresses, telephone numbers, social security number, driver's license number and other identifying numbers, and "Protected Health Information" under the Federal Health Insurance Portability and Accountability Act of 1996 (HIPAA).
- b. The GRANTEE shall comply with all state and Federal laws related to the use, sharing, transfer, sale, or disclosure of Confidential Information. The GRANTEE shall use Confidential Information solely for the purposes of this Grant and shall not use, share, transfer, sell or disclose any Confidential Information to any third party except with the prior written consent of CITY or as may be required by law. The GRANTEE shall take all necessary steps to assure that Confidential Information is safeguarded to prevent unauthorized use, sharing, transfer, sale or disclosure of Confidential Information or violation of any state or Federal laws related thereto. Upon request, the GRANTEE shall provide CITY with its policies and procedures on confidentiality. CITY may require changes to such policies and procedures as they apply to this Agreement whenever CITY reasonably determines that changes are necessary to prevent unauthorized disclosures. The GRANTEE shall make the changes within the time period specified by CITY. Upon request, the GRANTEE shall immediately return to CITY any Confidential Information that CITY reasonably determines has not been adequately protected by the GRANTEE against unauthorized disclosure.
- i. Unauthorized Use or Disclosure. The GRANTEE shall notify CITY within five (5) working days of any unauthorized use or disclosure of any confidential information and shall take necessary steps to mitigate the harmful effects of such use or disclosure.
  - ii. GRANTEE shall maintain the confidentiality of records pertaining to any individual or family that was provided family violence prevention or treatment services through the project.
  - iii. GRANTEE certifies that the address or location of any family violence project will not be made public, except with written authorization of the person responsible for the operation of such project.

5) Close-outs

The GRANTEE's obligation to the CITY shall not end until all close-out requirements are completed. Activities during this close-out period shall include, but are not limited to: making final payments, disposing of program assets (including the return of all unused materials, equipment, unspent cash advances, program income balances, and accounts receivable to the CITY), and determining the custodianship of records. Notwithstanding the foregoing, the terms of this Agreement shall remain in effect during any period that the GRANTEE has control over program funds, including program income.



6) Audits & Inspections

The GRANTEE shall maintain accurate records to account for its expenditures and performance. The CITY has the right to monitor and audit the finances of the GRANTEE to ensure actual expenditures remain consistent with the spirit and intent of this Agreement.

The GRANTEE shall establish and maintain a system of internal accounting control which complies with applicable Generally Accepted Accounting Principles (GAAP). All GRANTEE records with respect to any matters covered by this Agreement shall be made available to the CITY, or other authorized officials, at any time during normal business hours, as often as deemed necessary, to audit, examine, and make excerpts or transcripts of all relevant data.

If this agreement is funded by Federal sources as identified on the FACE SHEET, the GRANTEE shall comply with Federal audit requirements who expend in excess of \$750,000 of federal funds. The CITY reserves the right to require special procedures which are more limited in scope than a full audit for those agencies expending less than \$750,000 in federal funds.

The GRANTEE must send a copy of its audit report, corrective action plan for any audit finding(s), and Management Letter to the CITY's Contract Representative (designated on the FACE SHEET of this Agreement), 808 West Spokane Falls Boulevard, Spokane, Washington 99201, or to [chhsreports@spokanecity.org](mailto:chhsreports@spokanecity.org), within the earlier of thirty (30) calendar days after receipt of the auditor's report(s), but no later than nine (9) months after the end of the audit period. Corrective action plans are to be submitted for all finding and Management Letters, not only those related to funding received from the CITY.

The GRANTEE that expends less than \$750,000 in a fiscal year in federal funds from all sources shall submit a copy of the GRANTEE's most recent Audited Financial Statement to the CITY's Contract Representative (designated on the FACE SHEET of this Agreement), 808 West Spokane Falls Boulevard, Spokane, Washington 99201, or to [chhsreports@spokanecity.org](mailto:chhsreports@spokanecity.org), within the earlier of thirty (30) calendar days after receipt of the auditor's report(s), or no later than nine (9) months after the end of the audit period. The GRANTEE that does not receive a financial audit shall submit financial statements within ninety (90) calendar days of GRANTEE's fiscal year end to the CITY's Contract Representative by mail to the address listed above, or to [chhsreports@spokanecity.org](mailto:chhsreports@spokanecity.org).

The GRANTEE is responsible for any audit exceptions or expenses incurred by its own organization or that of its Subcontractors and the CITY reserves the right to recover from the GRANTEE all disallowed costs resulting from the audit.

Failure of the GRANTEE to comply with the audit requirements will constitute a violation of this Agreement and may result in the withholding of future payments.

21. CONFIDENTIALITY/PUBLIC RECORDS. Notwithstanding anything to the contrary, City will maintain the confidentiality of Company's materials and information only to the extent that is legally allowed in the State of Washington. City is bound by the State Public Records Act, RCW Ch. 42.56. That law presumptively makes all records in the possession of the City public records

which are freely available upon request by anyone. In the event that City gets a valid public records request for Company's materials or information, City will give Company notice and Company will be required to go to Court to get an injunction preventing the release of the requested records. In the event that Company does not get a timely injunction preventing the release of the records, the city will comply with the Public Records Act and release the records.

22. DISPUTES. This Contract shall be performed under the laws of the State of Washington. Any litigation to enforce this Contract or any of its provisions shall be brought in Spokane County, Washington.

23. SECTION HEADINGS AND SUBHEADINGS

The section headings and subheadings contained in this Agreement are included for convenience only and shall not limit or otherwise affect the terms of this Agreement.

24. WAIVER

The CITY's failure to act with respect to a breach by the GRANTEE does not waive its right to act with respect to subsequent or similar breaches. The failure of the CITY to exercise or enforce any right, remedy or provision shall not constitute a waiver of such right, remedy or provision, at any time.

25. ENTIRE AGREEMENT

This Agreement constitutes the entire agreement between the CITY and the GRANTEE for the use of funds received under this Agreement, and it supersedes all prior or contemporaneous communications and proposals, whether electronic, oral, or written between the CITY and the GRANTEE with respect to this Agreement.

IN WITNESS WHEREOF, in consideration of the terms, conditions, and covenants contained, or attached and incorporated and made a part, the parties have executed this Agreement by having legally-binding representatives affix their signature below. The undersigned certifies compliance with all Agreement provisions as listed above.

**NORTHEAST COMMUNITY  
CENTER ASSOCIATION**

**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:

- Attachment A – Debarment and Suspension
- Attachment B – Scope of Services
- Attachment C – Performance
- Attachment D – Program Regulations

**Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion**

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 2 CFR Part 180.

- (1) The prospective primary participant 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 application been convicted of or had a civil judgement 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 for or otherwise criminally or civilly charged by a governmental 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 Agreement had one or more public transactions (Federal, State, or local) terminated for cause or default.
- (2) The undersigned agrees by signing this Agreement 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 Agreement that it will include the following required certification, 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.
- (4) The undersigned shall notify the City immediately that if it or a lower tier contractor become debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency during the period of performance of this Agreement.
- (5) The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, person, primary covered transaction, principal, and voluntarily excluded, as used in this exhibit, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. The undersigned may contact the City for assistance in obtaining a copy of these regulations.
- (6) I understand that a false statement of this certification may be grounds for termination of the Agreement.

**By signing this Attachment, the Grantee indicates acceptance of and compliance with all requirements described above.**

**Federal Funding Accountability and Transparency Act (FFATA) Certification**

**The Federal Funding Accountability and Transparency Act (FFATA) seeks to provide the public with greater access to Federal spending information. Due to FFATA requirements, you are required to provide the following information which will be used by the City to comply with federal reporting requirements.**

If certain conditions are met, Grantee must provide names and total compensation of the top five highly compensated Executives. Please answer question 1, and follow the instructions. If directed to question 2, please answer and follow instructions.

1. In Grantee's previous fiscal year, did Grantee receive (a) 80% or more of Grantee's annual gross revenues in U.S. Federal contracts and subcontracts and other Federal financial assistance subject to the Transparency Act, as defined in 2 CFR 170.320; AND (b) \$25,000,000 or more in annual gross revenues from contracts and subcontracts and other Federal financial assistance subject to the Transparency Act, as defined in 2 CFR 170.320?

Yes  If yes, answer question 2 below.

No  If no, stop, you are not required to report names and compensation. Please sign and submit form with the Agreement.

2. Does the public have access to information about the compensation of Grantee's Executives through periodic reports filed under section 13(a) or 15(d) of the Security Exchange Act of 1934 (15 U.S.C. 78(m)(a), 78o(d)), or section 6104 of the Internal Revenue Code of 1986?

Yes  If yes, stop, you are not required to report names and compensation. Please sign and submit form with the Agreement.

No  If no, you are required to report names and compensation. Please fill out the remainder of this form.

Please provide the names and Total Compensation of the top five most highly compensated Executives in the space below.

Name:	Total Compensation:
Name:	Total Compensation:
Name:	Total Compensation:
Name:	Total Compensation:
Name:	Total Compensation:

**The Grantee certifies that the information contained on this form is true and accurate.**

**By:** \_\_\_\_\_  
**Title:** \_\_\_\_\_  
**Date:** \_\_\_\_\_

## Attachment B: Scope of Service

### A. SCOPE OF WORK AND APPROVED ACTIVITIES

The GRANTEE will be responsible for administering the Northeast Community Center Association (NECCA) Tri-Plex Project (“Program”) in a manner satisfactory to the CITY, and in accordance with SMC 08.07B, SMC 08.07C, RCW 82.14.530, RCW 82.14.460, and consistent with any standards required as a condition of providing these funds. The CITY and GRANTEE are hereinafter jointly referenced as the “PARTIES”, and individually a “PARTY”. Such Program will include the following activities eligible under RCW 82.14.530 AND/OR RCW 82.14.460: One 2-bedroom rental unit will be rehabilitated and rented to households earning less than or equal to 60% AMI, and who meet the definition of one of the eligible participant populations. Three new construction, 1-bedroom units, will be built and rented to households earning less than or equal to 60% AMI, and who meet the definition of one of the eligible participant populations. All of the units must meet State and City building codes. The units will be inspected by CHHS staff following completion of construction/rehabilitation and prior to lease up of the units. The project will be completed by May 1, 2024. All units will be fully occupied by May 31, 2024.

### B. PERFORMANCE MEASURES

Measure	Target
Rehabilitate one 2-bedroom unit for households earning less than or equal to 60% AMI, and who meet the definition of one of the eligible participant populations.	5/1/2024
New construction - build three 1-bedroom apartments for households earning less than or equal to 60% AMI, and who meet the definition of one of the eligible participant populations.	5/1/2024
Fully rent all four units to eligible households. See Participant Populations in Attachment D	6/30/2024

C. PERFORMANCE MONITORING

The CITY will monitor the performance of the GRANTEE against program goals and performance measures as stated above, complete and timely submittal of performance data, spend down of grant funds, and all other terms and conditions of this agreement. Substandard performance as determined by the CITY will constitute noncompliance with this Agreement and shall result in action which may include, but is not limited to: the GRANTEE being required to submit and implement a corrective action plan, payment suspension, funding reduction, or grant termination. If action to correct such substandard performance is not taken by the GRANTEE within a reasonable period of time after being notified by the CITY, Agreement suspension or termination procedures will be initiated.

C. BUDGET

Category	Amount
New Construction and Contingency	\$210,172.00
Rehabilitation and Contingency	\$63,000.00
Taxes	\$26,828.00
<b>Total</b>	<b>\$300,000.00</b>

All requests for reimbursement must include documentation as described in the "Documentation Required for Billing Forms" instructions. Any amendments to the budget must be requested in writing by the GRANTEE and shall be submitted to the CITY's Contract Representative. If approved, the CITY will notify the GRANTEE in writing. **Budgeted amounts shall not be shifted between categories or programs without written approval by the CITY** and any costs for completing the project over and above the amount awarded by the CITY shall be the responsibility of the GRANTEE. Requests for amendments to the budget must be submitted in writing as set forth in Section No. 7, paragraph G of this Agreement.

Attachment C  
Quarterly Performance Report

Performance reports are due to the City at the end of each quarter. Failure to produce a performance report will result in reimbursement of expenses being held until the quarterly performance report is received and processed by the City's contract staff.

Date:	
Agency:	
Contact Person:	
Email:	
Phone:	
OPR:	

In your quarterly performance reports, please describe progress on the rehabilitation of the 2-bedroom unit, and new construction of the three 1-bedroom units. What is the percentage of the project completed? Describe the progress made since the last quarterly performance report. As units are rented, provide income verification for tenants demonstrating that they earn 60% or less AMI and meet the definition of one of the participant populations. If any of the Minimum Performance Standards were not met in the current quarter, please explain why and how these deficiencies will be addressed moving forward.



## Attachment D: Regulations

The use of grant funds under this agreement is subject to applicable requirements of the regulations as listed below. Regulations may be amended from time to time.

### 1. RECORD RETENTION

The GRANTEE shall retain all financial records, supporting documents, statistical records, and all other records pertinent to this Agreement for a period of at **least six (6) years per RCW 40.14.060**. The retention period begins following the date of final payment. Notwithstanding the above, if there is litigation, claims, audits, negotiations, or other actions that involve any of the records cited and have commenced before the expiration of the above referenced period, then such records must be retained until completion of the actions and resolution of all issues.

### 2. PARTICIPANT POPULATIONS

The GRANTEE will ensure, and document that the affordable housing and services provided under this agreement are only provided to persons within the following population groups whose income is at or below sixty percent of the area median income:

1. Persons with behavioral health disabilities;
2. Veterans;
3. Senior citizens;
4. Persons who are homeless or at-risk of being homeless, including families with children; Unaccompanied homeless youth or young adults; Persons with disabilities; or Domestic violence survivors.

RCW 82.14.530

### 3. ELIGIBLE ACTIVITIES

This award may only be used in accordance with SMC 08.070B.020, and SMC 08.070C.030.



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

07/31/2023

<b>Date Rec'd</b>	7/19/2023
<b>Clerk's File #</b>	OPR 2023-0719
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	2023103
<b>Bid #</b>	RFQU 5902-23
<b>Requisition #</b>	CR 25174

<b>Submitting Dept</b>	INTEGRATED CAPITAL MANAGEMENT
<b>Contact Name/Phone</b>	LORENA 625-6894 CROUCHER
<b>Contact E-Mail</b>	LCROUCHER@SPOKANECITY.ORG
<b>Agenda Item Type</b>	Contract Item
<b>Agenda Item Name</b>	4250 – LATAH BRIDGE INSPECTION AND LOAD RATING – KPFF

**Agenda Wording**

Contract with KPFF Consulting Engineers to perform bridge inspection and load rating analysis on the Latah Bridge.

**Summary (Background)**

In order to pursue a grant opportunity for the rehabilitation of Latah Bridge, a bridge inspection and load rating analysis is needed. This inspection and analysis will provide information needed to apply for a federal Bridge Investment Program (BIP) grant. KPFF was selected for this analysis using the City's procurement process. The total cost of this contract is \$157,000.

Lease? NO Grant related? NO Public Works? NO

**Fiscal Impact**

Expense \$ 157,000.00

Select \$

Select \$

Select \$

**Budget Account**

# 3200-48400-95100-56501-86129

#

#

#

**Approvals**

<b>Dept Head</b>	DAVIS, MARCIA
<b>Division Director</b>	FEIST, MARLENE
<b>Finance</b>	ALBIN-MOORE, ANGELA
<b>Legal</b>	HARRINGTON, MARGARET
<b>For the Mayor</b>	JONES, GARRETT

**Council Notifications**

<b>Study Session\Other</b>	PIES 7/24/23
<b>Council Sponsor</b>	Kinnear
<b>Distribution List</b>	ddaniels@spokanecity.org
	icmaccounting@spokanecity.org
<b>Additional Approvals</b>	eraea@spokanecity.org
<b>Purchasing</b>	lcroucher@spokanecity.org
	kpicanco@spokanecity.org
	Signee: Mark Brower mark.brower@kpff.com
	cwahl@spokanecity.org

## Committee Agenda Sheet

### Public Infrastructure, Environment & Sustainability Committee

<b>Submitting Department</b>	Integrated Capital Management
<b>Contact Name</b>	Lorena Croucher
<b>Contact Email &amp; Phone</b>	<a href="mailto:lcroucher@spokanecity.org">lcroucher@spokanecity.org</a> ; (509)625-6894
<b>Council Sponsor(s)</b>	CM Kinnear
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion    Time Requested:
<b>Agenda Item Name</b>	Notice of Award of RFQu #5902-23: Latah Bridge Inspection and Load Rating
<b>Summary (Background)</b>  *use the Fiscal Impact box below for relevant financial information	<p>ICM plans to pursue a grant opportunity through the federal Bridge Investment Program (BIP) to support the rehabilitation of the Latah Bridge (also known as Sunset Bridge or High Bridge). This funding source could provide up to \$100M depending on project needs. While exact grant application milestones have not been advertised, ICM is anticipating an October, 2023 grant application deadline.</p> <p>Note- the City previously studied rehabilitation needs and alternatives in the 2012 <a href="#">Latah Bridge Rehabilitation Study</a>. This existing study will be leveraged to the greatest extent practicable in the grant application.</p> <p>However, there are gaps in the anticipated data needs for the BIP grant application, including updated bridge inspection data and a load rating analysis. Therefore, RFQu #5902-23 – Latah Bridge Inspection and Load Rating was issued to complete this work. The City received one RFQu submission from KPFF and deemed the proposal adequate for award. The proposed scope and fee is attached.</p>
<b>Proposed Council Action</b>	
<p><b>Fiscal Impact</b>            Total Cost: <u>\$157,000</u>            Approved in current year budget?    <input checked="" type="checkbox"/> Yes    <input type="checkbox"/> No    <input type="checkbox"/> N/A</p> <p>Funding Source            <input checked="" type="checkbox"/> One-time    <input type="checkbox"/> Recurring            Specify funding source: Arterial Street Fund</p> <p>Expense Occurrence    <input checked="" type="checkbox"/> One-time    <input type="checkbox"/> Recurring</p> <p>Other budget impacts: (revenue generating, match requirements, etc.)</p>	
<b>Operations Impacts (If N/A, please give a brief description as to why)</b>	
<p>What impacts would the proposal have on historically excluded communities?</p> <p><i>Sunset Bridge provides a vital connection between downtown Spokane and the West Plains region. Rehabilitation of this bridge would allow for expanded pedestrian, bike, and transit opportunities.</i></p>	

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?

*The rehabilitation of the Sunset Bridge is included in the City's 6-Year CIP; the project has not yet identified a funding source. The BIP grant provides an opportunity to fund this project.*



**City of Spokane**  
**CONSULTANT AGREEMENT**  
**Title: LATAH BRIDGE INSPECTION  
AND LOAD RATING**

This Consultant Agreement is made and entered into by and between the **CITY OF SPOKANE** as ("City"), a Washington municipal corporation, and **KPFF CONSULTING ENGINEERS, INC.**, whose address is 421 West Riverside Avenue, Suite 524, Spokane, Washington 99201 as ("Consultant"), individually hereafter referenced as a "party", and together as the "parties".

*WHEREAS, the purpose of this Agreement is to provide Latah Bridge Inspection and Load Rating, and*

*WHEREAS, the Consultant was selected from a Request for Qualifications No. 5902-23 issued by the City.*

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

**1. TERM OF AGREEMENT.**

The term of this Agreement begins on August 1, 2023, and ends on December 31, 2023, unless amended by written agreement or terminated earlier under the provisions. This Agreement may be renewed by agreement of the parties.

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

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

**3. SCOPE OF WORK.**

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

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

#### 4. COMPENSATION.

Total annual compensation for Consultant's services under this Agreement shall not exceed **ONE HUNDRED FIFTY-SEVEN THOUSAND AND NO/100 DOLLARS (\$157,000.00)**, excluding tax, if applicable, unless modified by a written amendment to this Agreement. This is the maximum amount to be paid under this Agreement for the work described in Section 3 above, and shall not be exceeded without the prior written authorization of the City in the form of an executed amendment to this Agreement.

#### 5. PAYMENT.

The Consultant shall submit its applications for payment to City of Spokane Engineering Services Department Construction Management, 998 E North Foothills Drive Spokane, WA 99207-2735. **Payment will be made via direct deposit/ACH** within thirty (30) days after receipt of the Consultant's application except as provided by state law. If the City objects to all or any portion of the invoice, it shall notify the Consultant and pay that portion of the invoice not in dispute. In that event, the parties shall immediately make every effort to settle the disputed amount.

#### 6. REIMBURSABLES

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

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

incurred. Please note: payment for mileage for long distances traveled will not be more than an equivalent trip round-trip airfare of a common carrier for a coach or economy class ticket.

- H. **Rental Car:** Rental car expenses will be reimbursed at the actual cost of the rental. Rental car receipts are required for all rental car expenses. The City will reimburse for a standard car of a mid-size class or less. The City will not reimburse for ancillary expenses charged to the car rental (e.g. GPS unit).
- I. **Miscellaneous Travel** (e.g. parking, rental car gas, taxi, shuttle, toll fees, ferry fees, etc.): Miscellaneous travel expenses will be reimbursed at the actual cost incurred. Receipts are required for each expense of \$10.00 or more.
- J. **Miscellaneous other business expenses** (e.g. printing, photo development, binding): Other miscellaneous business expenses will be reimbursed at the actual cost incurred and may not include a markup. Receipts are required for all miscellaneous expenses that are billed.

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

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

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

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

Section 8.01.070 of the Spokane Municipal Code states that no person may engage in business with the City without first having obtained a valid annual business registration. The Consultant shall be responsible for contacting the State of Washington Business License Services at [www.dor.wa.gov](http://www.dor.wa.gov) or 360-705-6741 to obtain a business registration. If the Contractor does not believe it is required to obtain a business registration, it may contact the City's Taxes and Licenses Division at (509) 625-6070 to request an exemption status determination.

## **9. SOCIAL EQUITY REQUIREMENTS.**

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

one that self-identifies to be at least 51% owned by a woman and/or minority. Such firms do not have to be certified by the State of Washington.

#### **10. INDEMNIFICATION.**

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

#### **11. INSURANCE.**

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

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

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

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

D. Professional Liability Insurance with a combined single limit of not less than \$1,000,000 each claim, incident or occurrence. This is to cover damages caused by the error, omission, or negligent acts related to the professional services to be provided under this Agreement. The coverage must remain in effect for at least two (2) years after the Agreement is completed.

There shall be no cancellation, material change, reduction of limits or intent not to renew the insurance coverage(s) without forty-five (45) days written notice from the Consultant or its insurer(s) to the City. As evidence of the insurance coverage(s) required by this Agreement, the Consultant shall furnish acceptable Certificates Of Insurance (COI) to the City at the time it returns this signed Agreement. The certificate shall specify the City of Spokane as "Additional Insured" specifically for Consultant's services under this Agreement, as well as all of the parties



who are additional insureds, and include applicable policy endorsements, the forty-five (45) day cancellation clause, and the deduction or retention level. The Consultant shall be financially responsible for all pertinent deductibles, self-insured retentions, and/or self-insurance.

## **12. DEBARMENT AND SUSPENSION.**

The Consultant 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.

## **13. AUDIT.**

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

## **14. INDEPENDENT CONSULTANT.**

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

## **15. KEY PERSONS.**

The Consultant shall not transfer or reassign any individual designated in this Agreement as essential to the Work, nor shall those key persons, or employees of Consultant identified as to be involved in the Project Work be replaced, removed or withdrawn from the Work without the express written consent of the City, which shall not be unreasonably withheld. If any such

individual leaves the Consultant's employment, the Consultant shall present to the City one or more individuals with greater or equal qualifications as a replacement, subject to the City's approval, which shall not be unreasonably withheld. The City's approval does not release the Consultant from its obligations under this Agreement.

#### **16. ASSIGNMENT AND SUBCONTRACTING.**

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

#### **17. CITY ETHICS CODE.**

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

#### **18. NO CONFLICT OF INTEREST.**

Consultant confirms that the Consultant or workers have no business interest or a close family relationship with any City officer or employee who was or will be involved in the consultant selection, negotiation, drafting, signing, administration or evaluation of the Consultant's work. As used in this Section, the term Consultant includes any worker of the Consultant who was, is, or will be, involved in negotiation, drafting, signing, administration or performance of the Agreement. The term "close family relationship" refers to: spouse or domestic partner, any dependent parent, parent-in-law, child, son-in-law, daughter-in-law; or any parent, parent in-law, sibling, uncle, aunt, cousin, niece or nephew residing in the household of a City officer or employee described above.

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

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

notification by the City. The obligation provided for in this Section regarding acts or omissions resulting from this Agreement survives Agreement termination or expiration.

## **20. INTELLECTUAL PROPERTY RIGHTS.**

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

## **21. CONFIDENTIALITY.**

Notwithstanding anything to the contrary, City will maintain the confidentiality of Consultant's materials and information only to the extent that is legally allowed in the State of Washington. City is bound by the State Public Records Act, RCW Ch. 42.56. That law presumptively makes all records in the possession of the City public records which are freely available upon request by anyone. In the event that City gets a valid public records request for Consultant's materials or information and the City determines there are exemptions only the Consultant can assert, City will endeavor to give Consultant notice. Consultant will be required to go to Court to get an injunction preventing the release of the requested records. In the event that Consultant does not get a timely injunction preventing the release of the records, the City will comply with the Public Records Act and release the records.

## **22. DISPUTES.**

Any dispute or misunderstanding that may arise under this Agreement, concerning the Consultant's performance, shall first be through negotiations, if possible, between the Consultant's Project Manager and the City's Project Manager. It shall be referred to the Director and the Consultant's senior executive(s). If such officials do not agree upon a decision within a reasonable period of time, either party may decline or discontinue such discussions and may then pursue the legal means to resolve such disputes, including but not limited to mediation, arbitration and/or alternative dispute resolution processes. Nothing in this dispute process shall

mitigate the rights of the City to terminate the Agreement. Notwithstanding all of the above, if the City believes in good faith that some portion of the Work has not been completed satisfactorily, the City may require the Consultant to correct such work prior to the City payment. The City will provide to the Consultant an explanation of the concern and the remedy that the City expects. The City may withhold from any payment otherwise due, an amount that the City in good faith finds to be under dispute, or if the Consultant provides no sufficient remedy, the City may retain the amount equal to the cost to the City for otherwise correcting or remedying the work not properly completed. Waiver of any of these rights is not deemed a future waiver of any such right or remedy available at law, contract or equity.

### **23. TERMINATION.**

- A. For Cause: The City or Consultant may terminate the Agreement if the other party is in material breach of this Agreement, and such breach has not been corrected to the other party's reasonable satisfaction in a timely manner. Notice of termination under this Section shall be given by the party terminating this Agreement to the other, not fewer than thirty (30) business days prior to the effective date of termination.
- B. For Reasons Beyond Control of Parties: Either party may terminate this Agreement without recourse by the other where performance is rendered impossible or impracticable for reasons beyond such party's reasonable control, such as, but not limited to, an act of nature, war or warlike operation, civil commotion, riot, labor dispute including strike, walkout or lockout, except labor disputes involving the Consultant's own employees, sabotage, or superior governmental regulation or control. Notice of termination under this Section shall be given by the party terminating this Agreement to the other, not fewer than thirty (30) business days prior to the effective date of termination.
- C. For Convenience: Either party may terminate this Agreement without cause, upon thirty (30) days written notice to the other party.
- D. Actions upon Termination: if termination occurs not the fault of the Consultant, the Consultant shall be paid for the services properly performed prior to the actual termination date, with any reimbursable expenses then due, but such compensation shall not exceed the maximum compensation to be paid under the Agreement. The Consultant agrees this payment shall fully and adequately compensate the Consultant and all subconsultants for all profits, costs, expenses, losses, liabilities, damages, taxes and charges of any kind (whether foreseen or unforeseen) attributable to the termination of this Agreement.
- E. Upon termination, the Consultant shall provide the City with the most current design documents, contract documents, writings and other products the Consultant has produced to termination, along with copies of all project-related correspondence and similar items. The City shall have the same rights to use these materials as if termination had not occurred; provided however, that the City shall indemnify and hold the Consultant harmless from any claims, losses, or damages to the extent caused by modifications made by the City to the Consultant's work product.

### **24. EXPANSION FOR NEW WORK.**

This Agreement scope may be expanded for new work. Any expansion for New Work (work not specified within the original Scope of Work Section of this Agreement, and/or not specified in the original RFP as intended work for the Agreement) must comply with all the following limitations and requirements: (a) the New Work is not reasonable to solicit separately; (b) the New Work is for reasonable purpose; (c) the New Work was not reasonably known either the City or Consultant at time of contract or else was mentioned as a possibility in the solicitation (such as future phases of work, or a change in law); (d) the New Work is not significant enough to be reasonably regarded as an independent body of work; (e) the New Work would not have attracted a different field of competition; and (f) the change does not vary the essential identified or main purposes of the Agreement. The City may make exceptions for immaterial changes,

emergency or sole source conditions, or other situations required in City opinion. Certain changes are not New Work subject to these limitations, such as additional phases of Work anticipated at the time of solicitation, time extensions, Work Orders issued on an On-Call contract, and similar. New Work must be mutually agreed and issued by the City through written Addenda. New Work performed before an authorizing Amendment may not be eligible for payment.

## **25. MISCELLANEOUS PROVISIONS.**

- A. Amendments: No modification of this Agreement shall be effective unless in writing and signed by an authorized representative of each of the parties hereto.
- B. Binding Agreement: This Agreement shall not be binding until signed by both parties. The provisions, covenants and conditions in this Agreement shall bind the parties, their legal heirs, representatives, successors and assigns.
- C. Americans with Disabilities Act (ADA): Specific attention by the designer is required in association with the Americans with Disabilities Act (ADA) 42 U.S.C. 12101-12213 and 47 U.S.C. 225 and 611, its requirements, regulations, standards and guidelines, which were updated in 2010 and are effective and mandatory for all State and local government facilities and places of public accommodation for construction projects including alteration of existing facilities, as of March 15, 2012. The City advises that the requirements for accessibility under the ADA, may contain provisions that differ substantively from accessibility provisions in applicable State and City codes, and if the provisions of the ADA impose a greater or equal protection for the rights of individuals with disabilities or individuals associated with them than the adopted local codes, the ADA prevail unless approval for an exception is obtained by a formal documented process. Where local codes provide exceptions from accessibility requirements that differ from the ADA Standards; such exceptions may not be permitted for publicly owned facilities subject to Title II requirements unless the same exception exists in the Title II regulations. It is the responsibility of the designer to determine the code provisions.
- D. The Consultant, at no expense to the City, shall comply with all laws of the United States and Washington, the Charter and ordinances of the City of Spokane; and rules, regulations, orders and directives of their administrative agencies and officers. Without limiting the generality of this paragraph, the Consultant shall comply with the requirements of this Section.
- E. This Agreement shall be construed and interpreted under the laws of Washington. The venue of any action brought shall be in the Superior Court of Spokane County.
- F. Remedies Cumulative: Rights under this Agreement are cumulative and nonexclusive of any other remedy of law or in equity.
- G. Captions: The titles of sections or subsections are for convenience only and do not define or limit the contents.
- H. Severability: If any term or provision is determined by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Agreement shall not be affected, and each term and provision shall be valid and enforceable to the fullest extent permitted by law.
- I. Waiver: No covenant, term or condition or the breach shall be deemed waived, except by written consent of the party against whom the waiver is claimed, and any waiver of the breach of any covenant, term or condition shall not be deemed a waiver of any preceding or succeeding breach of the same or any other covenant, term of condition. Neither the acceptance by the City of any performance by the Consultant after the time the same shall have become due nor payment to the Consultant for any portion of the Work shall constitute a waiver by the City of the breach or default of any covenant, term or condition unless otherwise expressly agreed to by the City in writing.
- J. Additional Provisions: This Agreement may be modified by additional terms and conditions ("Special Conditions") which shall be attached to this Agreement as an Exhibit. The parties

agree that the Special Conditions shall supplement the terms and conditions of the Agreement, and in the event of ambiguity or conflict with the terms and conditions of the Agreement, these Special Conditions shall govern.

- K. Entire Agreement: This document along with any exhibits and all attachments, and subsequently issued addenda, comprises the entire agreement between the City and the Consultant. If conflict occurs between contract documents and applicable laws, codes, ordinances or regulations, the most stringent or legally binding requirement shall govern and be considered a part of this contract to afford the City the maximum benefits.
- L. Negotiated Agreement: The parties acknowledge this is a negotiated agreement, that they have had this Agreement reviewed by their respective legal counsel, and that the terms and conditions of this Agreement are not to be construed against any party on the basis of such party's draftsmanship.
- M. No personal liability: No officer, agent or authorized employee of the City shall be personally responsible for any liability arising under this Agreement, whether expressed or implied, nor for any statement or representation made or in any connection with this Agreement.

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

**KPFF CONSULTING ENGINEERS, INC.**

**CITY OF SPOKANE**

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

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

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

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

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

Attest:

Approved as to form:

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

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

**Attachments:**

- Exhibit A – Certificate Regarding Debarment
- Exhibit B – Consultant's Proposal

**EXHIBIT A**

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

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

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

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

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

**EXHIBIT B**



# Exhibit A - Scope of Work

## Latah Bridge Inspection and Load Rating

### Introduction

KPFF will provide inspection services as described herein and a load rating for the Latah Bridge; structure ID 08542800, and Bridge No. 288000824. The inspection will be performed in accordance with Federal Highway Administration (FHWA) National Bridge Inspection Standards (NBIS) and Washington State Department of Transportation (WSDOT) Bridge Inspection Manual (BIM) standards and will include visual and sounding of the structure to document the extent of spalls/delaminations of the concrete along with corrosion and other damage to the reinforcing steel.

The load rating will evaluate the existing structure including the arches and will account for the current bridge condition as determined by the field inspection.

The Sunset Bridge is a 10-span concrete arch bridge, including one approach span on the east end of the bridge, and two approach spans on the west side of the bridge. The bridge length is 1070' with an out-to-out width of 63.5 feet.

The Consultant will provide the following services:

### 1.0 Project Management and Coordination

#### 1.1 Project Administration

Consultant will provide services required to initiate and manage the contract and prepare and process up to two (2) milestone-based invoices. Invoices for this lump sum agreement will include:

Milestone	Invoice Amount (% of Agreement)
Completion of Field Inspection (Task 2.3)	45%
Submittal of Final Inspection Report (Task 2.4)	15%
Submittal of Final Load Rating (Task 3.0)	40%

#### 1.2 Project Coordination

Consultant will collaborate and coordinate with the City as required to accomplish the services. Up to three (3) coordination meetings with the City are assumed.

### Assumptions

- Coordination meetings with the City will be virtual, via MS Teams

### Deliverables

- Two (2) milestone-based invoices (.pdf format)

## 2.0 Limited Bridge Inspection

### 2.1 Pre-Inspection

Consultant will prepare a Safety Plan that identifies site specific hazards, required safety gear, traffic control, rescue provisions, and map to nearest emergency health care facility. The draft safety plan will be reviewed by KPFF Principal Engineers and submitted to the City for review.

Consultant will prepare equipment and make arrangements for team travel and lodging in Spokane.

Consultant will develop initial Inspection Plan that identifies initial plan for access and procedures for collecting and documenting bridge condition observations.

### 2.2 Traffic Control

Consultant will provide traffic control services to support closure of shoulders on the bridge during inspection. Consultant will coordinate shoulder closure plans with the City of Spokane to obtain an obstruction permit.

It is anticipated that inspection and associated shoulder closures will be for five (5) consecutive working days, from the hours of 6 am to 7 pm. Consultant will set up and remove appropriate traffic control devices each day.

### 2.3 Limited Bridge Inspection

Consultant will perform the bridge inspection to include as much of the structure that is accessible by climbing.

The bridge inspection shall be performed by a Washington State certified bridge inspector. Inspections will be completed by a four person team. Co-inspectors do not need to be NBI certified.

Bridge inspection services shall include:

- Office preparation including review of previous inspection reports, plans, defect sketches and photographs and assemble necessary safety and inspection plan and equipment.
- Travel to bridge site from KPFF office.
- Perform on-site bridge inspection per the requirements in the current WSDOT Bridge Inspection Manual. Inspection will include documentation of spalls and delamination to concrete, and damage to reinforcing steel. Inspection will be conducted per NBI requirements.

### 2.4 Post-Inspection

Consultant will finalize inspections and process/analyze photographic and field-collected data.

Consultant will prepare inspection report in WSDOT BridgeWorks program and submit draft inspection report to the City for review. After receiving City review comments, submit final signed report and photographs to City via email or FTP.

### **Assumptions**

- Access will be by walking, climbing and using extension ladders.
- Non-destructive testing consists of sounding concrete and measuring reinforcing steel section loss.
- Confined spaces will not be entered by inspectors.

### **Deliverables**

- Draft and Final Safety Plan
- Draft and Final Inspection Report (.pdf format)
- Select Bridge Photos

## **3.0 Load Rating**

Consultant will evaluate the existing structure including the arches and will account for the current bridge condition as determined by field inspection.

### **Assumptions**

- Load rating will be based on current lane configuration and closure. Vehicle loads will only be placed in the portion of the bridge currently open to traffic. Closed areas will not be loaded with live load.
- Approach spans not supported by the ground will be load rated.
- SAP, CSi Bridge and/or BRIDG will be used for the structural analysis.

### **Deliverables**

- Draft and Final Load Rating Report (.pdf format)

## **Schedule**

Consultant shall complete the scope of services herein within four (4) months of Notice to Proceed.

## **Fee**

Consultant shall be compensated the Lump Sum Amount of \$157,000 based on the milestone invoices identified herein.

**City of Spokane: Latah Bridge Inspection and Load Rating  
Exhibit B - Prime Consultant Cost Computations**

**KPFF Consulting Engineers**

<b>Employee or Category</b>	<b>Hrs</b>	<b>x</b>	<b>Rate</b>	<b>=</b>	<b>Cost</b>
Principal	16		\$ 85.00		\$1,360.00
Project Manager / Climbing Lead	149		\$ 77.00		\$11,473.00
Senior / Climbing Engineer	598		\$ 65.00		\$38,870.00
Project Coordinator	12		\$ 42.00		\$504.00
Total Hrs.	775				\$52,207.00

<b>Direct Labor Cost</b>	<b>\$52,207.00</b>
<b>Total Direct Labor Cost</b>	<b>\$52,207.00</b>
<b>Overhead Cost @</b> 140.56% of Direct Labor	<b>\$73,382.16</b>
<b>Fixed Fee @</b> 15% of Direct Labor plus Overhead	<b>\$18,838.37</b>
<b>Total Overhead &amp; Fixed Fee Cost</b>	<b>\$92,220.53</b>
 <b>Total KPFF Labor Cost</b>	 <b>\$144,427.53</b>

**Reimbursables**

	<b>No.</b>	<b>Each</b>	<b>Cost</b>
Mileage (IRS)	700	Mi. @ \$0.625 /Mile	\$437.50
Per Diem	20	days @ \$114 /day	\$2,280.00
Lodging	16	days @ \$225 /day	\$3,600.00
Rental Car	1	\$ 700.00	\$700.00
Traffic Control Services	1	\$ 5,500.00	\$5,500.00
			\$12,517.50
<b>Subtotal</b>			<b>\$12,517.50</b>

**Total Lump Sum Fee (rounded) \$157,000**



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

07/31/2023

<b>Date Rec'd</b>	7/19/2023
<b>Clerk's File #</b>	OPR 2023-0720
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	2022094
<b>Bid #</b>	RFQU 5822-23
<b>Requisition #</b>	

<b>Submitting Dept</b>	INTEGRATED CAPITAL MANAGEMENT
<b>Contact Name/Phone</b>	LORENA 625-68949 CROUCHER
<b>Contact E-Mail</b>	LCROUCHER@SPOKANECITY.ORG
<b>Agenda Item Type</b>	Contract Item
<b>Agenda Item Name</b>	4250 – ASSET MGMT STRATEGY FOR WATER/WASTEWATER UTILITIES – EA ENGINEERING

**Agenda Wording**

Contract with EA Engineering, Science and Technology, Inc., PBC to conduct asset management strategy and program development for the Water and Wastewater Department utilities.

**Summary (Background)**

EA Engineering, Science and Technology, Inc. was selected using the City's procurement process to complete an asset management strategy and program development to support both Water and Wastewater Departments. Phase 1 of this work will establish a framework for a comprehensive asset management program. The total cost for phase 1 is \$329,203.73.

Lease? NO Grant related? NO Public Works? NO

**Fiscal Impact**

Expense \$ 329,203.73

Select \$

Select \$

Select \$

**Budget Account**

# 4250-42300-94340-56501-11057

#

#

#

**Approvals**

<b>Dept Head</b>	DAVIS, MARCIA
<b>Division Director</b>	MILLER, KATHERINE E
<b>Finance</b>	ALBIN-MOORE, ANGELA
<b>Legal</b>	HARRINGTON, MARGARET
<b>For the Mayor</b>	JONES, GARRETT

**Council Notifications**

<b>Study Session\Other</b>	PIES 7/24/23
<b>Council Sponsor</b>	Kinnear

**Distribution List**

ddaniels@spokanecity.org
icmaccounting@spokanecity.org
eraea@spokanecity.org
kemiller@spokanecity.org
lcroucher@spokanecity.org
bschrayshuen@eaest.com

## Committee Agenda Sheet

### Public Infrastructure, Environment & Sustainability Committee

<b>Submitting Department</b>	Integrated Capital Management
<b>Contact Name</b>	Lorena Croucher
<b>Contact Email &amp; Phone</b>	<a href="mailto:lcroucher@spokanecity.org">lcroucher@spokanecity.org</a> ; (509)625-6894
<b>Council Sponsor(s)</b>	CM Kinnear
<b>Select Agenda Item Type</b>	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion    Time Requested: 5 minutes
<b>Agenda Item Name</b>	Contract with EA Engineering: Asset Management Strategy and Program Development for Water and Wastewater Utilities
<b>Summary (Background)</b>  *use the Fiscal Impact box below for relevant financial information	<p>RFQu #5822-23 – “Asset Management Strategy and Program Development for Water and Wastewater Utilities” was issued in March 2023. Five submittals were received and after an extensive review process, the City selected EA Engineering, Science, and Technology, Inc as the most qualified. Upon satisfactory completion of phase 1 work, this contract would be amended in the future to include phase 2 work.</p> <p>The scope of work under the phase 1 contract aims to establish a framework for a comprehensive asset management program for the City’s water and wastewater utilities, starting by developing a strategic asset management plan. This plan will seek to create alignment between the City’s existing Comprehensive Plan, individual utility level of service goals, and the future Asset Management Program objectives. Implementation of the strategic asset management plan will occur under phase 2 work.</p> <p>Developing a strategic asset management plan and a formal asset management program framework will benefit the City by providing a repeatable and defensible methodology for prioritizing maintenance activities, as well as provide a complete picture of our utilities’ operational and maintenance fiscal needs for both the short and long term.</p>
<b>Proposed Council Action</b>	
<p><b>Fiscal Impact</b>            Total Cost: <u>\$329,203.73</u>            Approved in current year budget?    <input checked="" type="checkbox"/> Yes    <input type="checkbox"/> No    <input type="checkbox"/> N/A</p> <p>Funding Source    <input checked="" type="checkbox"/> One-time    <input type="checkbox"/> Recurring            Specify funding source: <a href="#">Click or tap here to enter text.</a></p> <p>Expense Occurrence    <input checked="" type="checkbox"/> One-time    <input type="checkbox"/> Recurring</p> <p>Other budget impacts: (revenue generating, match requirements, etc.)</p>	

**Operations Impacts:**

No major operational changes to conduct this first phase of the work; however, the resulting workplan will propose operational changes for the water and wastewater utilities to create alignment with strategic asset management objectives. These changes will likely have fiscal and operational impacts. The magnitude of these impacts is yet to be assessed.

What impacts would the proposal have on historically excluded communities?

*Developing a formal and comprehensive asset management program will help to ensure utility operational and maintenance activities are conducted in a manner that is transparent, timely, and defensible. Given existing City Policies and utility level of service goals, equity will be a key lens to evaluate prioritization of maintenance activities.*

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?

*Equity considerations will be considered and incorporated into the Asset Management Strategy objectives defined as a result of this project.*

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

*In developing an Asset Management Strategy as the first phase of building a comprehensive asset management program, the project will be identifying the data utilities can and/or should be tracking in order to assess the defined targets and key performance indicators.*

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?

*All existing goals and priorities will be reviewed as a first step to create alignment with broader City Policies.*

14 July 2023

Ms. Lorena Croucher, PE  
Associate Engineering  
Integrated Capital Management Department  
City of Spokane  
808 W. Spokane Falls Blvd  
Spokane, WA 99201

**Re: #5822-23 Asset Management Strategy and Program Development for Water and Wastewater Departments – Technical Proposal**

Dear Ms. Croucher:

On behalf of EA Engineering, Science, and Technology, Inc., PBC (EA), I am pleased to submit the attached Technical Proposal in response to RFQu #5822-23 Asset Management Strategy and Program Development for Water and Wastewater Departments.

I will serve as EA's Project Manager for this effort and will coordinate implementation of technical project activities. EA greatly appreciates this opportunity to support the City. If you have any questions or require any additional information, please feel free to contact me on my direct line, 410-329-5153, at your convenience.

Very truly yours,



Beth Schrayshuen  
Project Manager, Technology Solutions and Services  
EA Engineering, Science and Technology, Inc., PBC  
(410) 329-5153

c.c:  
File



# 1. PROJECT UNDERSTANDING AND APPROACH

EA Engineering, Science, and Technology, Inc., PBC (EA) has recently led the implementation of nearly a dozen asset management systems and has supported many more clients in evaluating asset management system programs or tools, policies, and improvements using industry standard protocols and guidance.

## 1.1. UNDERSTANDING OF PROGRAM REQUIREMENTS

Based on our scoping call on 8 June and the original RFQu content, EA understands that the City of Spokane (City), through their Integrated Capital Management Department, is taking the next steps to develop and grow their Asset Management Strategy for the City's Water, Wastewater, and Stormwater utilities. The City has identified four major objectives in the initial phase of development of their Asset Management Program:

1. Develop a Strategic Asset Management Plan (SAMP)
2. Conduct an Asset Management Gap Analysis
3. Develop an Implementation Plan
4. Optimize existing business processes to incorporate into the City's capital and maintenance planning procedures

With limited internal resources, integrating new or expanded portions of an asset management program can be difficult. The role of a third-party consultant to support this process can be beneficial by infusing experienced outside resources for implementation of successful and timely program development and allowing existing staff to maintain focus on their primary mission. The staff at EA enthusiastically welcome this role and the opportunity to become an extension of your own staff. EA offers extensive asset management expertise integrated with water, wastewater, stormwater, and business analysis subject matter expertise, all of which have proven successful on similar projects. EA will employ the following approaches on all project tasks:

- Early and comprehensive stakeholder identification
- Participation in frequent end user engagement
- Identifying easy wins to gain momentum and confidence
- Optimized workflows that change as needed versus compromising workflows to make a specific system "fit"
- Defining objectives and recognizing when goals are complete
- Using plain language to make information accessible to all
- Conduct easy-to-follow training that shows value to the end users and ensures buy-in

The following section summarizes EA's approach and methodology to complete the City's objectives for expanding their Asset Management Program.

## 1.2. APPROACH AND METHODOLOGY

Drivers for asset management typically revolve around the need to gain a more comprehensive understanding of and proactive approach to managing infrastructure. Implementation of a program should improve knowledge transfer, repeatable, level of service (LOS), defensible and transparent reporting, and informed short- and long-term budgeting. Asset Management Programs require a cultural change from reactive need to a holistic and proactive management of assets with consideration to other factors, such as budget, LOS, growth, and risk. This cultural change starts with management directives; however, long-term success relies on all members of the organization contributing to the program and realizing its benefit. EA’s inclusive approach has successfully implemented asset management programs ranging in staff size from just a few to several hundred.

The City envisions that the asset management strategy will first be developed for the Water Utility since preliminary LOS and risk tolerance thresholds have been developed as part of the City’s ongoing 20-year LINK Water Strategy. The City is currently in the process of developing similar LOS and risk tolerance thresholds for the wastewater and stormwater utilities, which are expected to be complete in September 2023. EA proposes the following management approach to ensure successful execution of the project:

**Permanent Assignment of Essential Personnel**—EA will ensure milestones are achieved by maintaining the core management and execution team throughout the project life cycle.

**Institute of Asset Management (IAM) Asset Management Standard Approach**—EA’s approach to completing The Gap Analysis and developing the SAMP and Implementation Plan will follow IAM asset management standards. EA’s staff are IAM members that demonstrate a commitment to asset management standards and a sufficient level of rigor and impartiality in the approach to this work.

**Clear Communication and Responsibilities**—Clearly defined lines of communication and responsibilities ensure efficient and effective project execution. EA will facilitate weekly project check-in meetings with the City to report on progress and maintain frequent collaboration.

**Early Stakeholder Engagement**—EA will establish early stakeholder engagement through workshops with all City stakeholders to achieve the necessary buy-in as soon as possible in the project life cycle.

**Quality Assurance and Control**—EA will adhere to established corporate policies and procedures for technical review of deliverables, project documentation, problem resolution, and invoicing.

**Schedule and Cost Control**—EA will strictly adhere of cost controls and schedules for intermediate milestones and final products.

**Success Maintaining Budget and Schedule in a Remote Environment**

- ✓ During the height of the COVID-19 pandemic, EA successfully implemented a multi-department Enterprise Asset Management system for a county government.
- ✓ EA conducted most of the planning, stakeholder coordination, data gathering, configuration, and training in a remote environment.
- ✓ EA met all the critical milestones of the aggressive multi-phase schedule for 350 users and 270,000 assets.
- ✓ EA was able to achieve more tasks and scope items than initially planned in the client’s budget.

Components of Asset Management



**Deliverable Standardization**—Where appropriate, EA will standardize project procedures to provide consistency in work products and deliverables.

## 2. APPROACH

### Task 1. Project Management and Kickoff

EA will conduct a Kickoff Meeting with the City Core Project Team. EA recommends that utility leaders and project managers should be part of the Core Project Team. EA also suggests information technology professionals from the City or the utility and staff with budget/finance experience should be invited based on their interest and availability to participate. The participants of the Core Project Team will be decided by the City.

The Kickoff meeting will be remote, facilitated by EA's Project Manager using Microsoft Teams. EA will prepare and distribute an agenda for guided discussion and subsequently draft meeting minutes to document the outcomes. The Meeting will cover the following:

- Introductions, Roles, and Responsibilities
- Project Objectives
- Stakeholders to be included in project tasks
- Project Schedule
- Developing a schedule for individual on-site meetings with Water and Wastewater/Stormwater Utility leads and the leadership stakeholders to be included in follow-up meetings.

EA will use this Project Kickoff meeting to further refine goals, approaches, expectations, schedules, deliverables, budget, and protocols. EA will draft a one-page Project Summary as a leave behind for on-site meetings with stakeholders. The Project Summary will include the project schedule, definition of terms, and high-level objectives. EA will provide a draft of the Project Summary for review with the City Project Manager. EA assumes one round of comments will be needed to finalize the Project Summary.

EA will be on-site for 5 days for follow-up meetings with each utility to briefly discuss the breadth of services and meet with the stakeholders responsible for operations. This engagement will establish relationships with the stakeholders to assist with participation in the development of the SAMP and start a baseline assessment of the Gap Analysis. EA assumes the on-site schedule will be as follows but will be adjusted based on the City's preference:

- Day 1:
  - 1 Hour with Project Leadership
  - 2 hours with Capital Improvement staff
  - 2 hours with Financial staff
  - 1 hours with Water Department IT staff,
  - 1 hour with Wastewater Department IT staff
  - 1 hour with City IT staff
- Day 2:
  - 2 Hours with Water Utility leadership
  - 4 hours at hydroelectric dam facility
  - 4 hours with Water Distribution staff

#### Best Practices

EA has woven its best practices guidance for implementing an asset management program throughout this approach based on its extensive experience. EA recommends scheduling weekly 0.5-hour calls with the City Project Team to provide project status updates, reinforce best approach tips, and maintain momentum with the City Project Team through the duration of the project.

- Day 3:
  - 2 hours with Wastewater Utility leadership
  - 3 hours at wastewater treatment plant
  - 3 hours with Wastewater Collection staff
- Day 4:
  - 2 hours with Stormwater Utility leadership
  - 4 hours with Stormwater Collection staff
  - 2 hours with Stormwater Regulatory staff
- Day 5:
  - Additional Meetings as required
  - 2 hours with City Core Project Team to wrap-up meetings

During this time, EA will start developing the baseline understanding of the utilities and documenting existing City operations and processes for the SAMP and Gap Assessment.

EA has prepared the budget in Section 4 to be divided between the Utilities. Task 1 is lumped together and is not divided and is expected to be evenly distribution between the Utilities. Task 1 also includes the travel time effort for subsequent tasks.

EA will schedule weekly calls with the City’s Project Manager to provide project status updates. Monthly invoices and progress reports will be submitted in accordance with the City’s contract requirements.

## Deliverables

- Kickoff meeting Agendas and Meeting Minutes.
- Weekly Meeting Agendas and Meeting Minutes
- Updated Schedule
- Draft and Final one-page Project Summary

## Assumptions

- EA will coordinate scheduling and facilitate the Kickoff Meeting and weekly project status meetings virtually using Microsoft Teams.
- EA staff will be provided with access to the City’s Microsoft Teams account to assist with scheduling meetings and storing project materials.

## Task 2. Develop a Strategic Asset Management Plan

A SAMP is defined in ISO 55000:2014, 3.3.2 as, “documented information that specifies how organizational objectives are to be converted into asset management objectives, the approach for developing asset management plans, and the role of the asset management system in supporting achievement of the asset management objectives.” The City’s executive LOS goals will serve as a draft of the organization objectives for each Utility. The City has already drafted the Water Executive LOS Goals (Table 1) and is working on the other utilities.

**Table 1: LOS**

Category	Level of Service Goal for Water
<b>Service and Reliability</b>	Provide consistent and reliable service to customers and comply with public health regulatory requirement and fire standards. Strive to eliminate large-scale outages and minimize service interruptions due to maintenance.
<b>Health and Safety</b>	Provide safe drinking water to customers and promote a culture of health and safety for both internal staff and external users.
<b>Efficiency and Sustainability</b>	Provide sustainable and cost-efficient services for users, both now and in the future. Operate the utility in a way that protects, preserves, and enhances the City’s available water resources.
<b>Social Responsibility and Customer Satisfaction</b>	Operate a transparent, equitable, and effective water utility that meets the expectations of the customers.

EA will work with the Core Project Team in the subsequent subtasks to refine the executive LOS goals and develop the strategic objectives. While IAM acknowledges that every SAMP is different and should include the information specific to the organization’s needs, EA has found the first version of a SAMP should include: the current situation of the organization, the goals of organization, strategies to meet the goals, and a decision strategy for how to move from the current situation to the goals. To develop the SAMP, EA recommends the following subtasks.

**Task 2 Subtask 1: Baseline Condition**—The SAMP will include a brief summary of the Asset Portfolio to acknowledge the baseline of the Asset Management Program. EA understands the City already has most of the horizontal assets for both utilities mapped, has an inventory of assets at the wastewater treatment plant and lift stations, and is working on developing an inventory of assets at all the booster pumping stations, pressure reducing stations, and the and hydro facility.

EA will facilitate two Asset Review Meetings with each utility for a total of six meetings to review the assets whose operations directly affect the asset management goals. During these meetings EA will facilitate development of a decision matrix on asset prioritization and criticality for consideration in the SAMP.

The City has the LINKS Strategy LOS and Consequence of Failure (COF) for the Water Utility and will have the LOS and COF for Stormwater and Wastewater in September. EA will facilitate a meeting with each utility to review the assets that influence LOS and COF and the existing procedures in the management of these assets. During this meeting, EA will revise the LOS Goals and have participants identify and quantify the impact assets have in affecting the LOS Goals.

EA understands that City is already collecting information for reporting for the separate utilities. EA will facilitate a Reporting Meeting with leadership stakeholders and extended stakeholders on the existing information currently being reported and the effectiveness of that information in decision making. Based on this information, EA will present recommendations on new or possible improvements to create KPIs that align with the asset management goals and objectives. EA recommends engaging the extended stakeholder group during this meeting to gain their perspective and institutional knowledge of operations. EA recommends these meetings be split out by maintenance responsibility as identified below:

- Water Engineering Design/Capital Improvement
- Water Distribution
- Water Hydroelectric Facility
- Water Tower/Pump Station Operations
- Water Regulatory Reporting (FERC and DOH)
- Wastewater Engineering Design/Capital Improvement
- Wastewater Collections (includes Lift Stations and CSOs)
- Wastewater Treatment Plant
- Wastewater Treatment Plant NPDES Reporting
- Stormwater Engineering Design/Capital Improvement
- Stormwater Collection
- Stormwater MS4 Annual Reporting

From the information in these meetings, EA will facilitate 2-hour remote workshops on Strength, Weakness, Opportunity, and Threat and Political, Economic, Social, Technological, Legal and Environmental (SWOT/PESTLE) with leadership from each. These workshops will provide EA with a detailed context of the organization beyond internal operations, which will assist with the Gap Analysis in Task 3.

## Deliverables

- Draft narratives and process/workflow/data flow diagrams of baseline conditions for Water, Wastewater, and Stormwater Utilities to be included in SAMP.

## Assumptions

- EA will coordinate scheduling and facilitating 3 LOS Meetings, 6 Asset Review Meetings, virtually using Microsoft Teams; all meetings are assumed to be 1-hour long.
- The 12 Reporting meetings and the SWOT/PESTLE workshops will occur on-site at City facilities.

**Task 2 Subtask 2: Goals and Objectives Strategies**—Based on the baseline condition and the LOS and risk threshold information, EA will facilitate one 2-hour remote Development Workshop per utility to discuss:

- The goals of the SAMP
- How to connect the goals to the objective strategies
- How the objectives support the LOS

Prior to the Development Workshops, EA will draft potential goals and objectives strategies based on the Link Strategy and LOS for consideration by the stakeholders. These drafts will be presented as a foundation to engage and build from during the Development Workshops. An example of a goal and objective strategies is in the table below.

Goal	Objective Strategies
Define and record the assets owned by the Utilities	<ul style="list-style-type: none"> <li>• Identify minimum data standards for each asset class</li> <li>• Review existing inventory to meet baseline standards</li> <li>• Define process for adding and removing assets</li> <li>• Prioritize asset functional groups for annual field inventories</li> </ul>

EA will facilitate a separate Development Workshop for each utility for a total of three remote workshops. During the Development Workshops, EA will use Microsoft Forms in the City’s Microsoft Teams environment to collect responses from the stakeholders. This information will be used to finalize the SAMP Goals and Objective Strategies. From these Development Workshops, EA will finalize draft goals and objectives strategies of the SAMP and provide them to the City to review. EA will provide the raw results of the Microsoft form from the Development Workshop and a PDF of the presentation used to facilitate the workshop. EA will present the draft SAMP Goals and Objective strategies to the leadership stakeholders and extended stakeholders for end user inclusion to the process in the SAMP Goals and Objective Meetings. EA assumes there will be three meetings for engaging the leadership stakeholders, the Public Works Executive Leadership, and the City Council and the Mayor. EA will discuss the three SAMPs in the leadership meetings. The extended stakeholders meetings will be utility-specific. This SAMP Goals and Objective Meeting is assumed to be one hour and will include a Microsoft Form in the City’s Microsoft Teams environment to collect responses from the stakeholders. During the meeting, EA will present an introduction to the SAMP process, drafted goals, and objective strategies. EA recommends the extended stakeholders be managers/supervisors in the utility selected by the leadership of each utility.

EA will compile responses and findings from the Development Workshops and the SAMP Goals and Objective Strategy Meetings into a separate SAMP for each utility.

EA will present these drafts to the leadership for review and final comment. EA will facilitate one final SAMP Goals and Objectives Review Meeting for each utility.

**Deliverables**

- Workshop Presentation and Forms Results for Water, Wastewater, and Stormwater Utilities
- Draft and Final Goals and Objective Strategies for Water, Wastewater and Stormwater Utilities
- Leadership Stakeholder Meeting

**Assumptions**

- EA will coordinate scheduling and facilitate three Development Workshops, one SAMP Goals and Objective Meeting, and three SAMP Goals and Objectives Review Meeting virtually via Microsoft Teams.
- EA assumes no more than six goals and 8 objectives strategies per goal will be identified per utility.

**Task 2 Subtask 3: Decision Strategy**—The Decision Strategy outlines the process and evaluation needed for decisions regarding the asset management system. This Decision Strategy will include a proportionality matrix of the decision impact, the decision complexity, and those involved for approval of the decision. An example of a type of decision proportionality matrix is shown in **Figure 1** below.

		Decision Complexity		
		Simple discrete (Yes/No, A vs B, <= 3 stakeholders)	Complete Discrete (trade off, timing or > 3 stakeholders)	Complex portfolios and programming
Decision Impact	Corporate/Board Strategies	Scenarios and option modeling	Scenario studies/modeling	
	Quantified Business Case	Cost/benefits/risk calculations option comparison, cashflow modeling	Degradation modeling with interval/timing/life cycle & trade off optimization	Portfolio and program modeling
	Common Sense (low cost and low impact)	Informed common sense	Rules & decision tree/templates	Not applicable

**Figure 1: Decision Proportionality Matrix**

EA assumes the decision strategy will focus on the rules and decision tree templates in Figure 1. EA will facilitate individual Draft Decision Strategy Workshop for the utilities and prepare a presentation on the various decision strategies for review by the project team and their extended stakeholders as identified. During the meeting, EA will provide a Microsoft Form for attendees to independently rank the applicability of the decision strategy on the respective utility. EA will compile the results and present a refined Draft Decision Strategy for the leadership stakeholders to formally consider adopting. EA will facilitate individual meetings with each utility to collect feedback on the applicability and challenges observed with the Draft Decision Strategy

EA will further refine the Decision Strategy as needed based on that feedback and present a Final Decision Strategy to the Core Project Team in a Final Strategy Review Workshop.

**Deliverables**

- Draft and Final Decision Strategy

**Assumptions**

- EA will coordinate scheduling and facilitate the workshops virtually using Microsoft Teams.
- EA assumes two workshops will be needed to complete this task:
  - Draft Decision Strategy Workshop
  - Final Strategy Review Workshop.
- EA assumes three meetings (one for water, one for wastewater, and one for stormwater) will be needed to collect feedback on the Draft Decision Strategy.

**Task 2 Subtask 4: SAMP Commitment**—The SAMP requires commitment from utility leadership to support the goals and objective strategies. The SAMP also requires a process for updating. EA will facilitate 3 workshops, one for each utility to review the proposed commitment language and identify the process for reviewing and updating the SAMP at a consistent interval. EA will prepare content for leadership to review prior to the meeting and then facilitate discussion to develop consensus on the commitment. EA will compile the findings of this workshops into the final SAMP.

**Deliverables**

- Draft and Final Commitment



- Draft and Final Update Process and Frequency

### Assumptions

- EA will coordinate scheduling and facilitate the workshops virtually using Microsoft Teams.

**Task 2 Subtask 5: Strategic Asset Management Plan**—EA will compile the information from Subtasks 1 through 4 into three SAMPs (one for water, one for wastewater and one for stormwater). The SAMP will cover the following:

- City’s existing missions, values, and LOS
- Asset Management Objectives that are integrated with the City’s Utility goals
- Defined targets and measures for asset management

The SAMP will be divided into the following sections (order may be revised as directed):

- Commitment of Leadership
- Introduction and Purpose
- Asset Portfolio Summary
- Asset Management Goals
- Objective Strategies
- Decision Strategies
- Organization Context

EA will present the Draft SAMPs during a SAMP Review Meeting with the utility leadership to review and provide comments. Following comment review, EA will address the comments and submit the Final SAMPs as PDFs.

EA will develop three mock-ups of SAMP presentations in a digital platform like SharePoint or a website for the City to review. The mock-ups will have minimal functionality and will depict some of the information from the SAMP for the City to get the look and feel of the SAMP during a Mock-up Review Meeting. The City will select the mock-up they prefer and EA will refine the look and identify functionality in a requirement document and potential resources to reference. EA will create three digital platform SAMPs, one for each utility that will look the same but have content from their respective SAMP. The SAMP digital platform will have the same content on the SAMP PDF but may connect to other published resources for reference during a Requirements Meeting for each utility. EA will present the beta version during a Beta Review Meeting of the web-based SAMP for final review and comments. EA will resolve content issues identified and confirm referenced resource connection are accessible as applicable in the site and will release the web-based SAMP to production. The value of the web-based plan is the City’s ability to update and the accessibility of the information to others.

### Deliverables

- Draft and Final SAMP for each utility
- Web-based SAMP (SharePoint or website) for each utility

### Assumptions

- EA will coordinate scheduling and facilitate the three SAMP Review Meetings, one Mock-up Review Meeting, three Requirement Meetings, and three Beta Review Meetings virtually using Microsoft Teams.
- The web-based SAMPs will be hosted in the City’s environment and EA will have access and permission to configure and implement the Plan in the City’s environment.
- EA assumes no custom coding will be required in developing the web-based SAMPs. The configuration will involve the visualization of the site and connecting to already existing, publicly available dashboards or datasets.

**Alternate Task 2 Subtask 6: Contingency** —The City has requested EA to include a contingency task for additional staff coordination. The City will authorize if and when EA can use these additional funds.

### Deliverables

- To be determined.

### Task 3. Develop an Asset Management Gap Analysis

EA understands that the City is choosing to have their asset management programs assessed for conformance with the goals set in the SAMP. Achieving a desired level of competence in asset management demonstrates good practice and allows organizations to prioritize their implementation. The IAM has developed an Asset Management Anatomy (**Figure 2**) that includes industry best standards for growing and implementing asset management programs. In completing the City’s Gap Analysis, EA will use the IAM’s Self-Assessment Methodology to review the asset management system. The City has already implemented parts of the Asset Management Anatomy and this assessment will identify opportunities for further refinement.

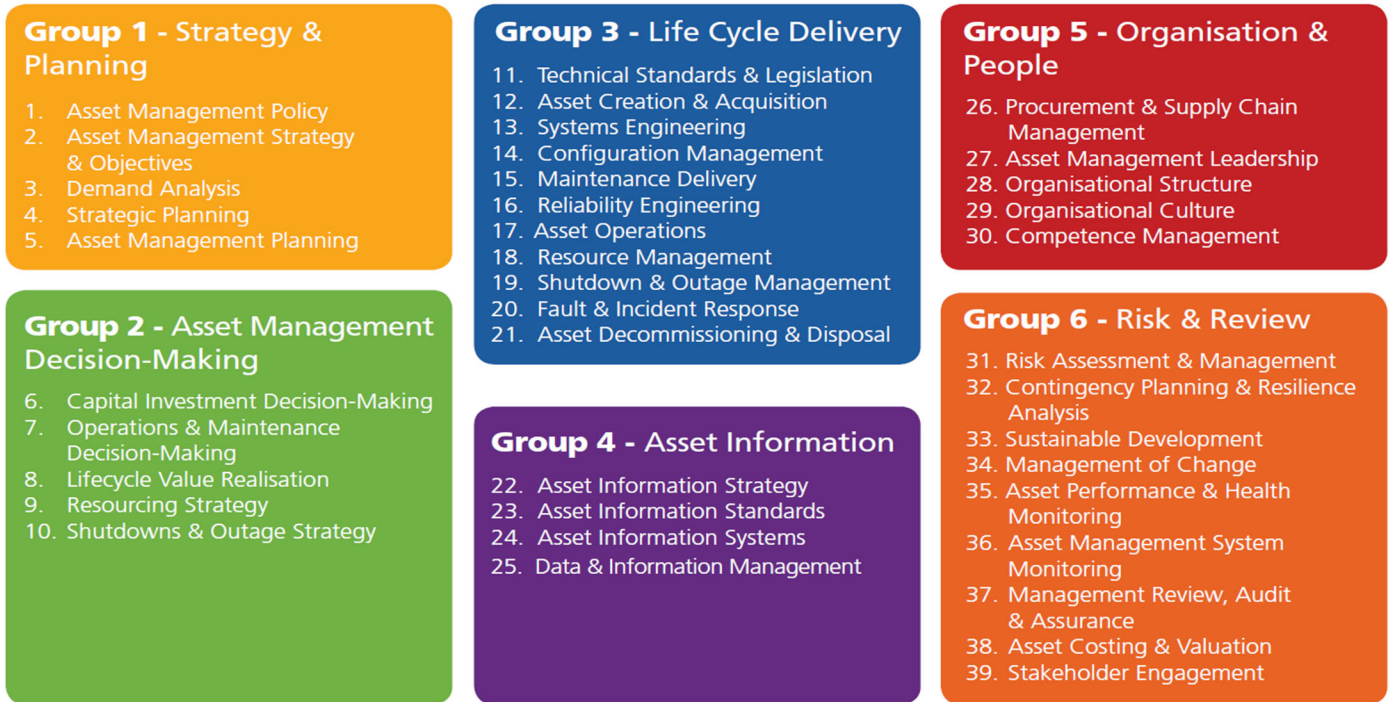


Figure 2 – IAM’s Conceptual Model Elements

EA understands the City would like the Gap Analysis to be combined for the Water/Hydro utilities and the Wastewater/Stormwater utilities. EA will review documents and information provided by the City and will hold 10 structured interviews remotely with key stakeholders for each utility/utility group to cover the relevant operations, maintenance, and management functions, for a total of 20 interviews. EA will tailor the interviews to the needs of leadership and, ideally, discuss details with a diverse group of end users. As a third-party consultant, EA has found that end users are typically more forthcoming with their opinions, expectations, and information when they understand how a new program will impact their daily work and how they achieve their expected performance goals.

The stakeholder interview questions will be based on EA’s understanding of the City and EA’s Asset Management Assessment tools and will be refined as needed to gather additional information. A maturity score for each of the 39 elements of the IAM Anatomy (Figure 2), where applicable, will be determined based on responses to interview questions and documents reviewed. Each element will



Figure 3 – IAM’s Asset Maturity Model Management

be scored on a scale of 0 to 5 based on the Asset Maturity Model (**Figure 3**). The scores will be discussed and reviewed with the City Project Team to ensure consistency and remove any element of potential systemic bias. The relative scores in each category will reflect the magnitude of the gap to competency and provide the basis for recommending improvements.

The results of the IAM Anatomy gap assessment will be summarized in Technical Memorandums that will include the maturity scores and potential improvement opportunities and recommendations and establish the framework, along with the SAMP, upon which the City can develop its Asset Management Program over the next several years. EA will present the Gap Analysis Summary during a Review Meeting with the Core Project Team from each utility and then provide leadership time to review. Following comment review, EA will address the comments and submit a separate Final Gap Analysis Summary for the Water/Hydro Utility and for the Wastewater/Stormwater Utility.

## Deliverables

- Interview responses for Water/Hydro and Wastewater/Stormwater Utilities
- Draft and Final Gap Analysis Technical Memorandum for Water/Hydro Utilities and Wastewater/Stormwater Utilities
- Presentations to City Council/Mayor

## Assumptions

- EA will coordinate scheduling and facilitate the 20 interviews and Review Meetings virtually using Microsoft Teams.

**Task 3 Subtask 1: Strategic Asset Management Plan**—The Gap Analysis findings may affect the SAMP developed in Task 2. EA will facilitate a meeting with each utility to review the findings and determine if any updates to the SAMP are needed. EA will update agreed upon changes in the SAMP based on the GAP Analysis findings and discussion.

## Deliverables

- Updated SAMP

## Assumptions

- EA will coordinate scheduling and facilitate two Gap Analyses and SAMP review meetings virtually using Microsoft Teams. EA assumes the meetings will be 2-hours long.

## Task 4. Develop an Asset Management Implementation Plan

EA will develop an individual Asset Management Implementation Plan for the Water/Hydro Utility and a separate plan for the Wastewater/Stormwater Utility. From Tasks 1 through 4, EA will recommend the next steps and summarize the short-term and long-term goals against those set in the SAMP. In evaluating these goals, EA considers the following drivers:



- Easy wins are key for end user involvement and long-term investment in the program.
- Regulatory and compliance drivers need to be foundationally understood.
- Institutional knowledge lost through staff turnover needs to be captured.

- Existing workflows that need to be optimized in conjunction with asset management implementation.

The Implementation Plan will include the responsible parties, short-term/long-term goals, and general schedule for the following items based on the Gap Analysis and SAMP:

- Asset Registry and Hierarchy Framework
- Critical Analysis
- Documented Workflows and Business Processes around condition assessment programs
- Risk Strategy for each asset functional group
- Standardized risk assessment business processes
- Information System Integration evaluation
- Refine existing capital and maintenance planning procedures to incorporate the new asset management data and SAMP priorities.

EA will prepare the Implementation Plan based on the Gap Analysis and SAMP and present the findings to the Project Team for review in a Draft Implementation Plan Review Meeting. EA assumes one round of comments/review from each utility will be required to finalize the Implementation Plan.

### Deliverables

- Draft and Final Implementation Plan

### Assumptions

- EA will coordinate scheduling and facilitate two Draft Implementation Plan Review Meetings virtually using Microsoft Teams. EA assumes the meetings will be 2-hours long.

## Task 5. Execute Asset Management Implementation Plan

While not part of the scope of work, EA is please to provide this general approach to completing the Implementation Plan components above.

**Task 5 Subtask 1: Assemble Asset Registry and Hierarchy**—From Task 2, Subtask 1, EA will already have an understanding of the current asset registry. EA will use this information and the SAMP to develop a recommendation for restructuring and prioritizing the asset registry based on functional system and asset types. EA will facilitate workshops to present proposed restructuring to the specific utility stakeholder for review and input. Based on the feedback received in the meeting, EA will finalize a hierarchy framework and draft the Implementation Plan section for prioritizing these changes.

**Task 5 Subtask 2: Criticality Analysis**—For Critical Asset identification, EA will facilitate workshops to review the COF Matrix and the LOS Matrix already developed for the utilities and how they align with specific asset functional groups identified in Task 4, Subtask 1. This alignment will assist in prioritizing asset functional groups based on the criticality to main services and meeting the desired LOS objectives. EA will draft the Implementation Plan sections responsible for memorializing this Criticality Analysis.

**Task 5 Subtask 3: Workflows for Condition Assessment**—Based on the Asset Hierarchy, EA will develop workflows for the condition assessment for the prioritized asset functional groups. EA will facilitate meetings with staff who traditionally operate and maintain the asset functional groups to discuss their current processes and gain insight into the parameters that matter for condition assessments. From these meetings, EA will draft workflows to document the process for condition assessments including:

- Responsible parties, such as in-house staff, consultants, and contracted services
- Frequency of assessments
- General steps to perform assessments
- Anticipated results from assessments and proposed remediation processes
- Reporting process for assessments

EA will prepare these workflows for review by the staff responsible for maintaining the assets and leaderships review.

**Task 5 Subtask 5: Risk Strategy and Standardized Risk Assessment Development**—EA understands that based on the functionality and location of an asset there may be different risk strategies involved in managing that specific asset. EA will work with the City to develop a matrix of the applicable risk strategies for prioritized asset functional groups such as:

- Run to failure
- Preventative maintenance
- Predictive maintenance
- Reliability center maintenance

EA will facilitate meetings with staff who traditionally operate and maintain the asset functional groups to select the appropriate risk strategy, including importance of critical assets, supply chain management, redundancy of asset functionality, and other factors that play a key role in determining the appropriate strategy. From these meetings, EA will draft a Risk Strategy to be included in the Draft Implementation Plan. EA will prepare the Risk Strategy for review by the staff responsible for maintaining the assets and leaderships review. EA assumes one round of comments will be addressed in finalizing the Risk Strategy. EA will draft standardized business processes as workflows for performing the Risk Assessment including:

- Responsible parties, such as in-house staff, consultants, and contracted services
- Frequency of assessment
- General steps for risk assessments
- Anticipated results from assessments and proposed remediation processes
- Reporting process for assessments

EA will prepare these workflows for review by the staff responsible for maintaining the assets and leaderships review.

**Task 5 Subtask 6: Information System Integration Evaluation**—EA’s team of developers, certified programmers, and business analysts utilize industry standards in their efforts to evaluate information system integrations and needs assessments. EA understands that the City may currently have many technology tools that provide specific services for discrete business processes. EA’s proposed business analysts will work with internal developers and the City’s IT professionals to evaluate each technology tool associated with supporting the City’s Asset Management Program and compile the findings and recommendations into a comprehensive document.

The Final Information System Integration Assessment document will provide a holistic picture of how these systems and data work together and provide recommendations on existing system improvements and new system integrations. The document will be provided to the City for review, comment, and finalization.

**Task 5 Subtask 7: Develop Long-Term Investment Plan**—With the materials developed from Subtasks 1 through 6, EA will compile the Long-Term Investment Plan.

The information will assist the operations staff in prioritizing their maintenance needs. For investment needs beyond traditional maintenance, EA has found that the stakeholders involved in making the

long-term planning and investment decisions are not necessarily the ones who understand the detailed operations of the utilities. To assist these stakeholders in making informed decisions for long-term planning and investment, EA has created simplified project evaluation criteria that attempt to remove internal bias between projects to objectively determine the need for funding and investment.

### 3. PROJECT SCHEDULE

EA proposes to complete the tasks described above on the timeline below.

	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	
Task 1: Project Management	[Task 1: Project Management - Active]																			
Task 2: Develop a Strategic Asset Management Plan	[Task 2: Develop a Strategic Asset Management Plan - Active]																			
Water/Hydro	[Task 2: Water/Hydro - Active]																			
Task 2.1 Baseline Condition	[Task 2.1: Water/Hydro - Active]																			
Task 2.2 Goals and Objective Strategies	[Task 2.2: Water/Hydro - Active]																			
Task 2.3 Decision Strategy	[Task 2.3: Water/Hydro - Active]																			
Task 2.4 SAMP Commitment	[Task 2.4: Water/Hydro - Active]																			
Task 2.5 Strategic Asset Management Plan	[Task 2.5: Water/Hydro - Active]																			
Wastewater	[Task 2: Wastewater - Active]																			
Task 2.1 Baseline Condition	[Task 2.1: Wastewater - Active]																			
Task 2.2 Goals and Objective Strategies	[Task 2.2: Wastewater - Active]																			
Task 2.3 Decision Strategy	[Task 2.3: Wastewater - Active]																			
Task 2.4 SAMP Commitment	[Task 2.4: Wastewater - Active]																			
Task 2.5 Strategic Asset Management Plan	[Task 2.5: Wastewater - Active]																			
Stormwater	[Task 2: Stormwater - Active]																			
Task 2.1 Baseline Condition	[Task 2.1: Stormwater - Active]																			
Task 2.2 Goals and Objective Strategies	[Task 2.2: Stormwater - Active]																			
Task 2.3 Decision Strategy	[Task 2.3: Stormwater - Active]																			
Task 2.4 SAMP Commitment	[Task 2.4: Stormwater - Active]																			
Task 2.5 Strategic Asset Management Plan	[Task 2.5: Stormwater - Active]																			
Task 3: Develop an Asset Management Gap Analysis	[Task 3: Develop an Asset Management Gap Analysis - Active]																			
Water/Hydro	[Task 3: Water/Hydro - Active]																			
Wastewater/Stormwater	[Task 3: Wastewater/Stormwater - Active]																			
Task 4: Develop an Asset Management Implementation Plan	[Task 4: Develop an Asset Management Implementation Plan - Active]																			
Water/Hydro	[Task 4: Water/Hydro - Active]																			
Wastewater/Stormwater	[Task 4: Wastewater/Stormwater - Active]																			



## 4. PROJECT BUDGET

EA proposes to complete the tasks described above for a Not To Exceed cost of \$329,203.73. The cost was developed utilizing the Labor Category Rate Schedule presented below. The Detailed Cost by Task table below presents the cost breakdown by Labor Category.

	Classification Rates	Project Manager	Senior Subject Matter Expert	Business Analyst	Technical Editor	Mid-Level Subject Matter Expert	Junior Subject Matter Expert	Graphic Designer	ODC	Total
		\$213.00	\$237.00	\$172.00	\$175.00	\$145.00	\$110.00	\$100.00		
<b>Task</b>										
Task 1: Project Management		146	0	0	15	162	0	7		
	Cost	\$31,098.00	\$0.00	\$0.00	\$2,625.00	\$23,490.00	\$0.00	\$700.00	\$29,365.12	\$87,278.12
<b>Task 2: Develop a Strategic Asset Management Plan</b>										
Water/Hydro										
Task 2.1 Baseline Condition		35	2	7	8	56	32	6		
Task 2.2 Goals and Objective Strategies		16	4	0	2	22	0	0		
Task 2.3 Decision Strategy		4	2	14	4	12	0	2		
Task 2.4 SAMP Commitment		1	0	0	2	6	0	0		
Task 2.5 Strategic Asset Management Plan		13	2	17	8	16	24	26		
	Cost	\$14,697.00	\$2,370.00	\$6,536.00	\$4,200.00	\$16,240.00	\$6,160.00	\$3,400.00		\$53,603.00
Wastewater										
Task 2.1 Baseline Condition		37	2	7	4	60	40	6		
Task 2.2 Goals and Objective Strategies		14	4	0	2	22	0	6		
Task 2.3 Decision Strategy		4	2	14	4	14	0	2		
Task 2.4 SAMP Commitment		1	0	0	2	6	0	0		
Task 2.5 Strategic Asset Management Plan		13	2	17	12	16	24	26		
	Cost	\$14,697.00	\$2,370.00	\$6,536.00	\$4,200.00	\$17,110.00	\$7,040.00	\$4,000.00		\$55,953.00
Stormwater										
Task 2.1 Baseline Condition		24	0	6	3	39	21	8		
Task 2.2 Goals and Objective Strategies		14	4	0	4	22	0	0		
Task 2.3 Decision Strategy		4	2	14	4	14	0	2		
Task 2.4 SAMP Commitment		1	0	0	2	6	0	0		
Task 2.5 Strategic Asset Management Plan		13	2	17	8	16	24	26		
	Cost	\$11,928.00	\$1,896.00	\$6,364.00	\$3,675.00	\$14,065.00	\$4,950.00	\$3,600.00		\$46,478.00
Alternate Task 2.6: 10% Contingency										\$29,927.61
<b>Task 3: Develop an Asset Management Gap Analysis</b>										
Water/Hydro		18	4	5	13	38	18	6		
	Cost	\$3,834.00	\$948.00	\$860.00	\$2,275.00	\$5,510.00	\$1,980.00	\$600.00		\$16,007.00
Wastewater/Stormwater		18	4	5	13	38	18	6		
	Cost	\$3,834.00	\$948.00	\$860.00	\$2,275.00	\$5,510.00	\$1,980.00	\$600.00		\$16,007.00
<b>Task 4: Develop an Asset Management Implementation Plan</b>										
Water/Hydro		15	6	4	4	22	18	8		
	Cost	\$3,195.00	\$1,422.00	\$688.00	\$700.00	\$3,190.00	\$1,980.00	\$800.00		\$11,975.00
Wastewater/Stormwater		15	6	4	4	22	18	8		
	Cost	\$3,195.00	\$1,422.00	\$688.00	\$700.00	\$3,190.00	\$1,980.00	\$800.00		\$11,975.00
<b>TOTAL</b>										
	Total Hours	406	48	131	118	609	237	145		1694
	Total Classification Cost	\$86,478.00	\$11,376.00	\$22,532.00	\$20,650.00	\$88,305.00	\$26,070.00	\$14,500.00		\$329,203.73
	% Hours of Project	24%	3%	8%	7%	36%	14%	9%		

Other Direct Cost (ODC) include travel expenses, O365 account for two of EA's staff for 18 months, and SecureLink one time fee.

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

07/31/2023

<b>Date Rec'd</b>	7/19/2023
<b>Clerk's File #</b>	OPR 2022-0411
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	PW ITB 5589-22
<b>Requisition #</b>	CR25177

<b>Submitting Dept</b>	FIRE
<b>Contact Name/Phone</b>	BRIAN SCHAEFFER X7001
<b>Contact E-Mail</b>	BSCHAEFFER@SPOKANECITY.ORG
<b>Agenda Item Type</b>	Contract Item
<b>Agenda Item Name</b>	1640-CCB ROOF REPAIR CONTRACT WITH J.R. SWIGART COMPANY, INC.

**Agenda Wording**

Contract amendment with J.R. Swigart Company, Inc. for roof replacement areas B, C and D. Area A was previously approved and is currently being completed. Amendment amount is not to exceed \$315,277.05.

**Summary (Background)**

Roof replacement of Roof area A at the CCB was approved (OPR 2022-0411) in June 2022. Due to supply chain and other timing issues, the original contract only included roof Area A. This contract with J.R. Swigart Co. Inc. was approved for \$1,207,029.00. SFD is requesting Council approval to amend the contract to increase the scope of work to include roof replacement of Roof Areas B, C and D. Total 2022/2023 REET dollars allocated for this contract (Roof Areas A, B, C and D) - \$1,522,306.

Lease? NO Grant related? NO Public Works? YES

**Fiscal Impact**

Expense \$ 315,277.05

Select \$

Select \$

Select \$

**Budget Account**

# 5904-71300-94220-56203-44008

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**Approvals****Dept Head** SCHAEFFER, BRIAN**Division Director** SCHAEFFER, BRIAN**Finance** SCHMITT, KEVIN**Legal** PICCOLO, MIKE**For the Mayor** JONES, GARRETT**Additional Approvals****Purchasing** PRINCE, THEA**Council Notifications****Study Session\Other** F&A 7/17/23**Council Sponsor** CP KINNEAR & CM CATCHART**Distribution List**

Kirk Koskinismi (kirk@jrswigart.com)

dstockdill@spokanecity.org

fireaccounting@spokanecity.org

kschmitt@spokanecity.org

## Committee Agenda Sheet

### Finance & Administration Committee

<b>Submitting Department</b>	Fire
<b>Contact Name</b>	Brian Schaeffer
<b>Contact Email &amp; Phone</b>	<a href="mailto:bschaeffer@spokanecity.org">bschaeffer@spokanecity.org</a>
<b>Council Sponsor(s)</b>	CM Kinnear/Cathcart
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion    Time Requested:
<b>Agenda Item Name</b>	Contract Amendment for Roof Replacement at the Combined Communications Building (CCB), 1620 N. Rebecca St.
<b>Summary (Background)</b>  *use the Fiscal Impact box below for relevant financial information	<p>Roof replacement of Roof area A at the CCB was approved (OPR 2022-0411) in June 2022. Due to supply chain and other timing issues, the original contract only included roof Area A. This contract with J.R. Swigart Co. Inc. was approved for \$1,207,029.00. The contractor is able to complete Roof Areas B, C and D later this year when materials arrive on site. The dollar amount of this amendment exceeds the 10% change order limit and as a result, SFD is requesting Council approval to amend the contract to increase the scope of work to include roof replacement of Roof Areas B, C and D. Total 2022/2023 REET dollars allocated for this contract (Roof Areas A, B, C and D) – \$1,522,306.</p> <p><b>SCOPE:</b> As in the original contract, due to the nature of original construction and the requirement to upgrade insulation to current standards, a complete tear-off and re-decking is required.</p> <ul style="list-style-type: none"> <li>○ Remaining roof replacement: This amendment will authorize replacement of the remaining roof areas.</li> <li>○ There is value to the City in having the same contractor complete the remaining roof with materials that will have identical warranty as Roof Area A.</li> </ul> <p><b>TOTAL AMENDMENT COST: \$262,950 plus sales tax &amp; 10% contingency reserve.</b></p>
<b>Proposed Council Action</b>	Approval of Contract Amendment with J.R. Swigart Co. Inc. of Pasco, WA for remaining roof replacement of the CCB not later than 7/31/2023.
<b>Fiscal Impact</b>	
Total Cost: <u>\$315,277.05</u>	
Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
Funding Source <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring	
Specify funding source: REET 1	
Expense Occurrence <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring	
Other budget impacts: (revenue generating, match requirements, etc.)	
<b>Operations Impacts (If N/A, please give a brief description as to why)</b>	
What impacts would the proposal have on historically excluded communities?	

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?

Since this proposal is for the repair of a facility, any data collection will focus on the quality of the work performed and won't involve disparities.

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

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 low bidder was selected by following established City of Spokane Purchasing guidelines and procedures. This project is aligned with City Budget/Capital Plan for maintaining City Facilities and Utilities including Comprehensive Plan goals and/or policies: CFU1: Adequate Public Facilities and Services, CFU2: Concurrency, CFU4: Service Provision, CFU5: Environmental Concerns, CFU6: Multiple Objectives.



**CITY OF SPOKANE**  
**FIRE DEPARTMENT**

**CONTRACT AMENDMENT/EXTENSION**

**Title: COMBINED COMMUNICATIONS  
PARTIAL ROOF REPLACEMENT**

This Contract Amendment/Extension is made and entered into by and between the **CITY OF SPOKANE FIRE DEPARTMENT** as (“City”), a Washington municipal corporation, and **J.R. SWIGART CO., INC.**, whose address is P.O. Box 2753, Pasco, Washington 99302 as (“Contractor”), individually hereafter referenced as a “party”, and together as the “parties”.

WHEREAS, the parties entered into a Contract wherein the Contractor agreed to perform the Combined Communications Partial Roof Replacement; and

WHEREAS, additional funds are needed to complete the work, and the Contract time for performance needs to be extended, thus, the original Contract needs to be formally Amended and Extended by this written document; and

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

**1. CONTRACT DOCUMENTS.**

The Contract, dated June 23, 2022 and June 30, 2022, any previous amendments, addendums and / or extensions / renewals thereto, are incorporated by reference into this document as though written in full and shall remain in full force and effect except as provided herein.

**2. EFFECTIVE DATE.**

This Contract Amendment / Extension shall become effective on August 31, 2023 and shall run through November 30, 2023.

**3. COMPENSATION.**

The City shall pay an additional amount not to exceed **THREE HUNDRED FIFTEEN THOUSAND TWO HUNDRED SEVENTY-SEVEN AND 05/100 DOLLARS (\$315,277.05)**, including applicable sales tax, in accordance with Contractor’s June 21, 2023 Quote, for everything furnished and done under this Contract Amendment / Extension. This is the maximum amount to be paid under this Amendment / Extension, and shall not be exceeded without the prior written authorization of the City, memorialized with the same formality as the original Contract and this document.

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

**J.R. SWIGART CO., INC.**

**CITY OF SPOKANE FIRE DEPARTMENT**

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:**

Contractor's June 21, 2023 Quote



J.R. Swigart Company., Inc  
P.O. Box 2753  
Pasco, WA  
99302, US  
+15095474851

Prepared By:  
Kathleen Espartero

kathleen@jrswigart.com

---

Project: Combined Communication Building - Area B, C & D

### Scope of Work

#### 1. Combined Communication Building - Roof Area B, C & D:

1. Remove existing roofing down to existing roof deck
2. Remove existing coping
3. Furnish and install self-adhered vapor barrier
4. Furnish and install 6" GAF EnergyGuard™ Polyiso, 20 psi, adhered
5. Furnish and install ½"/ft ISO crickets sloped to drain, adhered
6. Furnish and install ½" EnergyGuard™ HD Cover Board, adhered
7. Furnish and install 80mil GAF EverGuard® TPO, Gray, adhered
8. Furnish and install TPO flashings around and boots and curbs on plans
9. Furnish and install termination bars and counterflashing at all membrane termination points
10. Furnish and install prefinished coping on membrane roofing walls, 24-gauge galvanized steel
11. Provide 2-year Contractor warranty and 20-year Manufacturer warranty
12. **Bid Price: \$262,950**

### Excluded(-)

1. Building Permits

### Notes

1. Sales tax is not included in the above price and will be added if necessary.
2. Pricing is good for 30 days unless otherwise noted.
3. We acknowledge that this is a prevailing wage job.
4. See attachment A for roof area locations.

Payment to be made as follows: **In full at completion of work, with monthly progress payments.**

**WA LIC# JRSWIC1055KN**

**OR CCB# 142658**

**ID LIC# RCE-44831**



Summary

Subtotal \$ 262,950.00

\$ 262,950.00

Accepted By

Date

.....





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

07/31/2023

<b>Date Rec'd</b>	7/19/2023
<b>Clerk's File #</b>	OPR 2023-0721
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	2021089
<b>Bid #</b>	
<b>Requisition #</b>	SBO/BT

<b>Submitting Dept</b>	ENGINEERING SERVICES
<b>Contact Name/Phone</b>	DAN BULLER 625-6391
<b>Contact E-Mail</b>	DBULLER@SPOKANECITY.ORG
<b>Agenda Item Type</b>	Contract Item
<b>Agenda Item Name</b>	0370 – LOW BID AWARD – MAPLE ST BRIDGE REHAB (2021089) – TO BE DETERMINED

**Agenda Wording**

Low Bid of (to be determined) (City, ST) for the Maple Street Bridge Deck Rehabilitation--\$\_\_\_\_\_. An administrative reserve of \$\_\_\_\_\_, which is 10% of the contract price, will be set aside.(West Central/Peaceful Valley Neighborhood)

**Summary (Background)**

On 7/17/23 bids were opened for the above project. The apparent low bid was from Acme Concrete Paving in the amount of \$4,626,878.50, which is \$1,037,201.50 or 28.9% above the Engineer's Estimate; two other bids were received as follows: Combined Construction - \$4,704,397.00 and Hamilton Construction - \$5,210,134.90. Verification of the actual low responsive bid is being conducted by WA State Department of Transportation, the funding agency, which is expected prior to anticipated 7/31/23 vote.

Lease? NO Grant related? NO Public Works? YES

**Fiscal Impact**

Expense \$ (To be determined)

Select \$

Select \$

Select \$

**Budget Account**

# 3200 95164 95300 56501 86108

#

#

#

**Approvals**

<b>Dept Head</b>	BULLER, DAN
<b>Division Director</b>	MILLER, KATHERINE E
<b>Finance</b>	ORLOB, KIMBERLY
<b>Legal</b>	HARRINGTON, MARGARET
<b>For the Mayor</b>	JONES, GARRETT

**Council Notifications**

<b>Study Session\Other</b>	PIES 5/23/23
<b>Council Sponsor</b>	Kinnear
<b>Distribution List</b>	eraea@spokanecity.org
	publicworksaccounting@spokanecity.org
<b>Additional Approvals</b>	kgoodman@spokanecity.org
<b>Purchasing</b>	ddaniels@spokanecity.org
	kgoodman@spokanecity.org
	pyoung@spokanecity.org

# Briefing Paper

## PIES

<b>Submitting Department:</b>	Public Works, Engineering
<b>Contact Name</b>	Dan Buller 625-6391
<b>Contact Email &amp; Phone</b>	<a href="mailto:dbuller@spokanecity.org">dbuller@spokanecity.org</a>
<b>Council Sponsor(s)</b>	Lori Kinnear
<b>Select Agenda Item Type</b>	X Consent <input type="checkbox"/> Discussion    Time Requested: _____
<b>Agenda Item Name</b>	Maple St. Bridge Grind and Overlay
<b>Summary (Background)</b>	<ul style="list-style-type: none"> <li>This project grinds &amp; overlays the concrete pavement surface of the Maple St. bridge.</li> <li>Traffic on the bridge will be reduced to one lane each direction during a portion of construction and detoured around construction during the remaining part of construction.</li> <li>This project is mostly paid with a federal grant.</li> </ul>
<b>Proposed Council Action &amp; Date:</b>	None at this time. Following bid opening, we will bring a construction contract to Council for approval. This project is planned to advertise in about July, 2023 and be constructed in late summer/fall 2023 although it is possible construction could be delayed until 2024.
<ul style="list-style-type: none"> <li><b>Fiscal Impact:</b> Total Cost: This project is expected to cost about \$2M</li> </ul> <p>Approved in current year budget?      X Yes    <input type="checkbox"/> No    <input type="checkbox"/> N/A</p> <p>Funding Source      X One-time    <input type="checkbox"/> Recurring Specify funding source: project funds (generally street or utility funds)</p> <p>Expense Occurrence    X One-time    <input type="checkbox"/> Recurring</p> <p>Other budget impacts: (revenue generating, match requirements, etc.)</p>	
<b>Operations Impacts</b>	
<p>What impacts would the proposal have on historically excluded communities?</p> <p>Public Works services and projects are designed to serve all citizens and businesses. We strive to offer a consistent level of service to all, to distribute public investment throughout the community, and to respond to gaps in services identified in various City plans. We recognize the need to maintain affordability and predictability for utility customers. And we are committed to delivering work that is both financially and environmentally responsible. This item supports the operations of Public Works.</p>	
<p>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?</p> <p>N/A – This contract supports multiple public works projects and should not impact racial, gender identity, national origin, income level, disability, sexual orientation or other existing disparity factors.</p>	

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

Public Works follows the City's established procurement and public works bidding regulations and policies to bring items forward, and then uses contract management best practices to ensure desired outcomes and regulatory compliance.

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 projects which will use this on-call contract are consistent with our adopted six year programs as well as the annual budget and strategic initiative to advance street maintenance activities.



**Agenda Sheet for City Council Meeting of:**  
07/31/2023

<b>Date Rec'd</b>	7/18/2023
<b>Clerk's File #</b>	OPR 2023-0722
<b>Renews #</b>	
<b>Cross Ref #</b>	ORD C36419
<b>Project #</b>	
<b>Bid #</b>	OMNIA CONTRACT
<b>Requisition #</b>	

<b>Submitting Dept</b>	COMMUNICATIONS & MARKETING
<b>Contact Name/Phone</b>	JEFF BOLLINGER 625-6359
<b>Contact E-Mail</b>	JBOLLINGER@SPOKANECITY.ORG
<b>Agenda Item Type</b>	Contract Item
<b>Agenda Item Name</b>	0330 -KEYCODE MEDIA – COUNCIL CHAMBERS AND BRIEFING ROOM AV UPGRADE

**Agenda Wording**

Contract with Keycode Media for \$225,762.37 plus sales tax. Company and pricing via interlocal with Omnia, Purchasing Agreement #2019.001407. Contract term is August 1, 2023 through March 31, 2024.

**Summary (Background)**

Update technology in City Council Briefing Center and the Council Chambers. This addresses the needs and requirements for audio, video, presentation, lighting, projection and/or display, AV room/system control, and integration into City Cable 5 to improve accessibility.

Lease? NO Grant related? YES Public Works? YES

**Fiscal Impact**

Expense	\$ 225,762.37 + Sales Tax
Select	\$
Select	\$
Select	\$

**Budget Account**

#	1425-88155-18880-54201-97329
#	
#	

**Approvals**

<b>Dept Head</b>	CODDINGTON, BRIAN
<b>Division Director</b>	CODDINGTON, BRIAN
<b>Finance</b>	MURRAY, MICHELLE
<b>Legal</b>	HARRINGTON, MARGARET
<b>For the Mayor</b>	JONES, GARRETT

**Council Notifications**

<b>Study Session\Other</b>	07/17/2023
<b>Council Sponsor</b>	Kinnear, Wilkerson, Zappone

**Additional Approvals**

<b>Purchasing</b>	NECHANICKY, JASON
<b>ACCOUNTING - GRANTS</b>	MURRAY, MICHELLE

**Distribution List**

	mcavanagh@keycodemedia.com
	contract Accounting - ddaniels@spokanecity.org
	jbollinger@spokanecity.org
	jnechanicky@spokanecity.org
	cwahl@spokanecity.org
	Tax & Licenses
	bcoddington@spokanecity.org

## Committee Agenda Sheet

### Finance and Administration Committee

<b>Submitting Department</b>	Communications
<b>Contact Name &amp; Phone</b>	Jeff Bollinger, 625-6359
<b>Contact Email</b>	<a href="mailto:msloon@spokanecity.org">msloon@spokanecity.org</a>
<b>Council Sponsor(s)</b>	CM Kinnear, CM Wilkerson, CM Zappone
<b>Select Agenda Item Type</b>	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion    Time Requested: 07/17/2023
<b>Agenda Item Name</b>	Keycode Media – Council Chambers and Briefing Room AV Upgrade
<b>Summary (Background)</b>	<p>Updated technology into City Council Briefing Center, and the Council Chambers. This addresses the needs and requirements for audio, video, presentation, lighting, projection and/or display, AV room/system control, integration into City Cable 5, to improve accessibility.</p> <p>Contract with Keycode Media for \$225,762.37 plus sales tax. Company and pricing via interlocal with Omnia, Purchasing Agreement # 2019.001407.</p>
<b>Proposed Council Action &amp; Date:</b>	Pass council on July 31, 2023.
<p><b>Fiscal Impact:</b>    \$225,762.37 + sales tax  Total Cost: \$225,762.37 + sales tax  Approved in current year budget?    <input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No    <input type="checkbox"/> N/A</p> <p>Funding Source    <input checked="" type="checkbox"/> One-time    <input type="checkbox"/> Recurring</p> <p>Specify funding source: ARPA</p> <p>Expense Occurrence    <input checked="" type="checkbox"/> One-time    <input type="checkbox"/> Recurring</p> <p>Other budget impacts:</p>	
<b>Operations Impacts</b>	
<p>What impacts would the proposal have on historically excluded communities?</p> <p>There will be more ways in which to participate in public meetings including improved quality of accessing through home wifi, Library access wifi, personal smart phone, or one of the Library's expanding NDI cameras.</p> <p style="text-align: center;">----- Technology terms-----</p> <p>TriCaster Live call connect software integration with broadcast-quality video and balanced audio allows you to present production-ready conversations, interviews, reports, and more—regardless of the caller's device.</p> <p>NDI- (Network Device Interface) IP video protocol. Allows you to connect to a wide variety of NewTek NDI-enabled products, along with the world's largest ecosystem of third-party IP video products using a single network cable for video and audio.</p>	
<p>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?</p>	

There will be an improved quality of audience participation in the meetings. For people with transportation or mobility issues, the new technology will improve their meeting experience.

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

It is possible for the council members' legislative assistants to begin tallying the remote connectivity participation rate in the public meetings.

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 technology makes future on the road council meetings in neighborhoods again possible by using existing internet connectivity instead of relying on expensive fiber optic cables.



**City of Spokane**

**CONTRACT**

Title: **AUDIO VIDEO SYSTEM UPGRADE**

THIS CONTRACT is between the **CITY OF SPOKANE**, a Washington State municipal corporation, as ("City"), and **KEY CODE MEDIA, INC.**, whose address is 6632 South 191<sup>st</sup> Place, Suite E102, Kent, Washington 98032, as ("Company"), individually hereafter referenced as a "party", and together as the "parties".

WHEREAS, the City is authorized to expend ARPA funds for this contract in accordance with Ordinance No. \_\_\_\_\_, passed on \_\_\_\_\_, (section 1. (G) ) and;

WHEREAS, the Contractor agrees to comply with the attached General Terms and Conditions.

The parties agree as follows:

1. **PERFORMANCE.** The Company will provide an Audio Visual Equipment Upgrade to the City Council Chambers and Executive Briefing Room, in accordance with Company's Quote No. 223346, attached as Attachment C. Company has been selected in accordance with Omnia Partners Purchasing Agreement# 2019.001407. In the event of a discrepancy between the documents this City Contract controls.
2. **CONTRACT TERMS.** The Contract shall begin August 1, 2023, and run through March 31, 2024, unless amended by written agreement or terminated earlier under the provisions.
3. **COMPENSATION.** Total compensation under this Contract shall not exceed **TWO HUNDRED TWENTY-FIVE THOUSAND SEVEN HUNDRED SIXTY-TWO AND 37/100 DOLLARS (\$225,762.37)**, plus tax for everything furnished and done under this Contract. This is the maximum amount to be paid under this Contract for the work described in Section 1 above, and shall not be exceeded without the prior written authorization of the City in the form of an executed amendment to this Contract.
4. **PAYMENT.** The Company shall send its application for payment to Innovation and Technology Services Division, Administration Office, Seventh Floor, City Hall, 808 West Spokane Falls Boulevard, Spokane, Washington 99201. **Payment will be made via direct deposit/ACH** within thirty (30) days after receipt of the Contractor's application except as provided by state law.



5. PUBLIC WORKS.

The following public works requirements apply to the work under this Agreement.

- A. The Company shall pay state prevailing wages. The Company and all subcontractors will submit a "Statement of Intent to Pay Prevailing Wages," certified by the industrial statistician of the Department of Labor and Industries, prior to any payments. The "Statement of Intent to Pay Prevailing Wages" shall include: (1) the Company's registration number; and (2) the prevailing wages under RCW 39.12.020 and the number of workers in each classification. Each voucher claim submitted by a Company for payment on a project estimate shall state that the prevailing wages have been paid in accordance with the pre-filed statement or statements of intent to pay prevailing wages on file with the City. At the end of the work, the Company and subcontractors must submit an "Affidavit of Wages Paid," certified by the industrial statistician.
- B. **STATEMENT OF INTENT TO PAY PREVAILING WAGES TO BE POSTED.** The Company and each subcontractor required to pay the prevailing rate of wages shall post in a location readily visible at the job site: (1) a copy of a "Statement of Intent to Pay Prevailing Wages" approved by the industrial statistician of the Washington State Department of Labor and Industries (L & I); and (2) the address and telephone number of the industrial statistician of the Department of Labor and Industries where a complaint or inquiry concerning prevailing wages may be made.
- C. A payment/performance bond is NOT required.
- D. Statutory retainage is NOT required.

6. COMPLIANCE WITH LAWS. Each party shall comply with all applicable federal, state, and local laws and regulations.

7. ASSIGNMENTS. This Contract is binding on the parties and their heirs, successors, and assigns. Neither party may assign, transfer or subcontract its interest, in whole or in part, without the other party's prior written consent.

8. AMENDMENTS. This Contract may be amended at any time by mutual written agreement.

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

10. TERMINATION. Either party may terminate this Contract by thirty (30) days written notice to the other party. In the event of such termination, the City shall pay the Company for all work previously authorized and performed prior to the termination date.

11. INSURANCE. During the term of the Agreement, the Company shall maintain in force at its own expense, the following insurance coverages:

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

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

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

13. 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.

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

15. STANDARD OF PERFORMANCE. The silence or omission in the Contract regarding any detail required for the proper performance of the work, means that the Company shall perform the best general practice.

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

17. BUSINESS REGISTRATION REQUIREMENT. Section 8.01.070 of the Spokane Municipal Code states that no person may engage in business with the City without first having obtained a valid annual business registration. The Company shall be responsible for contacting the State of Washington Business License Services at [www.dor.wa.gov](http://www.dor.wa.gov) or 360-705-6741 to obtain a business registration. If the Company 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.

18. AUDIT / RECORDS. The Company and its subcontractors shall maintain for a minimum of three (3) years following final payment all records related to its performance of the Contract. The Company and its subcontractors shall provide access to authorized City representatives, at reasonable times and in a reasonable manner to inspect and copy any such record. In the event of conflict between this provision and related auditing provisions required under federal law applicable to the Contract, the federal law shall prevail.

18. CONFIDENTIALITY/PUBLIC RECORDS. Notwithstanding anything to the contrary, City will maintain the confidentiality of Company's materials and information only to the extent that is legally allowed in the State of Washington. City is bound by the State Public Records Act, RCW Ch. 42.56. That law presumptively makes all records in the possession of the City public records which are freely available upon request by anyone. In the event that City gets a valid public records request for Company's materials or information and the City determines there are exemptions only the Company can assert, City will endeavor to give Company notice. Company, at its own expense, will be required to go to Court to get an injunction preventing the release of the requested records. In the event that Company does not get a timely injunction preventing the release of the records, the City will comply with the Public Records Act and release the records.

20. DISPUTES. This Contract shall be performed under the laws of the State of Washington. Any litigation to enforce this Contract or any of its provisions shall be brought in Spokane County, Washington.

**KEY CODE MEDIA, INC.**

**CITY OF SPOKANE**

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

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

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

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

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

Attest:

Approved as to form:

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

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

- Attachments that are part of this Agreement:  
Attachment A – Certification Regarding Debarment  
Attachment B - Certification of Compliance with Wage Payment Statutes  
Attachment C – Company’s Quote No. 223346  
Attachment - ARP/CSLFRF CFDA 21.027  
Attachment – General Terms and Conditions

**ATTACHMENT A**

**ATTACHMENT A - CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION AND FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT (FFATA) CERTIFICATION**

**Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion**

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 2 CFR Part 180.

(1) The prospective primary participant certifies to the best of its knowledge and belief that it and its principals:

- (a) Are not presently debarred, suspended, proposed for disbarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three-year period preceding this application been convicted of or had a civil judgement 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 for or otherwise criminally or civilly charged by a governmental 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 Agreement had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) The undersigned agrees by signing this Agreement 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 Agreement that it will include the following required certification, 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.

(4) The undersigned shall notify the City immediately that if it or a lower tier contractor become debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency during the period of performance of this Agreement.

(5) The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, person, primary covered transaction, principal, and voluntarily excluded, as used in this exhibit, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. The undersigned may contact the City for assistance in obtaining a copy of these regulations.

(6) I understand that a false statement of this certification may be grounds for termination of the Agreement.

**By signing this Attachment, the Grantee indicates acceptance of and compliance with all requirements described above.**

ATTACHMENT A - CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION  
AND FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT (FFATA) CERTIFICATION

**Federal Funding Accountability and Transparency Act (FFATA) Certification**

**The Federal Funding Accountability and Transparency Act (FFATA) seeks to provide the public with greater access to Federal spending information. Due to FFATA requirements, you are required to provide the following information which will be used by the City to comply with federal reporting requirements.**

If certain conditions are met, Grantee must provide names and total compensation of the top five highly compensated Executives. Please answer question 1, and follow the instructions. If directed to question 2, please answer and follow instructions.

1. In Grantee's previous fiscal year, did Grantee receive (a) 80% or more of Grantee's annual gross revenues in U.S. Federal contracts and subcontracts and other Federal financial assistance subject to the Transparency Act, as defined in 2 CFR 170.320; AND (b) \$25,000,000 or more in annual gross revenues from contracts and subcontracts and other Federal financial assistance subject to the Transparency Act, as defined in 2 CFR 170.320?

Yes  If yes, answer question 2 below.  
No  If no, stop, you are not required to report names and compensation. Please sign and submit form with the Agreement.

2. Does the public have access to information about the compensation of Grantee's Executives through periodic reports filed under section 13(a) or 15(d) of the Security Exchange Act of 1934 (15 U.S.C. 78(m)(a), 78o(d)), or section 6104 of the Internal Revenue Code of 1986?

Yes  If yes, stop, you are not required to report names and compensation. Please sign and submit form with the Agreement.  
No  If no, you are required to report names and compensation. Please fill out the remainder of this form.

Please provide the names and Total Compensation of the top five most highly compensated Executives in the space below.

Name:	Total Compensation:
Name:	Total Compensation:
Name:	Total Compensation:
Name:	Total Compensation:
Name:	Total Compensation:

**The Grantee certifies that the information contained on this form is true and accurate.**

**By:**  
**Title:**  
**Date:**



## Certification of Compliance with Wage Payment Statutes and Washington Department of Labor and Industries Training Requirement

The bidder hereby certifies that, within the three-year period immediately preceding the bid solicitation date (\_\_\_\_\_), the bidder is not a “willful” violator, as defined in RCW 49.48.082, of any provision of chapters 49.46, 49.48, or 49.52 RCW, as determined by a final and binding citation and notice of assessment issued by the Department of Labor and Industries or through a civil judgment entered by a court of limited or general jurisdiction.

As of July 1, 2019, have fulfilled the Department of Labor and Industries’ Public Works and Prevailing Wage Training Requirement before bidding and/or performing work on public works projects under RCW 39.04.350 and RCW 39.06.020 by either of the following:

- 1) Received training on the requirements related to public works and prevailing wage under chapter RCW 39.04.350 and chapter 39.12; or
- 2) Be certified exempt by the Department of Labor and Industries by having completed three or more public work projects and have a had a valid business license in Washington for three or more years.

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

\_\_\_\_\_  
Bidder’s Business Name

\_\_\_\_\_  
Signature of Authorized Official\*

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
City

\_\_\_\_\_  
State

*Check One:*

Sole Proprietorship  Partnership  Joint Venture  Corporation

State of Incorporation, or if not a corporation, State where business entity was formed:

\_\_\_\_\_  
If a co-partnership, give firm name under which business is transacted:

\_\_\_\_\_  
*\* If a corporation, proposal must be executed in the corporate name by the president or vice-president (or any other corporate officer accompanied by evidence of authority to sign). If a co-partnership, proposal must be executed by a partner.*

**ATTACHMENT C**



**ATTACHMENT – ARP/CSLFRF CFDA 21.027 FUNDING**  
American Rescue Plan (ARP)  
Coronavirus State and Local Fiscal Recovery Funds (CSLFRF)  
Funding Authority: U.S. Department of Treasury  
CFDA# 21.027 – Coronavirus State and Local Fiscal Recovery Funds

The Contractor specifically agrees to comply with all applicable state and federal laws, rules, regulations, requirements, program guidance, including but not limited to the following:

All applicable federal, state, and local laws, regulations, executive orders, OMB Circulars, and/or policies including, but not limited to:

Nondiscrimination laws and/or policies, and safety and health regulations.  
Americans with Disabilities Act (ADA), Age Discrimination Act of 1975,  
Title VI of the Civil Rights Act of 1964, Civil Rights Act of 1968,  
Provisions in Buildings for Aged and Handicapped Persons (RCW 70.92).  
Robert T. Stafford Disaster Relief and Emergency Assistance Act (PL 93-288, as amended),  
Ethics in Public Services (RCW 42.52),  
Covenant Against Contingent Fees (48 CFR Section 52.203-5),  
Public Records Act (RCW 42.56),  
Prevailing Wages on Public Works (RCW 39.12),  
State Environmental Policy Act (RCW 43.21C),  
Shoreline Management Act of 1971 (RCW 90.58),  
State Building Code (RCW 19.27),  
Energy Policy and Conservation Act (PL 94-163, as amended),  
Energy Related Building Standards (RCW 19.27A),

Comply with all procurement requirements of 2 CFR Part 200.317 - 200.327. All sole source contracts expected to exceed \$50,000 must be submitted to Spokane City Purchasing for review and approval prior to the award and execution of a contract.

Any contract awarded to the successful Contractor must contain and/or comply with the following procurement provisions in accordance with 2 CFR Part 200.317 - 200.327:

Contractor must maintain a Conflict of Interest Policy consistent with 2 CFR 200.318(c) that is applicable to all activities funded with the award. All potential conflicts of interest related to this award must be reported to Spokane City and/or U.S. Treasury

- Administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as may be appropriate;
- Compliance with Executive Order 11246, “Equal Employment Opportunity,” (30 FR 12319, 12935, 3 CFR Part 1964-1965 Comp., p. 339), as amended by Executive Order 11375, as supplemented in Department of Labor regulations (41 CFR Chapter 60);
- For Capital Expenditures that involve the employment of mechanics of laborers: Compliance with the Contract Work Hours and Safety Standards Act (40 USC 3702 and 3704) as supplemented by Department of Labor Regulations (29 CFR Part 5);
- For all contracts in excess of \$100,000 with respect to water, sewer, or broadband that involve the employment of mechanics of laborers: Compliance with the Contract Work Hours and Safety Standards Act (40 USC 3702 and 3704) as supplemented by Department of Labor Regulations (29 CFR Part 5);
- For construction or repair contracts: Compliance with the Copeland “Anti-Kickback” Act (40 U.S.C. 3145) as supplemented by Department of Labor regulations (29 CFR part 3);
- For construction contracts in excess of \$2,000 when required by Federal grant program legislation:

Compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144 and 3146-3148) as supplemented by Department of Labor regulations (29 CFR part 5); Davis Bacon Act—Does **not** apply to projects funded **solely** with ARPA/CSLFRF CFDA 21.027 funds. However, if other federal funds are also used for the construction project in addition to FRF, and those federal funds require Davis-Bacon compliance, all prime construction contracts in excess of \$2,000 must follow Davis-Bacon Act;

- For construction contracts in excess of \$100,000 that involve the employment of mechanics and laborers: Compliance with the Contract Work Hours and Safety Standard Act (40 U.S.C. 3701-3708) as supplemented by Department of Labor regulations (29 CFR Part 5);
- Compliance with the requirements of 37 CFR Part 401, “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency
- For contracts in excess of \$150,000: Compliance with all applicable standards, orders or requirements issued under the Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387) as amended;
- Compliance with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act;
- Notice of awarding agency requirements and regulations pertaining to reporting;
- Federal awarding agency requirements and regulations pertaining to copyrights and rights in data;
- Access by Spokane City, the Federal awarding agency, the Comptroller General of the United States, or any of their duly authorized representatives to any books, documents, papers and records, sub-agreements, leases, subcontracts, arrangements, or other third-party agreements of any type, and supporting materials related to those records of the Contractor, which are directly pertinent to that specific contract for the purpose of making audit, examination, excerpts and transcriptions;
- Retention of all required records for **six years** after Spokane City makes final payment and all other pending matters are closed;
- Mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94-163, 89 Stat. 871);
- Notice of awarding agency requirements and regulations governing the development, reporting, and disposition of rights to inventions and patents resulting from financial assistance awards (37 C.F.R. Part 401) and the standard patent rights clause (37 C.F.R. section 401.14);
- Compliance with Executive Order 13858 “Strengthening Buy-American Preferences for Infrastructure Projects” as appropriate and to the extent consistent with law; and
- Compliance with 2 C.F.R. § 200.216, prohibitions regarding certain telecommunications and video surveillance services or equipment are mandated by section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (FY 2019 NDAA), Pub. L. No. 115-232 (2018).

Any contract awarded to the successful Contractor must contain and/or comply with the following provisions in accordance with 2 CFR Part 200.332(a) - 200.332(a)(1)-200.332(a)(6) Requirements for pass-through entities:

- Identify as a Subaward (2 CFR 200.332(a));
- Federal Award Identification (2 CFR 200.332(a)(1));
- Terms and conditions from ARP/CLFRF (2 CFR 200.332(a)(2));
- Additional City of Spokane imposed requirements based on risk assessment (2 CFR 200.332(a)(3));
- Indirect cost rate (2 CFR 200.332(a)(4));
- Records access & retention (2 CFR 200.332(a)(5));
- Closeout provisions (2 CFR 200.332(a)(6)).

Any contract awarded to the successful Contractor must contain and/or comply with the following provisions in accordance with 2 CFR Part 200.501(a)-200.501(h) Audit Requirements:

- Audit required. A non-Federal entity that expends \$750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single or program-specific audit conducted for that year in accordance with the provision of this part (2 CFR 200.501(a));
- Single Audit (2 CFR 200.501(b));
- Program-specific audit election (2 CFR 200.501(c));
- Exemption when Federal awards expended are less than \$750,000(2 CFR 200.501(d));
- Federally Funded Research and Development Centers (2 CFR 200.501(e));
- Subrecipients and contractors (2 CFR 200.501(f));
- Compliance responsibility for contractors (2 CFR 200.501(g));
- For-profit subrecipient (2 CFR 200.501(h)).

Contractor must comply with Executive Orders 12549 and 12689 and 2 C.F.R. Part 180, which restrict awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities. Contractor must certify that it is not presently debarred, suspended or proposed for debarment, declared ineligible, or voluntarily excluded from participating in this Agreement by any federal department or agency.

Contractor must comply with the requirements of 31 U.S.C. § 3729-3733 which prohibits the submission of false or fraudulent claims for payment to the Federal Government. See also 31 U.S.C. § 3801-3812 which details the administrative remedies for false claims and statements made.

Contractor is required to be non-delinquent in their repayment of any Federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See OMB Circular A-129.

Contractor's costs must be compliant with 2 CFR Part 200 Subpart E Cost Principles.

Contractor must comply with 31 U.S.C. § 1352, which provides that none of the funds provided under an award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, Member of Congress, an officer, or employee of Congress, or an employee of a Member of Congress in connection with any Federal action concerning an award, making of any federal grant, federal loan, continuation, renewal, amendment or modification of any federal contract, grant loan, or cooperative agreement, and that if any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this award, the Contractor will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

In the event of the Contractor's noncompliance or refusal to comply with any applicable law, regulation, executive order, OMB Circular or policy, Spokane City may rescind, cancel, or terminate the contract in whole or in part in its sole discretion. The Contractor is responsible for all costs or liability arising from its failure to comply with applicable laws, regulations, executive orders, OMB Circulars, or policies.

## **CERTIFICATION**

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Signature, Administrator, or Applicant Agency

---

Date

---

print name and title

## **General Terms & Conditions**

### **1. CONTRACTING WITH CURRENT OR FORMER CITY EMPLOYEES**

Specific restrictions apply to contracting with current or former City officers and employees pursuant to the Code of Ethics in chapter 1.04A of the Spokane Municipal Code. Proposers shall familiarize themselves with the requirements prior to submitting a Proposal that includes current or former City officers or employees.

### **2. PROPRIETARY INFORMATION / PUBLIC DISCLOSURE**

All materials submitted to the City in responses to this competitive procurement shall become the property of the City.

All materials received by the City are public records and are subject to being released pursuant to a valid public records request. Washington state law mandates that all documents used, received or produced by a governmental entity are presumptively public records, and there are few exemptions. Chapter 41.56 RCW.

When responding to this competitive procurement, please consider that what you submit will be a public record. If you believe that some part of your response constitutes legally protected proprietary information, you MUST submit those portions of your response as a separate part of your response, and you MUST label it as "PROPRIETARY INFORMATION." If a valid public records request is then received by the City for this information, you will be given notice and a 10-day opportunity to go to court to obtain an injunction to prevent the City from releasing this part of your response. If no injunction is obtained, the City is legally required to release the records.

The City will neither look for nor honor any claims of "proprietary information" that are not within the separate part of your response.

### **3. OWNERSHIP OF DOCUMENTS**

Any and all data, reports, analyses, documents, photographs, pamphlets, plans, specifications, surveys, films or any other material created, prepared, produced, constructed, assembled, made, performed or otherwise produced by the Firm or the Firm's subcontractors or consultants for delivery to the City under this Agreement shall be the sole and absolute property of the City. Such property shall constitute "work made for hire" as defined by U.S. Copyright Act of 1976, 17 U.S.C. § 101, and the ownership of the copyright and any other intellectual property rights in such property shall vest in the City at the time of its creation. Ownership of the intellectual property includes the right to copyright, patent, and register, and the ability to transfer these rights. Material which the Firm uses to perform this Agreement, but is not created, prepared, constructed, assembled, made, performed or otherwise produced for, or paid for, by the City is owned by the Firm and is not "work made for hire" within the terms of this Agreement.

### **4. ACCEPTANCE PERIOD**

Proposals shall remain in effect for ninety (90) days for acceptance by the City from the due date for receipt of Proposals.

### **5. COSTS TO PROPOSE**

The City will not be liable for any costs incurred by the Proposer in preparation of a Proposal submitted in response to this RFP, in conduct of a presentation, or any other activities related to responding to this RFP.

## **6. INTERLOCAL PURCHASE AGREEMENTS**

The City of Spokane has entered into Interlocal Purchase Agreements with other public agencies pursuant to Chapter 39.34 RCW. In submitting a response, the Proposer agrees to provide its services to other public agencies at the same contracted price, terms and conditions it is providing to the City of Spokane, contingent upon the Firm's review and approval at the time of a requested contract. The Firm's right to refuse to enter into a contract with another public agency at the time of request shall be absolute.

## **7. DEBRIEFING OF UNSUCCESSFUL PROPOSERS**

Upon request, a debriefing conference will be scheduled with an unsuccessful Proposer. Discussion will be limited to a critique of the requesting Firm's Proposal. Debriefing conferences may be conducted in person or on the telephone.

## **8. MINORITY & WOMEN-OWNED BUSINESS PARTICIPATION**

The City encourages participation in all of its contracts by Firms certified by the Washington State Office of Minority and Women's Business Enterprises (OMWBE). Proposers may contact OMWBE at (360)753-9693 to obtain information on certified Firms.

## **9. NONDISCRIMINATION**

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

## **10. BUSINESS REGISTRATION REQUIREMENT**

Section 8.01.070 of the Spokane Municipal Code states that no person may engage in business with the City without first having obtained and currently being the holder of a valid annual business registration or temporary business registration as provided in this chapter. The Firm shall be responsible for contacting the State of Washington Business License Services at <http://dor.wa.gov> or 1-360-705-6741 to obtain a business registration. If the Firm 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.

## **11. PAYMENT**

Payment will be made via direct deposit/ACH except as provided by state law. A completed ACH application is required before a City Order will be issued. If the City objects to all or any portion of the invoice, it shall notify the Company and reserves the right to only pay that portion of the invoice not in dispute. In that event, the parties shall immediately make every effort to settle the disputed amount.

## **12. ANTI-KICKBACK**

No officer or employee of the City of Spokane, having the power or duty to perform an official act or action related to this contract shall have or acquire any interest in the contract, or have solicited,

accepted or granted a present or future gift, favor, service or other thing of value from or to any person involved in the contract.

### **13. DISPUTES**

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

### **14. TERMINATION**

- A. For Cause: The City or Consultant may terminate the Agreement if the other party is in material breach of this Agreement, and such breach has not been corrected to the other party's reasonable satisfaction in a timely manner. Notice of termination under this Section shall be given by the party terminating this Agreement to the other, not fewer than thirty (30) business days prior to the effective date of termination.
- B. For Reasons Beyond Control of Parties: Either party may terminate this Agreement without recourse by the other where performance is rendered impossible or impracticable for reasons beyond such party's reasonable control, such as, but not limited to, an act of nature, war or warlike operation, civil commotion, riot, labor dispute including strike, walkout or lockout, except labor disputes involving the Consultant's own employees, sabotage, or superior governmental regulation or control. Notice of termination under this Section shall be given by the party terminating this Agreement to the other, not fewer than thirty (30) business days prior to the effective date of termination.
- C. For Convenience: Either party may terminate this Agreement without cause, upon thirty (30) days written notice to the other party.
- D. Actions upon Termination: if termination occurs not the fault of the Consultant, the Consultant shall be paid for the services properly performed prior to the actual termination date, with any reimbursable expenses then due, but such compensation shall not exceed the maximum compensation to be paid under the Agreement. The Consultant agrees this payment shall fully and adequately compensate the Consultant and all subconsultants for all profits, costs, expenses, losses, liabilities, damages, taxes, and charges of any kind (whether foreseen or unforeseen) attributable to the termination of this Agreement.
- E. Upon termination, the Consultant shall provide the City with the most current design documents, contract documents, writings, and other products the Consultant has produced to termination, along with copies of all project-related correspondence and similar items. The City shall have the same rights to use these materials as if termination had not occurred; provided however, that the City shall indemnify and hold the Consultant harmless from any claims, losses, or damages to the extent caused by modifications made by the City to the Consultant's work product.

### **15. LIABILITY**

The Firm shall indemnify, defend, and hold harmless the City, its officers, and employees from all claims, demands, or suits in law or equity arising from the Firm's negligence or breach or its obligations under the contract. The Firm's duty to indemnify shall not apply to liability caused by the sole negligence of the City, its officers, and employees. The Firm's duty to indemnify for liability arising from the concurrent negligence of the City, its officers and employees and the Firm, its officers and employees shall apply only to the extent of the negligence of the Firm, its officers and employees. The Firm's duty to indemnify shall survive

termination or expiration of the contract. The Firm waives, with respect to the City only, its immunity under RCW Title 51, Industrial Insurance.

## **16. INSURANCE COVERAGE**

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

- A. Worker's Compensation Insurance in compliance with RCW 51.12.020, which requires subject employers to provide workers' compensation coverage for all their subject workers and Employer's Liability Insurance in the amount of \$1,000,000.
- B. General Liability Insurance on an occurrence basis, with a combined single limit of not less than \$1,000,000 each occurrence for bodily injury and property damage. It shall include contractual liability coverage for the indemnity provided under this contract. It shall provide that the City, its officers and employees are additional insureds, but only with respect to the Firm's services to be provided under this contract.
- C. Automobile Liability Insurance with a combined single limit, or the equivalent of not less than \$1,000,000 each accident for bodily injury and property damage, including coverage for owned, hired and non-owned vehicles.
- D. Professional Liability Insurance with a combined single limit of not less than \$1,000,000 each claim, incident, or occurrence. This is to cover damages caused by the error, omission, or negligent acts related to the professional services to be provided under this contract. The coverage must remain in effect for at least three (3) years after the contract is completed.

There shall be no cancellation, material change, reduction of limits or intent not to renew the insurance coverage(s) without forty-five (45) days written notice from the Firm or its insurer(s) to the City.

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

## **SPECIFIC GRANT RELATED LANGUAGE**

### **17. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELEGIBILITY AND VOLUNTARY EXCLUSION**

A certification form will accompany the contract to be signed confirming that, to the best of its knowledge and belief, Firm, 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.
- 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.

**18. CERTIFICATION REGARDING LOBBYING**

Byrd Anti-Lobbying Amendment (31 U.S.C. 1352) – Firms who apply or bid for an award of \$100,000 or more shall file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier shall also disclose any lobbying in non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the recipient.

A Certification Form is attached and included in this Request for Proposal by reference as Attachment A “Certification Regarding Lobbying”. The Proposer is required to sign and submit this Form with Proposal. The Proposer certifies by signing and submitting this Proposal, to the best of his or her knowledge and belief, that:

- A. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or any employee of a Member of Congress in connection with the awarding of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan, or cooperative agreement.
- B. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.
- C. The Proposer also agrees by submitting his or her Proposal, that he or she shall require that the language of this certification be included in all lower tier subcontracts. Which exceed \$100,000 and that all such sub-recipients shall certify and disclose accordingly.
- D. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, United States Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

**19. DOMESTIC PREFERENCE**

200.322 (a) As appropriate and to the extent consistent with law, the non-Federal entity should to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products).



## **20. CLEAN AIR ACT**

Clean Air Act (42 U.S.C. 7401 et seq.) and the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), as amended – Firms and subgrants of amounts in excess of \$100,000 shall contain a provision that requires the recipient to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401 et seq.) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251 et seq.) Violations shall be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

## **21. CONFORMANCE WITH FEDERAL, STATE, AND LOCAL LAWS**

Federal, State and Local Laws: Services of a project as a result of the use of a Firm's services including the letting of subcontracts in connection with any project work related to this RFQ may be required to conform to the applicable requirements of Federal, State and local laws and ordinances. The City stipulates that Federal funds may be involved.

## **22. MAINTENANCE OF RECORDS**

Federal, State and Local Laws: Services of a project as a result of the use of a Firm's services including the letting of subcontracts in connection with any project work related to this RFQ may be required to conform to the applicable requirements of Federal, State and local laws and ordinances. The City stipulates that Federal funds may be involved.

## **23. CONFERENCE ROOMS**

Conference Rooms: All space used for conferences, meetings, conventions, or training seminars funded in whole or in part with federal funds under this contract must comply with the protection and controlling guidelines of the Hotel and Motel Fire Safety Act (PL 101-391, as amended).

## **24. AMERICANS WITH DISABILITIES ACT INFORMATION (ADA)**

Americans with Disabilities Act (42 U.S.C. 12101, et seq.). The Applicant shall comply with the provisions of the Americans with Disabilities Act, 42 U.S.C. 12101, et. seq. That Act provides a comprehensive national mandate to eliminate discrimination against individuals with disabilities. The Act may impose requirements on the Applicant in four principle ways: 1) with respect to employment; 2) with respect to the provision of public services; 3) with respect to transportation; 4) with respect to existing facilities and new construction.

The City in accordance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) commits to nondiscrimination in all of its programs and activities. The Firm agrees to comply with, and to require that all subcontractors comply with, Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act, as applicable to the Firm.

Law Against Discrimination, Chapter 49.60 RCW. The Applicant shall comply with the provisions of Chapter 49.60 RCW in all activities relating to this Grant Agreement.

This material can be made available in an alternate format by request through ProcureWare question tab or by calling (509) 625-6400.

## **25. TITLE VI STATEMENT**

The City of Spokane in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all Proposers that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined at 49 CFR Part 26 will be afforded full opportunity to submit Proposals in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, or sex in consideration for an award.

Public Law 88 - 352, Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) (24 CFR Part 1). The Applicant must comply with the provisions of "Public Law 88 - 352," which refers to Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.). The law provides that no person in the United States shall, on the grounds of race, color or national origin, be denied the benefits of, be excluded from participation in, or be subjected to discrimination under any program or activity receiving federal financial assistance.

**Key Code Media, Inc. - Washington**

6632 S 191st Pl.  
Suite E102  
Kent, WA 98032  
206-870-0244  
www.keycodemedia.com



# AV-IT Design Services Revised Report for The City of Spokane

Quote # 223346 Version 8

Prepared for:  
City of Spokane

Prepared by:  
Tom Arenz

## Statement of Services

**Overview:**

Please refer to the attached AV-IT Design Services Revised Report

**Client Responsibilities:**

Please refer to the attached AV-IT Design Services Revised Report

**Timeline:**

Please refer to the attached AV-IT Design Services Revised Report

### Council Chambers AV System

Mfr. Name	Mfr. Part #	Product Details	Qty.	Contract	Discount	MSRP	Omnia Unit Price	KCM Unit Price	KCM Ext. Price
		Council Chambers AV System							
NewTek	TC2E3RU	Newtek TriCaster 2 Elite (3RU Chassis w/ redundant power) ****must register**** Newtek TriCaster 2 Elite (3RU Chassis w/ redundant power)	1	Y	15.00 %	\$31,995.00	\$27,195.75	\$27,195.75	\$27,195.75
NewTek	PTUTC2E3RU	Newtek ProTek Ultra for TriCaster 2 Elite (Replaces Basic, 1 Year Coverage)	1	Y	15.00 %	\$3,845.00	\$3,268.25	\$3,268.25	\$3,268.25
NewTek	2Stripe	Newtek 2 Stripe Control Panel	1	Y	15.00 %	\$12,495.00	\$10,620.75	\$10,620.75	\$10,620.75
NewTek	PTU2Stripe	Newtek ProTek Ultra for 2 Stripe Control Panel (Replaces Basic, 1 Year Coverage)	1	Y	15.00 %	\$1,495.00	\$1,270.75	\$1,270.75	\$1,270.75
NewTek	NPSubA	ANNUAL COST -NewTek Premium Access Subscription 1 Year Annual Cost	1	N	5.00 %	\$2,299.00	\$2,184.05	\$2,184.05	\$2,184.05
Netgear, Inc	GSM4248UX-100NAS	Netgear M4250-40G8XF-PoE++ AV Line Managed Switch - 40 Ports - Manageable - 3 Layer Supported - Modular - 82.60 W Power Consumption - 2880 W PoE Budget - Optical Fiber, Twisted Pair - PoE Ports - 2U High - Rack-mountable, Table Top - Lifetime Limited Warr	1	N	20.00 %	\$7,316.08	\$5,852.86	\$5,852.86	\$5,852.86

**Council Chambers AV System**

Mfr. Name	Mfr. Part #	Product Details	Qty.	Contract	Discount	MSRP	Omnia Unit Price	KCM Unit Price	KCM Ext. Price
Yamaha Corporation	TF3	Yamaha Audio Mixer - 24 Channel(s) - 8 Effects(s)	1	N	20.00 %	\$3,276.00	\$2,620.80	\$2,620.80	\$2,620.80
Yamaha Corporation	NY64-D	Yamaha Dante expansion card for TF series consoles and TF-RACK allows transmission/reception of up to 128 channels (64 in/64 out) used in conjunction with the TIO1608-D; it is possible to support up to 48 inputs and 24 outputs in a TF system	1	N	20.00 %	\$587.00	\$469.60	\$469.60	\$469.60
Yamaha Corporation	TIO1608-D	Yamaha Dante-equipped I/O rack with 16 microphone/ line inputs and 8 line outputs.	1	N	20.00 %	\$1,500.00	\$1,200.00	\$1,200.00	\$1,200.00
Kramer AV	VIA-CAMPUS2-PLUS	VIA Campus <sup>2</sup> PLUS Wireless Presentation Hub	1	N	20.00 %	\$3,500.00	\$2,800.00	\$2,800.00	\$2,800.00
Magewell	64100	Magewell Pro Convert NDI to HDMI	2	N	5.00 %	\$425.00	\$403.75	\$403.75	\$807.50
Magewell	64050	Magewell Standalone 1-channel HD HDMI to full bandwidth NDI encoder, POE. Accessories include one power adapter, one USB power cable, one Mini DIN8 to DIN8+DB9 cable, one tally light, and one L bracket.	1	N	5.00 %	\$425.00	\$403.75	\$403.75	\$403.75
Audinate	ADP-USB-AU-2X2	Audinate Dante AVIO 2x2 USB Type-C I/O Adapter for Dante Audio Network	1	N	10.00 %	\$209.00	\$188.10	\$188.10	\$188.10
Sennheiser	MEG 14-40-L-II B	Sennheiser Gooseneck microphone (cardioid, condenser) with 5-pin XLR-M, 12-48 V phantom power and illuminated light ring. MAT 153-S table stand available separately	15	N	20.00 %	\$311.00	\$248.80	\$248.80	\$3,732.00
Clock Audio	S157RF	Clock Audio Table Stand Prog 5pin XLR	15	N	20.11 %	\$378.00	\$302.00	\$302.00	\$4,530.00

**Council Chambers AV System**

Mfr. Name	Mfr. Part #	Product Details	Qty.	Contract	Discount	MSRP	Omnia Unit Price	KCM Unit Price	KCM Ext. Price
Biamp	TesiraFORTÉ DAN VT	Biamp TesiraFORTÉ DAN VT digital audio server with 12 analog inputs and 8 analog outputs, and includes up to 8 channels of configurable USB audio.	2	N	25.00 %	\$5,170.00	\$3,877.50	\$3,877.50	\$7,755.00
Biamp	Tesira EX-LOGIC	Biamp Tesira PoE logic expander with 16 logic GPIO (4 GPIO are configurable for potentiometer interface)	2	N	25.00 %	\$772.00	\$579.00	\$579.00	\$1,158.00
Sennheiser	EW-D 835-S SET (Q1-6)	Sennheiser Digital wireless handheld set. Includes (1 ) EW-D EM digital 19 1/2" single channel receiver , (1) EW-D SKM? digital handheld transmitter with mute switch, (1) MMD 835? microphone module, (1) MZQ1? microphone clip, (1) NT 12-5 CW+ power supply	2	Y	20.00 %	\$849.00	\$679.20	\$679.20	\$1,358.40
Sennheiser	MZS 31	Sennheiser IS Series suspension shock mount, for use with MZT30, requires 50mm diameter hole (4.0 oz)	1	Y	20.00 %	\$61.00	\$48.80	\$48.80	\$48.80
BirdDog	BDP240BUNDL E-WWW	BirdDog Bundle   3x P240 White And 1x FREE PTZ Keyboard  BDP240W   BDPTZKEYBUN	1	N	0.00 %	\$8,997.00	\$8,997.00	\$8,997.00	\$8,997.00
BirdDog	BDP240W	BirdDog Eyes P240 40x Optical Zoom 1080P Full NDI PTZ Camera (White)	1	N	0.00 %	\$2,995.00	\$2,995.00	\$2,995.00	\$2,995.00
Bird-Dog	BDPMMWHITE	BirdDog Wall Mounting Kit	4	N	0.00 %	\$64.95	\$64.95	\$64.95	\$259.80
Crestron	CP4N	Crestron 4-Series Control System	1	Y	44.00 %	\$3,080.00	\$1,724.80	\$1,724.80	\$1,724.80
Crestron	TS-1070-B-S	Crestron 10.1 in. Touch Screen, Table Top, Black Smooth	2	Y	44.00 %	\$3,630.00	\$2,032.80	\$2,032.80	\$4,065.60
Crestron	HD-MD4x4-4KZ-E	Crestron 4x4 4K60 4:4:4 HDR AV Switcher	1	Y	44.00 %	\$4,840.00	\$2,710.40	\$2,710.40	\$2,710.40

**Council Chambers AV System**

Mfr. Name	Mfr. Part #	Product Details	Qty.	Contract	Discount	MSRP	Omnia Unit Price	KCM Unit Price	KCM Ext. Price
Digital Projection	120-551	Digital Projection E-Vision LASER 5900 includes a 1.15 - 1.9 : 1 zoom lens as standard. This is the only lens available for this product	1	Y	15.00 %	\$6,125.00	\$5,206.25	\$5,206.25	\$5,206.25
Displays2Go	M2XBASESLV	Displays2Go Stand with Adjustable Height, 75x75 & 100x100 VESA Pattern - Silver	1	N	18.40 %	\$250.00	\$204.00	\$204.00	\$204.00
Listen Technologies	LW-200P-04-01	Listen Technologies Listen EVERYWHERE 4 Channel Wi-Fi Audio Server	1	Y	33.00 %	\$2,215.00	\$1,484.05	\$1,484.05	\$1,484.05
Listen Technologies	LA-304	Listen Technologies Assistive Listening Notification Signage Kit	1	Y	33.00 %	\$27.00	\$18.09	\$18.09	\$18.09
Virtual Video Director	Virtual Video Director	Virtual Video Director automatically cuts to the right camera for you based on a combination of audio, fuzzy logic and Machine Learning.	1	N	0.00 %	\$299.00	\$299.00	\$299.00	\$299.00
Key Code Media Professional Services	Estimated Materials	Estimated Project Materials	1	Y	0.00 %	\$12,000.00	\$12,000.00	\$12,000.00	\$12,000.00
Key Code Media Professional Services	Estimated Labor/Installation	Estimated Engineering Services, including Design, CAD, Engineering, Installation, Commissioning and Training	1	Y	0.00 %	\$31,920.00	\$31,920.00	\$31,920.00	\$31,920.00
	Comment	Omnia Partners Purchasing Agreement # 2019.001407. Ground freight included	1		0.00 %	\$0.00	\$0.00	\$0.00	\$0.00
		<b>Council Chambers AV System Subtotal</b>							<b>\$149,348.35</b>

**Subtotal: \$149,348.35**

**Executive Briefing Center**

Mfr. Name	Mfr. Part #	Product Details	Qty.	Contract	Discount	MSRP	Omnia Unit Price	KCM Unit Price	KCM Ext. Price
		Executive Briefing Center							
BirdDog	BDP240BUNDL E-WWW	BirdDog Bundle   3x P240 White And 1x FREE PTZ Keyboard  BDP240W   BDPTZKEYBUN	1	N	0.00 %	\$8,997.00	\$8,997.00	\$8,997.00	\$8,997.00
BirdDog	BDP240W	BirdDog Eyes P240 40x Optical Zoom 1080P Full NDI PTZ Camera (White)	1	N	0.00 %	\$2,995.00	\$2,995.00	\$2,995.00	\$2,995.00
Bird-Dog	BDPMMWHITE	BirdDog Wall Mounting Kit (White)	4	N	0.00 %	\$64.95	\$64.95	\$64.95	\$259.80
Shure, Inc	MXA920W-S	Shure MXA920W-S 24 inch Ceiling Array Microphone, Square, White	1	Y	36.00 %	\$4,732.00	\$3,028.48	\$3,028.48	\$3,028.48
Netgear, Inc	XSM4316PB-100NES	Netgear XSM4316PB Ethernet Switch - 16 Ports - Manageable - 3 Layer Supported - 500 W PoE Budget - Twisted Pair - PoE Ports - 1U High - Rack-mountable - Lifetime Limited Warranty	1	N	10.00 %	\$4,414.60	\$3,973.14	\$3,973.14	\$3,973.14
Kramer AV	VIA-CAMPUS2-PLUS	VIA Campus <sup>2</sup> PLUS Wireless Presentation Hub	1	N	20.00 %	\$3,500.00	\$2,800.00	\$2,800.00	\$2,800.00
Magewell	64100	Magewell Pro Convert NDI to HDMI	1	N	10.00 %	\$425.00	\$382.50	\$382.50	\$382.50
Audinate	ADP-USB-AU-2X2	Audinate Dante AVIO 2x2 USB Type-C I/O Adapter for Dante Audio Network	1	N	10.00 %	\$209.00	\$188.10	\$188.10	\$188.10
Crestron	CP4N	Crestron 4-Series Control System	1	Y	44.00 %	\$3,080.00	\$1,724.80	\$1,724.80	\$1,724.80
Crestron	TS-1070-B-S	Crestron 10.1 in. Touch Screen, Table Top, Black Smooth	1	Y	44.00 %	\$3,630.00	\$2,032.80	\$2,032.80	\$2,032.80
Crestron	HD-MD4x4-4KZ-E	Crestron 4x4 4K60 4:4:4 HDR AV Switcher	1	Y	44.00 %	\$4,840.00	\$2,710.40	\$2,710.40	\$2,710.40



**Executive Briefing Center**

Mfr. Name	Mfr. Part #	Product Details	Qty.	Contract	Discount	MSRP	Omnia Unit Price	KCM Unit Price	KCM Ext. Price
Kramer	VS-8UFX	SDI matrix switcher with interchangeable inputs and outputs	1	N	20.00 %	\$4,380.00	\$3,504.00	\$3,504.00	\$3,504.00
Decimator	MD-LX	Decimator HDMI/SDI Bi-Directional Converter for 3G/HD/SD	2	N	0.00 %	\$109.00	\$109.00	\$109.00	\$218.00
	Estimated Labor/Installation	Estimated Engineering Services, including Design, CAD, Engineering, Installation, Commissioning and Training	1	Y	0.00 %	\$10,250.00	\$30,000.00	\$10,250.00	\$10,250.00
	Estimated Materials	Estimated Project Materials	1	Y	0.00 %	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
		<b>Section Subtotal</b>							\$48,064.02

**Subtotal: \$48,064.02**

**Project Contingency**

**\* Optional**

No.	Part #	Description	Qty	Price	Ext. Price
1	Comment	We recommend adding in a 5% contingency, to be used only with permission and sign off by the City of Spokane, to cover any changes or added features desired or needed to complete the project due to unknown or not yet discovered issues or needs.	1	\$0.00	\$0.00
2	Contingency	5% project contingency, to cover any unknown issues or late additions to the project. Will only be used with client sign-off on a change-order basis	1	\$10,750.00	\$10,750.00

**\* Optional Subtotal: \$10,750.00**

**Crestron Programming**

Mfr. Name	Mfr. Part #	Product Details	Qty.	Contract	Discount	MSRP	Omnia Unit Price	KCM Unit Price	KCM Ext. Price
Key Code Media Professional Services	Programmer 3	Crestron programming and onsite commissioning of systems in Council Chambers, Executive Briefing Room and Meeting Space(s)  Programming and commissioning for 3 rooms. Includes 5 days of travel (ideally a Monday-Friday block) 3x full days on site 2x travel days,	88	Y	0.00 %	\$200.00	\$200.00	\$200.00	\$17,600.00

**Subtotal: \$17,600.00**

## Key Code Total Care

### 30 Day Key Code Total Care Bronze

Thank you for choosing Key Code Media, this quote is covered under a 30-day remote support plan. The equipment is covered under manufacturing warranty and the labor is covered by Key Code Support.

Key Code support hosts its own secure remote access support system. This system is much like a TeamViewer remote access, with the exception that it's hosted by Key Code Media and sits behind our firewall. As part of Change Me and Key Code Media support agreement, we can install this lightweight utility on all purchased computers at the discretion of facility staff. This will allow a support engineer to log in and see what the operator is seeing in real time.

### Service Expectations

This support proposal includes the following Service Level agreements:

1. Provide normal business hours support
  - a. Access to M-F 9am EST - 6pm PST support line
  - b. Includes emergency and non-emergency call for:
    - i. Software Issues and Version Upgrades
    - ii. Hardware support for purchased equipment
    - iii. Remote support
  - c. Major Holidays are not included in coverage
    - i. Christmas Day
    - ii. July 4<sup>th</sup>
    - iii. Thanksgiving +1
    - iv. New Year's Day
    - v. Memorial Day
    - vi. Labor Day
2. Contract Includes Costs for Mileage Associated with support visits
  - a. Does not include for Airfare, Hotel, Rental Car, or Per-Diem
  - b. Does not include Travel Costs associated with other quotes
  - c. All Non-Covered T&E will be invoiced at actual cost

### Warranty Terms

The warranty begins upon completion of install and lasts for 30 days.

#### Support Contract Information

Service Hotline: 818-303-3980

Email Support: [Support@keycodemedia.com](mailto:Support@keycodemedia.com) (Email is monitored from 9a – 6p)

#### Call Back Response Time

9am – 6pm response time 5 – 30 minutes



**AV-IT Design Services Revised Report for  
The City of Spokane  
Prepared for: City of Spokane**

**Sales Quotation**

Quote #223346 v 8

Jun 17, 2023

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# AV-IT Design Services Revised Report for The City of Spokane



Prepared by:

**Key Code Media, Inc. - Washington**

Tom Arenz  
206-249-4061  
tarenz@keycodemedia.com

Bill To:

**City of Spokane**

808 W Spokane Falls Blvd  
Spokane, WA 99201-3333  
Jeff Bollinger  
(509) 625-6359  
jbollinger@spokanecity.org

Ship To:

**City of Spokane**

808 W Spokane Falls Blvd FL 5  
Spokane, WA 99201-3333  
Jeff Bollinger  
(509) 625-6359  
jbollinger@spokanecity.org

Quote Information:

**Quote #: 223346**

Version: 8  
Delivery Date: 06/17/2023  
Expiration Date: 07/07/2023  
Terms:

## Quote Summary

Description	Amount
Council Chambers AV System	\$149,348.35
Executive Briefing Center	\$48,064.02
Crestron Programming	\$17,600.00
<b>Subtotal:</b>	<b>\$215,012.37</b>
<b>Estimated Tax:</b>	<b>\$19,566.12</b>
<b>Total:</b>	<b>\$234,578.49</b>


## \*Options

Description	One-Time
Project Contingency	\$10,750.00
<b>Optional Subtotal:</b>	<b>\$10,750.00</b>

This Sales Quote ("SO") incorporates the Terms and Conditions found at <http://www.keycodemedia.com/terms/salesorder> ("T&C") and constitutes an offer or counter-offer, as applicable, by Key Code Media, Inc. or Burst Communications ("Seller"). This SO, including the T&C incorporated therein, shall become binding on the buyer listed herein ("Buyer") on the earliest of Buyer's: (i) acknowledgement hereof; or (ii) receipt of any goods and/or services ordered hereunder. No Buyer acknowledgement form, purchase order, or other document shall modify the SO or the T&C.

**Key Code Media, Inc. - Washington**

**City of Spokane**

Signature:   
 Name: Tom Arenz  
 Title: Senior Account Manager, PNW  
 Date: 06/17/2023

Signature: \_\_\_\_\_  
 Name: Jeff Bollinger  
 Date: \_\_\_\_\_



< Business Lookup

**License Information:**

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

**Entity name:** KEY CODE MEDIA, INC.

**Business name:** KEY CODE MEDIA, INC

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

**UBI #:** 602-152-085

**Business ID:** 001

**Location ID:** 0002

**Location:** Active

**Location address:** 6632 S 191ST PL  
STE E102  
KENT WA 98032-2117

**Mailing address:** 270 S FLOWER ST  
BURBANK CA 91502-2101

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

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

**Endorsements**

Endorsements held at this loca	License #	Count	Details	Status	Expiration date	First issuance c
<a href="#">Lacey General Business - Non-Resident</a>	29100			Active	Sep-30-2023	Mar-30-2017
<a href="#">North Bend General Business - Non-Resident</a>	020063.0			Active	Sep-30-2023	Mar-20-2020
<a href="#">Spokane General Business - Non-Resident</a>				Active	Sep-30-2023	Jul-12-2019
<a href="#">Vancouver General Business - Non-Resident</a>				Active	Sep-30-2023	Sep-24-2015

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

Governing people	Title
KEY CODE MEDIA, INC	



## Registered Trade Names

Registered trade names	Status	First issued
ADVANCED BROADCAST SOLUTIONS	Active	Jun-11-2019
KEY CODE MEDIA	Active	Nov-04-2021
KEY CODE MEDIA INC	Active	Feb-26-2018
KEY CODE MEDIA, INC	Active	Jun-11-2019

[View Additional Locations](#)

The Business Lookup information is updated nightly. Search date and time: 12/19/2022 2:40:48 PM

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# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

11/9/2022

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).

<b>PRODUCER</b> Burnham WGB Insurance Solutions CA Insurance License 0F69771 15901 Red Hill Avenue Tustin CA 92780	<b>CONTACT NAME:</b> Jackie Burleson <b>PHONE (A/C. No. Ext):</b> 714-824-8355 <b>E-MAIL ADDRESS:</b> jburleson@wgbib.com	<b>FAX (A/C. No):</b> 714-573-1770	
	<b>INSURER(S) AFFORDING COVERAGE</b>		<b>NAIC #</b>
	<b>INSURER A:</b> Travelers Property Casualty Company of America		25674
<b>INSURED</b> Key Code Media, Inc. 270 S. Flower St. Burbank, CA 91502	<b>INSURER B:</b>		
	<b>INSURER C:</b>		
	<b>INSURER D:</b>		
	<b>INSURER E:</b>		
	<b>INSURER F:</b>		

**COVERAGES**

CERTIFICATE NUMBER: 1016987030

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	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			ZLP51N07015	11/12/2022	11/12/2023	EACH OCCURRENCE	\$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 1,000,000
							MED EXP (Any one person)	\$ 10,000
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 2,000,000
							PRODUCTS - COMP/OP AGG	\$ 2,000,000
								\$
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			BA8M837347	11/12/2022	11/12/2023	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 checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			CUP8M853869	11/12/2022	11/12/2023	EACH OCCURRENCE	\$ 6,000,000
							AGGREGATE	\$ 6,000,000
								\$
A	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	UB8M849611	11/12/2022	11/12/2023	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER	
							E.L. EACH ACCIDENT	\$ 1,000,000
							E.L. DISEASE - EA EMPLOYEE	\$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	\$ 1,000,000

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

City of Spokane, its officers and employees is named as additional insured on the General Liability per attached CGD4170219 as required by written contract subject to the terms and conditions of the policy.

**CERTIFICATE HOLDER****CANCELLATION**

City of Spokane  
 808 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

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**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

## **XTEND ENDORSEMENT FOR TECHNOLOGY**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

**GENERAL DESCRIPTION OF COVERAGE** - This endorsement broadens coverage. However, coverage for any injury, damage or medical expenses described in any of the provisions of this endorsement may be excluded or limited by another endorsement to this Coverage Part, and these coverage broadening provisions do not apply to the extent that coverage is excluded or limited by such an endorsement. The following listing is a general coverage description only. Read all the provisions of this endorsement and the rest of your policy carefully to determine rights, duties, and what is and is not covered.

- |   |   |
|---|---|
| <p><b>A.</b> Non-Owned Watercraft - 75 Feet Long Or Less</p> <p><b>B.</b> Who Is An Insured - Unnamed Subsidiaries</p> <p><b>C.</b> Who Is An Insured - Employees - Supervisory Positions</p> <p><b>D.</b> Who Is An Insured - Newly Acquired Or Formed Limited Liability Companies</p> <p><b>E.</b> Who Is An Insured - Liability For Conduct Of Unnamed Partnerships Or Joint Ventures</p> <p><b>F.</b> Blanket Additional Insured - Persons Or Organizations For Your Ongoing Operations As Required By Written Contract Or Agreement</p> <p><b>G.</b> Blanket Additional Insured - Broad Form Vendors</p> | <p><b>H.</b> Blanket Additional Insured - Controlling Interest</p> <p><b>I.</b> Blanket Additional Insured - Mortgagees, Assignees, Successors Or Receivers</p> <p><b>J.</b> Blanket Additional Insured - Governmental Entities - Permits Or Authorizations Relating To Premises</p> <p><b>K.</b> Blanket Additional Insured - Governmental Entities - Permits Or Authorizations Relating To Operations</p> <p><b>L.</b> Medical Payments - Increased Limit</p> <p><b>M.</b> Blanket Waiver Of Subrogation</p> <p><b>N.</b> Contractual Liability - Railroads</p> <p><b>O.</b> Damage To Premises Rented To You</p> |
|---|---|

### **PROVISIONS**

**A. NON-OWNED WATERCRAFT - 75 FEET LONG OR LESS**

1. The following replaces Paragraph (2) of Exclusion **g.**, **Aircraft, Auto Or Watercraft**, in Paragraph 2. of **SECTION I - COVERAGES - COVERAGE A - BODILY INJURY AND PROPERTY DAMAGE LIABILITY:**

(2) A watercraft you do not own that is:

- (a) 75 feet long or less; and
- (b) Not being used to carry any person or property for a charge;

2. The following replaces Paragraph 2.e. of **SECTION II - WHO IS AN INSURED:**

e. Any person or organization that, with your express or implied

consent, either uses or is responsible for the use of a watercraft that you do not own that is:

- (1) 75 feet long or less; and
- (2) Not being used to carry any person or property for a charge.

**B. WHO IS AN INSURED - UNNAMED SUBSIDIARIES**

The following is added to **SECTION II - WHO IS AN INSURED:**

Any of your subsidiaries, other than a partnership or joint venture, that is not shown as a Named Insured in the Declarations is a Named Insured if:

- a. You are the sole owner of, or maintain an ownership interest of more than 50% in, such subsidiary on the first day of the policy period; and



COMMERCIAL GENERAL LIABILITY

- b. Such subsidiary is not an insured under similar other insurance.

No such subsidiary is an insured for "bodily injury" or "property damage" that occurred, or "personal and advertising injury" caused by an offense committed:

- a. Before you maintained an ownership interest of more than 50% in such subsidiary; or
- b. After the date, if any, during the policy period that you no longer maintain an ownership interest of more than 50% in such subsidiary.

For purposes of Paragraph 1. of Section II - Who Is An Insured, each such subsidiary will be deemed to be designated in the Declarations as:

- a. A limited liability company;
  - b. An organization other than a partnership, joint venture or limited liability company; or
  - c. A trust;
- as indicated in its name or the documents that govern its structure.

**C. WHO IS AN INSURED - EMPLOYEES - SUPERVISORY POSITIONS**

The following is added to Paragraph 2.a.(1) of SECTION II - WHO IS AN INSURED:

Paragraphs (1)(a), (b) and (c) above do not apply to "bodily injury" to a co-"employee" while in the course of the co-"employee's" employment by you arising out of work by any of your "employees" who hold a supervisory position.

**D. WHO IS AN INSURED - NEWLY ACQUIRED OR FORMED LIMITED LIABILITY COMPANIES**

The following replaces Paragraph 3. of SECTION II - WHO IS AN INSURED:

- 3. Any organization you newly acquire or form, other than a partnership or joint venture, and of which you are the sole owner or in which you maintain an ownership interest of more than 50%, will qualify as a Named Insured if there is no other similar insurance available to that organization. However:

- a. Coverage under this provision is afforded only:
  - (1) Until the 180th day after you acquire or form the organization or the end of

the policy period, whichever is earlier, if you do not report such organization in writing to us within 180 days after you acquire or form it; or

- (2) Until the end of the policy period, when that date is later than 180 days after you acquire or form such organization, if you report such organization in writing to us within 180 days after you acquire or form it;

- b. Coverage A does not apply to "bodily injury" or "property damage" that occurred before you acquired or formed the organization; and
- c. Coverage B does not apply to "personal and advertising injury" arising out of an offense committed before you acquired or formed the organization.

For the purposes of Paragraph 1. of Section II - Who Is An Insured, each such organization will be deemed to be designated in the Declarations as:

- a. A limited liability company;
  - b. An organization, other than a partnership, joint venture or limited liability company; or
  - c. A trust;
- as indicated in its name or the documents that govern its structure.

**E. WHO IS AN INSURED - LIABILITY FOR CONDUCT OF UNNAMED PARTNERSHIPS OR JOINT VENTURES**

The following replaces the last paragraph of SECTION II - WHO IS AN INSURED:

No person or organization is an insured with respect to the conduct of any current or past partnership or joint venture that is not shown as a Named Insured in the Declarations. This paragraph does not apply to any such partnership or joint venture that otherwise qualifies as an insured under Section II - Who Is An Insured.

**F. BLANKET ADDITIONAL INSURED - PERSONS OR ORGANIZATIONS FOR YOUR ONGOING OPERATIONS AS REQUIRED BY WRITTEN CONTRACT OR AGREEMENT**

The following is added to SECTION II - WHO IS AN INSURED:

Any person or organization that is not otherwise an insured under this Coverage Part and that you have agreed in a written

contract or agreement to include as an additional insured on this Coverage Part is an insured, but only with respect to liability for "bodily injury" or "property damage" that:

- a. Occurs subsequent to the signing of that contract or agreement; and
- b. Is caused, in whole or in part, by your acts or omissions in the performance of your ongoing operations to which that contract or agreement applies or the acts or omissions of any person or organization performing such operations on your behalf.

The limits of insurance provided to such insured will be the minimum limits that you agreed to provide in the written contract or agreement, or the limits shown in the Declarations, whichever are less.

**G. BLANKET ADDITIONAL INSURED - BROAD FORM VENDORS**

The following is added to **SECTION II - WHO IS AN INSURED:**

Any person or organization that is a vendor and that you have agreed in a written contract or agreement to include as an additional insured on this Coverage Part is an insured, but only with respect to liability for "bodily injury" or "property damage" that:

- a. Occurs subsequent to the signing of that contract or agreement; and
- b. Arises out of "your products" that are distributed or sold in the regular course of such vendor's business.

The insurance provided to such vendor is subject to the following provisions:

- a. The limits of insurance provided to such vendor will be the minimum limits that you agreed to provide in the written contract or agreement, or the limits shown in the Declarations, whichever are less.
- b. The insurance provided to such vendor does not apply to:
  - (1) Any express warranty not authorized by you or any distribution or sale for a purpose not authorized by you;
  - (2) Any change in "your products" made by such vendor;
  - (3) Repackaging, unless unpacked solely for the purpose of inspection, demonstration, testing, or the substitution of parts under instructions from the

manufacturer, and then repackaged in the original container;

- (4) Any failure to make such inspections, adjustments, tests or servicing as vendors agree to perform or normally undertake to perform in the regular course of business, in connection with the distribution or sale of "your products";
- (5) Demonstration, installation, servicing or repair operations, except such operations performed at such vendor's premises in connection with the sale of "your products"; or
- (6) "Your products" that, after distribution or sale by you, have been labeled or relabeled or used as a container, part or ingredient of any other thing or substance by or on behalf of such vendor.

Coverage under this provision does not apply to:

- a. Any person or organization from whom you have acquired "your products", or any ingredient, part or container entering into, accompanying or containing such products; or
- b. Any vendor for which coverage as an additional insured specifically is scheduled by endorsement.

**H. BLANKET ADDITIONAL INSURED - CONTROLLING INTEREST**

- 1. The following is added to **SECTION II - WHO IS AN INSURED:**

Any person or organization that has financial control of you is an insured with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" that arises out of:

- a. Such financial control; or
- b. Such person's or organization's ownership, maintenance or use of premises leased to or occupied by you.

The insurance provided to such person or organization does not apply to structural alterations, new construction or demolition operations performed by or on behalf of such person or organization.

- 2. The following is added to Paragraph 4. of **SECTION II - WHO IS AN INSURED:**

This paragraph does not apply to any premises owner, manager or lessor that has financial control of you.

**I. BLANKET ADDITIONAL INSURED - MORTGAGEES, ASSIGNEES, SUCCESSORS OR RECEIVERS**

The following is added to **SECTION II - WHO IS AN INSURED:**

Any person or organization that is a mortgagee, assignee, successor or receiver and that you have agreed in a written contract or agreement to include as an additional insured on this Coverage Part is an insured, but only with respect to its liability as mortgagee, assignee, successor or receiver for "bodily injury", "property damage" or "personal and advertising injury" that:

- a. Is "bodily injury" or "property damage" that occurs, or is "personal and advertising injury" caused by an offense that is committed, subsequent to the signing of that contract or agreement; and
- b. Arises out of the ownership, maintenance or use of the premises for which that mortgagee, assignee, successor or receiver is required under that contract or agreement to be included as an additional insured on this Coverage Part.

The insurance provided to such mortgagee, assignee, successor or receiver is subject to the following provisions:

- a. The limits of insurance provided to such mortgagee, assignee, successor or receiver will be the minimum limits that you agreed to provide in the written contract or agreement, or the limits shown in the Declarations, whichever are less.
- b. The insurance provided to such person or organization does not apply to:
  - (1) Any "bodily injury" or "property damage" that occurs, or any "personal and advertising injury" caused by an offense that is committed, after such contract or agreement is no longer in effect; or
  - (2) Any "bodily injury", "property damage" or "personal and advertising injury" arising out of any structural alterations, new construction or demolition operations performed by or on behalf of such mortgagee, assignee, successor or receiver.

**J. BLANKET ADDITIONAL INSURED - GOVERNMENTAL ENTITIES - PERMITS OR AUTHORIZATIONS RELATING TO PREMISES**

The following is added to **SECTION II - WHO IS AN INSURED:**

Any governmental entity that has issued a permit or authorization with respect to premises owned or occupied by, or rented or loaned to, you and that you are required by any ordinance, law, building code or written contract or agreement to include as an additional insured on this Coverage Part is an insured, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" arising out of the existence, ownership, use, maintenance, repair, construction, erection or removal of any of the following for which that governmental entity has issued such permit or authorization: advertising signs, awnings, canopies, cellar entrances, coal holes, driveways, manholes, marquees, hoist away openings, sidewalk vaults, elevators, street banners or decorations.

**K. BLANKET ADDITIONAL INSURED - GOVERNMENTAL ENTITIES - PERMITS OR AUTHORIZATIONS RELATING TO OPERATIONS**

The following is added to **SECTION II - WHO IS AN INSURED:**

Any governmental entity that has issued a permit or authorization with respect to operations performed by you or on your behalf and that you are required by any ordinance, law, building code or written contract or agreement to include as an additional insured on this Coverage Part is an insured, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" arising out of such operations.

The insurance provided to such governmental entity does not apply to:

- a. Any "bodily injury", "property damage" or "personal and advertising injury" arising out of operations performed for the governmental entity; or
- b. Any "bodily injury" or "property damage" included in the "products-completed operations hazard".

**L. MEDICAL PAYMENTS - INCREASED LIMIT**

The following replaces Paragraph 7. of **SECTION III - LIMITS OF INSURANCE:**

- 7. Subject to Paragraph 5. above, the Medical Expense Limit is the most we will pay under Coverage C for all medical expenses because of "bodily injury" sustained by any one person,

and will be the higher of:

- a. \$10,000; or
- b. The amount shown in the Declarations of this Coverage Part for Medical Expense Limit.

**M. BLANKET WAIVER OF SUBROGATION**

The following is added to Paragraph 8., **Transfer Of Rights Of Recovery Against Others To Us**, of SECTION IV – **COMMERCIAL GENERAL LIABILITY CONDITIONS**:

If the insured has agreed in a contract or agreement to waive that insured's right of recovery against any person or organization, we waive our right of recovery against such person or organization, but only for payments we make because of:

- a. "Bodily injury" or "property damage" that occurs; or
- b. "Personal and advertising injury" caused by an offense that is committed;

subsequent to the execution of the contract or agreement.

**N. CONTRACTUAL LIABILITY – RAILROADS**

1. The following replaces Paragraph c. of the definition of "insured contract" in the **DEFINITIONS** Section:

c. Any easement or license agreement;

2. Paragraph f.(1) of the definition of "insured contract" in the **DEFINITIONS** Section is deleted.

**O. DAMAGE TO PREMISES RENTED TO YOU**

The following replaces the definition of "premises damage" in the **DEFINITIONS** Section:

"Premises damage" means "property damage" to:

- a. Any premises while rented to you or temporarily occupied by you with permission of the owner; or
- b. The contents of any premises while such premises is rented to you, if you rent such premises for a period of seven or fewer consecutive days.



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

07/31/2023

<b>Date Rec'd</b>	7/17/2023
<b>Clerk's File #</b>	OPR 2023-0723
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	

<b>Submitting Dept</b>	HOUSING & HUMAN SERVICES
<b>Contact Name/Phone</b>	JENN CERCEDES 509-625-6055
<b>Contact E-Mail</b>	JCERCEDES@SPOKANECITY.ORG
<b>Agenda Item Type</b>	Contract Item
<b>Agenda Item Name</b>	#1680 CHG EVICTION PREVENTION DISTRIBUTION

**Agenda Wording**  
 CHHS is requesting permission to disburse the new eviction prevention funds per the RFP committee recommendations.

**Summary (Background)**  
 The Department of Commerce awarded new, ongoing funding as part of our Consolidated Homeless Grant (CHG) for Eviction Prevention activities. We issued a Notice of Funding Availability which closed Friday May 19th. The CHHS RFP committee reviewed the applications and made the following recommendation for funding for the period of July 1, 2023- June 30, 2024  
 Carl Maxey Center \$ 1,077,082 Nuestra Raices \$ 425,218 Family Promise \$ 833,900

Lease? NO	Grant related? YES	Public Works? NO
<b>Fiscal Impact</b>		<b>Budget Account</b>
Expense	\$ 2,336,200	# TBD, SBO currently going through Council
Select	\$	#
Select	\$	#
Select	\$	#

<b>Approvals</b>		<b>Council Notifications</b>	
<b>Dept Head</b>	MCCOLLIM, KIMBERLEY	<b>Study Session\Other</b>	7/17/2023
<b>Division Director</b>	MCCOLLIM, KIMBERLEY	<b>Council Sponsor</b>	Wilkerson
<b>Finance</b>	MURRAY, MICHELLE	<b>Distribution List</b>	
<b>Legal</b>	HARRINGTON, MARGARET	jcerecedes@spokanecity.org	
<b>For the Mayor</b>	JONES, GARRETT	kclifton@spokanecity.org	
<b>Additional Approvals</b>		pgrinder@spokanecity.org	
<b>Purchasing</b>			
<b>ACCOUNTING - GRANTS</b>	MURRAY, MICHELLE		

## Committee Agenda Sheet

### Finance & Administration Committee

<b>Submitting Department</b>	CHHS								
<b>Contact Name</b>	Jenn Cerecedes								
<b>Contact Email &amp; Phone</b>	509-625-6055								
<b>Council Sponsor(s)</b>	CM Wilkerson								
<b>Select Agenda Item Type</b>	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion    Time Requested: 5								
<b>Agenda Item Name</b>	CHG Eviction Prevention Funding Recommendations								
<b>Summary (Background)</b>  *use the Fiscal Impact box below for relevant financial information	<p>The Department of Commerce awarded new, ongoing funding as part of our Consolidated Homeless Grant (CHG) for Eviction Prevention activities. We issued a Notice of Funding Availability which closed Friday May 19<sup>th</sup>. The CHHS RFP committee reviewed the applications and made the following recommendation for funding for the period of July 1, 2023- June 30, 2024</p> <table style="margin-left: 40px; border-collapse: collapse;"> <tr> <td style="padding-right: 20px;">Carl Maxey Center</td> <td style="text-align: right;">\$ 1,077,082</td> </tr> <tr> <td>Nuestra Raices</td> <td style="text-align: right;">\$ 425,218</td> </tr> <tr> <td><u>Family Promise</u></td> <td style="text-align: right;"><u>\$ 833,900</u></td> </tr> <tr> <td><b>Total</b></td> <td style="text-align: right;"><b>\$2,336,200</b></td> </tr> </table>	Carl Maxey Center	\$ 1,077,082	Nuestra Raices	\$ 425,218	<u>Family Promise</u>	<u>\$ 833,900</u>	<b>Total</b>	<b>\$2,336,200</b>
Carl Maxey Center	\$ 1,077,082								
Nuestra Raices	\$ 425,218								
<u>Family Promise</u>	<u>\$ 833,900</u>								
<b>Total</b>	<b>\$2,336,200</b>								
<b>Proposed Council Action</b>	Please approve CHHS to enter into contract for the requested amounts.								
<p><b>Fiscal Impact</b>  Total Cost: <u>\$2,336,200</u>  Approved in current year budget?    <input checked="" type="checkbox"/> Yes    <input type="checkbox"/> No    <input type="checkbox"/> N/A</p> <p>Funding Source    <input type="checkbox"/> One-time    <input checked="" type="checkbox"/> Recurring  Specify funding source: Washington State Department of Commerce Consolidated Homeless Grant</p> <p>Expense Occurrence    <input type="checkbox"/> One-time    <input checked="" type="checkbox"/> Recurring</p> <p>Other budget impacts: (revenue generating, match requirements, etc.)</p>									
<b>Operations Impacts (If N/A, please give a brief description as to why)</b>									
<p>What impacts would the proposal have on historically excluded communities?  64% of funds are being proposed to be awarded to by and for organization, this will ensure that historically excluded communities can access services at locations they are comfortable and familiar with.</p>									
<p>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? Either CMIS, or a separate reported process to be determined by Department of Commerce.</p>									

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

Department of Commerce will use submitted data to benchmark the effectiveness of this program.

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 aligns with the 5 year plan to end homelessness.

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

07/31/2023

<b>Date Rec'd</b>	7/21/2023
<b>Clerk's File #</b>	OPR 2023-0727
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	

<b>Submitting Dept</b>	CITY COUNCIL
<b>Contact Name/Phone</b>	MICHELLE MURRAY 6320
<b>Contact E-Mail</b>	MMURRAY@SPOKANECITY.ORG
<b>Agenda Item Type</b>	Contract Item
<b>Agenda Item Name</b>	5600 -ARPA ASSISTANCE TO NON-PROFITS ROUND 2

**Agenda Wording**

ARPA Assistance to Non-Profits Awards Round 2

**Summary (Background)**

On August 8, 2022 City Council approved Tranche 3 of the ARPA Allocation that allocated \$5,000,000 to not-for-profit entities inside the City limits. Round 2 awarded \$2,684,039.36 to 82 local non-profits.

Lease? NO Grant related? NO Public Works? NO

**Fiscal Impact**

Expense \$ 2,684,039.36

Select \$

Select \$

Select \$

**Budget Account**

# 1425-88153-57215-54201-97250

#

#

#

**Approvals****Dept Head** BYRD, GIACOBBE**Division Director****Finance****Legal****For the Mayor****Additional Approvals****Purchasing****Council Notifications****Study Session\Other** 7/17/23 Finance**Council Sponsor** CM Wilkerson and CM Stratton**Distribution List**

mmurray@spokanecity.org

cstanton@spokanecity.org

laga@spokanecity.org



## Committee Agenda Sheet

### Finance & Administration Committee

<b>Submitting Department</b>	Accounting
<b>Contact Name</b>	Michelle Murray
<b>Contact Email &amp; Phone</b>	mmurray@spokanecity.org
<b>Council Sponsor(s)</b>	CM Stratton & CM Wilkerson
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion    Time Requested:
<b>Agenda Item Name</b>	Not-for-profit Assistance Awards Round 2
<b>Summary (Background)</b>  *use the Fiscal Impact box below for relevant financial information	On August 8, 2022 City Council approved Tranche 3 of the ARPA Allocation that allocated \$5,000,000 to not-for-profit entities inside the City limits. This was split into 2 rounds. Round 1 closed on December 21, 2022 and a total of \$2,322,519.92 was awarded and \$2,315,960.64 was successfully paid to 56 local not-for profits. Round 2 closed on May 19, 2023 and conditionally awarded 82 organizations in the community. Of the 82 organizations awarded 35 were scored/ranked and awarded above the \$45,000 base award amount, 24 of those scored/ranked received funds in round 1 and were scored accordingly. The ARPA team would like to finalize the recommendations for these awards to receive funding as listed.
<b>Proposed Council Action</b>	Approve award recommendations
<b>Fiscal Impact</b>	
Total Cost: <u>\$2,684,039.36</u>	
Approved in current year budget? <input checked="" type="checkbox"/> Yes <input 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	
Expense Occurrence <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring	
Other budget impacts: (revenue generating, match requirements, etc.)	
<b>Operations Impacts (If N/A, please give a brief description as to why)</b>	
What impacts would the proposal have on historically excluded communities? Local not-for-profit entities would further struggle in their recovery from the COVID pandemic.	
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? Aiding not-for-profit entities in recovering from COVID 19.	

## ARPA Assistance to Nonprofits Round 2 Awards

#	Organization	Round 2 Award	Round 1 Award	Total
1	The Way to Justice	\$ 65,000.00		\$ 65,000.00
2	Carl Maxey Center	\$ 65,000.00		\$ 65,000.00
3	Latinos En Spokane	\$ 65,000.00		\$ 65,000.00
4	Side by Side	\$ 65,000.00		\$ 65,000.00
5	Northeast Youth Center	\$ 65,000.00		\$ 65,000.00
6	Women Helping Women Fund	\$ 57,500.00		\$ 57,500.00
7	Northeast Youth Aand Family Services	\$ 57,500.00		\$ 57,500.00
8	Spokane Alliance	\$ 57,500.00		\$ 57,500.00
9	Blue Prints for Learning	\$ 50,000.00		\$ 50,000.00
10	Liberty Park Community Development Center	\$ 50,000.00		\$ 50,000.00
11	PACIFIC KEEP CHURCH	\$ 45,000.00		\$ 45,000.00
12	The Vintage Faith Community	\$ 45,000.00		\$ 45,000.00
13	Spokane Fatherhood Initiative	\$ 45,000.00		\$ 45,000.00
14	The Big Table	\$ 45,000.00		\$ 45,000.00
15	Spokane Area Children's Chorus	\$ 45,000.00		\$ 45,000.00
16	University District Development Association	\$ 45,000.00		\$ 45,000.00
17	Peace & Justice Action League of Spokane	\$ 45,000.00		\$ 45,000.00
18	First Presbyterian Christian School	\$ 45,000.00		\$ 45,000.00
19	The Lands Council	\$ 45,000.00		\$ 45,000.00
20	Slingshot	\$ 45,000.00		\$ 45,000.00
21	The City Gate	\$ 45,000.00		\$ 45,000.00
22	SpokAnimal C.A.R.E.	\$ 45,000.00		\$ 45,000.00
23	Ferris High School PTG	\$ 45,000.00		\$ 45,000.00
24	Emmaus Spokane	\$ 45,000.00		\$ 45,000.00
25	Spokane Immigrant Rights Coalition	\$ 45,000.00		\$ 45,000.00
26	St. Charles Catholic School	\$ 45,000.00		\$ 45,000.00
27	Spokane Regional Domestic Violence Coalition	\$ 45,000.00		\$ 45,000.00
28	Refugee and Immigrant Connections Spokane	\$ 45,000.00		\$ 45,000.00
29	St. Joseph Catholic Parish	\$ 45,000.00		\$ 45,000.00
30	Inland Northwest Farmers Market Association	\$ 45,000.00		\$ 45,000.00
31	Spokane Parks Foundation	\$ 45,000.00		\$ 45,000.00
32	River City Youth Ops	\$ 45,000.00		\$ 45,000.00
33	Beautiful Savior Lutheran Church of Spokane Washington	\$ 45,000.00		\$ 45,000.00
34	PILGRIM SLAVIC BAPTIST CHURCH	\$ 45,000.00		\$ 45,000.00
35	Lumen Early Learning Center	\$ 45,000.00		\$ 45,000.00
36	Saint Paul's United Methodist Church	\$ 45,000.00		\$ 45,000.00
37	Odyssey Youth Center	\$ 45,000.00		\$ 45,000.00
38	GUSE SUMMIT VIEW	\$ 45,000.00		\$ 45,000.00
39	Freedom Project East	\$ 45,000.00		\$ 45,000.00
40	Spokane Lilac Festival Association	\$ 45,000.00		\$ 45,000.00
41	Calvary Karen Baptist Church	\$ 45,000.00		\$ 45,000.00
42	New Developed Nations	\$ 43,500.00		\$ 43,500.00
43	Spokane Independent Metro Business Alliance	\$ 41,581.02		\$ 41,581.02
44	Spokane Print and Publishing Center	\$ 41,180.21		\$ 41,180.21

#	Organization	Round 2 Award	Round 1 Award	Total
45	Liberty Park United Methodist Church	\$ 39,588.15		\$ 39,588.15
46	Spokane Edible Tree Project	\$ 38,950.07		\$ 38,950.07
47	Operation Healthy Family	\$ 38,242.92		\$ 38,242.92
48	Spokane Chinese Association	\$ 36,664.00		\$ 36,664.00
49	Inspirations Dance Studio	\$ 30,188.57		\$ 30,188.57
50	Thin Air Community Radio	\$ 30,000.00		\$ 30,000.00
51	Her Harbor	\$ 29,370.18		\$ 29,370.18
52	INBA	\$ 21,082.14		\$ 21,082.14
53	Compassionate Addiction Treatment*	\$ 20,000.00	\$ 45,000.00	\$ 65,000.00
54	Women's & Children's Free Resturant (WCFR)*	\$ 20,000.00	\$ 45,000.00	\$ 65,000.00
55	Mujeres in Action*	\$ 20,000.00	\$ 45,000.00	\$ 65,000.00
56	Hispanic Business Professional Association (HBPA)*	\$ 20,000.00	\$ 45,000.00	\$ 65,000.00
57	NAACP Empowerment Programs	\$ 16,844.68		\$ 16,844.68
58	Jewels Helping Hands*	\$ 12,500.00	\$ 45,000.00	\$ 57,500.00
59	Feast Collective*	\$ 12,500.00	\$ 45,000.00	\$ 57,500.00
60	Terrain*	\$ 12,500.00	\$ 45,000.00	\$ 57,500.00
61	Health and Justice Recovery Alliance*	\$ 12,500.00	\$ 45,000.00	\$ 57,500.00
62	Family Promise of Spokane*	\$ 12,500.00	\$ 45,000.00	\$ 57,500.00
63	American Indian Community Center*	\$ 12,500.00	\$ 45,000.00	\$ 57,500.00
64	The Shades of Motherhood Network*	\$ 12,500.00	\$ 25,821.72	\$ 38,321.72
65	Global Neighborhood*	\$ 12,500.00	\$ 45,000.00	\$ 57,500.00
66	Cancer Can't*	\$ 12,500.00	\$ 45,000.00	\$ 57,500.00
67	Filipino-American Association of the Inland Empire	\$ 10,728.59		\$ 10,728.59
68	Silver Spurs Youth Folk Dancers	\$ 10,141.00		\$ 10,141.00
69	R.I.S.E. Northwest	\$ 10,124.00		\$ 10,124.00
70	Muslims for Community Action and Support	\$ 5,253.83		\$ 5,253.83
71	MHA SpeakOut SpeakUp*	\$ 5,000.00	\$ 36,194.07	\$ 41,194.07
72	If You Could Save Just One*	\$ 5,000.00	\$ 45,000.00	\$ 50,000.00
73	Spokane Eastside Reunion Association*	\$ 5,000.00	\$ 45,000.00	\$ 50,000.00
74	Spark Central*	\$ 5,000.00	\$ 45,000.00	\$ 50,000.00
75	Raze Development*	\$ 5,000.00	\$ 41,106.00	\$ 46,106.00
76	APIC Spokane*	\$ 5,000.00	\$ 45,000.00	\$ 50,000.00
77	Spectrum*	\$ 5,000.00	\$ 45,000.00	\$ 50,000.00
78	Manzanita House*	\$ 5,000.00	\$ 45,000.00	\$ 50,000.00
79	Fulcrum Institute Dispute Resolution Clinic*	\$ 5,000.00	\$ 45,000.00	\$ 50,000.00
80	Girls on the Run of Spokane County*	\$ 5,000.00	\$ 45,000.00	\$ 50,000.00
81	Tenants Union of Washington State*	\$ 5,000.00	\$ 45,000.00	\$ 50,000.00
82	Jafaria Community	\$ 600.00		\$ 600.00
		<b>\$ 2,684,039.36</b>		

\*Denotes organizations also awarded in Round 1

**Round 2 Awards**  
**\$ 2,684,039.36**

## ARPA Assistance to Nonprofits Round 2 Awards

#	Organization	Round 2 Award	Round 1 Award	Total
1	The Way to Justice	\$ 65,000.00		\$ 65,000.00
2	Carl Maxey Center	\$ 65,000.00		\$ 65,000.00
3	Latinos En Spokane	\$ 65,000.00		\$ 65,000.00
4	Side by Side	\$ 65,000.00		\$ 65,000.00
5	Northeast Youth Center	\$ 65,000.00		\$ 65,000.00
6	Women Helping Women Fund	\$ 57,500.00		\$ 57,500.00
7	Northeast Youth Aand Family Services	\$ 57,500.00		\$ 57,500.00
8	Spokane Alliance	\$ 57,500.00		\$ 57,500.00
9	Blue Prints for Learning	\$ 50,000.00		\$ 50,000.00
10	Liberty Park Community Development Center	\$ 50,000.00		\$ 50,000.00
11	PACIFIC KEEP CHURCH	\$ 45,000.00		\$ 45,000.00
12	The Vintage Faith Community	\$ 45,000.00		\$ 45,000.00
13	Spokane Fatherhood Initiative	\$ 45,000.00		\$ 45,000.00
14	The Big Table	\$ 45,000.00		\$ 45,000.00
15	Spokane Area Children's Chorus	\$ 45,000.00		\$ 45,000.00
16	University District Development Association	\$ 45,000.00		\$ 45,000.00
17	Peace & Justice Action League of Spokane	\$ 45,000.00		\$ 45,000.00
18	First Presbyterian Christian School	\$ 45,000.00		\$ 45,000.00
19	The Lands Council	\$ 45,000.00		\$ 45,000.00
20	Slingshot	\$ 45,000.00		\$ 45,000.00
21	The City Gate	\$ 45,000.00		\$ 45,000.00
22	SpokAnimal C.A.R.E.	\$ 45,000.00		\$ 45,000.00
23	Ferris High School PTG	\$ 45,000.00		\$ 45,000.00
24	Emmaus Spokane	\$ 45,000.00		\$ 45,000.00
25	Spokane Immigrant Rights Coalition	\$ 45,000.00		\$ 45,000.00
26	St. Charles Catholic School	\$ 45,000.00		\$ 45,000.00
27	Spokane Regional Domestic Violence Coalition	\$ 45,000.00		\$ 45,000.00
28	Refugee and Immigrant Connections Spokane	\$ 45,000.00		\$ 45,000.00
29	St. Joseph Catholic Parish	\$ 45,000.00		\$ 45,000.00
30	Inland Northwest Farmers Market Association	\$ 45,000.00		\$ 45,000.00
31	Spokane Parks Foundation	\$ 45,000.00		\$ 45,000.00
32	River City Youth Ops	\$ 45,000.00		\$ 45,000.00
33	Beautiful Savior Lutheran Church of Spokane Washington	\$ 45,000.00		\$ 45,000.00
34	PILGRIM SLAVIC BAPTIST CHURCH	\$ 45,000.00		\$ 45,000.00
35	Lumen Early Learning Center	\$ 45,000.00		\$ 45,000.00
36	Saint Paul's United Methodist Church	\$ 45,000.00		\$ 45,000.00
37	Odyssey Youth Center	\$ 45,000.00		\$ 45,000.00
38	GUSE SUMMIT VIEW	\$ 45,000.00		\$ 45,000.00
39	Freedom Project East	\$ 45,000.00		\$ 45,000.00
40	Spokane Lilac Festival Association	\$ 45,000.00		\$ 45,000.00
41	Calvary Karen Baptist Church	\$ 45,000.00		\$ 45,000.00
42	New Developed Nations	\$ 43,500.00		\$ 43,500.00
43	Spokane Independent Metro Business Alliance	\$ 41,581.02		\$ 41,581.02
44	Spokane Print and Publishing Center	\$ 41,180.21		\$ 41,180.21

#	Organization	Round 2 Award	Round 1 Award	Total
45	Liberty Park United Methodist Church	\$ 39,588.15		\$ 39,588.15
46	Spokane Edible Tree Project	\$ 38,950.07		\$ 38,950.07
47	Operation Healthy Family	\$ 38,242.92		\$ 38,242.92
48	Spokane Chinese Association	\$ 36,664.00		\$ 36,664.00
49	Inspirations Dance Studio	\$ 30,188.57		\$ 30,188.57
50	Thin Air Community Radio	\$ 30,000.00		\$ 30,000.00
51	Her Harbor	\$ 29,370.18		\$ 29,370.18
52	INBA	\$ 21,082.14		\$ 21,082.14
53	Compassionate Addiction Treatment*	\$ 20,000.00	\$ 45,000.00	\$ 65,000.00
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55	Mujeres in Action*	\$ 20,000.00	\$ 45,000.00	\$ 65,000.00
56	Hispanic Business Professional Association (HBPA)*	\$ 20,000.00	\$ 45,000.00	\$ 65,000.00
57	NAACP Empowerment Programs	\$ 16,844.68		\$ 16,844.68
58	Jewels Helping Hands*	\$ 12,500.00	\$ 45,000.00	\$ 57,500.00
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74	Spark Central*	\$ 5,000.00	\$ 45,000.00	\$ 50,000.00
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79	Fulcrum Institute Dispute Resolution Clinic*	\$ 5,000.00	\$ 45,000.00	\$ 50,000.00
80	Girls on the Run of Spokane County*	\$ 5,000.00	\$ 45,000.00	\$ 50,000.00
81	Tenants Union of Washington State*	\$ 5,000.00	\$ 45,000.00	\$ 50,000.00
82	Jafaria Community	\$ 600.00		\$ 600.00
		<b>\$ 2,684,039.36</b>		

\*Denotes organizations also awarded in Round 1

**Round 2 Awards**  
**\$ 2,684,039.36**

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

07/31/2023

**Date Rec'd**

7/19/2023

**Clerk's File #**

ORD C36418

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

POLICE

**Cross Ref #****Contact Name/Phone**JACQUI 625-4109  
MACCONNELL**Project #****Contact E-Mail**

JMACCONNELL@SPOKANEPOLICE.ORG

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

Special Budget Ordinance

**Requisition #****Agenda Item Name**0680-POLICE-SBO ACCEPTANCE OF WA STATE LEGISLATURE ACADEMY  
EXPANSION FUNDS**Agenda Wording**

SPD is requesting approval to accept the funds as well as a special budget ordinance to appropriately budget for receipt and expenditures. Facilities Management will manage the project.

**Summary (Background)**

The Washington State Legislature's Engrossed Substitute Senate Bill 5200, allocated \$1.4 million for a "Spokane Academy Expansion". This funding is for the construction of a building at the current Academy location to be utilized for the instruction of our CJTC Basic Law Enforcement Academy and BLEA personnel offices. SPD is requesting approval to accept the funds as well as a special budget ordinance to appropriately budget for receipt and expenditures. Facilities to manage the project.

Lease? NO

Grant related? NO

Public Works? NO

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

Revenue \$ \$1,400,000

# 3160-XXXXX-99999-33469

Expense \$ \$1,400,000

# 3160-XXXXX-94210-56501

Select \$

#

Select \$

#

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

LUNDGREN, JUSTIN

**Study Session\Other**F&A Committee  
7/17/2023**Division Director**

MACCONNELL, JACQUI

**Council Sponsor**CM Wilkerson & CM  
Zappone**Finance**

SCHMITT, KEVIN

**Distribution List****Legal**

PICCOLO, MIKE

**For the Mayor**

JONES, GARRETT

**Additional Approvals****Purchasing****MANAGEMENT &**

STRATTON, JESSICA

<b>BUDGET</b>		

## Committee Agenda Sheet

### Finance & Administration Committee

<b>Submitting Department</b>	Police
<b>Contact Name</b>	Jacqui MacConnell
<b>Contact Email &amp; Phone</b>	<a href="mailto:jmacconnell@spokanepolice.org">jmacconnell@spokanepolice.org</a> 625-4109
<b>Council Sponsor(s)</b>	CM Wilkerson & CM Zappone
<b>Select Agenda Item Type</b>	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion    Time Requested: 5min
<b>Agenda Item Name</b>	SBO - Acceptance of WA State Legislature Academy Expansion Funds
<b>Summary (Background)</b>  *use the Fiscal Impact box below for relevant financial information	<p>The Washington State Legislature’s Engrossed Substitute Senate Bill 5200, allocated \$1.4 million for a “Spokane Academy Expansion”.</p> <p>This funding is for the construction of a building at the current Academy location to be utilized for the instruction of our CJTC Basic Law Enforcement Academy and BLEA personnel offices.</p> <p>SPD is requesting approval to accept the funds as well as a special budget ordinance to appropriately budget for receipt and expenditures. Facilities Management will manage the project.</p>
<b>Proposed Council Action</b>	Approval to receive funds & SBO 7/31/23
<b>Fiscal Impact</b> Total Annual Cost: \$1.4 million Total Cost Remaining This Year: 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: WA State Legislature distribution  Expense Occurrence <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring  Other budget impacts: (revenue generating, match requirements, etc.)	
<b>Operations Impacts (If N/A, please give a brief description as to why)</b>	
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 C36418

An ordinance amending Ordinance No. C36345, passed by the City Council December 12, 2022, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2023, making appropriations in the various funds of the City of Spokane government for the year ending December 31, 2023, and providing it shall take effect immediately upon passage," and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2023 budget Ordinance No. C36345, as above entitled, and which passed the City Council December 12, 2022, it is necessary to make changes in the appropriations of the General Capital Improvements 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 General Capital Improvements Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase revenue by \$1,400,000.
  - A) Of the increased revenue, \$1,400,000 is provided by Washington State per Senate Bill 5200 for expansion of the Spokane PD Academy.
- 2) Increase appropriation by \$1,400,000.
  - A) Of the increased appropriation, \$1,400,000 is provided solely for construction of fixed assets.

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 accept the WA state budget allocation for Spokane Academy expansion, 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:**  
07/31/2023

<b>Date Rec'd</b>	7/19/2023
<b>Clerk's File #</b>	ORD C36419
<b>Renews #</b>	
<b>Cross Ref #</b>	OPR 2023-0722
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	

<b>Submitting Dept</b>	CITY COUNCIL
<b>Contact Name/Phone</b>	MATT BOSTON 6820
<b>Contact E-Mail</b>	MBOSTON@SPOKANECITY.ORG
<b>Agenda Item Type</b>	Special Budget Ordinance
<b>Agenda Item Name</b>	0320 - TRANCHE 6 OF FUNDING FROM AMERICAN RESCUE PLAN ACT

**Agenda Wording**

An ordinance amending Ordinance No. C36345, passed by the City Council December 12, 2022, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2023, making appropriations to the various funds of the City of Spokane govern

**Summary (Background)**

Funding from the American Rescue Plan Act award that allocates funds for audio/visual upgrades and vehicle capital purchase for a Children's Fire Safety House.

Lease? NO Grant related? NO Public Works? NO

**Fiscal Impact**

Expense	\$ 300,000
Select	\$
Select	\$
Select	\$

**Budget Account**

# tbd
#
#
#

**Approvals**

<b>Dept Head</b>	BYRD, GIACOBBE
<b>Division Director</b>	
<b>Finance</b>	
<b>Legal</b>	
<b>For the Mayor</b>	

**Council Notifications**

<b>Study Session\Other</b>	07/17/2023
<b>Council Sponsor</b>	Wilkerson and Zappone
<b>Distribution List</b>	
	mboston@spokanecity.org
	gbyrd@spokanecity.org

**Additional Approvals**

<b>Purchasing</b>	

## Committee Agenda Sheet

### Finance & Administration Committee

<b>Submitting Department</b>	City Council
<b>Contact Name</b>	Matt Boston
<b>Contact Email &amp; Phone</b>	<a href="mailto:mboston@spokanecity.org">mboston@spokanecity.org</a>
<b>Council Sponsor(s)</b>	CM Wilkerson & Zappone
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion    Time Requested: 5
<b>Agenda Item Name</b>	ARPA Allocation
<b>Summary (Background)</b>  *use the Fiscal Impact box below for relevant financial information	<p>In 2022 the Administration and Council determined that IT and A/V upgrades were needed within the Council chambers and briefing center in order to enhance accessibility and usability of the spaces. The City's Informational Technology and City Channel 5 teams worked with the provided to determine the appropriate needs.</p> <p>In 2022 the Council approved the funding for a children's fire safety house using ARPA funding. Before funding the transportation vehicle of the fire house, Council requested that SFD look for donor or a vehicle to be repurposed within the existing fleet. Those efforts were unsuccessful and therefore, this is the funding portion of the transportation needed.</p>
<b>Proposed Council Action</b>	Approve 7/31
<b>Fiscal Impact</b>	<p>Total Cost: <u>\$300,000</u></p> <p>Approved in current year budget?    <input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No    <input type="checkbox"/> N/A</p> <p>Funding Source    <input checked="" type="checkbox"/> One-time    <input type="checkbox"/> Recurring Specify funding source: American Rescue Plan Act</p> <p>Expense Occurrence    <input checked="" type="checkbox"/> One-time    <input type="checkbox"/> Recurring</p> <p>Other budget impacts: (revenue generating, match requirements, etc.)</p>
<b>Operations Impacts (If N/A, please give a brief description as to why)</b>	
What impacts would the proposal have on historically excluded communities? Enhanced accessibility to meetings and enhanced fire safety.	
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? No data will be collected on these disparities.	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution? Effectiveness of IT and A/V was determined prior to by SMC and effectiveness of education will be evaluated by SFD	

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?

These proposals do not impact the above policies.

ORDINANCE NO C36419

An ordinance amending Ordinance No. C36345, passed by the City Council December 12, 2022, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2023, making appropriations to the various funds of the City of Spokane government for the fiscal year ending December 31, 2023, and providing it shall take effect immediately upon passage," and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2023 budget Ordinance No. C36345, as above entitled, and which passed the City Council December 12, 2022, 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 \$300,000 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, \$250,000 is provided for the purpose of providing funding to update the Audio/Visual technologies of the Spokane City Council Briefing Chambers and Council Chambers to enhance accessibility to the public.
  - B) Of the increased appropriation, \$50,000 is provided for capital expenditures for the transportation of the City owned firehouse.

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 funding critical service and accessibilities to the community, 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:**

07/31/2023

**Date Rec'd**

7/19/2023

**Clerk's File #**

RES 2023-0063

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

CITY COUNCIL

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

ABIGAIL MARTIN 6426

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

AMMARTIN@SPOKANECITY.ORG

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

Resolutions

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

0320 - PROPOSED 2024 TRAFFIC CALMING PROJECTS

**Agenda Wording**

A resolution regarding the approval of year 2024 traffic calming applications and projects to be paid through the Traffic Calming Measures Fund.

**Summary (Background)**

Seeking Council approval of projects approved by the Traffic Calming subcommittee for 2024 construction of the priorities shared at the Traffic Calming workshops in May. These projects consider historical investment by neighborhood, neighborhood concerns, equity across districts, current funds available, grant opportunities, and strategic construction coordination.

Lease? NO

Grant related? NO

Public Works? NO

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

Neutral \$

#

Select \$

#

Select \$

#

Select \$

#

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

BYRD, GIACOBBE

**Study Session\Other**

N/A

**Division Director****Council Sponsor**Kinnear; Cathcart;  
Zappone**Finance****Distribution List****Legal**

amartin@spokanecity.org

**For the Mayor**

gbyrd@spokanecity.org

**Additional Approvals****Purchasing**

## Committee Agenda Sheet

### Public Infrastructure, Environment & Sustainability Committee

<b>Submitting Department</b>	Office of the City Council
<b>Contact Name</b>	Abigail Martin
<b>Contact Email &amp; Phone</b>	<a href="mailto:ammartin@spokanecity.org">ammartin@spokanecity.org</a> x6426
<b>Council Sponsor(s)</b>	CMs Cathcart and Zappone
<b>Select Agenda Item Type</b>	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion             Time Requested: 5 minutes
<b>Agenda Item Name</b>	Proposed 2024 Traffic Calming projects
<b>Summary (Background)</b>  *use the Fiscal Impact box below for relevant financial information	Seeking Council approval of projects approved by the Traffic Calming subcommittee for 2024 construction of the priorities shared at the Traffic Calming workshops in May. These projects consider historical investment by neighborhood, neighborhood concerns, equity across districts, current funds available, grant opportunities, and strategic construction coordination.
<b>Proposed Council Action</b>	Resolution
<b>Fiscal Impact</b> Total Cost: <u>TBD</u> 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 type="checkbox"/> Recurring Specify funding source: <a href="#">Click or tap here to enter text.</a>  Expense Occurrence <input type="checkbox"/> One-time <input type="checkbox"/> Recurring  Other budget impacts: (revenue generating, match requirements, etc.) Budget of all projects has been reviewed and is within the current capacity of the Traffic Calming fund while still honoring other Traffic Calming commitments.	
<b>Operations Impacts (If N/A, please give a brief description as to why)</b>	
What impacts would the proposal have on historically excluded communities? ICM did a great job examining allocations for Traffic Calming projects, back to 2014, and uplifting/prioritizing the neighborhoods that have had historical underinvestment. City Council's Traffic Calming subcommittee also considered equity across districts, safety concerns, and construction timelines and considerations.	
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? Studies are conducted prior to many of the projects, and equity considerations have been at the forefront of the work. Safety for vulnerable communities (walkers, cyclists, youth and the elderly) have also been a regular part of prioritization.	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution? Data can be examined before and after the projects, and data has driven the engineers proposed solutions.	



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 project list contributes to our streets plans, neighborhood councils' visioning for their neighborhood, community concerns about safety.

## RESOLUTION NO. 2023-0063

A resolution regarding the approval of year 2024 traffic calming applications and projects to be paid through the Traffic Calming Measures Fund.

**WHEREAS**, the funds generated from automated traffic safety cameras are designed for neighborhood traffic calming projects which the neighborhoods themselves applied for; and

**WHEREAS**, the City Council historically has adopted several resolutions regarding the allocation of funds generated from automated traffic safety cameras, with the most recent allocation set forth in Resolution 2022-0037 for the “Cycle 10” projects; and

**WHEREAS**, on July 10, 2023, the City Council adopted Resolution 2023-0057, which institutes a new allocation criteria and funding process for traffic calming projects that incorporates a four-year funding cycle, commencing with year 2023 and continuing through year 2026, and further which takes into account historical investment of traffic calming funds invested in each council district, the comparative costs of individual projects, and the most favorable timing for commencement of each project; and

**WHEREAS**, throughout the years 2022 and 2023, City staff have conducted extensive outreach among and with the 29 neighborhoods in Spokane to finalize their list of priority traffic calming projects; and

**WHEREAS**, consistent with Resolution 2023-0057 and the expressed preferences of neighborhoods, the City Council endorses the use of traffic calming funds for the projects identified in this resolution, with the actual commencement of projects in 2024 to be as set forth in the resolution.

**NOW, THEREFORE, BE IT RESOLVED** that, consistent with Resolution 2023-0057 and this resolution, the total cost of all projects approved for commencement in 2024 and charged to the Traffic Calming Fund shall be \$\_\_\_\_\_, and shall consist of those projects identified on the attached Exhibit “A,” which is incorporated herein by reference, and

**AND IT IS FURTHER RESOLVED**, that the list of approved traffic calming projects and funding for the year 2023-2026 are as set forth in the attached Exhibit “B,” (the “2023-2026 Project List”) which is incorporated herein by reference, and

**AND IT IS FURTHER RESOLVED**, that approved traffic calming projects for the years 2025-2026 shall be by separate resolution; and

**AND IT IS FURTHER RESOLVED** that, to the extent consistent with Resolution 2023-0057, each neighborhood with a priority traffic calming project that is identified in the 2023-2026 Project List but which is not otherwise commenced in 2024 shall be able to “bank” its allocations from year-to-year until such time as the aggregate allocation of traffic calming funds to that neighborhood is sufficient to fund its priority traffic calming

project; and

**AND IT IS FURTHER RESOLVED** that nothing in this resolution shall be deemed to alter the allocations and funding set forth in the “Cycle 10” projects in Resolution 2022-0037 or to otherwise affect projects already underway as of the date of this resolution.

ADOPTED by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2023.

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

Approved as to form:

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

**EXHIBIT A**  
**Resolution 2023-\_\_\_\_\_**  
**2024 Traffic Calming Projects**

<b>District</b>	<b>Neighborhood</b>	<b>Project</b>	<b>Project Cost</b>	
D1	Shiloh Hills	Standard-Colton (Magnesium to Francis)	\$	500,000.00
D3	Browne's Addition	2nd @ Elm	\$	232,000.00
D3	Peaceful Valley	Clarke Ave	\$	246,000.00
D3	Balboa South Indian Trail	Indian Trail (Holyoke to Janice)	\$	300,000.00
D1	Nevada	Liberty @ Lidgerwood	\$	371,000.00
D2	Latah-Hangman	Lincoln Way (Osprey to Qualchan)	\$	500,000.00
D2	Southgate	Freya @ 44th	\$	300,000.00
D2	East Central	9th (Altamont to Perry)	\$	288,000.00
				<b>\$2,149,000</b>



EXHIBIT B  
2023-2026 TRAFFIC CALMING PROJECTS

D2	West Hills	F St @ Whittier Park	\$ 725,000.00	\$ 725,000.00	5b	300000		
Grand Total			\$ 54,803,000.00	\$ 52,847,000.00			\$ 2,149,000	\$ 10,814,000
							\$ 21,455,000	

Old Council District	Current Council District	Neighborhood	Total Investment thru Cycle 10	Historically Underinvested?
D1	D1	Bemiss	\$ 573,996	
D1	D1	Chief Garry	\$ 767,747	
D1	D2	East Central	\$ 633,193	
D1	D1	Hillyard	\$ 479,000	
D1	D1	Logan	\$ 669,430	
D1	D1	Minnehaha	\$ 662,292	
D1	D1	Nevada Heights	\$ 52,000	Yes
D1	D1	Shiloh Hills	\$ -	Yes
D1	D1	Whitman	\$ 1,941,807	
D2	D3	Browne's Addition	\$ 20,000	Yes
D2	D2	Cliff Cannon	\$ 174,250	Yes
D2	D2	Comstock	\$ 882,463	
D2	D2	Grandview-Thorpe	\$ 585,350	
D2	D2	Latah-Hangman	\$ -	Yes
D2	D2	Lincoln Heights	\$ 745,040	
D2	D2	Manito-Cannon Hill	\$ 501,845	
D2	D3	Peaceful Valley	\$ 58,571	Yes
D2	D1	Riverside	\$ -	Yes
D2	D2	Rockwood	\$ 217,500	
D2	D2	Southgate	\$ 305,427	
D2	D2	West Hills	\$ 349,682	
D3	D3	Audubon Downriver	\$ 885,437	
D3	D3	Balboa South Indian Trail	\$ 482,000	
D3	D3	Emerson-Garfield	\$ 366,213	
D3	D3	Five Mile	\$ 474,494	
D3	D3	North Hill	\$ 1,135,277	
D3	D3	North Indian Trail	\$ 630,000	
D3	D3	Northwest	\$ 1,013,770	
D3	D3	West Central	\$ 365,000	

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

07/31/2023

**Date Rec'd**

7/19/2023

**Clerk's File #**

RES 2023-0064

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

CITY COUNCIL

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

ABIGAIL MARTIN 6426

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

AMMARTIN@SPOKANECITY.ORG

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

Resolutions

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

0320 - RESOLUTION ON CTAB RESIDENTIAL STREETS PROJECT PRIORITIZATION

**Agenda Wording**

A Resolution adopting the revised allocations and project prioritization from the 2024-2025 Two Year Residential Street Maintenance Program utilizing Transportation Benefit District Funding.

**Summary (Background)**

The Citizen Transportation Advisory Board (CTAB) discussed and reviewed the proposed residential street repairs for 2024 and 2025 and, while there wasn't a quorum, there was discussion and no objection to the following recommendations.

Lease? NO

Grant related? NO

Public Works? NO

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

Neutral \$

#

Select \$

#

Select \$

#

Select \$

#

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

BYRD, GIACOBBE

**Study Session\Other**

PIES 07/24/2023

**Division Director****Council Sponsor**Kinnear; Zappone;  
Cathcart**Finance****Distribution List****Legal**

gbyrd@spokanecity.org

**For the Mayor**

ammartin@spokanecity.org

**Additional Approvals****Purchasing**



## Committee Agenda Sheet

### Public Infrastructure, Environment & Sustainability Committee

<b>Submitting Department</b>	Office of the City Council
<b>Contact Name</b>	Abigail Martin
<b>Contact Email &amp; Phone</b>	<a href="mailto:ammartin@spokanecity.org">ammartin@spokanecity.org</a> x6426
<b>Council Sponsor(s)</b>	Needed
<b>Select Agenda Item Type</b>	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion    Time Requested: 5 minutes
<b>Agenda Item Name</b>	Proposed residential street repair, 2024 + 2025
<b>Summary (Background)</b>  *use the Fiscal Impact box below for relevant financial information	The Citizen Transportation Advisory Board (CTAB) discussed and reviewed the proposed residential street repairs for 2024 and 2025 and, while there wasn't a quorum, there was discussion and no objection to the following recommendations.
<b>Proposed Council Action</b>	Resolution
<b>Fiscal Impact</b>	
Total Cost: <u>TBD</u>	
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 type="checkbox"/> Recurring Specify funding source: <a href="#">Click or tap here to enter text.</a>	
Expense Occurrence <input type="checkbox"/> One-time <input type="checkbox"/> Recurring	
Other budget impacts: (revenue generating, match requirements, etc.)	
<b>Operations Impacts (If N/A, please give a brief description as to why)</b>	
What impacts would the proposal have on historically excluded communities? CTAB reviewed the proposed project list and funds available and works to consider equity and safety amongst the three districts.	
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? The residential streets are reviewed by the Streets department and CTAB members and conditions are taken into consideration so that priority is afforded to ensuring safety for all communities.	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution? Discussion and some movement of projects has been done so that we can be assured the best use of funds and right-fit the solutions proposed. For example, if conditions have worsened so that a chip and seal is no longer the ideal solution and the project needs grind overlay, projects get moved around to accommodate funds available.	

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 is in line with the functions of CTAB and the City's streets maintenance and benefits neighborhood safety.

## RESOLUTION NO. 2023-0064

A Resolution adopting the revised allocations and project prioritization from the 2024-2025 Two Year Residential Street Maintenance Program utilizing Transportation Benefit District Funding.

**WHEREAS**, pursuant to Chapter 36.73 RCW and RCW 35.21.255, which authorize cities to establish a transportation benefit district, the City of Spokane enacted Ordinance No. C-34648 establishing the City of Spokane Transportation Benefit District ("District") codified in Chapter 8.16 of the Spokane Municipal Code (SMC); and

**WHEREAS**, consistent with state law, SMC 8.16.060 established that the funds generated by the Transportation Benefit District may be used for any purpose allowed by law including to operate the District and to make transportation improvements that are consistent with existing state, regional, and local transportation plans and necessitated by existing or reasonably foreseeable congestion levels pursuant to chapter 36.73 RCW; and

**WHEREAS**, pursuant to SMC 04.37.020, the Citizens Transportation Advisory Board (CTAB) is charged with making recommendations to City Council regarding the allocation of District program funds, including the funds allocated by the Street Department for residential street maintenance; and

**WHEREAS**, on October 28, 2021, the City Council adopted Ord. No. C36065 stating the funds shall be used for improvements to operation, preservation, and maintenance of the City's facilities, functions, activities, and programs set forth in the most recently adopted versions of the following City of Spokane transportation plans: Six-Year Comprehensive Street Program, Six-Year Pavement Maintenance Program, Bicycle Master Plan, and the Pedestrian Master Plan; including the allocation of at least ten percent of revenue generated pursuant to SMC 8.16.060 to implement the pedestrian program of the City's six-year comprehensive street program; and

**WHEREAS**, on June 21, 2021, the City Council approved Resolution No. 2022-2027 adopting the 2022-2027 Six Year Comprehensive Street Program; and

**WHEREAS**, the CTAB has met several times over the past months to review increased costs for transportation improvements applicable to the City's two-year pavement maintenance program, revising the project list to meet available funding; and

**WHEREAS**, CTAB, while not able to formally vote on recommendations due to a lack of quorum, has discussed preferred use of District funds and reached a consensus regarding the same; and

**WHEREAS**, the CTAB revised recommendations for funding and project allocation were presented to the Spokane City Council at the July 24, 2023, Public Infrastructure, Environment, and Sustainability committee; and

**WHEREAS**, the City Council, hereby finds it to be in the best interest of the District to adopt budget allocations and project prioritization for 2024 and 2025 consistent with the enabling provisions of state law and the Spokane Municipal Code.

**NOW, THEREFORE, BE IT RESOLVED** by the Spokane City Council, in its capacity as the District governing board, that:

**Section 1.** Approval of budget allocation and project prioritization: The budget allocation and project prioritization as set forth in Exhibit A are approved for the 2024-2025 budget years for the applicable funds generated pursuant to Chapter 36.73 RCW and RCW 35.21.255, Chapter 8.16 of the Spokane Municipal Code (SMC). The funds shall be allocated to the City of Spokane pursuant to the interlocal agreement entered into between the City and the City of Spokane Transportation Benefit District and allocated and expended as set forth in this resolution.

**Section 2.** Approved Projects. The revenue from the twenty dollar vehicle fee shall only be expended for improvements to operation, preservation, and maintenance of the City's facilities, functions, activities, and programs set forth in the most recently adopted versions of the following City of Spokane transportation plans: Six-Year Comprehensive Street Program, Six-Year Pavement Maintenance Program, Bicycle Master Plan, and the Pedestrian Master Plan as adopted and specifically allocated pursuant to this resolution and Exhibit A.

ADOPTED by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2023.

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City Clerk

Approved as to form:

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Assistant City Attorney

New Year	ProjYr	CDist	ProjType	ProjName	AreaYd	SegMi	LnMi	AVG PCI	AVG Age	Matrix	\$/yd	Cost
2024	2024	1 - NE	Chip	Buckeye from Crestline to Market Et Al	43,250	2.35	4.70	68.8	49.5	3.9	\$18.00	\$778,500
2024	2024	1 - NE	Grind	Avon - Napa to Crestline	1,600	0.14	0.27	14.0	71.6	9.7	\$65.00	\$104,000
2024	2024	1 - NE	Grind	1st - Freya to Rebecca	2,413	0.14	0.27	30.0	74.7	8.2	\$65.00	\$156,867
2024	2024	2 - S	Chip	Hartson from Magnolia to Altamont Et Al	29,472	1.51	3.02	77.6	47.1	4.3	\$18.00	\$530,500
2024	2024	2 - S	Grind	Adams - 14th to 6th	11,256	0.53	1.06	26.9	94.5	10.0	\$65.00	\$731,626
2024	2024	3 - NW	Chip	Kensington/Chaucer Et Al	22,248	1.05	2.11	70.6	28.3	2.1	\$18.00	\$400,464
2024	2024	3 - NW	Grind	Shannon - Washington to Division	6,796	0.29	0.58	23.0	86.2	9.5	\$65.00	\$441,711
2024	2024	3 - NW	Grind	Carlisle - Belt to Ash	5,837	0.28	0.57	51.0	68.9	8.2	\$65.00	\$379,419
2025	2025	1 - NE	Chip	Wilding from Standard to Lincoln Et Al	32,953	1.55	3.10	63.8	37.5	3.8	\$18.00	\$593,160
2025	2025	1 - NE	Grind	Magnolia - Pacific to Sprague	3,700	0.14	0.28	35.0	75.7	7.4	\$65.00	\$240,500
2025	2025	1 - NE	Grind	Sinto - Hamilton to Superior	3,556	0.15	0.30	40.0	87.4	7.9	\$65.00	\$231,111
2025	2025	1 - NE	Grind	Greene - Sprague to Main	2,938	0.13	0.25	40.5	71.3	7.0	\$65.00	\$190,956
2025	2025	2 - S	Chip	11th Et Al	27,000	1.34	2.67	45.9	40.6	5.4	\$18.00	\$486,008
2025	2025	2 - S	Grind	20th/McClellan - Bernard to 19th	2,870	0.16	0.33	40.0	68.2	6.9	\$65.00	\$186,550
2025	2025	2 - S	Grind	Christmas Tree/Rockwood Pine	5,573	0.32	0.63	50.3	60.6	5.5	\$65.00	\$362,267
2025	2025	3 - NW	Chip	Augusta from Monroe to Howard Et Al	23,926	1.33	2.65	72.2	37.5	2.8	\$18.00	\$430,660
2025	2025	3 - NW	Grind	Upton - A to Nettleton	6,050	0.34	0.69	17.7	80.9	9.8	\$65.00	\$393,250
2025	2025	3 - NW	Grind	Elm - Central to Francis	4,453	0.25	0.51	23.5	70.5	8.7	\$65.00	\$289,467
2025	2026	1 - NE	Grind	Queen - Crestline to Stone	2,969	0.13	0.25	43.0	76.6	7.0	\$65.00	\$192,978
2025	2027	2 - S	Chip	Chestnut St Et Al	33,650	1.84	3.68	84.9	21.7	1.8	\$18.00	\$605,698



**Agenda Sheet for City Council Meeting of:**  
07/24/2023

<b>Date Rec'd</b>	7/7/2023
<b>Clerk's File #</b>	ORD C36415
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	

<b>Submitting Dept</b>	CITY COUNCIL
<b>Contact Name/Phone</b>	MATT BOSTON X6820
<b>Contact E-Mail</b>	MBOSTON@SPOKANECITY.ORG
<b>Agenda Item Type</b>	First Reading Ordinance
<b>Agenda Item Name</b>	0320 - CANNABIS TAX SPECIAL REVENUE FUND CREATION

**Agenda Wording**

An ordinance relating to revenue from cannabis sales, creating a special revenue fund in Article II of Chapter 07.08 of the Spokane Municipal Code, and enacting new section 07.08.159 of the Spokane Municipal Code.

**Summary (Background)**

The City of Spokane will separate its Cannabis Tax Revenue from the General Fund, to its own Special Revenue Fund. This will create a new section 07.14 in Spokane Municipal Code to create the Special Revenue Fund.

Lease? NO Grant related? NO Public Works? NO  
**Fiscal Impact** **Budget Account**

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

**Approvals**

<b>Dept Head</b>	BYRD, GIACOBBE
<b>Division Director</b>	
<b>Finance</b>	
<b>Legal</b>	
<b>For the Mayor</b>	

**Council Notifications**

<b>Study Session\Other</b>	PIES 06/26/2023
<b>Council Sponsor</b>	Stratton and Wilkerson
<b>Distribution List</b>	
	mboston@spokanecity.org
	gbyrd@spokanecity.org

**Additional Approvals**

<b>Purchasing</b>	

## Committee Agenda Sheet

### Public Infrastructure, Environment & Sustainability Committee

<b>Submitting Department</b>	City Council
<b>Contact Name</b>	Matt Boston
<b>Contact Email &amp; Phone</b>	<a href="mailto:mboston@spokanecity.org">mboston@spokanecity.org</a> x6820
<b>Council Sponsor(s)</b>	CM's Stratton and Wilkerson
<b>Select Agenda Item Type</b>	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion    Time Requested: 15
<b>Agenda Item Name</b>	MJ Tax Special Revenue Fund Creation
<b>Summary (Background)</b>  *use the Fiscal Impact box below for relevant financial information	<p>The City of Spokane will separate its Cannabis Tax Revenue from the General Fund, to its own Special Revenue Fund. This will create a new section 07.14 in Spokane Municipal Code to create the Special Revenue Fund.</p> <p>Revenue received from the Cannabis Tax (RCW 65.50.540) has increased year-over-year at an exponential rate, but historically been deposited into the General Fund. During the 2023 budget process Spokane City Council laid the groundwork for a limit of revenue that the General Fund will receive by the Cannabis Tax. With the creation of the Special Revenue Fund, any revenue transferred to the General Fund will be defined during the budget process, but revenue remaining in the Special Revenue Fund will be programmed specifically for youth intervention, education, and prevention.</p>
<b>Proposed Council Action</b>	Pass on July 10, 2023
<b>Fiscal Impact</b>	
Total Cost: <u>Cost of the program(s) will be defined by revenues received and defined as part of the budget process</u>	
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 Specify funding source: <a href="#">Click or tap here to enter text.</a>	
Expense Occurrence <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring	
Other budget impacts: (revenue generating, match requirements, etc.)	
Education programs incurred will be within the confines of the ongoing revenue received.	
<b>Operations Impacts (If N/A, please give a brief description as to why)</b>	
What impacts would the proposal have on historically excluded communities?	
The funding of these programs is focused on upstream solutions which the enforcement of drug use is known to disproportionately impact the historically excluded communities. Implementation of the program will have to take these impacts into consideration	
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?	

Data will be collected and maintained on programs funded by the managing department and/or organization.

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

Legislative and Executive branches will continually review expenditures within the fund to ensure effectiveness of programs.

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?

Dedication of funds for drug intervention, education, and prevention aligns with Spokane City Council's actions to fight the area's widespread drug challenges.



**ORDINANCE NO. C36415**

An ordinance relating to revenue from cannabis sales, creating a special revenue fund in Article II of Chapter 07.08 of the Spokane Municipal Code, and enacting new section 07.08.159 of the Spokane Municipal Code.

**WHEREAS**, the City of Spokane currently receives a portion of revenues derived from the statewide sales of cannabis pursuant to RCW 69.50.540(2)(g), which revenues are paid to the City on a quarterly basis; and

**WHEREAS**, historically revenues received by the City of Spokane under RCW 69.50.540 have increased steadily since the legalization of cannabis sales in Washington in 2012, and are expected to remain a stable and increasing source of revenue to the City for the indefinite future; and

**WHEREAS**, the City of Spokane currently allocates revenues from cannabis sales directly to the general fund, where it is appropriated from the general fund to the Spokane Police Department; and

**WHEREAS**, the City of Spokane desires that revenues received under RCW 69.59.540 be directed to a special revenue account in Article II of Section 07.08 of the Spokane Municipal Code effective on January 1, 2024, and appropriated from said special revenue account to suitable programs and purposes relating to drug abuse prevention, education and general enforcement to several City departments operating such programs, including but not limited to the Spokane Police Department and the Spokane Opioid Abatement Council, as well as toward historical general fund purposes.

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

**Section 1.** That there are adopted new section 07.08.159 to chapter 07.08 of the Spokane Municipal Code to read as follows:

**Section 10.08.159 Cannabis Special Revenue Fund**

- A. Effective January 1, 2024, there is established a special revenue fund entitled the "Cannabis Special Revenue Fund" into which shall be paid all funds received by the City pursuant to RCW 69.50.540.
- B. As provided in the annual budget, the "Cannabis Special Revenue Fund" is appropriated as follows:
  - a. No less than \$500,000 shall be appropriated on an annual basis to the general fund for support of the Spokane Police Department; and
  - b. The balance of the Cannabis Special Revenue Fund shall be appropriated to

provide for drug abuse prevention, education and general drug enforcement to several City departments operating such programs, including but not limited to the Spokane Police Department, and the Opioid Abatement Council established under chapter 04.39 of the Spokane Municipal Code

C. The city council may also provide for additional revenues to be paid into Cannabis Special Revenue Fund from time to time from any available funds of the City.

**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:**

07/24/2023

<b>Date Rec'd</b>	6/29/2023
<b>Clerk's File #</b>	ORD C36416
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	

<b>Submitting Dept</b>	PLANNING & ECONOMIC DEVELOPMENT
<b>Contact Name/Phone</b>	TAYLOR BERBERICH X6193
<b>Contact E-Mail</b>	TBERBERICH@SPOKANECITY.ORG
<b>Agenda Item Type</b>	First Reading Ordinance
<b>Agenda Item Name</b>	RENAMING A PORTION OF WEST DEAN AVENUE TO JOE ALBI WAY

**Agenda Wording**  
 Proposed name change of W. Dean Avenue to Joe Albi Way

**Summary (Background)**  
 Spokane School District has applied for a Street Name Change; renaming of a section of W. Dean Avenue, between Howard Street and Washington Street, to "Joe Albi Way." This section of West Dean Avenue is located adjacent to the Podium and the new downtown stadium currently being constructed.

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

<b>Approvals</b>		<b>Council Notifications</b>	
<b>Dept Head</b>	GARDNER, SPENCER	<b>Study Session\Other</b>	PIES 6/2623
<b>Division Director</b>	MACDONALD, STEVEN	<b>Council Sponsor</b>	CMs Bingle and Zappone
<b>Finance</b>	ORLOB, KIMBERLY	<b>Distribution List</b>	
<b>Legal</b>	RICHMAN, JAMES	tberberich@spokanecity	
<b>For the Mayor</b>	SMITHSON, LYNDEN	sgardner@spokanecity.org	
<b>Additional Approvals</b>		smacdonald@spokanecity.org	
<b>Purchasing</b>		tblack@spokanecity.org	

## -Committee Agenda Sheet

### PIES

<b>Submitting Department</b>	Planning and Economic Development
<b>Contact Name</b>	Taylor Berberich, Urban Designer
<b>Contact Email &amp; Phone</b>	<a href="mailto:tberberich@spokanecity.org">tberberich@spokanecity.org</a>
<b>Council Sponsor(s)</b>	Jonathan Bingle, Zack Zappone
<b>Select Agenda Item Type</b>	<input type="checkbox"/> Consent <input type="checkbox"/> Discussion    Time Requested:
<b>Agenda Item Name</b>	Street Name Change: W Dean Ave to Joe Albi Way
<b>Summary (Background)</b>  *use the Fiscal Impact box below for relevant financial information	To recognize the legacy of the former stadium's namesake Joe Albi, the School District has included in the design of the new Stadium an area near the front entry to be named "Joe Albi Plaza," which will include a display plaque and the statue of Joe Albi (Joe Fan), once located in the former stadium. To further recognize the many contributions Joe Albi made to sports in Spokane, the District has submitted a Street Name Change Application to the City of Spokane, requesting to rename the section of West Dean Avenue between Washington Street and Howard Street to 'Joe Albi Way.' This section of West Dean Avenue is located adjacent to the Podium and the new downtown stadium currently being constructed.
<b>Proposed Council Action</b>	Approve
<b>Fiscal Impact</b>	
Total Cost: <a href="#">Click or tap here to enter text.</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 type="checkbox"/> Recurring	
Specify funding source: <a href="#">Click or tap here to enter text.</a>	
Expense Occurrence <input type="checkbox"/> One-time <input type="checkbox"/> Recurring	
Other budget impacts: (revenue generating, match requirements, etc.)	
<b>Operations Impacts (If N/A, please give a brief description as to why)</b>	
What impacts would the proposal have on historically excluded communities? <u>N/A</u>	
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? <u>N/A</u>	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution? <u>N/A</u>	
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? Staff has reviewed the application and finds that the proposed street name meets all the relevant criteria outlined in 17D.050A – Roadway Naming and Addressing. In addition, Spokane School District No. 81 has, by resolution No 2023-05, voiced its support for this proposal.	

**ORDINANCE NO. C36416**

An ordinance renaming A portion of West Dean Avenue from Howard Street to Washington Street to "Joe Albi Way."

**WHEREAS**, a roadway name shall be established or changed by Ordinance upon recommendation of the City Plan Commission, pursuant to the Spokane Municipal Code - Chapter 17D.050A; and

**WHEREAS**, Spokane School District proposes this change in honor of Joe Albi and his many years of dedicated advocacy for youth sports in Spokane, and

**WHEREAS**, the Spokane School District Board of Directors has put forward Resolution No. 2023-05 in favor of the change, and

**WHEREAS**, the Spokane Public Facilities District has shared a letter in support of the change, and

**WHEREAS**, the City Plan Commission held a workshop on June 14, 2023, a public hearing on June 28, 2023 to obtain public comments on the proposed street re-naming, after which the Plan Commission closed public testimony, and voted \_\_\_ to \_\_\_ to recommend approval of the name change to the Spokane City Council.

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

That W. Dean Avenue, extending from Howard Street to the west and Washington Street to the east, shall be re-named "Joe Albi Way."

PASSED BY THE CITY COUNCIL ON \_\_\_\_\_, 2023.

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

Attest:

Approved as to form:

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

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

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

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

**Spokane City Plan Commission**  
**Findings of Fact, Conclusion, and Recommendation for the**  
**2023 Proposed Street Name Change for a Portion of W. Dean Avenue to Joe Albi Way**  
**under the Spokane Municipal Code chapter 17D.050 Roadway Naming.**

**A recommendation from the City Plan Commission to the City Council certifying that the Joe Albi Way Street Name Change is in conformance with the Spokane Municipal Code.**

**Findings of Fact:**

- A.** The City of Spokane, under the Spokane Municipal Code chapter 17D.050A, is authorized to establish or change a roadway name by ordinance upon recommendation of the City Plan Commission.
- B.** Spokane Public Schools filed a complete application on May 19, 2023, to rename West Dean Avenue to Joe Albi Way between Howard Street and Washington Street.
- C.** The proposed street name changes were initiated and processed under the procedures set forth in SMC chapter 17D.050A.
- D.** The proposed street name changes were found to be in accordance with the goals of SMC section 17D.050A.010.
- E.** This proposed street name is in accordance with SMC section 17D.050A.060, roadway naming Standards and does not duplicate any current street or roadway names within the City.
- F.** The City Plan Commission conducted a public hearing on June 28, 2023, to receive public comments on the proposed street name change.

**Conclusion:**

The proposed street name change has been reviewed by the City Plan Commission and is found to be in conformance with the procedures, policy, and decision criteria for a street name change in Spokane Municipal Code chapter 17D.050A.

**Recommendation:**

By a vote of 8 to 0, and 1 abstention, the Plan Commission recommends to the City Council the approval of the proposed street name changes.

*Greg Francis*  
Greg Francis (Jun 29, 2023 10:20 PDT)

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**Greg Francis, President**  
**Spokane Plan Commission**  
**July 28, 2023**

# PC Findings Conclusions- Dean to Joe Albi Street Name Change

Final Audit Report

2023-06-29

Created:	2023-06-29
By:	Jackie Churchill (jchurchill@spokanecity.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAA269oQ7IFjIn_zhOLZ9hIjsaiExmaN-5I

## "PC Findings Conclusions- Dean to Joe Albi Street Name Change" History

-  Document created by Jackie Churchill (jchurchill@spokanecity.org)  
2023-06-29 - 4:43:47 PM GMT- IP address: 174.165.162.230
-  Document emailed to gfrancis@spokanecity.org for signature  
2023-06-29 - 4:44:07 PM GMT
-  Email viewed by gfrancis@spokanecity.org  
2023-06-29 - 5:19:55 PM GMT- IP address: 65.133.88.36
-  Signer gfrancis@spokanecity.org entered name at signing as Greg Francis  
2023-06-29 - 5:20:33 PM GMT- IP address: 65.133.88.36
-  Document e-signed by Greg Francis (gfrancis@spokanecity.org)  
Signature Date: 2023-06-29 - 5:20:35 PM GMT - Time Source: server- IP address: 65.133.88.36
-  Agreement completed.  
2023-06-29 - 5:20:35 PM GMT



## Mayor Nadine Woodward

June 22, 2023

Plan Commission Members,

I am pleased to express my support for the proposal by Spokane Public Schools in renaming a portion of Dean Avenue as "Joe Albi Way." This proposal offers an opportunity to highlight the rich history of Spokane and a community icon who tirelessly worked to improve the City through athletics and memorable events.

Joseph Aloysius Albi's roots as a civic leader extended to his work as an attorney, businessman, and diplomat. He had a passion for encouraging youth athletics and sports, founding the Athletic Round Table and advocating for sports facilities in the Spokane area. He played a key role in successfully funding the Memorial Stadium in 1950, which was later renamed Joe Albi Stadium in his honor shortly before his death in 1962. From that time, Joe Albi Stadium continued to be a vital community resource, providing the region with opportunities to participate and watch sports and musical performances

The City of Spokane historically owned and managed Joe Albi Stadium until 2013 when ownership was transferred to Spokane Public Schools. The aging Joe Albi Stadium was part of Spokane Public Schools 2018 Bond and Levy plan that included it be replaced with a more efficient and appropriately sized venue. The replacement stadium will be located downtown Spokane adjacent to the Spokane Veterans Memorial Arena and The Podium. While planning for the replacement stadium, Spokane Public Schools has made efforts to preserve recognition of Joe Albi's legacy through the design of "Joe Albi Plaza," which will be located near the front entrance of the stadium. This plaza will include a display plaque and also the statue of Joe Albi whose home has been within Joe Albi Stadium since 1997. This street name change is an appropriate action to continue the commemoration of Joe Albi's civic efforts in the Spokane community.

Consultation with the City's Historical Preservation Department indicates the historic significance of Dean Avenue will be preserved. Dean Avenue was originally named and platted further to the west between Elm Street and Cedar Street, named after Chester Dean Ide. Dean Avenue will continue to be preserved within the City of Spokane, located in the heart of the West Central Neighborhood.

Spokane Public Schools and Spokane Public Facilities District, an adjacent tenant, support the street name change. I invite you to support this request as an effort to continue a legacy while our community looks forward at the same time. The renaming of this section of Dean Avenue as "Joe Albi Way" will serve as a daily reminder of Joe's contributions and serve as an enduring testament to the impact that one individual can have when dedicating themselves to making positive changes in the lives of others.

Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in purple ink that reads "Nadine Woodward".

Nadine Woodward  
Mayor

***The City of Choice***

808 W. Spokane Falls Blvd. • Spokane, Washington 99201-3335  
Phone: 509.625.6250 FAX: 509.625.6563





SPOKANE  
PUBLIC FACILITIES  
DISTRICT

June 15, 2023

Taylor Berberich  
Urban Designer  
City of Spokane  
808 West Spokane Falls Blvd  
Spokane, WA 99201

Dear Taylor,

I am writing this letter as the major property owner on Dean Avenue in support of changing the name of Dean Avenue to Joe Albi Way.

Joe Albi was a prominent attorney and businessman, a philanthropist and civic benefactor, and a successful fund-raiser as well as a vital sports supporter for Spokane. By implementing his ideas for the promotion of sports in Spokane, Albi helped found the Spokane Athletic Round Table and served as its president for 42 years.

Joe Albi Stadium replaced the name of "Spokane Memorial Stadium" in 1962 after Joe Albi's passing. He led the efforts to fund and construct the stadium, Joe Albi Stadium has a rich history, and has been an important part of life to many Spokane residents.

Changing Dean Avenue to Joe Albi Way is an excellent way to honor contributions by Joe Albi as well as express appreciation for our community that holds countless fond memories of experiences at Joe Albi Stadium.

Thank you for your consideration and support.

Sincerely,

Stephanie Curran, CEO  
Spokane Public Facilities District



## SPOKANE CITY/COUNTY HISTORIC PRESERVATION OFFICE

*Providing historic property protection and development  
services to the City of Spokane and Spokane County.*



June 2, 2023

Dear Shawn Jordan and Spokane Public Schools,

This letter is in response to a request from Spokane School District 81 to prepare a short sketch of the history of Dean Avenue and its namesake Chester Dean Ide. The request was prompted by the school district's proposed renaming of a section of Dean Avenue between Howard Street and Washington Street near the downtown stadium and Podium.

Based on the records examined by the Spokane Historic Preservation Office, Dean Avenue (originally Dean Street) was first named as such when Ide's Addition to Spokane was platted in 1883. Ide's Addition was platted by Chester Dean Ide, who shamelessly named the addition after himself. He also used his middle name (Dean, which was probably a family name) and his surname (Ide) for two of the street names.

Chester Dean Ide, and his wife (Lucy nee Loomis) and son (Clarence W. Ide), were significant in late 19<sup>th</sup> and early 20<sup>th</sup> century Spokane. Chester was born in Vermont in 1830. In his thirties, he fought in the Civil War with the Union Army as a member of the Wisconsin 25<sup>th</sup> Infantry Regiment. In 1878, just over a decade after the war ended, the Ides along with a group of thirty-five family members from Wisconsin moved to Spokan Falls via wagon train. Lucy Ide kept a daily journal during their move which can be viewed at the Ferris Archives at Northwest Museum of Arts and Culture.

The Ide family were among the earliest white individuals to arrive at the Spokan Falls townsite, three years before the city incorporated and over a decade before Washington statehood. Chester was a serial homesteader who received title for hundreds of acres of land from the federal government, land that was the ancestral territory of regional tribes including the Spokane Tribe of Indians. In 1880, Chester was appointed as the postmaster of the Mondovi Post Office in Spokane County, a position he held for three years. In 1881, Chester purchased 160 acres in the heart of Spokane from the Northern Pacific Railroad Company. As the city grew, Chester developed the land, which included most of the modern West Central Neighborhood, into a residential district. Chester lived in Spokane until his wife died in 1903 at which time he relocated to Seattle with his son, Clarence. Chester died in 1917 at 86 years old and he is interred at Greenwood Cemetery in Spokane.

Chester's son, Clarence, was 18 years old when the family moved to Spokan Falls. In the 1890s, he served as a Washington State Senator representing Spokane County during the first decade of statehood. He later relocated to western Washington where he became a US Marshall and customs officer. Clarence died in 1917 at just 56 years old in Seattle, just six months after the death of his father. Despite Clarence's untimely death, the family helped to initiate a long political legacy in Washington State. Clarence's daughter Irma Evans (nee Ide), who was active in politics herself, was the mother of Washington's legendary three term governor and United States

Senator, Daniel J. Evans, which makes Clarence the grandfather and Chester the great-grandfather of Governor Evans.

The Ides previously had a more prominent Spokane street in West Central along the north river bluff adorned with their family name, Ide Avenue, which has been reconfigured multiple times and renamed to Summit Parkway. Considering the loss of Ide Avenue, preserving Dean Avenue as a street name is of greater priority since the other street name memorializing the family has been changed. But, the original section of Dean Avenue, as platted by the Ides, was further west than the section proposed for renaming near the downtown stadium/Podium. The original section was between Elm Street and Cedar Street. When the area around the stadium/Podium was first platted as Keystone Addition in 1890, the name Dean Avenue was adopted for the section of section of road between Howard Street and Washington Street likely based on a city policy to use uniform street names for all streets that have alignment east to west and north to south.

Furthermore, the section of Dean Avenue near the downtown stadium/Podium is (and always has been) disconnected from the main contiguous portion of Dean which has an eastern terminus at Adams Street, half a dozen blocks to the west. The small section of Dean Avenue near the stadium/podium also does not proceed further to the east from Washington Street. It is a standalone section of Dean Avenue between Howard Street and Washington Street that is potentially ripe for renaming.

Sincerely,

A handwritten signature in blue ink, appearing to read "Logan Camporeale", with a large, stylized initial "L" and "C".

Logan Camporeale

## Berberich, Taylor

---

**From:** Halbig, Bobby  
**Sent:** Thursday, June 15, 2023 7:41 AM  
**To:** Berberich, Taylor  
**Subject:** Renaming of Dean Avenue to Joe Albi Way

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

The proponent will need to provide the City (Signs and Markers) with replacement street name plates.

Best regards,



**Bobby Halbig** | City of Spokane | Traffic Engineering Specialist I, Traffic Operations  
509.232-8846 | fax 509.232.8830 | [bhalbig@spokanecity.org](mailto:bhalbig@spokanecity.org) | [spokanecity.org](http://spokanecity.org)



SPOKANE SCHOOL DISTRICT NO. 81  
SPOKANE COUNTY, WASHINGTON

RESOLUTION NO. 2023-05

A RESOLUTION of the Board of Directors of Spokane School District No. 81, Spokane County, Washington, expressing its support to rename a portion of West Dean Avenue adjacent to the new downtown Stadium site as “Joe Albi Way”; and providing for related matters.

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF SPOKANE SCHOOL DISTRICT NO. 81, SPOKANE COUNTY, WASHINGTON, as follows:

Section 1. Findings and Determinations. The Board of Directors (the “Board”) of Spokane School District No. 81, Spokane County, Washington (the “District”), takes note of the following facts and makes the following findings and determinations:

(a) On November 6, 2018, the District’s voters approved a ballot proposition, submitted pursuant to District Resolution No. 2018-10 (the “2018 Election Resolution”), authorizing the District to undertake and finance certain capital projects, including to “... replace or renovate ... Albi Stadium ...” (the “Stadium Project”). Section 2(h) of the 2018 Election Resolution, which was incorporated by reference in the ballot proposition, further defined the Stadium Project to include: “Construct a new stadium to replace Albi Stadium on a site to be determined by the Board that will include, but not be limited to, a stadium facility, parking, locker rooms, restrooms, concessions and other capital facilities and improvements.”

(b) On March 10, 2021, downtown Spokane business community members presented a proposal requesting the Board consider constructing the Stadium Project in downtown Spokane, adjacent to the Spokane Arena and the Podium indoor sports facility.

(c) The District subsequently engaged the community to evaluate the downtown proposal for the Stadium Project, including: (1) conducting two public forums (the first on March 16, 2021 and the second on March 17, 2021) with the majority of those providing public comment in favor of the downtown location; (2) conducting a Thought Exchange from March 12 to March 31, 2021 that engaged 7,704 participants, received 11,223 “thoughts” from students, District staff, parents/guardians and community members and concluded “there is overwhelming support for a downtown stadium” with the highest rated themes being consideration of the Spokane Civic Theatre, student centric approach for access and scheduling and a strong relationship with the Spokane Public Facilities District (the “PFD”); and (3) receiving correspondence from District principals and athletic directors, Spokane Civic Theatre, Eastern Washington University, Washington State University and numerous elected officials and other community members.

(d) Upon hearing and consideration of the community feedback, the Board on April 21, 2021, adopted a motion to allow District staff to engage in negotiations to create a partnership with the PFD regarding the development and operation of the Stadium Project in downtown Spokane.

(e) Based on general terms of understanding negotiated by District and PFD staff, and after due consideration, and being fully informed and advised, the Board adopted Resolution No.

2021-13 to, among other actions, "... select and designate the Stadium Project to be constructed in downtown Spokane on an approximately five to seven acre site, which is bordered by Boone avenue to the north, Howard street to the west, Dean avenue to the south, and Washington street to the east, together with other sites necessary for parking and related facilities and improvements." Resolution No. 2021-13, § 2.

(f) Under the resulting partnership with the PFD, the District is constructing the Stadium Project at the downtown Spokane location. The PFD will maintain and operate the stadium, saving the District significant costs. In addition, the PFD will use the stadium for professional sports, concerts and other entertainment events when not in use by the District, resulting in significant community and economic benefit to the greater Spokane area.

(g) To recognize the legacy of the former stadium's namesake Joe Albi, the District has included in the design of the Stadium Project an area near the front entry to be named "Joe Albi Plaza," which will include a display plaque and the statue of Joe Albi (Joe Fan), once located in the former stadium. The current draft of the display plaque recognizes Joe Albi's accomplishments and history, as follows:

"The son of Italian immigrants and a lifelong Spokane resident, Joseph Aloysius Albi was more than a local businessman – he was a trial attorney, philanthropist, civic booster, diplomat, and sports supporter. The Spokane Daily Chronicle called him 'a man with a million ideas, every one of which was designed to help some deserving youngsters and to promote...his favorite city.' Albi founded the Athletic Round Table in 1920 and served as its president until his death 42 years later. During that time, he raised and distributed more than two million dollars for the Spokane sports community. His legacy includes Esmeralda Golf Course; Spokane Coliseum; the inaugural U.S. Women's Open golf tournament; numerous PGA Tour events, including the 1944 PGA Championship; and Spokane Memorial Stadium, which hosted everyone from the Green Bay Packers to Elvis Presley to Billy Graham. Renamed in honor of Albi just weeks before his death, the original stadium was demolished in 2022. Today's stadium is a modern testament to the visionary who transformed Spokane sports for good."

(h) To further recognize the many contributions Joe Albi made to sports in Spokane, the District has submitted a Street Name Change Application to the City of Spokane, requesting to rename a section of West Dean Avenue, located adjacent to the Stadium Project site between Washington and Howard Streets, to "Joe Albi Way" (the "Joe Albi Way Application").

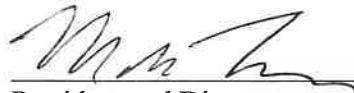
(i) The Board now desires to express its support of the Joe Albi Way Application.

Section 2. Declaration of Support. After due consideration, and being fully informed and advised, the Board hereby expresses its support for the Joe Albi Way Application.

Section 5.     Effective Date. This resolution takes effective from and after its adoption.

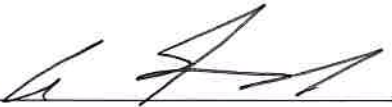
ADOPTED by the Board of Directors of Spokane School District No. 81, Spokane County, Washington, at a regular open public meeting held this 24<sup>th</sup> day of May 2023.

SPOKANE SCHOOL DISTRICT NO. 81,  
SPOKANE COUNTY, WASHINGTON



\_\_\_\_\_  
President and Director

ATTEST:



\_\_\_\_\_  
DR. ADAM M. SWINYARD  
Secretary to the Board of Directors

**STAFF REPORT ON  
STREET NAME CHANGE APPLICATION  
FILE NO. Z23-215STNC**

***I. SUMMARY OF REQUEST AND RECOMMENDATION:***

Description: An application was submitted by the Spokane School District for a Street Name Change for the renaming of a section of W. Dean Avenue, between Howard Street and Washington Street, to be renamed “Joe Albi Way.”

Recommendation: Staff recommends approval to street name change.

***II. GENERAL INFORMATION:***

- A. Applicant: Spokane School District  
200 N Bernard  
Spokane, WA 99201
- B. Location of Proposal: The subject property is the public right-of-way of W. Dean Avenue from Howard Street east to Washington Street.
- E. SEPA Status: Categorically Exempt pursuant to WAC 197-11-800(19)
- F. Enabling Zoning: SMC Chapter 17D.050A Roadway Naming and Addressing.
- G. Hearing Date: June 28, 2023, 4:00 p.m.
- H. Staff Contact: Taylor Berberich, 625-6500

***III. FINDINGS OF FACT:***

- A. Site Description: The single segment of W. Dean Avenue runs from its east end at Washington Street to the west where it intersects Howard Street.
- B. Project Description: Authorized by Spokane Municipal Code Chapter 17D.050A – Roadway Naming, the Spokane School District applied for a Street Name Change to rename a section of W. Dean Avenue, between Howard Street and Washington Street.
- C. Surrounding Zoning: All parcels in the project extents are zoned Downtown General (DTG).
- D. Zoning History: The roadway was named when the area was originally platted in



1883. Chester Dean Ide named it Dean Street, and it was later changed to Dean Avenue. Portions of the original roadway still exist in Spokane's West Central neighborhood.

- E. Adjacent Land Use: The adjacent parcels contain Spokane Civic Theatre, Canopy Credit Union (Formerly Spokane Federal Credit Union), The Podium, Inland Northwest, Council Endowment Properties, LLC, and Shrag Vets Real Estate LLC.
- F. Applicable Zoning/Code Regulations: SMC Chapter 17D.050A – Roadway Naming and Addressing.
- G. Procedural Requirements:
  - Application was accepted on Friday May 19, 2023; and
  - Notice of the Public Hearing was posted on the roadway on June 12, 2023, published in the Spokesman on June 14 and 21, 2023, and mailed to recipients adjacent to the subject property, emergency dispatching personnel, and the United States Postal Service on June 8, 2023.

#### **IV. CONCLUSIONS:**

**Procedure. The procedure for naming of roadways is detailed in SMC 17D.050A.055 and outlined below:**

##### [17D.050A.055](#) *Naming of Roadways*

- A. *Any project permit action that results in a name being created to identify a new roadway, whether public or private, shall comply with the requirements of this chapter. The applicant will designate proposed roadway names. The Development Services Center shall review the proposed roadway names for consistency with this chapter.*
- B. *Other than as provided in subsection (A) of this section, a roadway name shall be established or changed by ordinance upon recommendation of the plan commission. Any proposed roadway name change shall be consistent with the roadway naming standards of [SMC 17D.050A.060](#).*
- C. *Before submitting a proposed roadway name change to the plan commission, the Development Services Center shall cause the applicant to give notice to the owners of property fronting on the roadway, the United States Postal Service and emergency dispatching personnel, for the purpose of eliciting comments. The Development Services Center shall also cause the applicant to post notice pursuant to [SMC 17G.060.120](#).*

**Policy. The policy for naming of roadways is detailed in 17D.050A.050 and outlined below:**

##### [17D.050A.050](#) *Roadways to Which Naming Requirements Apply*

- A. *New or unnamed existing roadways providing access to four (4) or more addressable parcels, structures, or units shall be named.*

- B. Existing roadways for which renaming has been authorized by the City to promote the purpose of this chapter shall be renamed as provided for in the City Charter and the Spokane Municipal Code.
- C. Preapproved road names shall be identified on plat documents at the time of Final Plat submittal.
- D. Only traveled ways that qualify as roadways may be named; except that alleys in the downtown zones may be named.
- E. All roadways shall be named regardless of whether the ownership is public or private. Without limitation, this includes all roadways that are created within plats, short plats, binding site plans, PUDs and manufactured/mobile home parks.
- F. Driveways, access to parking areas and other traveled surfaces that are not considered roadways may not be named, but may have directions identified with the following method:
  - 1. Arrow signs indicating building or address ranges within an apartment complex or campus may be placed at the entrances and along the non-roadway traveled ways to locate the buildings.

**Decision Criteria. The decision criteria for roadway name change is detailed in 17D.050A.110 and outlined below:**

[17D.050A.110](#) *Change in Roadway or Address Status*

- A. If a public or private roadway right-of-way is altered, the City shall review the alteration and may assign a corrected roadway name and/or address/addresses consistent with the provisions of this Code. If the access to an individual address is altered, the City shall assign a corrected address consistent with the provisions of this Code (e.g., the owners of 200 W. Cherry Ln. change the location of their driveway from Cherry Ln. to Spruce Ln. necessitating an address on Spruce Ln.).
- B. Roadway name changes should be approved only when they further the public interest or public safety, specifically in the dispatching of emergency vehicles. A change in the name of an existing roadway is subject to approval by the city council. The city council, subsequent to the recommendation of the plan commission, may grant a roadway name change if the proposed change is consistent with the policy for naming roadways found in [SMC 17D.050A.060](#).

**Relevant Facts**

Staff has reviewed the application and finds that the proposed street name meets all the relevant criteria outlined in 17D.050A – Roadway Naming and Addressing.

The street segment is an isolated street that does not continue in either direction past the intersections with Howard Street or Washington Street. The desired roadway name is specifically consistent with the criteria identified below:

*17D.050A.060(M):* Roadway name integrity should be maintained for the entire length of the roadway whenever possible. Roadway names shall only change when

there is a substantial intersection or significant “visual geometric cue.” Generally continuous roadways shall not be subdivided into segments with different names.

### **Comments**

One comment has been received regarding the street name change. The City of Spokane traffic operations noted on June 15<sup>th</sup>, 2023, that “The proponent will need to provide the City (Signs and Markers) with replacement street name plates.” No public comment was received as of June 22, 2023.

### **VI. RECOMMENDATION**

**STAFF CONCLUSION:** Based on the above findings, staff supports renaming the roadway “Joe Albi Way”.



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

07/24/2023

<b>Date Rec'd</b>	7/12/2023
<b>Clerk's File #</b>	ORD C36417
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	

<b>Submitting Dept</b>	CITY COUNCIL
<b>Contact Name/Phone</b>	ELIZABETH X6232 SCHOEDEL
<b>Contact E-Mail</b>	ESCHOEDEL@SPOKANECITY.ORG
<b>Agenda Item Type</b>	First Reading Ordinance
<b>Agenda Item Name</b>	0320 - RENTAL REGULATION UPDATE

**Agenda Wording**

AN ORDINANCE relating to Regulations of Residential Rental Housing; adopting a new section 10.57.115 to chapter 10.57 SMC; and repealing SMC 18.08.010, 18.08.020, 18.08.030, 18.08.040, 18.08.050, 18.08.060, 18.08.070, 18.08.080, 18.08.090, 18.08.100,

**Summary (Background)**

City Council adopted SMC 18.08 in January 2022 as the pandemic and statewide regulations on tenant evictions were still evolving. SMC 18.08 has since become obsolete after termination of the statewide eviction moratorium and the July 1, 2023 termination of related rental assistance programs. This proposed ordinance is intended to update SMC 18.08 and repeal obsolete provisions.

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

<b>Approvals</b>		<b>Council Notifications</b>	
<b>Dept Head</b>	BYRD, GIACOBBE	<b>Study Session\Other</b>	07/17/23 Finance
<b>Division Director</b>		<b>Council Sponsor</b>	CM Bingle & CM Cathcart
<b>Finance</b>		<b>Distribution List</b>	
<b>Legal</b>		cwright@spokanecity.org	
<b>For the Mayor</b>		gbyrd@spokanecity.org	
<b>Additional Approvals</b>		eschoedel@spokanecity.org	
<b>Purchasing</b>		jbingle@spokanecity.org	
		mcathcart@spokanecity.org	

ORDINANCE NO. C36417

AN ORDINANCE relating to Regulations of Residential Rental Housing; adopting a new section 10.57.115 to chapter 10.57 SMC; and repealing SMC 18.08.010, 18.08.020, 18.08.030, 18.08.040, 18.08.050, 18.08.060, 18.08.070, 18.08.080, 18.08.090, 18.08.100, 18.08.110, 18.08.120, 18.08.130, 18.08.140, 18.08.150, and 18.08.160 to chapter 18 of the Spokane Municipal Code; and setting an effective date.

WHEREAS, the Eviction Moratorium instituted by the Governor of the State of Washington under proclamation 20-19.6 ended on June 20, 2021; and

WHEREAS, RCW 59.18.660 Eviction Resolution Pilot Program expired on July 1, 2023; and

WHEREAS, as a result, the City is amending relevant ordinances.

- - Now, Therefore,

The City of Spokane does ordain:

Section 1. That there is adopted a new section 10.57.115 to chapter 10.57 SMC to read as follows:

**10.57.115 Future Rent – COVID-19 Repayment**

A. For rent accruing on August 1, 2021, or thereafter, it is the expectation that tenants will pay rent in full, negotiate a lesser amount or a payment plan with the tenant's landlord, or actively seek rental assistance if assistance is needed.

B. For rent owed that accrued due to COVID-19 or the economic effects of the pandemic (such as, without limitation, loss or reduction of income in connection with COVID-19) on or after February 29, 2020 to August 1, 2021, landlords are prohibited from serving or enforcing, or threatening to serve or enforce, any notice requiring a resident to vacate any dwelling, including but not limited to an eviction notice, notice to pay or vacate, unlawful detainer summons or complaint, notice of termination of rental, or notice to comply or vacate if the landlord has made no attempt to establish a reasonable repayment plan with the tenant. Tenants must respond to landlords within 14 days of the landlord's offer. If a tenant fails to accept the terms of a reasonable repayment plan or if the tenant defaults on any rent owed under a repayment plan, a landlord must first provide notice to the tenant of the default, and then follow the procedures provided in Chapter 59.18 RCW, before filing an unlawful detainer action based in whole or in part on non-payment.

Section 2. That SMC section 18.08.010 entitled “Purpose and Intent is repealed.

Section 3. That SMC section 18.08.020 entitled “Definitions” is repealed.

Section 4. That SMC section 18.08.030 entitled “Past Rent Owed” is repealed.

Section 5. That SMC section 18.08.040 entitled “Enforceable Debt” is repealed.

Section 6. That SMC section 18.08.050 entitled “Future Rent Owed” is repealed.

Section 7. That SMC section 18.08.060 entitled “Late Fees” is repealed.

Section 8. That SMC section 18.08.070 entitled “Written Notice of Resources and Programs” is repealed.

Section 9. That SMC section 18.08.080 entitled “Reasonable Payment Plans” is repealed.

Section 10. That SMC section 18.08.090 entitled “Permissible Unlawful Detainer Actions” is repealed.

Section 11. That SMC section 18.08.100 entitled “Local Law Enforcement Involvement in Evictions Prohibited” is repealed.

Section 12. That SMC section 18.08.110 entitled “Communications” is repealed.

Section 13. That SMC section 18.08.120 entitled “Retaliation Prohibited” is repealed.

Section 14. That SMC section 18.08.130 entitled “Right to Legal Counsel” is repealed.

Section 15. That SMC section 18.08.140 entitled “Exclusions” is repealed.

Section 16. That SMC section 18.08.150 entitled “Penalties” is repealed.

Section 17. That SMC section 18.08.160 entitled “Severability” is repealed.

Section 18. Effective Date.

PASSED BY THE CITY COUNCIL ON \_\_\_\_\_, 2023.

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

Attest:

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

\_\_\_\_\_  
Mayor

Approved as to form:

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

\_\_\_\_\_  
Date

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



**Agenda Sheet for City Council Meeting of:**  
07/31/2023

<b>Date Rec'd</b>	7/19/2023
<b>Clerk's File #</b>	ORD C36420
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	

<b>Submitting Dept</b>	CITY COUNCIL
<b>Contact Name/Phone</b>	CHRIS WRIGHT 6210
<b>Contact E-Mail</b>	CWRIGHT@SPOKANECITY.ORG
<b>Agenda Item Type</b>	First Reading Ordinance
<b>Agenda Item Name</b>	0320 - ORDINANCE AMENDING PARK HOURS

**Agenda Wording**

An ordinance relating to Parks; amending Section 12.06A.040 of the Spokane Municipal Code concerning park rules and regulations, and adding a new section 12.06A.055 to Chapter 12.06A of the Spokane Municipal Code.

**Summary (Background)**

This ordinance would further amend SMC 12.06A.040.J.4, concerning Park Rules and Regulations, to restore the park rules under the Spokane Municipal Code to reflect the current hours of operation consistent with the decision of the Park Board.

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

<b>Approvals</b>		<b>Council Notifications</b>	
<b>Dept Head</b>	BYRD, GIACOBBE	<b>Study Session\Other</b>	N/A
<b>Division Director</b>		<b>Council Sponsor</b>	Stratton; Cathcart; Bingle
<b>Finance</b>		<b>Distribution List</b>	
<b>Legal</b>		CM Stratton and CM Cathcart	
<b>For the Mayor</b>			
<b>Additional Approvals</b>			
<b>Purchasing</b>			



## **ORDINANCE NO. C36420**

An ordinance relating to Parks; amending Section 12.06A.040 of the Spokane Municipal Code concerning park rules and regulations, and adding a new section 12.06A.055 to Chapter 12.06A of the Spokane Municipal Code.

**WHEREAS**, on Monday, June 26, 2023, the Spokane City Council considered ORD C36394, a revision to SMC 12.06A.040.J.4 that would increase the penalty for being in a city park after the hours of closure from a civil infraction to a misdemeanor; and

**WHEREAS**, an amendment to ORD C36394 was offered which proposed to change the hours when parks are closed so that closure would be from 11 p.m. to 5 a.m., and midnight to 5 a.m. in Riverfront Park; and

**WHEREAS**, Council members acknowledged the authority of the Park Board under the City Charter to set rules and regulations for city parks and therefore added a final “whereas” to the prefatory recitals of ORD C36394, formally seeking the Park Board’s agreement to this rule change (“WHEREAS, the Spokane City Council requests the Spokane Park Board update the park hours to reflect the hours listed in this ordinance”); and

**WHEREAS**, the City Council thereafter unanimously adopted the amendment and proceeded to a vote on the substantive ordinance, which narrowly passed by a vote of 4 to 3 (See ORD C36394, Exhibit A, attached); and

**WHEREAS**, the Park Board convened on Thursday, July 13, 2023 to discuss the City Council’s request to change the park hours of operation and voted overwhelmingly to decline the request, issuing a Park Board Resolution stating its reasons for maintaining the current hours of closure from 10 p.m. to 6 a.m. and midnight to 6 a.m. for Riverfront Park (See Exhibit B, attached); and

**WHEREAS**, the Spokane City Council recognizes the authority of the Park Board under Section 48 of the Spokane City Charter, which gives the Park Board sole authority to make rules and regulations for the use of parks and to provide for the enforcement of such rules and regulations, thereby preempting City Council action on matters relating to the Park hours of operation; and

**WHEREAS**, ORD C36394 will take effect on July 30, 2023; and

**WHEREAS**, the Spokane City Council now wishes to further amend SMC 12.06A.040.J.4, concerning Park Rules and Regulations, to restore the park rules under the Spokane Municipal Code to reflect the current hours of operation consistent with the decision of the Park Board.

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

**Section 1.** That Section 12.06A.040 SMC is amended to read as follows:

Section 12.06A.040 Rules and Regulations

The Park Board has established rules governing behavior on park property, and such rules may be enforced consistent with this ordinance.

Except when done in places designated and in the manner prescribed by rule, regulation or special permission of the park board or department:

A. Park Grounds and Maintenance

1. No person may cut, trim, tag or in any way tamper with the trees or landscaping, or dig, stake, pierce or penetrate the ground of any park.

B. Vehicles and Watercraft

1. No person may ride or drive any motor vehicle in Riverfront Park without express permission from the director of the parks department or his or her designee. Nothing in this section shall be construed as prohibiting the use of electric scooters, electric bicycles or other personal electric mobility devices in Riverfront Park.
2. No person may drive or ride any vehicle or animal on the grass or in any areas of the park other than designated drives, ways, boulevards or paths. Nothing in this section shall be construed as prohibiting a person from riding a mountain bike on established paths and trails in natural/conservation/undeveloped areas.
3. No person may park outside designated parking areas. Cars parked in turf areas, parked overnight or left for multiple days in parking lots may be deemed unauthorized pursuant to SMC 16A.07.060 and impounded by a registered tow truck operator at the direction of a law enforcement officer or other public official with jurisdiction.
4. No person may operate or drive any vehicle, including bicycles, skateboards and roller skates, in a manner which is likely to endanger persons and/or property.
5. No person may intentionally enter, swim, dive or float, with or without a boat, raft, craft or other flotation device, in or upon any pond in a park or the Spokane River at any point between the west line of the Division Street Bridge and the west line of the Monroe Street Bridge.

### C. Speed

1. No person may ride or drive a vehicle at a speed in excess of five miles per hour in Riverfront Park.
2. At all parks other than Riverfront Park, no person may ride or drive a vehicle at a speed in excess of fifteen miles per hour unless otherwise posted.

### D. Games and Athletics

1. No person may engage in, conduct, or hold any trials or competitions for speed, endurance, or hill climbing involving any vehicle, boat, aircraft, or animal in any park, except by permission of the director of the parks department or his or her designee.
2. No person may play or practice any game that involves the running or the throwing or hitting of a ball or other projectile such as golf, archery, hockey, tennis or baseball, when and where such activity is likely to be dangerous.
3. No person may operate remote controlled vehicles, unmanned air systems or other hobby craft in a manner that is dangerous to persons or property.
4. Swimming pools, wading pools, golf courses, softball diamonds and basketball courts may be used only during hours designated by the director of the parks department or his or her designee.

### E. Animals

1. No person may allow any animal to run at large in any park or enter any pond, pool, fountain or stream thereof except within a designated off-leash area. A violation of this section is a class 4 civil infraction.
2. All persons bringing pets to a park must provide for the disposal of animal waste from their pets. Failure to do so is a class 4 infraction.
3. No person may tease, annoy, disturb, attack, catch, injure, or kill, throw stones or any object at, or strike with any stick or weapon, any animal, bird, fowl or other wildlife in any park.
4. Fishing shall be allowed in rivers and creeks adjacent to parks, but shall not be allowed in the ponds of any park.
5. No person may feed any wildlife in any park. A violation of this section is a class 4 civil infraction.

## F. Drugs and Alcohol

1. Except as specifically authorized by the director of the parks department or his or her designee, no person shall open the package containing liquor or consume liquor in a public park. A violation of this section is a class 3 civil infraction.
2. As provided in RCW 69.50.445, it is unlawful to open a package containing marijuana, useable marijuana, marijuana-infused products, or marijuana concentrates, or consume marijuana, useable marijuana, marijuana-infused products, or marijuana concentrates, in any park. A violation of this section is a class 3 civil infraction.
3. For the safety and protection of all park users, the use and distribution of drug paraphernalia is prohibited in city parks. In addition to penalties provided in state or local law, violators shall be subject to exclusion from one or more city parks for one year.

## G. Weapons and Projectiles

No person may shoot, fire, throw or explode any fireworks, explosive, bow and arrow, slingshot or other weapon, toy or real, which discharges a pellet or other object with harmful force.

## H. Food

1. Except as provided in SMC 10.51.040(A), no person may sell food inside or adjacent to a park without first obtaining the following:
  - a. Written authorization from the director of the parks department, or his or her designee, to vend at a particular location or locations, as required by SMC 10.51.070 and SMC 17C.390.030; and
  - b. A valid a mobile food vendor's permit as required by SMC 10.51.010.

### I. Events

1. Special events held in a city park require a park reservation and must also be authorized by a special event permit issued by the director of the parks department under the procedures and requirements for special events as provided in Chapter 10.39 SMC.
2. Regardless of whether an event requires a special event permit, park reservations are required to reserve park space and to serve or distribute food for groups of over fifteen people. There is no cost to submit reservation

application for events that do not include the use of a shelter, but the application requires the submission of a clean-up plan and may be subject to cost recovery for the actual costs of clean-up by park employees.

J. Other Uses of Parks and Park Property

1. No person may use or occupy park property to sleep, store property or for any other purpose when done in a manner that obstructs or prevents others from its use and enjoyment.
2. No person may build a fire in a park during official burn bans or where fire restrictions are otherwise imposed. All fires must be contained to designated fireplaces and park-supplied barbecue pits.
3. Where the park board has provided for the collection of fees, rents or charges for the use of park facilities, including municipal golf courses, no person may enter upon or use such park facilities without paying such required fees, rents or charges.
4. No person may be in a City park or on park property during the hours of closure without the express permission of the director of the parks department or his or her designee. ~~((All City parks shall be closed from eleven p.m. to five a.m. except Riverfront Park, which shall be closed from twelve a.m. to five a.m.))~~ All City parks shall be closed from ten p.m. to six a.m., except Riverfront Park, which shall be closed from midnight to six a.m. throughout the year. A violation of this section is an unlawful park trespass and shall be punishable as a misdemeanor.
5. No person may sell or barter any goods or services without prior permission of the director of the parks department or his or her designee.

K. No person may violate such rules and regulations as may from time to time be promulgated by the park board or the director of parks and recreation pursuant to and in supplementation of the City Charter and this code.

**Section 2.** That a new section 12.06A.055 is added to Title 12.06A SMC, the Park Code, to read as follows:

**Section 12.06A.055 Data Compilation**

The Spokane Police Department shall compile and submit to the City Council on an annual basis data that identifies the number of persons law enforcement officers arrest in connection with enforcement of the park trespass violation, including such factors as age, race, ethnicity, whether the person had additional charges, and whether

they were released or booked into jail. Beyond the annual reporting requirement, the City Council may from time to time require the Spokane Police Department to provide updated reports.

**Section 3. Severability.** If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

**Section 4.** Upon approval by the city attorney, the city clerk is authorized to make necessary corrections to this ordinance, including scrivener's errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections.

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

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

Attest:

Approved as to form:

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

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

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

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

**EXHIBIT A**

**ORDINANCE NO. C36394**

An ordinance relating to Parks; amending Section 12.06A.040 of the Spokane Municipal Code concerning park rules and regulations.

WHEREAS, there has been a significant increase in after-hour incidents in city parks, which incidents have frequently escalated into altercations, felony assaults, and shootings, and which incidents often involve the unlawful use of drugs; and

WHEREAS, the current punishment for violation of the park hours rules is a non-traffic civil infraction, and pursuant to RCW 7.80.060 a person who is unable or unwilling to reasonably identify himself or herself to an enforcement officer may be detained for a period of time not longer than is reasonably necessary to identify the person for purposes of issuing a civil infraction; and

WHEREAS, elevating the penalty for unlawful presence in a city park after hours to a misdemeanor allows law enforcement officers to investigate, check for warrants and pat down for weapons, as is constitutionally authorized; and

WHEREAS, the City seeks to enhance the enforcement options for law enforcement personnel with respect to illegal and after-hour activity in city parks; and

WHEREAS, the City has an important governmental interest in protecting the health, safety and lives of its residents and in reducing the community impact of drug possession and drug use; and that under its Article XI section 11 police powers, the City is authorized to act in the interest of public safety and welfare; and

WHEREAS, the Spokane City Council requests the Spokane Park Board update the park hours to reflect the hours listed in this ordinance; and

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

**Section 1.** That Section 12.06A.040 SMC is amended to read as follows:

Section 12.06A.040 Rules and Regulations

The Park Board has established rules governing behavior on park property, and such rules may be enforced consistent with this ordinance.

Except when done in places designated and in the manner prescribed by rule, regulation or special permission of the park board or department:

A. Park Grounds and Maintenance

1. No person may cut, trim, tag or in any way tamper with the trees or landscaping, or dig, stake, pierce or penetrate the ground of any park.

#### B. Vehicles and Watercraft

1. No person may ride or drive any motor vehicle in Riverfront Park without express permission from the director of the parks department or his or her designee. Nothing in this section shall be construed as prohibiting the use of electric scooters, electric bicycles or other personal electric mobility devices in Riverfront Park.
2. No person may drive or ride any vehicle or animal on the grass or in any areas of the park other than designated drives, ways, boulevards or paths. Nothing in this section shall be construed as prohibiting a person from riding a mountain bike on established paths and trails in natural/conservation/undeveloped areas.
3. No person may park outside designated parking areas. Cars parked in turf areas, parked overnight or left for multiple days in parking lots may be deemed unauthorized pursuant to SMC 16A.07.060 and impounded by a registered tow truck operator at the direction of a law enforcement officer or other public official with jurisdiction.
4. No person may operate or drive any vehicle, including bicycles, skateboards and roller skates, in a manner which is likely to endanger persons and/or property.
5. No person may intentionally enter, swim, dive or float, with or without a boat, raft, craft or other flotation device, in or upon any pond in a park or the Spokane River at any point between the west line of the Division Street Bridge and the west line of the Monroe Street Bridge.

#### C. Speed

1. No person may ride or drive a vehicle at a speed in excess of five miles per hour in Riverfront Park.
2. At all parks other than Riverfront Park, no person may ride or drive a vehicle at a speed in excess of fifteen miles per hour unless otherwise posted.

#### D. Games and Athletics

1. No person may engage in, conduct, or hold any trials or competitions for speed, endurance, or hill climbing involving any vehicle, boat, aircraft, or



animal in any park, except by permission of the director of the parks department or his or her designee.

2. No person may play or practice any game that involves the running or the throwing or hitting of a ball or other projectile such as golf, archery, hockey, tennis or baseball, when and where such activity is likely to be dangerous.
3. No person may operate remote controlled vehicles, unmanned air systems or other hobby craft in a manner that is dangerous to persons or property.
4. Swimming pools, wading pools, golf courses, softball diamonds and basketball courts may be used only during hours designated by the director of the parks department or his or her designee.

#### E. Animals

1. No person may allow any animal to run at large in any park or enter any pond, pool, fountain or stream thereof except within a designated off-leash area. A violation of this section is a class 4 civil infraction.
2. All persons bringing pets to a park must provide for the disposal of animal waste from their pets. Failure to do so is a class 4 infraction.
3. No person may tease, annoy, disturb, attack, catch, injure, or kill, throw stones or any object at, or strike with any stick or weapon, any animal, bird, fowl or other wildlife in any park.
4. Fishing shall be allowed in rivers and creeks adjacent to parks, but shall not be allowed in the ponds of any park.
5. No person may feed any wildlife in any park. A violation of this section is a class 4 civil infraction.

#### F. Drugs and Alcohol

1. Except as specifically authorized by the director of the parks department or his or her designee, no person shall open the package containing liquor or consume liquor in a public park. A violation of this section is a class 3 civil infraction.
2. As provided in RCW 69.50.445, it is unlawful to open a package containing marijuana, useable marijuana, marijuana-infused products, or marijuana concentrates, or consume marijuana, useable marijuana, marijuana-infused products, or marijuana concentrates, in any park. A violation of this section is a class 3 civil infraction.

3. For the safety and protection of all park users, the use and distribution of drug paraphernalia is prohibited in city parks. In addition to penalties provided in state or local law, violators shall be subject to exclusion from one or more city parks for one year.

#### G. Weapons and Projectiles

No person may shoot, fire, throw or explode any fireworks, explosive, bow and arrow, slingshot or other weapon, toy or real, which discharges a pellet or other object with harmful force.

#### H. Food

1. Except as provided in SMC 10.51.040(A), no person may sell food inside or adjacent to a park without first obtaining the following:
  - a. Written authorization from the director of the parks department, or his or her designee, to vend at a particular location or locations, as required by SMC 10.51.070 and SMC 17C.390.030; and
  - b. A valid a mobile food vendor's permit as required by SMC 10.51.010.

#### I. Events

1. Special events held in a city park require a park reservation and must also be authorized by a special event permit issued by the director of the parks department under the procedures and requirements for special events as provided in Chapter 10.39 SMC.
2. Regardless of whether an event requires a special event permit, park reservations are required to reserve park space and to serve or distribute food for groups of over fifteen people. There is no cost to submit reservation application for events that do not include the use of a shelter, but the application requires the submission of a clean-up plan and may be subject to cost recovery for the actual costs of clean-up by park employees.

#### J. Other Uses of Parks and Park Property and Facilities

1. No person may use or occupy park property to sleep, store property or for any other purpose when done in a manner that obstructs or prevents others from its use and enjoyment.
2. No person may build a fire in a park during official burn bans or where fire restrictions are otherwise imposed. All fires must be contained to designated fireplaces and park-supplied barbecue pits.

3. Where the park board has provided for the collection of fees, rents or charges for the use of park facilities, including municipal golf courses, no person may enter upon or use such park facilities without paying such required fees, rents or charges.
  4. No person may be in a City park or on park property during the hours of closure without the express permission of the director of the parks department or his or her designee. ~~((All City parks shall be closed from ten p.m. to six a.m., except Riverfront Park, which shall be closed from midnight to six a.m. throughout the year.))~~ All City parks shall be closed from eleven p.m. to five a.m., except Riverfront Park, which shall be closed from twelve a.m. to five a.m. A violation of this section is an unlawful park trespass and shall be punishable as a misdemeanor.
  5. No person may sell or barter any goods or services without prior permission of the director of the parks department or his or her designee.
- K. No person may violate such rules and regulations as may from time to time be promulgated by the park board or the director of parks and recreation pursuant to and in supplementation of the City Charter and this code.

**Section 2.** The Spokane Police Department shall compile and submit to the City Council on an annual basis data that identifies the number of persons law enforcement officers arrest in connection with enforcement of the park trespass violation, including such factors as age, race, ethnicity, whether the person had additional charges, and whether they were released or booked into jail. Beyond the annual reporting requirement, the City Council may from time to time require the Spokane Police Department to provide updated reports.

**Section 3.** Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

**Section 4.** Upon approval by the city attorney, the city clerk is authorized to make necessary corrections to this ordinance, including scrivener's errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections.

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

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

Attest:

Approved as to form:

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

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

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

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

**Spokane Park Board**

**RESOLUTION**

A Resolution of the Spokane Park Board regarding the City Council's request to update the Park hours of operation pursuant to ORD C36394.

**WHEREAS**, pursuant to the City of Spokane Charter, Section 48, “[t]he park board shall have power . . . [t]o make rules and regulations for the use of parks and provide for the enforcement of such rules and regulations . . . ; and

**WHEREAS**, based on the City’s Charter and relevant Washington case law, City of Spokane Park Board has the sole authority to establish park rules and regulations and to provide for the enforcement of such rules and regulations; and

**WHEREAS**, pursuant to park rules established by the Spokane Park Board and codified in SMC 12.06A.040J.4, most city parks are currently closed from 10:00pm to 6:00am, and Riverfront Park is closed from 12:00am to 6:00am; and

**WHEREAS**, on Monday, June 26, 2023, the Spokane City Council considered ORD C36394, a revision to SMC 12.06A.040.J.4 that would increase the penalty for being in a city park after the hours of closure from a civil infraction to a misdemeanor; and

**WHEREAS**, an amendment to ORD C36394 was offered which proposed to change the hours when parks are closed so that closure would be from 11 p.m. to 5 a.m., and midnight to 5 a.m. in Riverfront Park; and

**WHEREAS**, the Council discussion of the amendment included recognition of the Park Board’s sole authority to establish Park Rules as well as an acknowledgement of the procedural requirement to bring park rule changes before the Park Board for approval; and

**WHEREAS**, Council members acknowledged that their action to adopt the amendment would take things out of order procedurally, and therefore added a final “whereas” to the prefatory recitals of ORD C36394, formally seeking the Park Board’s agreement to this rule change (“WHEREAS, the Spokane City Council requests the Spokane Park Board update the park hours to reflect the hours listed in this ordinance”); and

**WHEREAS**, The Council thereafter unanimously adopted the amendment and proceeded to a vote on the substantive ordinance, which narrowly passed by a vote of 4 to 3. (See ORD C36394, Exhibit A, attached.); and

**WHEREAS**, the City has an important governmental interest in closing public parks at night and in setting a nighttime deadline when all activities must cease and members of the community must leave, and which recognizes the responsibility of local government to promote the safety and protection of the public during times when parks are not patrolled and to ensure that community members in the surrounding neighborhoods are able to avail themselves of quiet enjoyment at times when most people go to sleep; and

**WHEREAS**, after much community input, the Spokane Parks Department previously adopted a ten-p.m. closure time for most city parks and a midnight closure time for Riverfront Park; and that these times were established to help facilitate the efficient management of city parks and to align with neighborhood concerns about activities that affect quiet enjoyment during late-night hours and enforcement of Spokane's Noise Ordinance; and

**WHEREAS**, the community has benefitted from the alignment of the current park hours of operation and the City's noise ordinance, which was intended to mitigate public disturbances caused by sound generated after ten p.m.; and which arise out of late-night park activity, adversely affecting residential neighborhoods where after-hours noise interrupts sleep and peace; and

**WHEREAS**, the Spokane City Council now asks the Spokane Park Board to consider a change in the hours of closure in order to address violent crime, including documented shootings which have been occurring in the parks overnight, with the enhanced penalty of a misdemeanor, but only during more limited hours; and

**WHEREAS**, changing the hours of closure would require the Parks Department to incur significant costs, including thousands of dollars in expenses not currently in the Parks budget; these include the replacement of over one thousand signs in parks throughout the city which could yield a cost tens of thousands of dollars; and

**WHEREAS**, a change in Park hours of operation will also require that the Parks Department incur costs associated with staff time to re-educate the public about the change as well as costs associated with payroll for the increased workloads of Park Rangers to patrol the extra hours and park maintenance staff to address trash and vandalism in city parks; and

**WHEREAS**, the Park Board must prioritize its budgeted projects and first consider the fiscal needs of Park operations, understanding that the Parks Department is already short on funds to accomplish all that it needs to and lacks adequate funding to accommodate this unsolicited change; and

**WHEREAS**, Section 48 of the Spokane City Charter gives the Park Board sole authority to make rules and regulations for the use of parks and to provide for the enforcement of such rules and regulations, thereby preempting City Council action on matters relating to the Park hours of operation; and

**WHEREAS**, SMC 04.11.010 reaffirms this authority, held exclusively by the Park Board, consistent with the charter and ordinances of Spokane, to adopt, promulgate and enforce rules and regulations respecting the management, control and use of the parks; and

**WHEREAS**, the Park Board appreciates its partnership with the City Council and its mutual interest in public safety through the stewardship required of each entity in their respective roles; and hopes the City Council will respect and accept that the Park Board has a responsibility to maintain the current park hours of operation for the reasons previously stated;

**NOW, THEREFORE, BE IT RESOLVED** that the Spokane Park Board respectfully declines City Council's request to change the park hours of operation in City parks.

**BE IT FURTHER RESOLVED** that the Spokane Park Board respectfully asks the City Council to amend SMC 12.06A.040.J.4 to restore the park hours lawfully established by the Park Board pursuant to its charter authority.

Adopted by the Spokane Park Board this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Park Board President

Attest:

Approved as to form:

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

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



**Agenda Sheet for City Council Meeting of:**  
07/31/2023

<b>Date Rec'd</b>	7/12/2023
<b>Clerk's File #</b>	ORD C36421
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	

<b>Submitting Dept</b>	DEVELOPMENT SERVICES CENTER
<b>Contact Name/Phone</b>	ELDON BROWN X6305
<b>Contact E-Mail</b>	EBROWN@SPOKANECITY.ORG
<b>Agenda Item Type</b>	First Reading Ordinance
<b>Agenda Item Name</b>	4700 – STREET VACATION OF CONKLIN STREET SOUTH OF 8TH AVENUE.

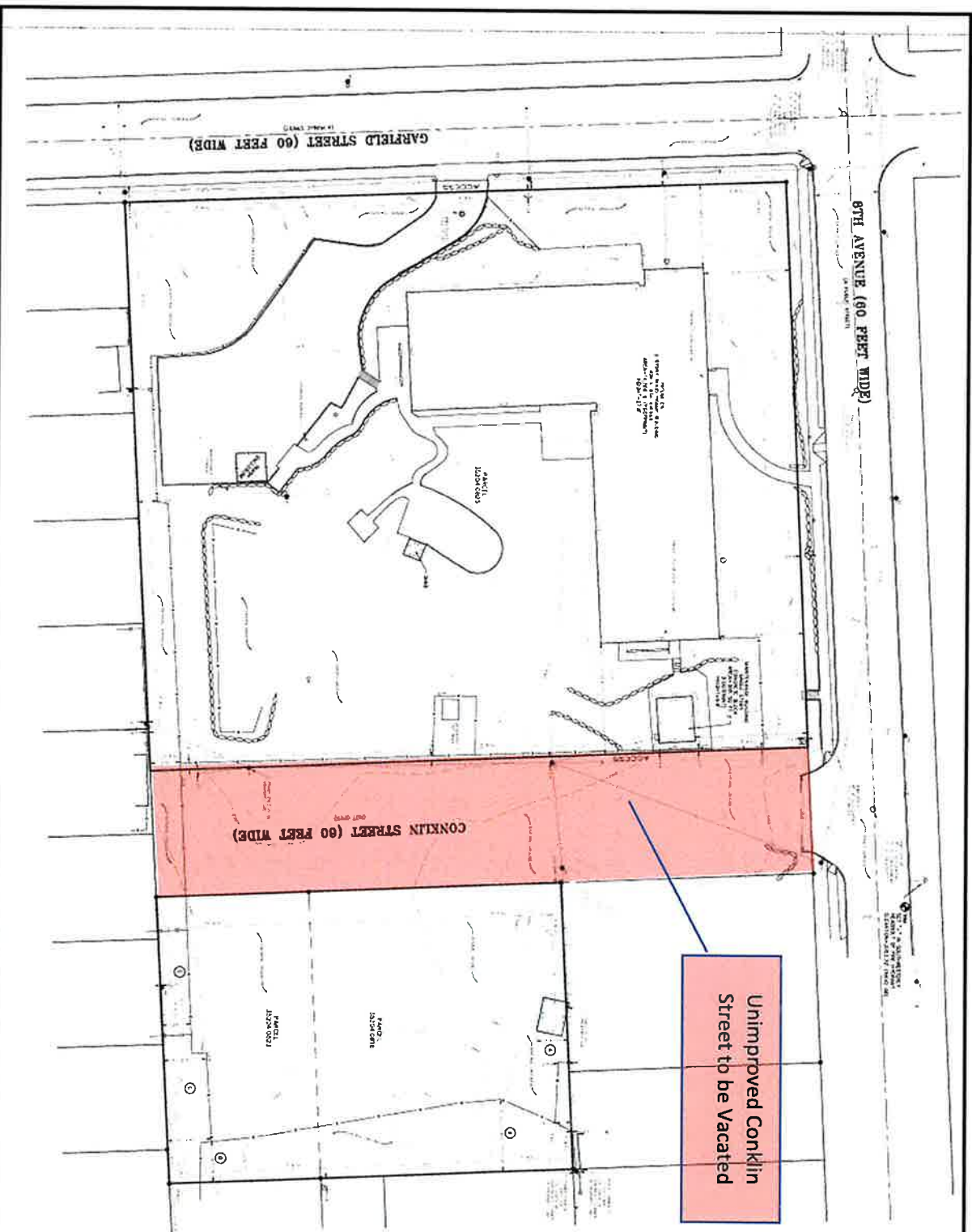
**Agenda Wording**  
Vacation of Conklin St. south of 8th Ave as requested by Spokane Housing Authority.

**Summary (Background)**  
At its legislative session held on June 26, 2023, the City Council set a hearing on the above vacation for July 31, 2023. Staff has solicited responses from all concerned parties.

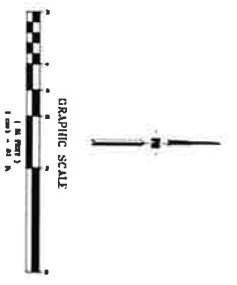
Lease? NO	Grant related? NO	Public Works? NO
<b>Fiscal Impact</b>		<b>Budget Account</b>
Neutral \$		#
Select \$		#
Select \$		#
Select \$		#

<b>Approvals</b>		<b>Council Notifications</b>	
<b>Dept Head</b>	MACDONALD, STEVEN	<b>Study Session\Other</b>	Urban Experience Committee 6/12/23
<b>Division Director</b>	MACDONALD, STEVEN	<b>Council Sponsor</b>	L. Kinnear & B. Wilkerson
<b>Finance</b>	ORLOB, KIMBERLY	<b>Distribution List</b>	
<b>Legal</b>	RICHMAN, JAMES	smacdonald@spokanecity.org	
<b>For the Mayor</b>	JONES, GARRETT	tpalmquist@spokanecity.org	
<b>Additional Approvals</b>		edjohnson@spokanecity.org	
<b>Purchasing</b>		ebrown@spokanecity.org	
		kkuchlenz@spokanecity.org	





Unimproved Conkin Street to be Vacated



**LEGEND**

PROPOSED LOT	---
EXISTING LOT	---
PROPOSED LOT LINE	---
EXISTING LOT LINE	---
PROPOSED LOT AREA	---
EXISTING LOT AREA	---
PROPOSED LOT PERCENTAGE	---
EXISTING LOT PERCENTAGE	---
PROPOSED LOT CORNER	---
EXISTING LOT CORNER	---
PROPOSED LOT CENTER	---
EXISTING LOT CENTER	---
PROPOSED LOT AREA	---
EXISTING LOT AREA	---
PROPOSED LOT PERCENTAGE	---
EXISTING LOT PERCENTAGE	---

- 1. PROPOSED LOT
- 2. EXISTING LOT
- 3. PROPOSED LOT LINE
- 4. EXISTING LOT LINE
- 5. PROPOSED LOT AREA
- 6. EXISTING LOT AREA
- 7. PROPOSED LOT PERCENTAGE
- 8. EXISTING LOT PERCENTAGE
- 9. PROPOSED LOT CORNER
- 10. EXISTING LOT CORNER
- 11. PROPOSED LOT CENTER
- 12. EXISTING LOT CENTER
- 13. PROPOSED LOT AREA
- 14. EXISTING LOT AREA
- 15. PROPOSED LOT PERCENTAGE
- 16. EXISTING LOT PERCENTAGE



ALTA/NPS LAND TITLE AND TOPOGRAPHIC SURVEY

HIFUMEN SITE & SANBORN PROPERTIES SPOKANE, WA



2707 N. Perry Street Spokane, WA 99201 (509) 443-0017  
 www.duryea-engineering.com

SHEET NUMBER 12 OF 22  
 DATE 2/21/2012



# Vacating Streets, Alleys and Other Public Right-of-Ways



For both residential and commercial property owners, vacating an unused or unneeded street, alley or other public right-of-way can be a valuable option. If your property is adjacent to an unused street, you might consider a street vacation.

The below list of required items can be submitted in person on the 3rd floor of City Hall or can be mailed to the address listed at the bottom of this page.

(Applications must be for the entire block. Appropriate justification must be submitted with this application in order to deviate from this standard.)

**Completed Vacation Application**  
The vacation application must be filled out and signed by the adjacent land owners.

**Application Fee**  
The application fee for a right-of-way vacation is \$400.00.

**Site Plan**  
A dimensioned site plan showing the conceptual layout of the vacated right-of-way after it has been vacated and developed. If the right-of-way is to remain the same after being vacated please indicate this on the site plan. If the vacation area abuts other right-of-ways, the site plan must show how the vacated right-of-way will be closed and how it will interact with the remaining right-of-way.

**Written Narrative**  
A written narrative describing the purpose or reason for the proposed right-of-way vacation, a description of what is proposed for the vacated area, and a description of how the vacation is a benefit to the public.

- Responses to the Below Questions**
- Is the right-of-way no longer required for public use or access?
  - How will the use of the right-of-way change after it becomes private property.
  - Will the vacation result in any parcel of land being denied sole access to a public right-of-way?
  - Are there any utilities in the right-of-way and if so do you plan to relocate them? If the utilities are not relocated, the City will retain no-build easements in the final vacation ordinance for the purveyors.

## Development Services Center

808 W. Spokane Falls Blvd, Spokane, WA 99201-3336  
my.SpokaneCity.org • Phone: 509.625.6300 • Fax: 509.625.6822

## 1. The Application

An application requesting the vacation of a street, alley or other public right-of-way should be filed with the City of Spokane, Development Services Center on the Third Floor of City Hall (see application on back). The Development Services Center may be contacted at (509) 625-6300.

The application must be signed by the property owners representing at least 66 2/3% of the frontage bordering the right-of-way to be vacated. However, we recommend that you obtain 100% of the bordering property owners' signatures.

When the application is filed, a non-refundable fee of \$400.00 must also be paid to the City of Spokane.

## 2. Proposal Review

When the application is filed, the Development Services Center will review the vacation proposal and verify ownership. Copies of the application will be sent to all concerned City departments and private utilities requesting comments.

## 3. Public Hearing

After all comments are received and reviewed the Spokane City Council will set a date for a public hearing on the vacation request and notify property owners by mail. The applicant will need to post notices on the site of the proposed vacation.

Prior to the hearing, the Development Services Center will make a recommendation as to the vacation's feasibility to the City Council. The recommendation will include the specific requirements of the vacation, such as drainage, street closure and necessary easements.

The property owner is responsible for paying for the expense of closing the right-of-way. The cost may include removal and replacement of concrete, asphalt, and other items.

## 4. Payment for Land

Payment for vacated land falls into two categories: for right-of-way that was dedicated less than 25 years ago, the City of Spokane charges one-half the assessed value; for right-of-way that was dedicated more than 25 years ago, the full assessed value will be charged. The value will be based on the unimproved land value of the adjoining property(s), as determined by the Spokane County Assessor's Office.

## 5. City Council Action

If the City Council approves the vacation application at the public hearing, the Development Services Center will submit an ordinance to the Council for approval which outlines the terms and conditions of the vacation. The ordinance may retain easements for the construction, repair, and maintenance of public and private utilities and services.

When the applicant completes all conditions, final reading of the ordinance will be made.

The City does not determine ownership of the vacated area. It is determined by the original platting of the right-of-way. Typically this would mean that the property would go one-half to the adjoining properties on each side of the vacated area.

This process will take three to six months, possibly more, depending on the circumstances.



Date 01/10/2023

The full 60' width of South Conklin Street south of 8th Avenue

I hereby make application for the vacation of and the full ~308' length running north to south.

from 8th Avenue to South-side parcels

The reasons for the vacation are: The Spokane community's need for low-income housing for the elderly and disabled populations. This vacation allows for the more efficient use of parcels owned by the Spokane Housing Authority on either side of the unused right-of-way.

Public benefits to be derived from the vacation are: A more efficient organization of the site can be achieved using this right-of-way and incorporating it into the project.

**Property Owner 1** Parcel Number 35204.0825  
 Proponent's (Record Owner's) Signature   
 Print Name Executive Director-Spokane Housing Authority  
 Email ppar@spokanehousing.org Phone Number 509-252-7139  
 Office Use Lot \_\_\_\_\_ Block \_\_\_\_\_ Addition \_\_\_\_\_

**Property Owner 2** Parcel Number 35204.0816  
 Proponent's (Record Owner's) Signature   
 Print Name Executive Director-Spokane Housing Authority  
 Email ppar@spokanehousing.org Phone Number 509-252-7139  
 Office Use Lot \_\_\_\_\_ Block \_\_\_\_\_ Addition \_\_\_\_\_

**Property Owner 3** Parcel Number 35204.0823  
 Proponent's (Record Owner's) Signature   
 Print Name Executive Director-Spokane Housing Authority  
 Email ppar@spokanehousing.org Phone Number 509-252-7139  
 Office Use Lot \_\_\_\_\_ Block \_\_\_\_\_ Addition \_\_\_\_\_

**Property Owner 4** Parcel Number 35204.0805  
 Proponent's (Record Owner's) Signature   
 Print Name Grant Sanborn  
 Email Karen Sanborn <kzsanborn1@hotmail.com> Phone Number 509-534-5313  
 Office Use Lot \_\_\_\_\_ Block \_\_\_\_\_ Addition \_\_\_\_\_

Return completed application to:  
City of Spokane, Development Services Center, 808 West Spokane Falls Boulevard, Spokane, WA 99201-3343

ISSUED SETS	NO.	DATE	DESCRIPTION

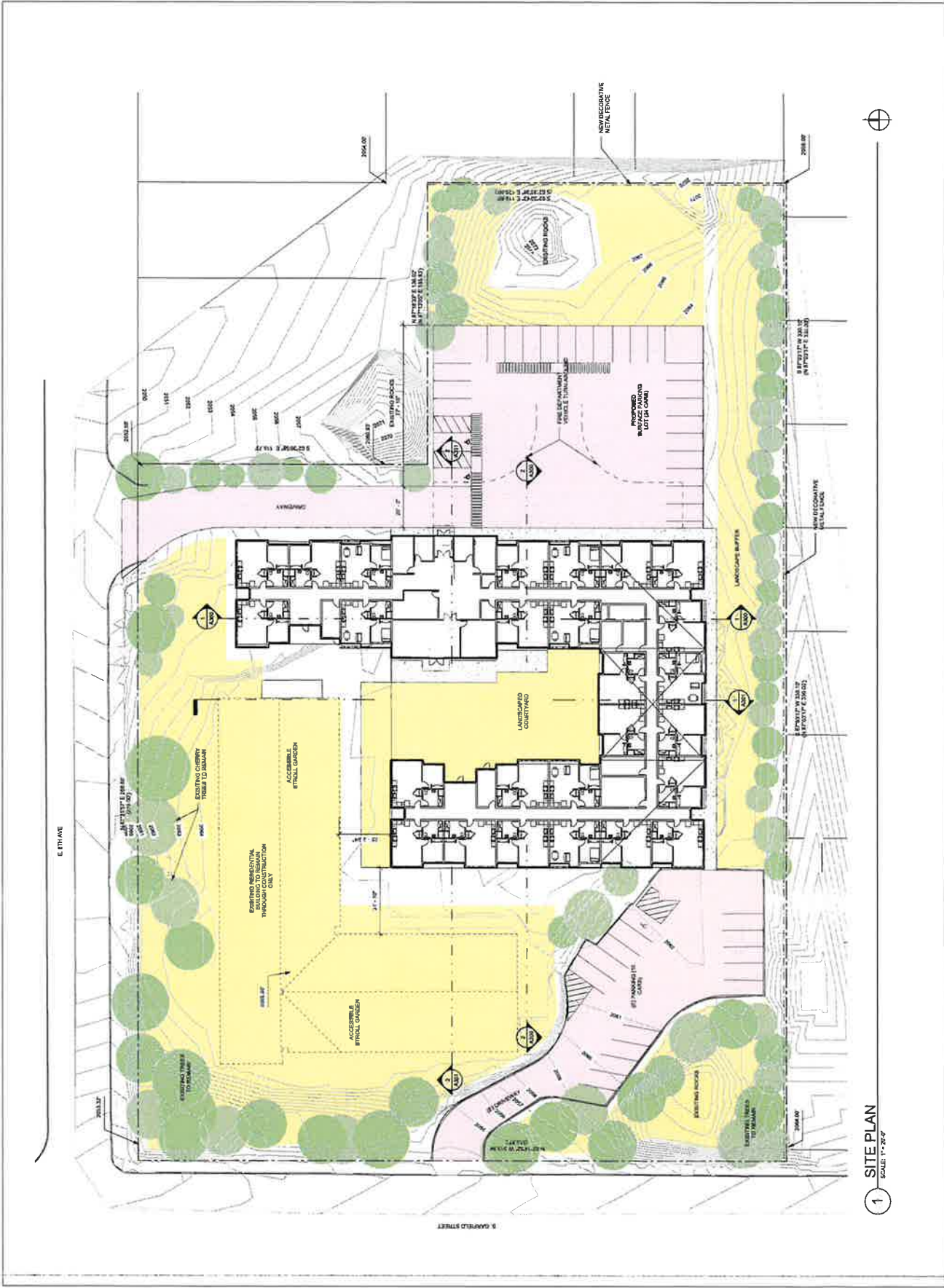
REVISIONS / NOTES	NO.	DATE	DESCRIPTION

ARCH STAMP

TITLE  
SITE PLAN

PROJECT #	
PERMIT #	
DRAWN	
CHECKED	
ISSUE DATE	12/28/18
JOB NO.	22536
SHEET NO.	

**A001**



1 SITE PLAN  
SCALE: 1" = 20'



March 7<sup>th</sup>, 2023

City Council President and Members of the City Council  
808 W Spokane Falls Blvd  
Spokane, WA 99201

Dear Council President & Members of the City Council:

**Subject:** Conklin Street Vacation South of 8th Avenue - "NO COST" Justification

**Background:**

On the corner of 8<sup>th</sup> Avenue and Garfield Street in the Perry District, the Spokane Housing Authority (SHA) and their partners are proposing an enhanced multifamily development that will expand the housing options of two vulnerable populations. The proposed 64,000+ square foot, three story structure will provide 86 one-bedroom units of new, affordable housing for seniors and disabled households. The new building that is constructed will replace an aging 41-unit cinderblock structure built in 1972.

Our strategy minimizes disruption and relocation of the existing tenants by keeping the existing 41 unit apartment building operational during construction of the new building. Once constructed, the tenants will move to their new building and the old one will be demolished. Because of the need to eliminate disruption of the tenants and keep the existing apartment building in operation during construction, the undeveloped right of way needs to be acquired.

**Usage:**

There are only two entities who have a need to use this right of way: Mr. Sanborn, the neighbor adjacent to the subject property and SHA. In 2022, SHA acquired all parcels on either side of the right of way except for a portion of Mr. Sanborn's property on the north-eastern side of Conklin Street. The fact that Conklin Street is not a through street further limits the use by the broader community.

The proposed building will deliver 86 units of low-income housing to some of our most vulnerable population: the elderly and the disabled. Our plan ensures we continue to provide housing for this population, the same population that has been present on this site and in this neighborhood since 1972.

**Added Cost of Our Approach:**

The building as designed will use part of Conklin Street for the footprint of the building, for access to the new building's main entry, and to provide access to surface parking away from the street. A vacated Conklin Street will mean easier access to the entry and parking given the rise in elevation from

the sidewalk to the building. The single largest benefit of vacating the Conklin Street right of way is that it enables us to keep existing tenants and their apartment community in their homes as the new building is constructed. Organizing the site in this manner was an intentional decision by SHA and the design team. While the most affordable and timely route would have been to relocate tenants and demolish the existing building prior to construction, we felt keeping the households in place during construction was the more responsible choice. As such, this decision required SHA to purchase additional private land from Mr. Sanborn and will result in a longer construction period. Both contributing to increased costs for the project.

**Collaboration:**

As a neighbor to Hifumi-en for decades, Mr. Sanborn has been a supporter of the role Hifumi-en has played in providing affordable housing for the elderly and disabled. In mid-2021 we began working with him to acquire his vacant parcels with the understanding that we would be constructing a new and improved apartment community serving these populations.

For decades both SHA and Mr. Sanborn have maintained, cleaned, and monitored this undeveloped right-of-way known as Conklin Street. Incidences of illegal dumping and clearing weeds, grass and brush on the property have always been handled by these owners. In recent years, trees in the right-of-way felled by windstorms have been cleaned up and removed by the two neighbors. SHA and the adjacent property owner, Grant Sanborn support the requested vacation and would agree to take over ownership of the respective land. However, given their history of caretaking of the property and enabling a project such as this to happen because of their cooperation, they prefer to avoid spending funds to purchase the land.

**Value proposition:**

Here is a look at the value considerations for the proposed vacation.

- a. The vacated area dead-ends and is situated between the private ownership of SHA and Mr. Sanborn.
- b. The land is not encumbered by utilities and therefore can be built upon.
- c. The building footprint accommodated by this vacation allows the development to provide an additional 45 units available to seniors and the disabled in our community.
- d. Allows for a development approach that will not disrupt the vulnerable population in the current Hifumi-en apartments.
- e. No disruption to public utilities.
- f. It is presumed, based on discussions with Mr. Sanborn that he is not interested in paying for the land in question that fronts on his edge of Conklin Street. Given his willingness to sell his land, this act enabled this entire project to come to fruition. It is acknowledged that an easement for his access and for his parking along his edge of the to-be-vacated Conklin Street be memorialized via a parking/access easement.

In summary, we are requesting that the City vacate the requested undeveloped Conklin Street right-of-way at no cost to the applicant. Given the complexities and costs associated with keeping the current residents in place, because of the cooperation of the adjacent neighbor, and that the project will be

hindered without the no-cost vacation. Charging for any of these vacated lands, will push the burden directly to the new development and add additional costs to an important project in the community.

Thank you for your time, your consideration, and your service to our community.

*Brian Jennings*

Brian Jennings  
Housing Development Director  
Spokane Housing Authority

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

## ORDINANCE NO. C36421

An ordinance vacating Conklin Street south of the south line of 8<sup>th</sup> Ave and more particularly described below,

WHEREAS, a petition for the vacation of Conklin Street south of the south line of 8<sup>th</sup> Ave and more particularly described below, 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 the following right-of-way is hereby vacated. Parcel number not assigned.

Conklin Street, in Block 8 of the plat of Hartson's Subdivision of Blocks 3-8 of Hartson and Townsends Addition to Highland Park Addition and between the south line of 8<sup>th</sup> Avenue and the north line of the plat of South Highland Park Addition.

Section 2. An easement is reserved and retained over and through the east thirty feet for the utility services of Avista Utilities to protect existing and future utilities.



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

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

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

Approved as to Form:

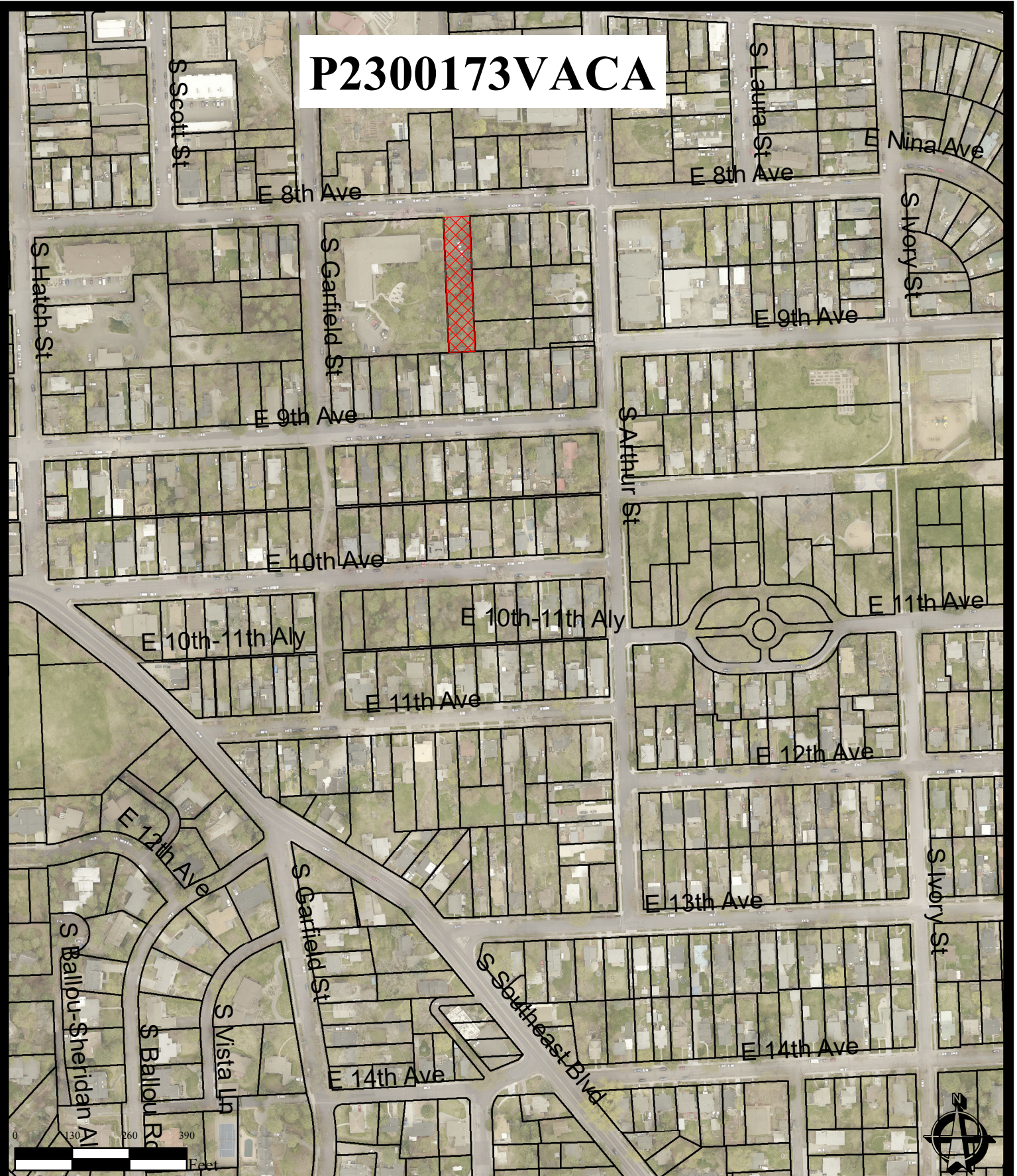
\_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Mayor

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


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

# P2300173VACA



**Right-of-way Description:**  
Proposed right-of-way vacation of Conklin Street south of 8th Avenue and in Block 8 of the Plat of Hartson's Subdivision of Blocks 3-8 of Hartson and Townsend Highland Park Addition

### 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.





**CITY OF SPOKANE  
DEVELOPMENT SERVICES**

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

**STREET VACATION REPORT  
June 12, 2023**

**LOCATION:** Conklin St. south of 8<sup>th</sup> Ave  
**PROPONENT:** Spokane Housing Authority  
**PURPOSE:** Low income housing  
**HEARING:** July 31, 2023  
**REPORTS:**

**PRIVATE UTILITY COMPANIES**

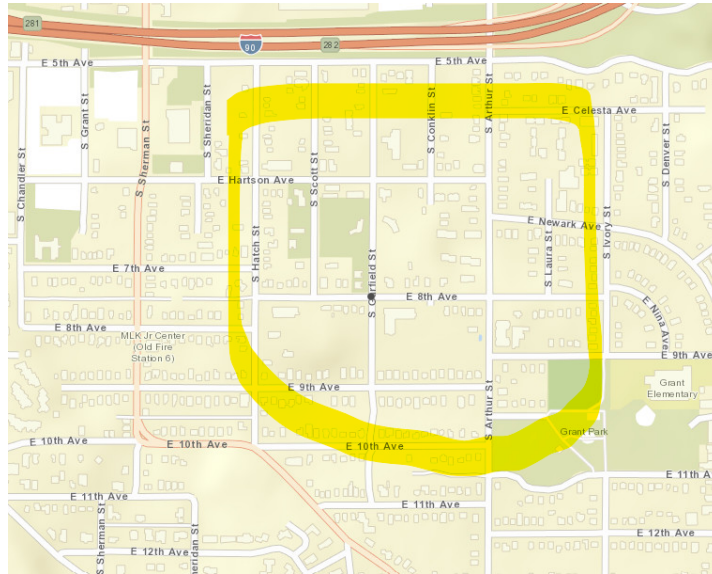
**AVISTA UTILITIES** – Avista request that the east thirty feet of Conklin Street be reserved for both existing and future planned facilities. Avista also request the west thirty feet be reserved in a separate easement to be released upon relocation of the existing utilities. Avista will relocate the existing utilities at the property owner’s expense and request an amendment to the ordinance once the existing utilities have been removed.

**REVISED AVISTA COMMENTS**

Avista request that the east thirty feet of Conklin Street be reserved for future facilities. Avista will not reserve easement over the west thirty feet as the existing utilities are planned for relocation to the east side of the right-of-way.

**COMCAST** – Comcast has distribution on the SE corner on Avista poles that we would need access for repairs or hooking up customers.

**EXTENET** – Extenet does not have assets within your project area. See the snapshot below.



**INLAND POWER** – Inland Power & Light has no facilities within the proposed vacation area.

**LIGHT SPEED NETWORKS** – No comments

**LUMEN** – Lumen has no objections to the proposed vacation. We do not have any facilities located in the right-of-way.

**PORT OF WHITMAN** – No comments

**TDS TELECOM** – No comments

**VERIZON/MCI Metro** - Verizon/MCI metro do not have facilities in this area.

**WHOLESAIL NETWORKS** – No issues for Wholesail as we have no facilities in this area.

**ZAYO COMMUNICATIONS** – No comments

### **CITY DEPARTMENTS & E911**

**ADDRESSING** - No comments

**BICYCLE ADVISORY BOARD** – No comments

**DEVELOPER SERVICES – CURRENT PLANNING** – Current Planning would require the Housing Authority to aggregate their parcels as a condition of this vacation. Currently they own the two vacant parcels east of the proposed ROW to be vacated. These parcels cannot be landlocked.

**DEVELOPER SERVICES - TRAFFIC** – No comments

**FIRE DEPARTMENT** - No comments

**INTEGRATED CAPITAL MANAGEMENT** – No concerns

**NEIGHBORHOOD SERVICES** – No comments

**PARKS DEPARTMENT** - No comments

**PLANNING & ECONOMIC DEVELOPMENT** – No comments

**POLICE DEPARTMENT** - No comments

**SOLID WASTE MANAGEMENT** – Solid Waste has no concern with this vacation

**SPOKANE REGIONAL EMERGENCY COMMUNICATIONS** – No concerns from 911. There are no active addresses assigned to this small section of S. Conklin St.

**STREET DEPARTMENT** – The Street Department has reviewed the document(s), and has no comments or objections.

**WASTEWATER MANAGEMENT** - Wastewater Management has no assets in the vacation area, however there is a catch basin on the southwest corner of 8<sup>th</sup> & Conklin. While this is technically outside the area that will be vacated, this vacation could lead to changes to the curb line. Those changes will require the catch basin be moved at the new owner's expense to insure street run off is handled and no private runoff goes to the basin. Provided on site run off is maintained and treated on site, and the above change to the catch basin location is handled, we have no objection to the proposed vacation.

**WATER DEPARTMENT** – Water has no assets in the proposed vacation area. No issues with the proposed vacation.

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

- a) An easement is to be reserved over the east 30 feet of the vacation area for Avista Utilities.
- b) 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 \$90,925.38 and is to be deposited to Budget Account #3200 49199 99999 39510.

- c) Alternatively, the applicant has submitted a letter to City Council requesting that a no cost vacation be considered.
- d) Closure work on the north end of the vacation area must be completed or bonded for prior to vacation finalization. This work is to include the following
  - a) Curb returns and the sidewalk adjacent to the returns must be removed and the entrance to the right-of-way must have full height curb and sidewalk across it. If private access is desired in the vacation area accessing 8<sup>th</sup> Ave, then driveway approaches must be installed.
  - b) The storm catchbasin on the SW corner must be addressed. The new curb across the entrance will impact this CB and it will need to be moved in accordance with an approved plan.
- c) 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, 2024.

Eldon Brown, P.E.  
Principal Engineer – Developer Services



## **AGENDA ITEM PROCESSING SHEET**

**PLEASE FILL IN AS MUCH INFORMATION AS POSSIBLE – IF YOU NEED ASSISTANCE PLEASE CONTACT THE ADMIN GROUP**

City Council Meeting Date: July 31, 2023

Submitting Dept: DSC - Development Services Center      Other:

Name of Staff Member Presenting to Council: Eldon Brown    x6305

Agenda Type: First Reading Ordinance

Agenda Item Name: 4700 – Street Vacation of Conklin Street south of 8<sup>th</sup> Avenue.

Agenda Wording (250 Character Max): Vacation of Conklin St. south of 8<sup>th</sup> Ave as requested by Spokane Housing Authority.

Summary Background (500 Character Limit): At its legislative session held on June 26, 2023, the City Council set a hearing on the above vacation for July 31, 2023. Staff has solicited responses from all concerned parties.

Grant Related? Yes  No

Public Works Related? Yes  No

Fiscal Impact: Neutral

If Revenue or Expense:

**\*\*** If the item is an expense, please complete & include an Expenditure Control Form with the other documents.

Council Notifications: Urban Experience Committee 6/12/23

**\*\*** City Council Sponsor: Lori Kinnear, Betsy Wilkerson

Any Additional Approvals Required:

Distribution List: I add the Submitter, Department Head, and Division Head to all agenda submittals.

edjohnson@spokanecity.org, ebrown@spokanecity.org, tpalmquist@spokanecity.org

**PLEASE PROVIDE DOCUMENTS (ELECTRONIC IF AVAILABLE) THAT NEED TO BE SUBMITTED WITH THE AGENDA ITEM**

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

07/31/2023

**Date Rec'd**

7/12/2023

**Clerk's File #**

ORD C36422

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

DEVELOPMENT SERVICES CENTER

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

ELDON BROWN X6305

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

EBROWN@SPOKANECITY.ORG

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

Hearings

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

4700 - STREET VACATION OF THE ALLEY BETWEEN 4TH &amp; 5TH, FROM WASHINGTON TO B

**Agenda Wording**

4700 - Street Vacation of the alley between 4th &amp; 5th, from Washington to Bernard.

**Summary (Background)**

A petition was submitted representing 100% of the abutting property. Staff requests that City Council set a public hearing on the vacation petition.

Lease? NO

Grant related? NO

Public Works? NO

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

Neutral \$

#

Select \$

#

Select \$

#

Select \$

#

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

MACDONALD, STEVEN

**Study Session\Other**PIES Committee -  
5/22/2023**Division Director**

MACDONALD, STEVEN

**Council Sponsor**

B Wilkerson &amp; L.Kinnear

**Finance**

ORLOB, KIMBERLY

**Distribution List****Legal**

RICHMAN, JAMES

smacdonald@spokanecity.org

**For the Mayor**

JONES, GARRETT

tpalmquist@spokanecity.org

**Additional Approvals**

edjohnson@spokanecity.org

**Purchasing**

ebrown@spokanecity.org

kkuchlenz@spokanecity.org





# Vacating Streets, Alleys and Other Public Right-of-Ways



For both residential and commercial property owners, vacating an unused or unneeded street, alley or other public right-of-way can be a valuable option. If your property is adjacent to an unused street, you might consider a street vacation.

The below list of required items can be submitted in person on the 3rd floor of City Hall or can be mailed to the address listed at the bottom of this page.

(Applications must be for the entire block. Appropriate justification must be submitted with this application in order to deviate from this standard.)

## **Completed Vacation Application**

The vacation application must be filled out and signed by the adjacent land owners.

## **Application Fee** N/A

The application fee for a right-of-way vacation is \$400.00.

## **Site Plan**

A dimensioned site plan showing the conceptual layout of the vacated right-of-way after it has been vacated and developed. If the right-of-way is to remain the same after being vacated please indicate this on the site plan. If the vacation area abuts other right-of-ways, the site plan must show how the vacated right-of-way will be closed and how it will interact with the remaining right-of-way.

## **Written Narrative**

A written narrative describing the purpose or reason for the proposed right-of-way vacation, a description of what is proposed for the vacated area, and a description of how the vacation is a benefit to the public.

## **Responses to the Below Questions**

- Is the right-of-way no longer required for public use or access?
- How will the use of the right-of-way change after it becomes private property.
- Will the vacation result in any parcel of land being denied sole access to a public right-of-way?
- Are there any utilities in the right-of-way and if so do you plan to relocate them? If the utilities are not relocated, the City will retain no-build easements in the final vacation ordinance for the purveyors.

### **Development Services Center**

808 W. Spokane Falls Blvd, Spokane, WA 99201-3336  
my.SpokaneCity.org • Phone: 509.625.6300 • Fax: 509.625.6822

## **1. The Application**

An application requesting the vacation of a street, alley or other public right-of-way should be filed with the City of Spokane, Development Services Center on the Third Floor of City Hall (see application on back). The Development Services Center may be contacted at (509) 625-6300.

The application must be signed by the property owners representing at least 66 2/3% of the frontage bordering the right-of-way to be vacated. However, we recommend that you obtain 100% of the bordering property owners' signatures.

When the application is filed, a non-refundable fee of \$400.00 must also be paid to the City of Spokane.

## **2. Proposal Review**

When the application is filed, the Development Services Center will review the vacation proposal and verify ownership. Copies of the application will be sent to all concerned City departments and private utilities requesting comments.

## **3. Public Hearing**

After all comments are received and reviewed the Spokane City Council will set a date for a public hearing on the vacation request and notify property owners by mail. The applicant will need to post notices on the site of the proposed vacation.

Prior to the hearing, the Development Services Center will make a recommendation as to the vacation's feasibility to the City Council. The recommendation will include the specific requirements of the vacation, such as drainage, street closure and necessary easements.

The property owner is responsible for paying for the expense of closing the right-of-way. The cost may include removal and replacement of concrete, asphalt, and other items.

## **4. Payment for Land**

Payment for vacated land falls into two categories: for right-of-way that was dedicated less than 25 years ago, the City of Spokane charges one-half the assessed value; for right-of-way that was dedicated more than 25 years ago, the full assessed value will be charged. The value will be based on the unimproved land value of the adjoining property(s), as determined by the Spokane County Assessor's Office.

## **5. City Council Action**

If the City Council approves the vacation application at the public hearing, the Development Services Center will submit an ordinance to the Council for approval which outlines the terms and conditions of the vacation. The ordinance may retain easements for the construction, repair, and maintenance of public and private utilities and services.

When the applicant completes all conditions, final reading of the ordinance will be made.

The City does not determine ownership of the vacated area. It is determined by the original platting of the right-of-way. Typically this would mean that the property would go one-half to the adjoining properties on each side of the vacated area.

This process will take three to six months, possibly more, depending on the circumstances.

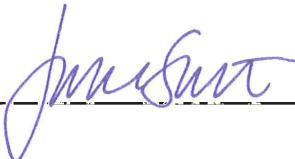


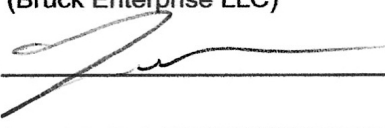
Date March 31, 2023

I hereby make application for the vacation of the alley between 4th Avenue and 5th Avenue  
from Washington Street to Bernard Street

The reasons for the vacation are: to facilitate the construction of a proposed multi-family housing project  
located on the currently vacant eastern portion of the block.

Public benefits to be derived from the vacation are: The proposed project will add approximately 210 units  
of workforce housing near downtown Spokane, which is in need of additional housing.

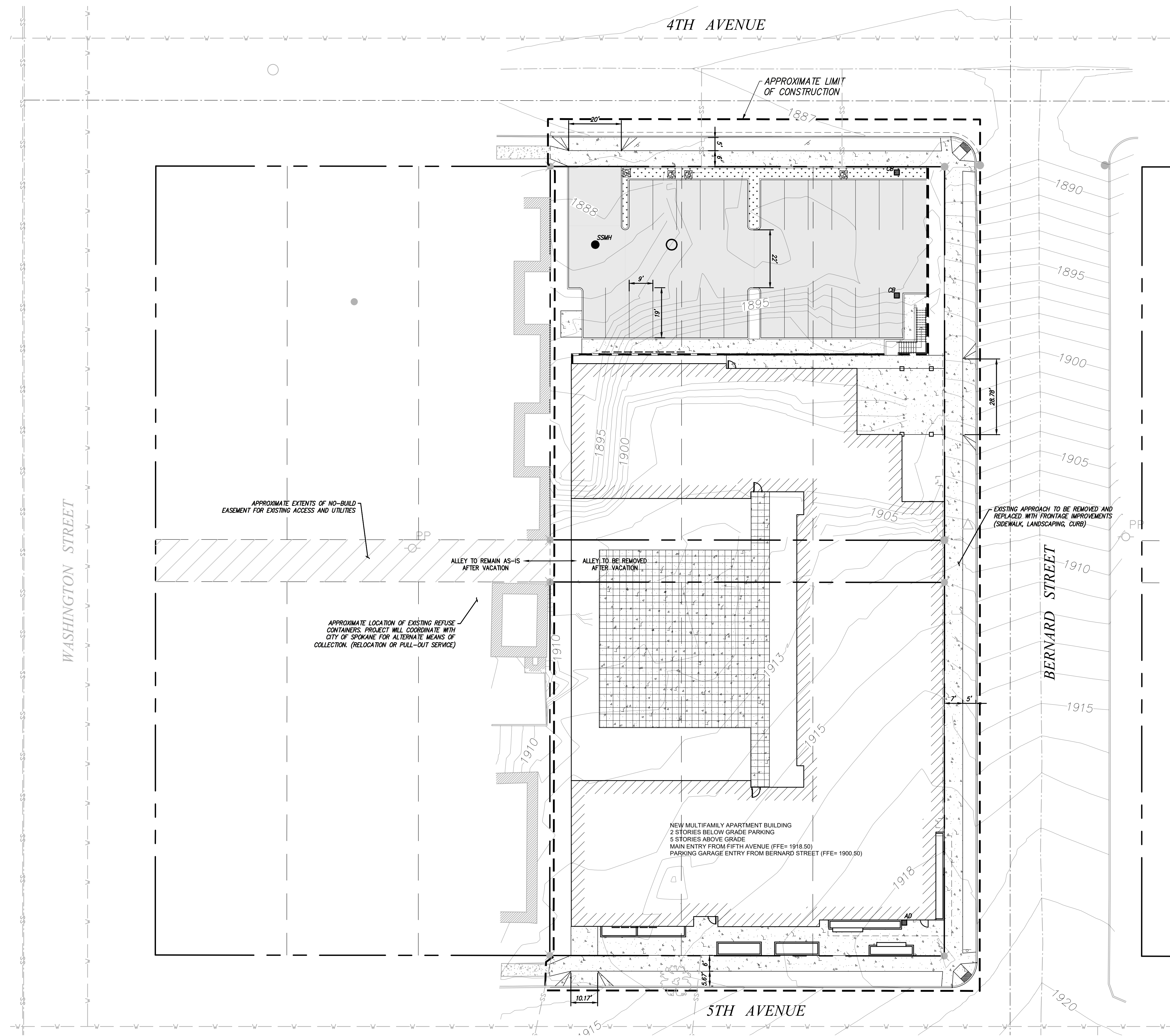
**Property Owner 1** Parcel Number 35191.3803 (Koz on West 4th LLC)  
 Proponent's (Record Owner's) Signature   
 Print Name Joshua Scott  
 Email josh@kozdevelopment.com Phone Number (206) 755-1290  
 Office Use Lot \_\_\_\_\_ Block \_\_\_\_\_ Addition \_\_\_\_\_

**Property Owner 2** Parcel Number 35191.3802 (Bruck Enterprise LLC)  
 Proponent's (Record Owner's) Signature   
 Print Name Nick Bruck  
 Email Nick Bruck@Hotmail.com Phone Number 509.220.3398  
 Office Use Lot \_\_\_\_\_ Block \_\_\_\_\_ Addition \_\_\_\_\_

**Property Owner 3** Parcel Number 35191.3801 (Westminster Cong Church)  
 Proponent's (Record Owner's) Signature   
 Print Name Karen Nielsen  
 Email KMN1006@yahoo.com Phone Number 5099510396  
 Office Use Lot \_\_\_\_\_ Block \_\_\_\_\_ Addition \_\_\_\_\_

**Property Owner 4** Parcel Number 35191.3809 (5th & Washington Apartments, LLC)  
 Proponent's (Record Owner's) Signature \_\_\_\_\_  
 Print Name \_\_\_\_\_  
 Email \_\_\_\_\_ Phone Number \_\_\_\_\_  
 Office Use Lot \_\_\_\_\_ Block \_\_\_\_\_ Addition \_\_\_\_\_

Return completed application to:  
City of Spokane, Development Services Center, 808 West Spokane Falls Boulevard, Spokane, WA 99201-3343



4TH AVENUE

WASHINGTON STREET

BERNARD STREET

5TH AVENUE

APPROXIMATE LIMIT OF CONSTRUCTION

APPROXIMATE EXTENTS OF NO-BUILD EASEMENT FOR EXISTING ACCESS AND UTILITIES

APPROXIMATE LOCATION OF EXISTING REFUSE CONTAINERS. PROJECT WILL COORDINATE WITH CITY OF SPOKANE FOR ALTERNATE MEANS OF COLLECTION. (RELOCATION OR PULL-OUT SERVICE)

EXISTING APPROACH TO BE REMOVED AND REPLACED WITH FRONTAGE IMPROVEMENTS (SIDEWALK, LANDSCAPING, CURB)

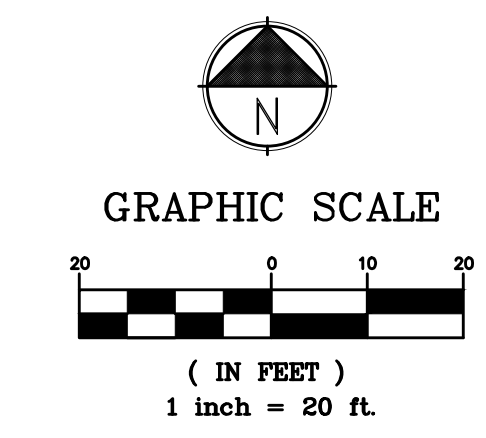
ALLEY TO REMAIN AS-IS AFTER VACATION

ALLEY TO BE REMOVED AFTER VACATION

NEW MULTIFAMILY APARTMENT BUILDING  
 2 STORIES ABOVE GRADE  
 5 STORIES BELOW GRADE PARKING  
 MAIN ENTRY FROM FIFTH AVENUE (FFE= 1918.50)  
 PARKING GARAGE ENTRY FROM BERNARD STREET (FFE= 1900.50)

**PROGRESS PRINT  
 (NOT FOR CONSTRUCTION)**  
 THESE DRAWINGS HAVE BEEN RELEASED AT THE REQUEST OF THE CLIENT AND ARE NOT INTENDED FOR THE PURPOSES OF BIDDING, PERMITTING, OR CONSTRUCTION.

**CONTRACTOR NOTE**  
 ALL EXISTING UTILITIES SHOWN ON PLANS ARE TO BE VERIFIED HORIZONTALLY AND VERTICALLY PRIOR TO ANY CONSTRUCTION. ALL EXISTING FEATURES INCLUDING BURIED UTILITIES ARE SHOWN AS INDICATED ON RECORD MAPS AND SURVEYS FURNISHED BY OTHERS. WE ASSUME NO LIABILITY FOR THE ACCURACY OF THOSE RECORDS AND SURVEYS. CONTACT THE UTILITY OWNER/AGENCY FOR THE FINAL LOCATION OF EXISTING UTILITIES IN AREAS CRITICAL TO CONSTRUCTION.



**UNDERGROUND SERVICE ALERT  
 ONE-CALL NUMBER  
 811  
 CALL TWO BUSINESS DAYS  
 BEFORE YOU DIG**

**PROGRESS SET**

# DATE DESCRIPTION  
**koz**  
 DEVELOPMENT  
 1830 BICKFORD AVE.  
 SUITE 201  
 SNOHOMISH, WA 98290  
 206.755.1290

307 West 4th Ave., 308 & 310  
 West 5th Ave.  
 Spokane, WA 99204

**ALLEY VACATION  
 SITE PLAN**

DATE: 3/20/2022

SHEET:



DATE: March 31, 2023 JOB #: 22042-0071  
TO: Erik D. Johnson – City of Spokane  
CC: \_\_\_\_\_  
FROM: Sam Shastany – DCI Engineers  
SUBJECT: Alley Vacation – Alley between 4<sup>th</sup> Ave & 5<sup>th</sup> Ave from Washington St. to Bernard St.

As a part of our proposed project, we wish to vacate the alley between 4<sup>th</sup> Avenue and 5<sup>th</sup> Avenue from Washington Street to Bernard Street. In 2015, the alley in question was petitioned to be vacated, and was granted with the following conditions:

- A no-build easement as requested by CenturyLink, Avista, and Comcast shall be retained to protect existing and future utilities.
- Adequate Access for refuse collection, as well as emergency vehicles, shall be maintained to existing and future buildings.
- Provisions for access shall be made to property owners currently using the alley for ingress and egress to their property.
- Access shall be maintained to the private sewer in the alley and an easement between property owners shall be retained. Also, a private sewer maintenance agreement shall be executed.
- Closure work shall be completed at each end of the alley. If closure cannot be completed prior to the finalization of the vacation, a bond must be in place for the work.
- The proponents 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.

However, because the petition was not completed in 2015, the vacation process is being resubmitted at this time. As existing, the alley currently serves as access for parking and trash collection for the properties on the western half of the block. As a part of this vacation, only the eastern half of the existing alley will be modified and there will be no disruption to these existing conditions. Trash collection will be modified to likely include a pull-out service by the City of Spokane. It is also important to note that the existing alley does not extend to either adjacent block, as both sides have been vacated previously.

The proposed project on the eastern half of the block looks to add approximately 210 units of workforce housing. Spokane is in dire need of housing at this time and this project would be very beneficial for the City.

The proposed project will also include upgraded landscaping and hardscape around the western half of the block which will provide benefit to the public. The project will result in reduced maintenance requirements for the City due to reduced right-of-way, and will provide more property tax for the City.

**Is the right-of way no longer required for public use or access?**

Yes, the only public access required in the alley is for refuse collection. The City has verified that they can provide a pull-out service for refuse collection at an additional fee. Private access for adjacent properties will be maintained from Washington Street.

**How will the use of the right-of-way change after it becomes private property?**

The use will remain as-is for the western half of the block. On the eastern half of the block, the proposed building footprint will span across the existing alley right-of-way.

**Will the vacation result in any parcel of land being denied sole access to a public right-of-way?**

No.

**Are there any utilities in the right-of-way and if so do you plan to relocate them? If utilities are not relocated, the City will retain no-build easements in the final vacation ordinance for the purveyors.**

Yes, there are currently utilities owned by CenturyLink, Avista, and Comcast which run through the existing alley. The utilities spanning the eastern half of the block will be relocated. Relocation will be coordinated with the applicable purveyors.

If you have any questions regarding this proposed alley vacation, please do not hesitate to reach out.



Sam Shastany, PE

DCI Engineers

[sshastany@dc-engineers.com](mailto:sshastany@dc-engineers.com)

509-227-5735

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

## ORDINANCE NO. C36422

An ordinance vacating the alley between 4<sup>th</sup> Avenue and 5<sup>th</sup> Avenue, from the east line of Washington Street to the west line of Bernard Street,

WHEREAS, a petition for the vacation of the alley between 4<sup>th</sup> Avenue and 5<sup>th</sup> Avenue, from the east line of Washington Street to the west line of Bernard Street, 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 the alley between 4<sup>th</sup> Avenue and 5<sup>th</sup> Avenue, from the east line of Washington Street to the west line of Bernard Street and located within the NE Quarter of Section 19, Township 25 North, Range 43 East, W.M. is hereby vacated. Parcel number not assigned.

Section 2. An easement is reserved and retained over and through the entire vacated area for the utility services of Avista Utilities, CenturyLink/Lumen, and Comcast to protect existing and future utilities.

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

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

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

Approved as to Form:

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

\_\_\_\_\_  
Mayor


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

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



**Right-of-way Description:  
The alley between 4th Ave and 5th Ave,  
From Washington St. to Bernard St.**

**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.







**CITY OF SPOKANE  
DEVELOPMENT SERVICES**

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

**STREET VACATION REPORT  
5/23/2023**

**LOCATION:** The alley between 4<sup>th</sup> & 5<sup>th</sup>, from Washington to Bernard  
**PROPONENT:** KOZ on West 4<sup>th</sup>, LLC  
**PURPOSE:** To facilitate construction of a multi-family housing project.  
**HEARING:** July 17, 2023  
**REPORTS:**

**PRIVATE UTILITY COMPANIES**

**AVISTA UTILITIES** – After a quick review, I'm going to request a reserved easement in the alley right of way as there are existing gas and electric facilities located therein

**COMCAST** – Comcast has a plant through the alley.

**EXTENET** – Based on the location provided, we do not have assets within the project area. We are creating an INF ticket that should be included with any future correspondences. If anything should change, please advise.

**INLAND POWER** – Inland Power has no facilities within the proposed vacation area.

**LIGHT SPEED NETWORKS** – No comments

**LUMEN** – Lumen has facilities in this alley and we would like to retain these easements.

**PORT OF WHITMAN** – No comments

**TDS TELECOM** - No comments

**VERIZON/MCI Metro** - No comments

**WHOLESALE NETWORKS** – No comments

**ZAYO COMMUNICATIONS** – No comments

**CITY DEPARTMENTS & E911**

**ADDRESSING** – No concerns from Addressing

**BICYCLE ADVISORY BOARD** – No comments

**DEVELOPER SERVICES – CURRENT PLANNING** – No concern

**DEVELOPER SERVICES - TRAFFIC** – No comments

**FIRE DEPARTMENT** - No comments

**INTEGRATED CAPITAL MANAGEMENT** – I don't have any comments.

**NEIGHBORHOOD SERVICES** – No comments

**PARKS DEPARTMENT** - No comments

**PLANNING & ECONOMIC DEVELOPMENT** – Comments

**POLICE DEPARTMENT** - No comments

**SOLID WASTE MANAGEMENT** – Solid Waste Collection has concerns over vacating this alley.

Other properties use the alley for solid waste service (4 apartment buildings & 1 church).

There is no other place to relocate solid waste services on these properties. An easement would be required for Solid Waste to access these containers.

If the alley cannot be used to pass through, (refuse trucks cannot back in or out from Washington St), refuse containers would have to be pulled out by another truck and taken to the refuse truck to be emptied, then returned. This truck would be required to back into the alley off of Washington St. twice, as there is no room to turn around once in the alley. Currently (2023) the pullout fee is \$31.95 per container, per incident. The fee will increase as Solid Waste Collection rates increase. This fee will be added to the refuse account for this service.

**SPOKANE REGIONAL EMERGENCY COMMUNICATIONS** – No issues for alley vacation from 911. New addressing will need to be established at platting.

**STREET DEPARTMENT** – If the alley is vacated, the curb returns will need to be removed and driveway approaches will need to be installed across both entrances to the old alleyway. The One Way Signs would be removed at that time

**WASTEWATER MANAGEMENT** – Wastewater Management has no assets in the proposed vacation area. Therefore, provided on site runoff is maintained and treated on site, we have no objection to the vacation.

**WATER DEPARTMENT** - No comments

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

1. An easement as requested by Century Link/Lumen, Avista Utilities, and Comcast shall be retained to protect existing and future utilities. If these utilities are moved out of the vacation area, the City will not need to retain easements. Alternatively, if these purveyors accept a bond in lieu of the work being completed, the City can move forward without reserving easements as long as each of these purveyors provides the City of Spokane with a letter indicating they are ok with the easements not being reserved.
2. Plans for termination and closure of the existing right-of-way must be accepted by the City of Spokane Developer Services Department and the must either be completed or bonded for.

This closure work must include the removal of the curb returns on either side and full height curb and sidewalk must be placed across the entrance to the right-of-way. If access is still desired, driveway approaches must be installed.

Existing one-way street signs must be removed.

Any on-street parking spaces or meters that need modified must be addressed at the developer's expense.

3. A plan for refuse collection, for the existing structures along the alley, must be finalized and acceptable to the City of Spokane Solid Waste Department.
4. 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 \$109,987.06 and is to be deposited to Budget Account #3200 49199 99999 39510.

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, 2024

*Edith W. Bunn*

## **AGENDA ITEM PROCESSING SHEET**

**PLEASE FILL IN AS MUCH INFORMATION AS POSSIBLE – IF YOU NEED ASSISTANCE PLEASE CONTACT THE ADMIN GROUP**

City Council Meeting Date: July 17, 2023

Submitting Dept: DSC - Development Services Center      Other:

Name of Staff Member Presenting to Council: Eldon Brown    x6305

Agenda Type: First Reading Ordinance

Agenda Item Name: 4700 – Street Vacation of the alley between 4<sup>th</sup> & 5<sup>th</sup>, from Washington to Bernard.

Agenda Wording (250 Character Max): Vacation of the alley between 4<sup>th</sup> & 5<sup>th</sup>, from Washington to Bernard as requested by Koz on West 4<sup>th</sup>, LLC.

Summary Background (500 Character Limit): At its legislative session held on June 12, 2023, the City Council set a hearing on the above vacation for July 17, 2023 Staff has solicited responses from all concerned parties.

Grant Related? Yes  No

Public Works Related? Yes  No

Fiscal Impact: Neutral

If Revenue or Expense:

**\*\* If the item is an expense, please complete & include an Expenditure Control Form with the other documents.**

Council Notifications: P.I.E.S. Committee 5/22/2023

**\*\* City Council Sponsor:**Betsy Wilkerson & Lori Kinnear

Any Additional Approvals Required:

Distribution List: I add the Submitter, Department Head, and Division Head to all agenda submittals.

edjohnson@spokanecity.org, ebrown@spokanecity.org, tpalmquist@spokanecity.org

**PLEASE PROVIDE DOCUMENTS (ELECTRONIC IF AVAILABLE) THAT NEED TO BE SUBMITTED WITH THE AGENDA ITEM**

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

07/31/2023

<b>Date Rec'd</b>	7/21/2023
<b>Clerk's File #</b>	RES 2023-0068
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	

<b>Submitting Dept</b>	CITY COUNCIL
<b>Contact Name/Phone</b>	JONATHAN BINGLE 6275
<b>Contact E-Mail</b>	JBINGLE@SPOKANECITY.ORG
<b>Agenda Item Type</b>	Resolutions
<b>Agenda Item Name</b>	0320 - REGIONAL HOMELESS AUTHORITY RESOLUTION

**Agenda Wording**

A Resolution of Spokane County, City of Spokane, City of Spokane Valley and Cities of Medical Lake, Airway Heights, Cheney, and Liberty Lake in support of providing leadership and staff support for the period of August 1, 2023, through October 15, 2023.

**Summary (Background)**

The Parties to this Resolution, in March 2023, committed through Legislative Action to a 90-day due diligence period to gather public input and evaluate the options of creating a Spokane Regional Authority for addressing Homelessness. This resolution states the Parties desire to request and commit to the continued services of SRC to work directly with leadership and staff of the Parties during a period of time with the intent of executing said legal documents to create the Regional Authority.

Lease? NO Grant related? NO Public Works? NO

**Fiscal Impact**

Neutral \$

Select \$

Select \$

Select \$

**Budget Account**

#

#

#

#

**Approvals****Dept Head** BYRD, GIACOBBE**Division Director****Finance****Legal****For the Mayor****Council Notifications****Study Session\Other** PSCHC 7/31**Council Sponsor** Kinnear & Bingle**Distribution List**

gbyrd@spokanecity.org

**Additional Approvals****Purchasing**

## **RESOLUTION NO. 2023-0068**

A Resolution of Spokane County, City of Spokane, City of Spokane Valley and Cities of Medical Lake, Airway Heights, Cheney, and Liberty Lake in support of providing leadership and staff support for the period of August 1, 2023, through October 15, 2023.

**WHEREAS**, the Parties to this Resolution, in March 2023, committed through Legislative Action to a 90-day due diligence period to gather public input and evaluate the options of creating a Spokane Regional Authority for addressing Homelessness; and

**WHEREAS**, the Spokane Regional Collaborative (SRC), comprised of principles Gavin Cooley, Theresa Sanders and Rick Romero, agreed to donate their time and services to the Parties to complete this 90-day due diligence work; and

**WHEREAS**, that 90-day due diligence work was completed by SRC on June 28, 2023, with the presentation of a set of recommendations and draft legal documents, for the creation of a Spokane Regional Authority for Homelessness, Housing, Health and Safety; and

**WHEREAS**, the Parties have determined that advancing a joint and cooperative undertaking to coordinate services within an equitable operational framework will enable and facilitate joint planning, program funding and establishing standards for and accountability of programs, thereby improving the delivery of homelessness, affordable housing and behavioral health services and enhancing outcomes for those receiving such services in Spokane County; and

**WHEREAS**, the Parties desire to delve further into the details of funding, staffing, contracts and governance, in order to execute and/or enhance the legal documents that have been provided by SRC; and

**WHEREAS**, the Parties desire to request and commit to the continued services of SRC to work directly with the leadership and staff of the Parties during the period of August 1, 2023 through October 15, 2023 with the intent of executing said legal documents to create the Regional Authority; and

**NOW, THEREFORE**, the Parties hereby agree as follows:

Upon execution of this Resolution, the Parties agree to commit to SRC the following leadership and staff support pursuant to the effort:

- A. Access to and full support from leadership and staff as reasonably practicable from relevant departments and divisions of the Parties to this Resolution.

- B. Access to the appropriate data systems and full support as reasonably practicable of the staff relevant to homelessness, affordable housing and behavioral health data from the Parties to this Resolution.
- C. Access and full support as reasonably practicable from the appropriate accounting staff relevant to all funding identified in Section No. 5 of the draft Interlocal Agreement (ILA) proposed by SRC on June 28, 2023.
- D. Access and full support as reasonably practicable from the appropriate legal staff relevant to the contracts referenced in Section No. 5 of the draft ILA proposed by SRC on June 28, 2023.
- E. Continuation of the Elected and Leadership Committee that has been convening during the 90-day due diligence period, which will continue meeting every other Thursday until execution of the legal documents to create the Regional Authority.

Adopted by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2023.

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

Approved as to form:

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



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

07/24/2023

**Date Rec'd**

7/10/2023

**Clerk's File #**

ORD C36414

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

PLANNING &amp; ECONOMIC DEVELOPMENT

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

KEVIN FREIBOTT 6184

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

KFREIBOTT@SPOKANECITY.ORG

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

First Reading Ordinance

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

0650 - FILE Z23-112COMP -- BUILDING OPPORTUNITY FOR HOUSING PHASE I

**Agenda Wording**

Proposed amendments to Chapter 3 and the Glossary of the Comprehensive Plan. These amendments have been developed to ease the development of housing in the City and to allow middle housing in all residential zones.

**Summary (Background)**

Following an extensive public engagement process, staff has prepared amendments to Chapter 3 and the Glossary to accommodate and ease development of middle housing types. This ordinance is the first of two phases seeking to replace the Building Opportunity and Choices for All interim ordinance with more permanent policies and regulations. Furthermore, this proposal is an important step towards complying with Senate Bill 1110, known as the Middle Housing bill, which takes effect this year.

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**Council Study Session  
7/6/23**Division Director**

MACDONALD, STEVEN

**Council Sponsor**CMs Wilkerson and  
Cathcart**Finance**

ORLOB, KIMBERLY

**Distribution List****Legal**

RICHMAN, JAMES

kfreibott@spokanecity.org

**For the Mayor**

JONES, GARRETT

sgardner@spokanecity.org

**Additional Approvals**

smacdonald@spokanecity.org

**Purchasing**

bwhitmarsh@spokanecity.org

rbenzie@spokanecity.org



# STAFF REPORT FOR FILE Z23-112COMP

Department of Planning & Economic Development

The following staff report concerns a proposed amendment to the City’s Comprehensive Plan. This amendment is known colloquially as Building Opportunity for Housing (BOH) Phase I. BOH Phase I constitutes a proposed change to the text of Chapter 3, Land Use, including policies and descriptive text in the document.

## I. PROPERTY SUMMARY

<b>General Location:</b>	Citywide, All Properties Designated for Residential Development
<b>Current Use:</b>	Residential Uses and Other Uses by Conditional Permit and/or Legal Nonconforming Use

## II. APPLICANT SUMMARY

<b>Project Proponent:</b>	The City of Spokane
<b>Staff Contact:</b>	Kevin Freibott, Planning & Economic Development, <a href="mailto:kfreibott@spokanecity.org">kfreibott@spokanecity.org</a>

## III. PROPOSAL SUMMARY

<b>Current Land Use Designation:</b>	Residential 4-10 (dwelling units/acre), Residential 10-20, Residential 15-30, and Residential 15+.
<b>Proposed Land Use Designation:</b>	Residential Low, Residential Increased, Residential Moderate, and Residential High, respectively.
<b>Current Zoning:</b>	N/A – No change in zoning designations proposed
<b>Proposed Zoning:</b>	N/A – No change in zoning designations proposed
<b>SEPA Status:</b>	A SEPA threshold Determination of Non-Significance (DNS) was issued on June 12, 2023.
<b>Plan Commission Hearing Date:</b>	June 14, 2023
<b>Staff Recommendation:</b>	<b>Approve</b>

## IV. BACKGROUND INFORMATION

- General Proposal Description:** The City Council previously adopted Ordinance No. C36232, an interim zoning ordinance that was adopted to implement the housing options listed in RCW 36.70A.600. Since then, the State legislature has adopted HB1110, Chapter 332, Laws of 2023. This new law, which goes into effect on July 23, 2023, requires cities to update their development regulations to allow the

housing options implemented by the City in Ordinance No. C36232. Consistent with the foregoing, the City of Spokane is proceeding to amend Chapter 3, Land Use of the City’s Comprehensive Plan to align policy language in the Comprehensive Plan with these developments and to further implement middle housing options that are now required under State law. The proposal comprises a range of text edits to Chapter 3, Land Use, and affects all parts of that chapter, including the community vision and values, certain policies, and the descriptions and category titles for residential Land Use Plan Map designations described in the chapter. Also proposed are additions to the Comprehensive Plan Glossary, found after the principal elements of the document. The proposed amendments are included herein as **Exhibit A**.

2. **Current Land Use Designation and History:** The current land use plan map (Map LU-1) designations of the properties affected by the proposal are Residential 4-10, Residential 10-20, Residential 15-30, and Residential 15+.
3. **Proposed Land Use Designation:** The proposal would change the names of the four residential land use designations in the chapter, and on Map LU-1, but reviewers should note that no boundary changes are proposed as part of the proposal. The proposal would retain existing boundaries. For example, if a given property is currently designated “Residential 4-10”, it would now be designated “Residential Low” under the proposed amendment. The relationship between current and future land use plan map designations can be seen in the following table:

Current Land Use Designation	Proposed Land Use Designation
Residential 4-10	Residential Low
Residential 10-20	Residential Increased
Residential 15-30	Residential Moderate
Residential 15+	Residential High

4. **Current Zoning and History:** No changes to the zoning map or zoning categories are proposed at this time.
5. **Proposed Zoning:** No change in zoning designations is proposed at this time.

**V. APPLICATION PROCESS AND PUBLIC COMMENT**

1. **Key Steps:** The application is being processed according to SMC 17G.020, including the following steps:

Work Program Set..... July 18, 2022  
 Agency/Department Comment Period Ended..... April 17, 2023  
 Department of Commerce Notice of Intent to Adopt Issued..... April 18, 2023  
 Notice of Application Posted..... May 8, 2023  
 Plan Commission Workshop..... May 10, 2023  
 Plan Commission Workshop..... May 24, 2023  
 30-Day Public Comment Period Ended..... June 7, 2023  
 SEPA Determination Issued..... June 12, 2023  
 Notice of Public Hearing (Scheduled)..... June 14, 2023

Plan Commission Hearing Date (Scheduled)..... June 28, 2023

- 2. Community Engagement:** Community engagement was an essential component of the development of this proposal. Following the adoption of the Building Opportunity and Choices for All (BOCA) interim ordinance<sup>1</sup>, internal and external dialogue began on what permanent changes to the comprehensive plan could look like. Below is a list of the numerous blog posts, presentations, community newsletters, tabling events, organization roundtables, resident forums, and additional public workshops with Plan Commission between September 2022 and May 2023 that concerned the proposal. Where documents are available highlighting those events or summarizing them, external web links are provided.

[Permit History Shows Missing Middle Housing Gap – Blog](#)..... September 8, 2022

Five Mile Prairie Neighborhood Council Presentation..... September 22, 2022

Lincoln Heights Neighborhood Council Presentation..... October 18, 2022

[Plan Commission Workshop](#)..... October 26, 2022

[Help Shape the Future of Housing Policy in Spokane – Blog](#)..... November 14, 2022

Spokane Low Income Housing Consortium Presentation..... November 16, 2022

[Shaping Spokane Housing Newsletter](#)..... December 6, 2022

Keller Williams Realty Presentation..... December 6, 2022

Stock House Plans Working Meeting..... December 7, 2022

[Shaping Spokane Housing Newsletter](#)..... December 21, 2022

[A Home is a Journey, not a Destination – Blog](#)..... January 4, 2023

Spokane Preservation Advocates Presentation..... January 5, 2023

[Shaping Spokane Housing Newsletter](#)..... January 6, 2023

[Plan Commission Workshop](#)..... January 11, 2023

WA Trust Bank Presentation..... January 12, 2023

Lincoln Heights Neighborhood Council Presentation..... January 17, 2023

Futurewise Housing Coalition Presentation..... January 19, 2023

[Shaping Spokane Housing Newsletter](#)..... January 19, 2023

[Community Organization Roundtable](#)..... January 24, 2023

[Plan Commission Workshop](#)..... January 25, 2023

Housing Journey Survey Opens..... January 27, 2023

[The Future of Housing for All – Blog](#)..... January 27, 2023

[Shaping Spokane Housing Newsletter](#)..... January 30, 2023

[Beyond the Housing Binary – Blog](#)..... February 6, 2023

Black History Month Empowerment and Resource Fair Tabling..... February 11, 2023

North Indian Trail Neighborhood Council Presentation..... February 14, 2023

[Shaping Spokane Housing Newsletter](#)..... February 16, 2023

Appraisal Institute Presentation..... February 16, 2023

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<sup>1</sup> Ordinance C36232, Approved 7-18-2022.

- [When Providing Housing Increased National Security – Blog](#)..... February 27, 2023
- Land Use Subcommittee of the Community Assembly..... March 1, 2023
- [Shaping Spokane Housing Newsletter](#)..... March 2, 2023
- 2023 Real Estate Market Forum Tabling..... March 2, 2023
- Futurewise Housing Coalition Meeting..... March 15, 2023
- [Shaping Spokane Housing Newsletter](#)..... March 16, 2023
- [Faith-Based Organization Roundtable](#)..... March 16, 2023
- Manzanita House Community Event Tabling..... March 22, 2023
- El Mercadito Cultural Market Tabling..... March 25, 2023
- [Shaping Spokane Housing Newsletter](#)..... March 28, 2023
- [Housing Journey Survey Closed](#)..... March 31, 2023
- District 3 Resident Forum – Meeting 1..... April 4, 2023
- Spring Break Market Tabling..... April 5, 2023
- District 2 Resident Forum – Meeting 1..... April 6, 2023
- [Shaping Spokane Newsletter](#)..... April 6, 2023
- District 1 Resident Forum – Meeting 1..... April 7, 2023
- [Plan Commission Workshop](#)..... April 12, 2023
- One Realty Presentation..... April 18, 2023
- District 3 Resident Forum – Meeting 2..... April 18, 2023
- District 2 Resident Forum – Meeting 2..... April 20, 2023
- [Shaping Spokane Newsletter](#)..... April 20, 2023
- District 1 Resident Forum – Meeting 2..... April 21, 2023
- [Plan Commission Workshop](#)..... April 26, 2023
- [All District Resident Forum – Final Meeting](#)..... April 28, 2023
- [Shaping Spokane Newsletter](#)..... May 4, 2023
- Plan Commission Workshop (Scheduled)..... June 14, 2023

Some of the key community engagement efforts that shaped this proposal are expanded upon below:

*Community Organization Roundtable.* This event brought together a diverse group of community organizations that work with and for communities that may be disproportionately impacted by housing, including communities of color, aging populations, persons with physical or mental disabilities, immigrant populations, and other marginalized and intersecting identities. Opportunities discussed included accessible housing, mixed-income development, and attainable and retainable housing. A full summary can be found in **Exhibit B**.

*Faith-Based Organization Roundtable.* This event brought together members and leaders from a variety of faith-based organizations who provide affordable housing, are interested in providing affordable housing, or who spoke for their congregation and the struggles faced in the housing crisis. The conversation included an exploration into the intersection between faith-based

organizations and housing, identifying concerns that will more appropriately be addressed/considered in the development code work that will follow this proposal. A summary can be found in **Exhibit C**.

*Housing Journey Survey.* The housing Journey Survey received an unprecedented 3,417 valid responses and aided in forming an understanding of the housing crisis, how it affects residents, their living situations, and the types and sizes of desired housing. Key findings found that the housing crisis is foremost in every community member’s mind, desire exists for increased housing choice and diversity, and some traditional assumptions about residents’ preferences for housing might be incomplete. A full analysis of the results is available in **Exhibit D**.

*Resident Forums.* Following the survey, City staff invited residents from each District to expand upon their responses in roundtable discussions. Attendees shared their housing experiences and what they hope to see for the future of housing in Spokane. The series of forums started as high-level conversations about what Spokane is like and what it could be, ultimately narrowing in focus to discuss and finalize the draft vision and values language for the proposal. A full summary of these discussions can be found in **Exhibit E**.

3. **Comments Received:** Following the above community engagement efforts, a Request for Comments was issued to City departments as well as local agencies and departments on April 17, 2023. By the close of agency comment on May 2, 2023, comments were received from the following:
  - a. Mike Nilsson, City of Spokane Engineering: Stated he has no comments.
  - b. Randy Abrahamson, Spokane Tribe of Indians Tribal Historic Preservation Office: Stated that cultural surveys and monitoring may be required on case-by-case review of projects.
  - c. Ryan Stewart, Spokane Regional Transportation Council: Stated the proposal is generally consistent with the Regional Transportation Plan.

Full copies of agency and department comments can be found in **Exhibit F** of this staff report.

Following the agency/department comment period, a Notice of Application was issued on May 8, 2023, to Neighborhood Councils, Community Assembly representatives, and the residents and stakeholders who engaged in the proposal’s development phase. Interested persons who had interfaced with the project in the past, or those who specifically requested it, were also sent the Notice, for a total of more than 160 direct emails. Furthermore, the Shaping Spokane Housing newsletter announced the public comment period and solicited written comments. This newsletter has a subscription list of approximately 2,642 addresses. Given the city-wide nature of this proposal, notice was also published in the Spokesman Review on May 10, 2023.

The 30-day public comment period ended on June 7, 2023. During that time, the following comments were received:

- a. Carl Bruesch: Neutral comment—suggests that “protecting the character of single-family neighborhoods” not be removed as a value, suggesting replacement language.

- b. Joey Gunning: Provided several specific suggestions for Chapter 7 of the Comprehensive Plan.<sup>2</sup>
- c. Debra Howard: Supports the proposal, but also lists certain design requirements she recommends be required of new development.
- d. Bob Hyta: Supports updating the comprehensive plan, citing the age of the document and past amendments.
- e. Alena Izhokhina: Supports the proposal but wants requirement that original vegetation trees remain when developing.
- f. David Jones: Opposes the interim zoning regulations (BOCA) and the proposal, feels it is incompatible with the existing comprehensive plan and will cause people to move out of town to find “neighborhoods to live in.”
- g. Betty Krafft: Supports more housing options. Promotes condos as a path to ownership and a shield against rising rents.
- h. Cynthia Manycolors: Recommends targeting new development to areas with bus routes and near schools.
- i. Ben Maplethorpe: Development should be focused on locations with transit. Current parking standards are not sufficient. Opposes “moderate to high density” housing in areas traditionally and historically containing single-family homes.
- j. Adam Marshall: Feels that the proposal should incorporate requirements that the City ensure concurrency and adequate services before allowing more development.
- k. Rick & Roxanne Messenger: Concerned about parking impacts from middle housing.
- l. Scott Moore: Feels the City should concentrate on crime and drugs before considering amendments regarding housing.
- m. Heather Morgan: Development should be focused on locations with transit. Current parking standards are not sufficient. Feels the word “churches” in the amendment should be replaced with “places of worship.”<sup>3</sup>
- n. Candace Mumm: Provided several specific comments on the proposed language, as summarized in the table below (with staff responses to each).

Comment	Staff Response
Proposed changes to the definition of middle housing to remove the number of	The definition is a nearly word-for-word copy of the definition of Middle Housing required

<sup>2</sup> As Mr. Gunning’s comments concern a chapter of the Comprehensive Plan not currently considered for changes, this information will be retained for the preparation of the next major update to the Comprehensive Plan, expected in 2025-2026.

<sup>3</sup> Staff concurs that this change would be more inclusive of faiths that do not call their places of worship a “church.”

Comment	Staff Response
units and the various home types, as “state law will likely change.”	by House Bill 1110. While state law <i>can</i> change, this definition is the current legal definition. Additionally, there exists mechanisms by which the City can update the definition in the glossary if the law changes in the future. Nothing in this definition would REQUIRE the allowance of these housing types. That is a function of the eventual updates to the Municipal Code (Phase II of this project, currently under development).
Objects to the removal of “controlling urban sprawl” from the value statements.	In numerous conversations with the public, it became clear that “urban sprawl” is not a universally understood concept. The replacement language was crafted with significant input during public workshops to clarify the beneficial intent of growth management.
Requests the term “convenient” be retained in the values.	During the extensive public engagement process repeated comments were made that “convenient” is too subjective to be useful in this context.
Suggests removal of the value that begins “Balancing stability. . . “	This value statement was crafted in direct consultation with the public and is intended to reinforce the idea that the Comprehensive Plan (and the Municipal Code that implements it) is not a static, set-in-stone document and should rather be updated and amended over time.
Suggests keeping the three bullets at the end of the Goals and Policies preface.	These bullets are proposed for removal not because they are unimportant, but because this same language is already included in multiple locations throughout the chapter. Additionally, the concepts they describe are a key component of the various goals and policies in the chapter and the overall strategy is self-evident. As a preface, these statements have less force than the policies themselves, which already include these concepts.
Suggests additional language to Policy LU 1.4 calling for new centers via a neighborhood planning process.	Goal 3 and its various policies already includes sufficient details as to the need and method for determining and designating centers and corridors. Nothing in the



Comment	Staff Response
	proposal would modify or reduce the effectiveness of those policies. As such, including it in this policy would be unnecessarily repetitive. See existing Policy LU 3.3, Designating Centers and Corridors.

- o. James O’Hare: Supports more housing options. Cites lack of options for those seeking to downsize/move.
- p. Drew Peterson: Supports the inclusion of churches in the proposed text. Supports the amendment’s strengthening of direction that residential development “within moderate walking distance” of centers and corridors is beneficial.
- q. Richard Schubach: Neutral comment—feels City should consider impacts on viewpoints and the environment when discussing development.
- r. Toni Sharkey: Feels the City should focus on downtown before easing development in “historical neighborhoods” and scenic/environmental areas.
- s. Carol Tomsic: Objects to the removal of the word “neighborhoods” from the Land Use Vision by the proposal.
- t. Katie Upton: Supports the proposal, citing the value diversity brings to her neighborhood.
- u. Multiple Commenters: A group of comment emails with similar themes and comments was received from the following individuals:
  - David Camp
  - Kari Ann Gaither
  - Lila Girvin
  - Mark Odegard
  - Amy Pistone
  - Edward Renouard
  - Hannah TeGrotenhuis

These seven commenters expressed concern that the proposal would remove or otherwise modify the focused growth strategy of the Comprehensive Plan, namely the Centers and Corridors concepts in the existing plan.

Full copies of all public comments received up until the end of the Public Comment Period (June 7, 2203), including the comments listed above, can be found in **Exhibit G** of this Staff Report.

Staff Response—“Neighborhoods” Terminology

Some commenters have raised concerns with the removal of the word “neighborhoods” from the vision statement. Staff developed the proposed changes to the vision during the public engagement process and in direct consultation with the participants of the Resident Forums. It was pointed out by the public in those meetings that the original vision is unclear as to whether “neighborhoods” referred to only residential portions of the city or if it included downtown and other centers and corridors. To clarify that the vision applies everywhere in the city, not just within residential areas, the word “neighborhoods” was replaced with the concept of livability in

this proposal. However, even with this change, neighborhoods remain a major component of the Comprehensive Plan—including the Neighborhoods Chapter, chapter 11 of the Comprehensive Plan (which remains unchanged by this proposal) and the more than 2,000 times the word “neighborhood” appears in the plan.

#### Staff Response—Centers and Corridors

While some commenters have raised concerns that the proposal would fundamentally change Centers and Corridors, the focused growth strategy in the Comprehensive Plan, it is important to note that the fundamental Centers and Corridors strategy remains a core aspect of the overall growth strategy outlined in the Comprehensive Plan. No part of the proposal is expected to remove or significantly alter the implementation of Centers and Corridors in the plan.

#### Staff Response—Increased Density

Some commenters have expressed concerns that this proposal will precipitously raise density in the City, adversely affecting service and utility provisions and exceeding the City’s ability to provide and accommodate urban-scale uses. While the proposed Comprehensive Plan amendments discussed in this staff report make it clear that multiple housing types can be accommodated in lower intensity residential areas, there are several mitigating factors that will ensure that density (units per acre) does not rise above the ranges originally envisioned by the Comprehensive Plan. They include:

- Much of the City is already built out, limiting the amount of new development that might occur overall. In repeated discussions with stakeholders and considering the pre-application meetings of nearly 400 units under the interim ordinance, demolition of existing homes is usually not a part of redevelopment under the interim ordinance. Demolition of existing homes represents additional costs and permitting that makes redevelopment less financially feasible. Accordingly, as a great deal of the city is currently built out and, as demolition is less likely to be a part of any redevelopment, it’s unlikely that any part of the city would experience a precipitous rise in density.
- Many areas of the city have previously developed *below* the expected densities called for in the existing Comprehensive Plan. When some areas that platted and developed in the last 20 years were analyzed by staff, the actual density of development fell below the minimum density described in the original Comprehensive Plan. For instance, when a 52-acre portion of a newer (1990’s) neighborhood in Spokane was analyzed, staff found that the density was 3.9 units per acre, below the minimum of 4.0 called for in the Comprehensive Plan and nowhere near the maximum 10.0 units per acre called for in the plan.
- Critical Areas, stormwater, utility connection, and other factors still reduce site-by-site development potential. Nothing in the proposed amendment would reduce or eliminate the existing limitations on development presented by critical areas, wetlands, stormwater/drainage concerns, utility needs, or topography issues. Many currently undeveloped or underdeveloped sites have physical limitations that will prevent them from building larger middle housing types. This proposal would not remove those obstacles.

- Nothing in the proposal would eliminate the existing requirement for future development to show concurrency with service/utility provisions and to offset impacts from development. As future development is proposed following adoption of the proposal (and the Municipal Code amendments implementing these changes, currently under development), those new developments would still be required to show they are adequately served by City services and utilities. Nothing the proposal would bypass the concurrency requirement for future development already in place in the Spokane Municipal Code (see SMC 17D.010).

#### Staff Response—Development Standards Comments

Some of the public comments concern the development standards of the Municipal Code and not the vision and policy statements of the Comprehensive Plan. These include topics such as parking requirements and other design requirements that future development would be required to adhere to. The proposal that this staff report concerns is limited to policy, goal, and text changes to the Comprehensive Plan—no Municipal Code amendments are proposed at this time. Proposed changes to the Municipal Code are being developed as Phase II of this project and will be subject to additional public engagement, development, and consideration prior to being proposed for adoption. Accordingly, those comments that concern development standards and other implementing actions will be held and considered as part of Phase II.

4. **Public Workshops:** Public workshops with the Spokane Plan Commission were held on several dates (see section V.2 above). Two workshops were held during the public comment period, on May 10 and May 24, 2023. During those workshops, the particulars of the proposal were presented to the Plan Commission for their consideration and discussion. During the workshop Plan Commission asked questions and suggested changes, all of which were incorporated into later versions of the proposal and marked in the change matrix of **Exhibit A**.

An online public workshop was held on June 1, 2023. The workshop included a presentation on the proposal and questions were answered and comments received. A summary of that event will be provided to Plan Commission prior to the hearing on the proposal.

## **VI. APPLICATION REVIEW AND ANALYSIS**

1. **Guiding Principles:** SMC 17G.020.010 provides the following guiding principles for the annual comprehensive plan amendment process:
  - A. Keep the comprehensive plan alive and responsive to the community.
  - B. Provide for simultaneous review of proposals to allow for cumulative impact analysis of all applications on a City-wide basis and in conjunction with budget decisions.
  - C. Make map adjustments based on a foundation in policy language, consistently applying those concepts citywide.
  - D. Honor the community’s long-term investment in the comprehensive plan, through public participation and neighborhood planning processes, by not making changes lightly.

E. Encourage development that will enable our whole community to prosper and reinforce our sense of place and feeling of community, in an ecologically, economically and socially sustainable manner.

F. Amendments to the comprehensive plan must result in a net benefit to the general public.

2. **Review Criteria:** SMC 17G.020.030 provides a list of considerations that are to be used, as appropriate, by the applicant in developing an amendment proposal, by planning staff in analyzing a proposal, by the plan commission making a recommendation on a proposal, and by the city council in making a decision on the proposal. Following each of the considerations is staff’s analysis relative to the proposed amendment.

**A. Regulatory Changes:** *Amendments to the comprehensive plan must be consistent with any recent state or federal legislative actions, or changes to state or federal regulations, such as changes to the Growth Management Act, or new environmental regulations.*

Staff Analysis: Staff reviewed and processed the proposed amendment under the current regulations contained in the Growth Management Act, the Washington State Environmental Policy Act (SEPA), and the Spokane Municipal Code. Staff is unaware of any recent federal, state, or legislative actions with which the proposal would be in conflict, and no comments were received to this effect from any applicable agencies receiving notice of the proposal. Furthermore, the proposal implements some, but not all, of the modifications called for by House Bill 1110 (2023), recently passed by the State Legislature. The proposal is an important first step towards compliance with HB 1110, though the City has 6 months following the next required comprehensive plan update, which is required by June 30, 2026, to adopt development regulations in conformance with HB 1110.

The proposal satisfies this criterion.

**B. GMA:** *The change must be consistent with the goals and purposes of the State Growth Management Act.*

Staff Analysis: The Growth Management Act (GMA) details 13 goals to guide the development and adoption of the comprehensive plans and development regulations (RCW 36.70A.020, “Planning Goals”), and these goals guided the City’s development of its comprehensive plan and development regulations. No comments received or other evidence in the record indicates inconsistency between the proposed land use plan map amendment and the goals and purposes of the GMA. As discussed in criterion 2.A above, the proposal is also generally consistent with HB 1110, which includes amendments to RCW 36.70A (GMA), and has been processed consistent with the requirements of RCW 36.70A.370.

The proposal satisfies this criterion.

**C. Financing:** *In keeping with the GMA’s requirement for plans to be supported by financing commitments, infrastructure implications of approved comprehensive plan amendments must be reflected in the relevant six-year capital improvement plan(s) approved in the same budget cycle.*

Staff Analysis: The City did not require, nor did any Agency or City Department comment request or require a traffic impact analysis for the proposal. Renaming the Land Use Plan Map designations

is unlikely to affect access to existing infrastructure for any given site and should be covered by the City's planned investments in infrastructure expansion over the next 20 years. While the proposal could result in code amendments to increase the number of homes possible on a given site, the fact that the city is largely built out will likely limit any increase in density in most of the city. Accordingly, the proposal is not expected to negatively impact service or utility provisions or vehicle access. Furthermore, under State and local laws, any subsequent development of the sites impacted by the proposal will be subject to a concurrency determination pursuant to SMC 17D.010.020.

The proposal satisfies this criterion.

- D. Funding Shortfall:** *If funding shortfalls suggest the need to scale back on land use objectives and/or service level standards, those decisions must be made with public input as part of this process for amending the comprehensive plan and capital facilities program.*

Staff Analysis: No evidence of a potential funding shortfall as a result of this proposal has been found.

The proposal satisfies this criterion.

**E. Internal Consistency:**

- 1. The requirement for internal consistency pertains to the comprehensive plan as it relates to all of its supporting documents, such as the development regulations, capital facilities program, shoreline master program, downtown plan, critical area regulations, and any neighborhood planning documents adopted after 2001. In addition, amendments should strive to be consistent with the parks plan, and vice versa. For example, changes to the development regulations must be reflected in consistent adjustments to the goals or policies in the comprehensive plan. As appropriate, changes to the map or text of the comprehensive plan must also result in corresponding adjustments to the zoning map and implementation regulations in the Spokane Municipal Code.*

Staff Analysis: The proposal is internally consistent with applicable supporting documents of the comprehensive plan as follows:

Capital Facilities Program. As described in the staff analysis of Criterion C above, no additional infrastructure or capital expenditures by the City are anticipated for this non-project action, and it is not anticipated that the City's integrated Capital Facilities Program would be affected by the proposal.

Development Regulations. Any future development will be required to be consistent with the development regulations in place at the time of application submittal. Development regulations must also be consistent with the comprehensive plan and will be updated in the second phase of this proposal to ensure consistency.

Neighborhood Planning Documents Adopted after 2001. The proposal is consistent with or supports the goals and policies in many neighborhood plans that call for livability and diversity of housing types at different affordability levels. Upon review, the proposal does not directly conflict with the remaining neighborhood planning

documents. Any future changes to the development code as a result of the proposed changes would be subject to review and consideration of the neighborhood plans at the time of proposal.

Housing Action Plan. The proposal is consistent with the Housing Action Plan adopted in July 2021. Strategies A1, A4, and C1, in particular, informed the development of this proposal which would permanently allow more housing types and affordability levels throughout neighborhoods while planning for higher density housing around transit and services. The full Housing Action Plan can be found [online](#).

Miscellaneous Comprehensive Plan Goals and Policies. Comprehensive plan goals and policies—apart from policies LU 1.3 and LU 1.4—are supportive of expanded housing choice, diverse affordability levels, and access to services in every neighborhood. For a list of comprehensive plan goals and policies which support the proposal, see **Exhibit H**. As shown in that Exhibit, several policies in the current comprehensive plan support greater housing choice and diversity while some, namely those amended by this proposal, seem to support a more homogenous housing stock in most of the City. Resolving this tension between the existing policies in Chapter 3 (and elsewhere) represents one of the goals of the overall proposal.

The proposal is generally consistent with current comprehensive plan policies. There is an existing tension between the interpretation of policies LU 1.3 and LU 1.4 in Chapter 3, Land Use of the comprehensive plan and the rest of the policies in the comprehensive plan, as identified in **Exhibit H**, and further described in the staff analysis of Criterion K.1 below. In accordance with the considerable public engagement effort, City and state direction for housing policy, and the intent of the original values in Chapter 3, this proposal aims to ease this tension in the comprehensive plan and improve overall internal consistency.

The proposal satisfies this criterion.

2. *If a proposed amendment is significantly inconsistent with current policy within the comprehensive plan, an amendment proposal must also include wording that would realign the relevant parts of the comprehensive plan and its other supporting documents with the full range of changes implied by the proposal.*

Staff Analysis: The proposal is generally consistent with the comprehensive plan as discussed in item 1 above.

The proposal satisfies this criterion.

- F. Regional Consistency:** *All changes to the comprehensive plan must be consistent with the countywide planning policies (CWPP), the comprehensive plans of neighboring jurisdictions, applicable capital facilities or special district plans, the regional transportation improvement plan, and official population growth forecasts.*

Staff Analysis: This proposal is consistent with countywide planning policies (CPPs), specifically affordable housing policies 1, 4, and 6, which call for jurisdictions to provide a diverse mix of

housing types and affordability through inclusionary zoning practices and the development of higher density housing near employment. No comments have been received from any agency or neighboring jurisdiction which would indicate that this proposal is not regionally consistent.

The proposal satisfies this criterion.

**G. Cumulative Effect:** *All amendments must be considered concurrently in order to evaluate their cumulative effect on the comprehensive plan text and map, development regulations, capital facilities program, neighborhood planning documents, adopted environmental policies and other relevant implementation measures.*

1. **Land Use Impacts:** *In addition, applications should be reviewed for their cumulative land use impacts. Where adverse environmental impacts are identified, mitigation requirements may be imposed as a part of the approval action.*
2. **Grouping:** *Proposals for area-wide rezones and/or site-specific land use plan map amendments may be evaluated by geographic sector and/or land use type in order to facilitate the assessment of their cumulative impacts.*

Staff Analysis: This proposal is the only proposed amendment to the comprehensive plan this year. Private applications for comprehensive plan amendments were suspended<sup>4</sup> to focus on the permanent replacement of the Building Opportunity and Choices for All (BOCA) interim ordinance before it expired. As the only proposal for 2023, there is no cumulative impact to consider.

This proposal satisfies this criterion.

**H. SEPA:** *SEPA<sup>5</sup> Review must be completed on all amendment proposals and is described in Chapter 17E.050.*

1. **Grouping:** *When possible, the SEPA review process should be combined for related land use types or affected geographic sectors in order to better evaluate the proposals' cumulative impacts. This combined review process results in a single threshold determination for those related proposals.*
2. **DS:** *If a determination of significance (DS) is made regarding any proposal, that application will be deferred for further consideration until the next applicable review cycle in order to allow adequate time for generating and processing the required environmental impact statement (EIS).*

Staff Analysis: The application is under review in accordance with the State Environmental Policy Act (SEPA), which requires that the potential for adverse environmental impacts resulting from a proposal be evaluated during the decision-making process. Based on the information contained in the environmental checklist, written comments from local and State departments and agencies concerned with land development within the City, and a review of other information available to the Director of Planning Services, a Determination of Non-

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<sup>4</sup> Spokane Ordinance ORD C36270

<sup>5</sup> State Environmental Policy Act

Significance was issued on June 12, 2023 (see **Exhibit I**). It is worth noting that adoption of ordinances and other non-project actions taken by a city to implement the middle housing options encouraged by the State legislature and Ordinance C36232 are not subject to administrative or judicial appeals under Chapter 43.21C RCW.

The proposal satisfies this criterion.

- I. **Adequate Public Facilities:** *The amendment must not adversely affect the City’s ability to provide the full range of urban public facilities and services (as described in CFU 2.1 and CFU 2.2) citywide at the planned level of service, or consume public resources otherwise needed to support comprehensive plan implementation strategies.*

Staff Analysis: As the proposal retains the density ranges of development in residential land use designations that were used for the planning of facilities and services, it is not expected to impact the City’s ability to provide those facilities or services at the planned level of service.

The proposal satisfies this criterion.

- J. **UGA:** *Amendments to the urban growth area boundary may only be proposed by the city council or the mayor of Spokane and shall follow the procedures of the countywide planning policies for Spokane County.*

Staff Analysis: The proposal does not include an expansion to the Urban Growth Area, thus this criterion does not apply.

This criterion does not apply.

- K. **Demonstration of Need:**

1. **Policy Adjustments:** *Proposed policy adjustments that are intended to be consistent with the comprehensive plan should be designed to provide correction or additional guidance so the community’s original visions and values can better be achieved. The need for this type of adjustment might be supported by findings from feedback instruments related to monitoring and evaluating the implementation of the comprehensive plan.*

Staff Analysis:

Following on the heels of the Building Opportunity and Choices for All (BOCA) interim ordinance, as well as the Mayor’s proclamation of a housing emergency<sup>6</sup>, the city has undertaken an extensive public engagement process exploring the topic of housing and the performance/effect of the comprehensive plan on the development of diverse housing types and opportunities throughout the city (see section V above). Throughout this process it has become clear that amendments to the comprehensive plan are necessary to address the community’s needs and to resolve certain tensions within the polices and language of the comprehensive plan. These tensions center on the many policies calling for greater housing/development diversity versus a few that seem to press for more uniform residential

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<sup>6</sup> Mayor’s Proclamation – July 26, 2021



types in most areas (see discussion under criterion E.1 above and **Exhibit H** for more information).

Accordingly, this proposal aims to clarify and enhance the current comprehensive plan in three key areas:

1. Update the vision and values to clarify their intent and meet the current and future needs of the community;
2. Bring development policy into alignment with other policies in the Comprehensive Plan, as well as the originally designated density of residential development; and
3. Clarify the relationship between Centers and Corridors and development of smaller scale housing, with gradual transitions between intensities.

#### Area 1: Community Need

While many of the guiding principles established by the community during the 2001 Comprehensive Plan still apply, review of Chapter 3, Land Use, with community members has indicated that adjustments are necessary to bring the document into alignment with the community's vision and values. Existing value language like "protect", "character", and "sprawl" mean different things to residents than they might have when originally written. Accordingly, the proposed amendment was developed to be clearer about the intent of the values, to make the language more inclusive, and to highlight what current residents want to see for Spokane. However, none of the proposed amendments are intended to supplant or substantially shift the existing community vision provided by the original comprehensive plan. Rather these refinements have been developed to clarify and enhance the existing land use strategy.

#### Area 2: Density

By indicating that middle housing is appropriate in all residential areas, the proposal may appear to provide for an increase in the possible development intensity within existing residential land uses. However, recent analysis has indicated that the currently adopted language (as well as implementing Municipal Code provisions) and an overemphasis on policies LU 1.3 and LU 1.4 has contributed to a general *reduction* in development densities in recent years, in some cases below the City's density minimums. This has occurred in part because density is considered on a lot-by-lot basis via restrictions placed on housing type and unit counts in the municipal code. The proposal seeks to remedy this overemphasis on density while still calling on new development to be compatible with existing neighborhoods. Any increase in development following adoption of this proposal would serve to bring the densities of each land use designation within the intended range originally adopted in the comprehensive plan. Any overall increase in density or development intensity would be moderated citywide by the fact that the vast majority of the city is already developed—the effect of this proposal is largely on infill development.

The proposal *does* include significant text amendments to the names and descriptions of various residential land uses. However, while the naming conventions for the residential

land use plan map designations would be changed by the proposal, the assumed density for those designations remain. The descriptions added for the various residential land uses are more in line with existing policy in the Comprehensive Plan calling for diversity and choice in all parts of the City, and do not represent a new paradigm in land uses or their preferred development types.

### Area 3: Transitions to C&C

In addition to the discussion of housing diversity, some minor amendments have been included that make it clearer that residential intensity should rise as development nears Centers and Corridors. Centers and Corridors have been the cornerstone of the City's adopted focused growth strategy since the 2001 Comprehensive Plan. The intent of focused growth is to develop higher density housing around Centers and Corridors where amenities, facilities, services, and employment are highest. However, existing language leaves some uncertainty where Centers and Corridors begin and end and whether growth should occur *only* in these areas, or just *more* growth than in single family residential areas. This uncertainty has historically made some comprehensive plan amendments difficult to process.

The intent of this proposal is to clarify some of the existing language on this topic by establishing a range of development that can occur within each land use plan map designation and calling for a gradual transition between the lowest intensity uses in residential neighborhoods and the highest intensity uses in Centers and Corridors. The proposed updates to the names and descriptions of the residential land use designations on the land use plan map aim to solidify this concept in accordance with goals of this project.

In summary, the intent and effect of the proposal is to refine the existing vision of the comprehensive plan and to provide enhanced language that results in better implementation of that vision throughout the city.

This proposal satisfies this criterion.

2. **Map Changes:** *Changes to the land use plan map (and by extension, the zoning map) may only be approved if the proponent has demonstrated that all of the following are true:*
  - a. *The designation is in conformance with the appropriate location criteria identified in the comprehensive plan (e.g. compatibility with neighboring land uses, proximity to arterials, etc.);*
  - b. *The map amendment or site is suitable for the proposed designation.*
  - c. *The map amendment implements applicable comprehensive plan policies and subarea plans better than the current map designation.*

Staff Analysis: The proposal is not changing any boundaries on the existing land use plan map. Residential land use plan map designations would be updated to reflect the new naming conventions described above but no other map changes are proposed.

This proposal satisfies this criterion.

3. **Rezones, Land Use Plan Amendment:** *Corresponding rezones will be adopted concurrently with land use plan map amendments as a legislative action of the city council. If policy language changes have map implications, changes to the land use plan map and zoning map will be made accordingly for all affected sites upon adoption of the new policy language. This is done to ensure that the comprehensive plan remains internally consistent and to preserve consistency between the comprehensive plan and supporting development regulations.*

Staff Analysis: As the proposal would not change the land use plan map designation of any parcel, no rezone is required. Nor is a rezone of any property a part of the proposal.

The proposal satisfies this criterion.

## VII. CONCLUSION

The proposal has been processed and considered according to the requirements of the Spokane Municipal Code. According to the information provided above and the whole of the administrative record, the proposal is consistent with the approval criteria set forth by SMC 17G.020.

Following the close of public testimony and deliberations regarding conclusions with respect to the review criteria and decision criteria detailed in SMC Chapter 17G.020, Plan Commission will need to make a recommendation to City Council regarding the proposed amendment to the Land Use Plan map of the City's Comprehensive Plan.

## VIII. STAFF RECOMMENDATION

Considering the above information and the whole of the administrative record, staff recommends that Plan Commission and the City Council **approve** this proposal.

## IX. LIST OF EXHIBITS

- A. Proposed Text Amendments
- B. Community Organization Roundtable Summary
- C. Faith-Based Organization Roundtable Summary
- D. Housing Journey Survey Summary
- E. Resident Forum Summary
- F. Agency Comments
- G. Public Comments
- H. Comprehensive Plan Policies
- I. SEPA Determination & Environmental Checklist

Staff Report - File Z23-112COMP

# **Exhibit A**

**Proposed Comprehensive Plan Chapter 3, Land Use Text  
Changes (Tracked Changes and Matrix of Changes)**



**Language Version Date: May 17, 2023**

The following excerpt provides the currently adopted language in Chapter 3, Land Use, of the Spokane Comprehensive Plan. Only sections expected to be amended by Building Opportunity for Housing Phase I are included. For more in-depth review of the existing language and information regarding the whole Comprehensive Plan, see [www.shapingspokane.org](http://www.shapingspokane.org).

---- Changes start on page 3-5 of the currently adopted Comprehensive Plan ----

### **3.2 VISION AND VALUES**

Spokane volunteers working to develop the 2001 Comprehensive Plan identified important themes in relation to Spokane’s current and future growth. A series of visions and values was crafted for each element of the Comprehensive Plan that describes specific performance objectives. From the Visions and Values document, adopted in 1996 by the City Council, the Comprehensive Plan’s goals and policies were generated. In 2023, the City endeavored to explore these visions and values further, seeking to refine them in the face of an ongoing housing crisis (see the Spokane Housing Action Plan). Accordingly, the City held numerous meetings and roundtable discussions with the public and key housing stakeholders in the region and crafted updates to the vision and values herein.

Land use is defined as the general location of various uses of land, concentrations of population density, and building intensities of development (size, height, lot coverage, etc.).

#### **Vision**

Growth will be managed to allow a mix of land uses that fit, support, and enhance Spokane’s neighborhoods livability, protect the environment, ~~and~~ sustain the downtown area, and broaden the economic base of the community.

#### **Values**

The things that are important to Spokane’s future include:

- Acquiring ~~and,~~ preserving, and enhancing the natural areas inside and outside the city;
- ~~Controlling urban sprawl in order to~~ Managing urban growth to ensure development results in equitable, livable, community-oriented neighborhoods, contributes positively to the City’s financial resources, and to protects outlying rural areas;
- Developing and maintaining ~~convenient~~ access and opportunities for shopping to amenities, services, education, and employment for people of all ages and abilities in all parts of the city;
- ~~Protecting the character of single-family neighborhoods;~~ Celebrating the uniqueness of each neighborhood while allowing for growth and diversity everywhere;

- Ensuring equitable housing supply by encouraging diversity of housing choice, mitigating the effects of displacement on existing residents, and ensuring attainable and accessible housing for all members of the community;
- ~~Guaranteeing a variety of densities that support a mix of land uses; and~~
- ~~Utilizing current residential lots before developing raw land. Encouraging development in built areas while promoting complementary changes in all parts of the city; and~~
- Balancing stability and flexibility by reviewing and amending standards in an orderly and thoughtful fashion as needs change in the city.

### 3.3 GOALS AND POLICIES

Goals and policies provide direction for planning and decision-making. Overall, they indicate desired directions, accomplishments, or aims in relation to the growth and development of Spokane. The land use goals and policies establish a framework for future growth and development of the city.

Much of the future growth ~~will should~~ occur within concentrated areas in and around Neighborhood Centers, District Centers, Employment Centers, ~~and~~ Corridors, and Downtown (the Regional Center), as designated on the Land Use Plan Map. ~~While this Significant growth occurs in is directed to~~ Centers and Corridors, established single family with changes in other areas (like existing residential neighborhoods will remain largely unchanged) guided towards more compatible uses and scales that fit well into those existing areas.

The Centers and Corridors contain a mix of uses, including higher ~~density-intensity~~ housing centered around or above retail and commercial establishments, office space, and public and semi-public activities (parks, government, and schools). In addition to these uses, areas designated as Employment Centers emphasize a strong employment component such as major offices or light industrial uses. Street patterns within the Centers and surrounding neighborhoods enable residents to walk or bicycle for their daily service needs and to access each center’s transit stop. Higher ~~density-intensity~~ housing within and around the Centers supports business in the Center and allows for enhanced transit service between Centers, along Corridors, and to the downtown area. Center designations on the Land Use Plan Map may change to reflect neighborhood planning decisions.

~~Other important directives of the land use goals and policies include:~~

- ~~limiting commercial and higher density development outside Centers and Corridors to support growth and development of Centers and Corridors;~~
- ~~directing new higher density housing to Centers and Corridors and restricting this type of development in single family areas; and~~
- ~~using design guidelines to ensure that commercial buildings and higher density housing are compatible with existing neighborhood character in and around Centers and Corridors.~~

---- No other proposed changes until page 3-8 ----

#### LU 1.3 ~~Single Family~~ Lower Intensity Residential Areas

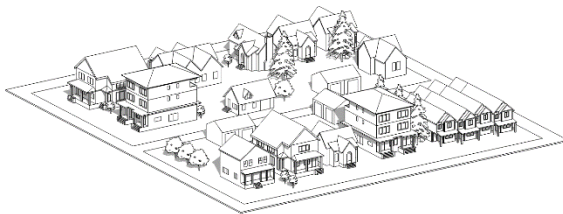
~~Protect the character of single family residential neighborhoods by focusing higher intensity land uses in designated Centers and Corridors. Focus a range of lower intensity~~

residential uses in every neighborhood while ensuring that new development complements existing development and the form and function of the area in which it is located.

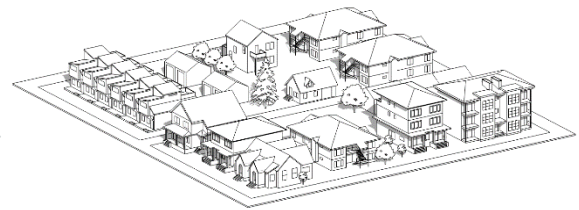
**Discussion:** The city's residential neighborhoods are one of its most valuable assets. ~~They are worthy of protection from the intrusion of incompatible land uses. Centers and Corridors provide opportunities for complementary types of development and a greater diversity of residential densities.~~ Diversity in both housing type and residents in these areas is essential for the wellbeing and health of the city's neighborhoods. Lower intensity residential uses, from detached homes to middle housing types, are generally compatible with each other and can be incorporated effectively into all neighborhoods. Accordingly, some residential areas would benefit from slightly increased intensities of residential use (e.g., somewhat taller buildings, more lot coverage), dependent on the context and nature of the surrounding neighborhood. These areas of increased residential development should focus on those parts of the neighborhood where proximity to adequate transportation (such as frequent transit), parks, schools, shopping, and other services already exists and where conditions allow for accommodation of increased utility/service needs and other impacts such as parking or the need for public green space.

Complementary types of development ~~may should~~ include places for neighborhood residents to walk to work, shop, eat, and recreate. Complementary uses include those serving daily needs of residents, including schools, churches, grocery stores, recreation facilities, and small-format retail and medical uses. Development of these uses in a manner that avoids negative impacts to surroundings is essential. Creative mechanisms, including design standards, must be implemented to address these impacts so that potential conflicts are avoided.

The following graphics are provided as a conceptual guide to different intensities envisioned by this policy. These are schematic representations of possible development intensities and are not intended to call for specific structure designs or architectural details.



**Low Intensity**



**Increased Intensity**

For specific guidance as to the land use plan map designations guided by this policy—"Low Intensity Residential" and "Increased Intensity Residential"—see Section 3.4 below.

#### **LU 1.4 Higher Density-Intensity Residential Uses Areas**

*Direct new higher density-intensity residential uses to areas in and around Centers and Corridors designated on the Land Use Plan Map and to areas where existing development intensity is already consistent with development of this type.*

**Discussion:** Higher density-intensity housing of various types is the critical component of a Center. Without substantially increasing population in a Center's immediate vicinity, there is insufficient market demand for goods and services at a level to sustain ~~neighborhood-scale businesses.~~ Higher density residential uses in Centers range from multi-story condominiums and apartments in the middle to small-lot homes at the edge. Other possible housing types include townhouses, garden apartments, and housing over retail space—more intense commercial development. Residential uses in and around Centers

generally consist of multi-story condominiums and apartments. In some cases, smaller-scale residential development may be interspersed among those higher intensity uses, but generally uses of higher scale and height should predominate in these areas, especially as proximity to designated Centers or Corridors increases. Likewise, residential development should increase in height, mass, and lot coverage as properties are located closer to commercial areas or where employment is higher.

To ensure that the market for higher density-intensity residential use is directed to Centers, future higher density housing of higher scale and form is generally ~~is~~ limited in other areas. ~~The infill of Residential 15+ and Residential 15-30 residential designations located outside Centers are confined to the boundaries of existing multi-family residential designations where the existing use of land is predominantly higher density residential.~~ Whenever more intense residential uses are proposed outside the general vicinity of Centers and Corridors, topics such as the proximity of those areas to uses like commercial or downtown uses should be considered. Design and site requirements should be considered that minimize conflict between these areas and other uses.

The following graphics are provided as a conceptual guide to different intensities envisioned by this policy. These are schematic representations of possible development intensities and are not intended to call for specific structure designs or architectural details.



For specific guidance as to the two land use plan map designations guided by this policy—“Moderate Intensity Residential” and “High Intensity Residential”—see Section 3.4 below.

---- No other proposed changes until page 3-24 ----

### **LU 3.6 Compact Residential Patterns**

*Allow more compact and affordable housing in all neighborhoods, in accordance with design guidelines.*

**Discussion:** Compact and affordable housing includes such choices as townhomes, accessory dwelling units (granny flats), live-work housing, triplexes, zero-lot line, starter, small-lot, and row houses. Middle housing types such as these are compatible with all residential areas, commensurate with policy LU 1.3 above.

---- No other proposed changes until page 3-28 ----

### **LU 5.5 ~~Compatible-Complementary~~ Development**

*Ensure that infill and redevelopment projects are well-designed and ~~compatible with~~ complement surrounding uses and building types.*



Discussion: New infill development and redevelopment should be designed and planned to seek compatibility with its location. Consideration should be given to multiple scales of compatibility, from the site on which the use will be constructed to the wider area in which it will reside. New development/redevelopment should seek to expand the choices available in the area while complementing existing use and form of surrounding properties. For example, middle housing types provide for diverse choices in scale and form while also maintaining a high level of compatibility with existing residential neighborhoods.

---- No other proposed changes until page 3-37 ----

### **3.4 DESCRIPTION OF LAND USE DESIGNATIONS**

~~Much of the future growth will occur in District Centers, Employment Centers, Neighborhood Centers, and Corridors. A key component of each of these focused growth areas is higher density housing centered around or above service and retail facilities. This enables residents near the Center or Corridor to walk or bicycle for their daily needs. Higher density housing also provides economic support for the businesses and allows for more efficient transit service along the Corridor and between mixed-use Centers and downtown Spokane.~~

~~Focusing growth results in a more compact urban form with less land being used at the fringe of the city. It provides city residents with more housing and transportation choices. New policies, regulations, and incentives allow mixed-use in designated Centers and Corridors and assure that these areas are designed to be compatible with surrounding lower density residential areas.~~

~~The following land use plan map designations are necessary for development and growth in the city to achieve the vision and values discussed at the beginning of the chapter. These land use designations are shown on the following map, LU-1 Land Use Plan Map, which apply the requirements of land use and the goals and policies of the Comprehensive Plan to the physical environment, describing the types of development expected in each area. The overall strategy, as described above, is that development mass, height, and lot coverage be concentrated in focused growth areas (Centers and Corridors) while the remaining parts of the city remain occupied by lower intensity uses. Furthermore, future changes to the land use plan map should seek to achieve a transition between areas of lower and higher development mass and form and should avoid locations where the lowest intensity uses immediately transition to the highest intensity uses.~~

~~There is expected to be some variation in residential zones within each residential land use plan map designation. Contextual factors such as proximity to services, transportation options, and existing land use patterns should be considered when assigning a zoning category.~~

The land use designations and their general characteristics are as follows:

---- No other proposed changes until page 3-40 ----

*Note: the following items have been reordered to list them from lowest to highest intensity. That change is not shown in the "tracked changes" below.*

~~**Residential 4-10:** This designation allows single family residences, and attached (zero lot line) single-family residences. The allowed density is a minimum of four units and a maximum of ten units per acre. Allowed structure types are single family residences, attached (zero lot line) single family residences, or two family residences in appropriate areas. Other residential structure types may be permitted through approval of a Planned Unit Development or other process identified in the development regulations.~~

**Residential Low:** The Residential Low land use designation should focus on a range of housing choices built at the general scale and height of detached houses. This includes both detached and attached homes and housing categorized as middle housing (duplex, triplex, etc.). Combinations of these types should also be allowed, such as a duplex with an accessory dwelling unit. Other non-residential uses should be allowed conditionally, provided they integrate into the nature and context of the neighborhood. This would include uses such as schools, churches, grocery, small-format retail and medical services, and other resident serving uses.

Residential Low areas are appropriate in parts of the city where amenities and services are scaled for a lower level of development intensity.

~~**Residential 10-20:** This designation allows single family residences or two family residences on individual lots or attached (zero-lot-line) single family residences. The allowed density is a minimum of 10 and a maximum of 20 units per acre. Allowed structure types are single family residences or two family residences on individual lots or attached (zero-lot line) single family residences. Other residential structure types may be permitted through approval of a Planned Unit Development or other process identified in the development regulations.~~ **Residential Increased:** Uses in the Increased Intensity Residential designation are largely similar in type to low intensity residential areas. However, the overall development scale of those uses should be slightly higher, including possible design allowances like increased lot coverage, height, and other similar design requirements. The intent of Increased Intensity Residential areas is to provide a gradual increase in intensity, height, and overall context as the lower intensity areas transition into the more intense uses found in Centers and Corridors or significant commercial areas.

Residential Increased areas are appropriate whenever predominately lower scale residential is located near or around more intense uses like commercial locations or designated Centers and Corridors. Factors to be considered in designating such areas should include proximity to arterials and collectors, availability of transit, the nearness of more intense development, available capacity in systems and infrastructure, and any other factors that help ensure the proposed land use designation integrates well into the existing built environment.

Development allowed in these areas is expected to be larger in form (height, lot coverage, etc.) than those in the Low Intensity Residential areas, while still maintaining a high level of continuity and consistency between the two less intense residential areas.

~~**Residential 15-30:** This designation allows higher density residential use at a density of 15 to 30 units per acre.~~ **Residential Moderate:** Residential Moderate areas provide increased intensity of development more appropriate to areas in the vicinity of designated Centers and Corridors and those served by substantial commercial or employment opportunities. The typical type of residential development appropriate to this designation include larger apartment buildings while also including a mix of the lower intensity areas where warranted. Example apartment types include the three-floor walkup and traditional apartment complexes as well as larger townhome and condo complexes. If neighborhood serving uses are included, such as churches or community centers, those non-residential uses can be of a higher scale and intensity than those conditionally permitted in Low and Increased Intensity Residential areas.

Residential Moderate uses should be generally limited to within moderate walking distance of a Center, Corridor, or major employment/commercial area. Placement of Moderate Residential outside walking distance of these more intense areas is acceptable if sufficient rationale exists to place them further out—such as proximity to high-capacity or frequent transit service (aka Transit Oriented Development).

~~Residential 15+~~ This designation allows higher density residential use at a density of 15 or more units per acre or more. **Residential High:** The Residential High designation allows for the highest intensity of residential uses, including construction types found in the Moderate Intensity Residential designation but also including taller and more intense apartment complexes. High Intensity Residential areas are intended to focus residential intensity in the near vicinity of downtown and other Centers and Corridors in the city, where sufficient services and employment opportunities exist nearby. A focus on accessibility, walkability, and equitable housing provisions should be provided in this area, including incentives and other bonuses for more affordable/attainable units as these areas are also located near to services and essential facilities like frequent transit.

---- No other proposed changes until page 3-41 ----

Note: the four residential intensities listed in table LU 2 have been reordered to list them from lowest to highest intensity. That change is not shown in the "tracked changes" below.

The following table, LU 2, "Description of Land Use Designations," provides the names of the Land Use Map designations, a description of the typical land uses found in each designation, and some of the applicable development standards. While the following table provides the approximate range of residential density expected in some areas, this is not intended to be a site-by-site maximum limit for development. The number is provided here for the planning and provision of services and utilities in these areas (see Chapter 5, Capital Facilities and Utilities) and represents the average density one might expect in these areas. Conversely, where minimum densities are listed, implementing codes and practices should seek to achieve or exceed those minimums in general. The table is followed by the Land Use Plan Map which shows the location of the various land use designations that are described in the following table:

TABLE LU 2 – DESCRIPTION OF LAND USE DESIGNATIONS			
Land Use Designations	Typical Land Use	Assumed Density (Units per Acre)	
		Minimum	Maximum
Heavy Industrial	Heavier Industrial uses. No residential uses.	-	-
Light Industrial	Light industrial uses, limited commercial and residential uses.	-	-
General Commercial	Commercial and residential uses, warehouses.	-	-
Regional Center (Downtown)	Variety of goods, services, cultural, governmental, hospitality, and residential uses. Downtown plan provides detail of planning for this area.	-	-
Neighborhood Retail	Neighborhood-Serving Business and residential use. Maximum containment area of two acres.	-	30
Neighborhood Mini-Center	Same uses as Neighborhood Retail.	-	30
Office	Offices and residential use.	-	-

TABLE LU 2 – DESCRIPTION OF LAND USE DESIGNATIONS			
Land Use Designations	Typical Land Use	Assumed Density (Units per Acre)	
		Minimum	Maximum
Institutional	Includes uses such as middle and high schools, colleges, universities, and large governmental facilities.	Same standards as designation in which institution is located or as allowed by discretionary permit approval.	
Residential- <del>4-10</del> <u>Low</u>	Attached or detached <del>single-family</del> residences <u>and middle housing types.</u>	4	10
Residential- <del>10-20</del> <u>Increased</u>	<del>Attached or detached single-family and two-family residences.</del> <u>Middle housing types of greater scale or intensity than in lower intensity areas, with potential for mixed-use, neighborhood scale retail and services.</u>	10	20
Residential- <del>15-30</del> <u>Moderate</u>	<del>Higher density residences.</del> <u>A mix of more intense middle housing types and moderate-sized apartment, condo, townhome developments.</u>	15	30
Residential- <del>15+</del> <u>High</u>	<del>Higher density residences.</del> <u>Large apartment, condominium, townhouse developments, potentially on multiple sites with site planning and features.</u>	15	-
Agriculture	Agricultural lands of local importance.	-	-
Conservation Open Space	Areas that are publicly owned, not developed and designated to remain in a natural state.	-	-
Potential Open Space	Areas that are not currently publicly owned, not developed and expected to remain in a natural state.	-	-
Open Space	Major publicly or privately owned open space areas such as golf courses, major parks and open space areas, and cemeteries.	-	-
Neighborhood Center	Neighborhood-oriented commercial uses, offices, mixed-type housing, parks, civic uses in a master-planned, mixed-use setting.	15	32 in the core, 22 at the perimeter
District Center	Community-oriented commercial uses, offices, mixed-type housing, parks, civic uses in a master-planned, mixed-use setting.	15	44 in the core, 22 at the perimeter
Corridor	Community-oriented commercial uses, mixed-type housing in a master-planned, mixed-use setting.	15	44 in the core, 22 at the perimeter
Employment Center	Major employment uses, community-oriented commercial uses, mixed-type housing in a master-planned, mixed-use setting.	15	44 in the core, 22 at the perimeter

TABLE LU 2 – DESCRIPTION OF LAND USE DESIGNATIONS			
Land Use Designations	Typical Land Use	Assumed Density (Units per Acre)	
		Minimum	Maximum
Center & Corridor Core	Commercial, office and residential uses consistent with type of designated Center and Corridor.	-	-
Center & Corridor Transition	Office, small retail, and multi-family residential uses. Office and retail uses are required to have residential uses on the same site.	-	-

The following changes are proposed for the Glossary, located at the end of the Comprehensive Plan. These will be placed in their proper alphabetical order if adopted.

## Glossary

### Intensity (of Development)

Development intensity refers to factors beyond simple density (e.g., units per acre). Instead, the concept of development intensity focuses on the mass, form, and function of development. A tall building with many floors, covering a large proportion of the site, and requiring a high level of service/utility connections would be considered a “high intensity” use. A small building, covering less of the lot, of less height, and integrated into the physical environment in which it is located would be a lower intensity use. In the case of housing, middle housing types are considered “low intensity” while multi-story apartment buildings are considered “high intensity.”

### Livability

Livability in the Comprehensive Plan encompasses the positive attributes that make places feasible and enjoyable to live, work, and visit. The values that support livability include but are not limited to:

- Equity
- Diversity (both physical and social)
- Accessibility (physical, cognitive, and financial)
- Attainability
- Walkability and Transit Access
- Environmental Sustainability
- Integration Between Different Uses
- Greenery and Canopy Coverage
- Connected Community

### **Middle Housing**

In accordance with state law, middle housing includes buildings that are compatible in scale, form, and character with single-family houses and contain two or more attached, stacked, or clustered homes such as duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked flats, courtyard apartments, and cottage housing.

## Change Log -- Building Opportunity for Housing Phase I

Version Date: 5/17/2023

"Page" refers to the page number on the current version of the proposed language, not the full chapter text.

Ref#	Page	General Location	Change Made/Proposed	Rationale	Suggested by:	Implemented
1	2	Goals and Policies Preface	Include "downtown" in the list of areas where future growth should occur.	Downtown is a regional center but isn't in the list.	PC President Francis	Yes
2	2	Goals and Policies Preface	"the highest intensity" should read "higher intensity"	Highest may be misconstrued to equate to "only."	PC President Francis	Yes
3	2	Goals and Policies Preface	". . . within concentrated areas in <u>and around</u> Neighborhood Centers . . ."	Similar changes were made elsewhere to this effect.	Staff	Yes
4	3	Policy LU 1.3	Remove "single-family" from "single-family detached homes" in the discussion.	Could be misinterpreted as "single family residential" zone.	Commissioner Beyreuther	Yes
5	3	Policy LU 1.3	The sentence describing areas where increased residential development should be considered should be modified to be in a positive rather than restrictive voice.	As an aspirational document, positive language is more appropriate.	Commissioner Beyreuther & Commissioner Patterson	Yes
6	3	Policy LU 1.3	Proximity to schools should be a factor in increased intensity development.	The presence of schools nearby is also a sound rationale for increased development.	Staff	Yes
7	3	Policy LU 1.3	Include a sentence clarifying what kinds of uses are complimentary to residential.	A description will help reviewers understand the types of uses expected.	Staff	Yes
8	3 - 4	Policies LU 1.3 and LU 1.4	Replace placeholder boxes with approved graphics.	The concept of intensity could be better explored graphically.	Staff	Yes
9	3-4	Policies LU 1.3 and LU 1.4	Add an introduction paragraph for the new graphics.	The need exists to make it clear these are conceptual and not meant to depict ideal/required designs.	Staff	Yes
10	5	Policy LU 5.5	Remove "maximum" from discussion.	"Maximum" could lead to exclusionary practices.	Commissioner Williams	Yes
11	5	Section 3.4 Preface	Remove "single" from "detached single homes."	Could be interpreted as "single family" only.	Commissioner Beyreuther	Yes

## Change Log -- Building Opportunity for Housing Phase I

Version Date: 5/17/2023

"Page" refers to the page number on the current version of the proposed language, not the full chapter text.

Ref#	Page	General Location	Change Made/Proposed	Rationale	Suggested by:	Implemented
12	5	Section 3.4 Preface	Add a paragraph making it explicit that more than one residential zoning is appropriate in each land use designation.	Reinforcing this concept is helpful when considering future possible amendments.	Staff	Yes
13	6	Land Use Descriptions	Correct names of residential land uses to match current version (i.e., "residential low" instead of "low intensity residential.")	Typographical error.	Staff	Yes
14	6	Description of "Residential Low"	Clarify that grocery as well as small format retail and medical are appropriate.	This change reinforces the added language in LU 1.3 above.	Staff	Yes
15	6	Description of "Residential Moderate"	A more positive sentence structure is possible in the second paragraph.	Changes made to use a positive voicing.	Commissioner Beyreuther & Staff	Yes
16	5	Land Use Table Preface	Add a sentence making it clear that minimum density is still an important consideration.	This was not clear in the previous language.	Staff	Yes
17	8	Land Use Table	Remove "single-family" from "single-family residences"	Could be interpreted as "single family detached" only.	Commissioner Beyreuther	Yes
18	9	"I" Definitions	Retain definition of intensity	Helpful to readers and reviewers.	CA Representative Winkes & Commissioner Bank	Yes



Staff Report - File Z23-112COMP

# **Exhibit B**

**Community Organization Roundtable Summary**

# Building Opportunity for Housing community roundtable

## Event Summary

January 2023



We would like to take the opportunity to thank all of the agencies and individuals who were able to attend our Community Roundtable at the City Central Library on January 24, 2023. We were thrilled to hear from so many of you and we continue to consider the many points raised during the discussion. In an effort to ensure we've captured some of the main points, as well as an attempt to help keep these topics moving forward throughout the process, the following summary was created.

## Community Roundtable Overview

Following on the heels of the successful Building Opportunity and Choices for All interim ordinance, the Building Opportunity for Housing project intends to develop lasting Comprehensive Plan and Municipal Code amendments that increase housing choice and diversity in the city. A significant component of those updates is robust community engagement to inform the vision of housing in Spokane. One spoke of that engagement wheel was a community roundtable held on January 24, 2023.



*Community roundtable on January 24, 2023.*

For this event we purposefully reached out to organizations that work with and for communities that may be disproportionately impacted by the housing crisis. This includes communities of color, aging populations, persons with physical or mental disabilities, immigrant populations, and other marginalized and intersecting identities. Planning Staff is appreciative of the 33 participants who showed up and spent their afternoon talking with us about housing in Spokane.

## Identified Opportunities

Participants at the roundtable were asked: "What opportunities are out there for Spokane that we might be missing?" Identified opportunities included:

- Repurposing of existing structures for affordable housing (e.g., hotels);
- Development of incentives for supportive services and food security;
- Inclusion of *accessible* housing into the conversation, not just *affordable*;
- Encouragement of mixed-income developments and neighborhood nodes;



- Considering “retainable” housing in addition to “attainable” housing by improving community connections and providing support;
- Developing vacant or abandoned properties, with the ability for the communities historically pushed out of the neighborhood to direct use and potential development;
- Viewing housing as a way to retain and increase diversity;
- Identifying barriers to housing for mixed-status families and immigrants;
- Focusing on quality of life, beyond just providing a roof over someone’s head;
- Providing housing and resources to both low income and low-middle income residents;
- Educating the community on the process of changing the development code and providing feedback to the City;
- Improving the transparency within the development code process;
- Addressing the impact of Short-Term Rentals (Air BnB, VRBO, etc.) on the housing market;
- Considering the special needs of pregnant individuals and adults leaving foster care;
- Paying community members to participate in community planning, which leads to cultural sustainability; and
- Protecting and assisting renters just as much as homeowners.

## Identified Barriers

During the roundtable discussion, the group identified and discussed some barriers to the housing opportunities discussed in the first part.

- Access to transit, specifically when the focus of all growth is within Centers & Corridors, transit is less likely to expand within neighborhoods;
- Building Code requirements making 3+ units infeasible due to costs (Commercial Review);
- Restrictive HOA covenants and historic deed restrictions;
- Gentrification in Spokane pushing all-income residents out, both historically and today;
- Unclear regulatory process and how community members can advocate for themselves;
- Stormwater standards—the lack of allowed new technologies;
- Design standards that don’t necessarily improve quality of life;
- The view of housing as a business, rather than a human right; and
- Socially exclusive Neighborhood Council meetings disenfranchising renters and marginalized communities.



## Accountability

At the end of the roundtable discussion, participants were asked what accountability looks like for City staff. As in, how can staff ensure participants feel heard and that their input was going to be considered when making recommendations to the appropriate decision makers? The ensuing conversation included the following recommendations and thoughts:

- Continue the conversation, both internally and externally;
- Maintain connections with the community organizations;
- Work to break down any barriers by working internally and externally;
- Do not say “we can’t do that”, but rather find out who can;
- Ensure a transparent process by explaining the next steps and reasonings;
- Provide clear intent of every action; and
- Create change that is innovative and not recycled placation.

To that end, the Building Opportunity for Housing Community Roundtable Summary document is the first step in showing accountability, by ensuring transparency and continuing the conversation. However, staff knows there is additional work to be done.

## Parking Lot

During the conversation, specifics concepts were brought up that are not within the purview of the Building Opportunity for Housing project. However, there is recognition that successful community planning relies on the interconnection and collaboration of services. As such, a “parking lot” was established to capture these ideas so they could be sent to the appropriate project teams, City Department, or decision maker. Where we have already identified which department or City function is either currently addressing those issues or will be in the future, we have included their name in parentheses after the item.

- Re-evaluate the concept and purpose of Centers and Corridors designations (Planning & Economic Development<sup>1</sup>);
- Provide adequate staffing to ensure robust consideration of all planning or other city-led projects (City Council and Mayor’s Office);
- Create a robust mechanism for land banking, particularly with the direction of historically disenfranchised communities;

<sup>1</sup> Already underway. Contact Colin Quinn-Hurst with questions at [cquinnhurst@spokanecity.org](mailto:cquinnhurst@spokanecity.org).



- Connect the concept of attainability to homelessness and providing unhoused individuals with housing attainable to their situation (CHHS);
- Invest in more supportive programs, particularly wrap-around support (CHHS);
- Improve rental support and how Section 8 is distributed (CHHS); and
- Support the health of residents, recognizing the financial ramifications of medical needs.

## Next Steps

The first part of the Building Opportunity for Housing project involves an update of [Shaping Spokane](#), the city's comprehensive plan. The updates will be targeted to the vision of housing and related policies that are necessary to improve access to housing choice in Spokane. Once the comprehensive plan is updated, development regulations within the [Spokane Municipal Code](#) will be updated to modify housing requirements and allowances.

Both the comprehensive plan and development code amendments will first go to [Plan Commission](#) for recommendation of approval, before going before [City Council](#) for the final decision. City Council decisions are then sent to the [Mayor](#), to sign, veto, or leave unsigned. Of course, we will also keep in touch with you throughout the process and let you all know when there are opportunities to speak/write to City Council as they consider the changes.

As far as engagement, the community roundtable was the first stage in an engagement plan aimed to increase participation in the process. Department staff intends to follow-up with organizations that were unable to attend, as well as further conversations that occurred at the roundtable. Additional engagement efforts for the project will include a [multilingual survey](#), focus group conversations by District, and one-on-one meetings with organizations and agencies that can inform the project. Informational open houses will occur as milestones are met during the process. Department staff is also available to answer questions or receive feedback anytime, at [developmentcode@spokanecity.org](mailto:developmentcode@spokanecity.org).



Staff Report - File Z23-112COMP

# **Exhibit C**

**Faith-Based Organization Roundtable Summary**

# Building Opportunity for Housing Faith-Based Roundtable

## Event Summary

March 2023





Thank you to everyone who was able to attend the Faith-Based Roundtable on March 16, 2023 and thank you to Salem Lutheran Church for hosting the discussion. We are grateful for the useful feedback from religious institutions and affiliated organizations who either provide housing for the community, are interested in providing housing in the future, or simply work with congregations made up of people who are affected by the current housing climate. In an effort to ensure we've captured some of the main points, as well as in hope of keeping these topics moving forward throughout the process, the following summary is provided.

## Faith-Based Roundtable Overview

Following on the heels of the successful [Building Opportunity and Choices for All interim ordinance](#), the Building Opportunity for Housing project intends to develop lasting [Comprehensive Plan](#) and [Municipal Code](#) amendments that increase housing choice and diversity in the city. One component of the work



*Salem Lutheran Church, host of the March 16, 2023 roundtable discussion.*

being undertaken by the Building Opportunity for Housing project is to ensure that the City's Comprehensive Plan aligns with updated regulations recently passed by the State Legislature. Passed in 2019, House Bill 1377 provided an avenue for religious organizations to request additional density for affordable housing developed on property owned or controlled by the organization. The intent of the bill was to provide religious institutions with more opportunities to redevelop their land with long-term, income-restricted affordable housing. Because Spokane is home to so many faith-based organizations, some of which both desire and are well placed to provide essential housing to those in need, the City is seeking to explore this option and to determine how best to fold it into the overall housing actions the City is contemplating. This is one facet of

the many different strategies currently being considered by the City but is an important component in the overall housing picture in Spokane.

As a key exploration into the relationship between faith-based organizations and housing, a faith-based roundtable discussion was arranged with the help of Drew Peterson of Knox Presbyterian and held on March 16, 2023. For this event, faith-based organizations were invited who either actively provide affordable housing, have indicated interest in providing housing in the future, own sufficient land to potentially provide housing on their existing properties, and/or currently provide community services that tie into the topic of housing. Additional organizations with similar focus were also invited to ensure



a diversity of opinion and community to which they serve. In total, 24 participants were able to attend, and those groups spent the afternoon talking with us, and each other, about housing in Spokane.

## What is your relationship to housing?

In order to frame the discussion, roundtable participants were first asked to explain their current relationship to housing. Attendees experience with housing ranged from organizations currently providing housing to those who had not yet considered it but whose mission included community support and care for those in need. Of those organizations that currently provide housing, those efforts ranged in type and location, including:

- Housing on the same property as the main church building;
- Housing on property owned by the Church but located separately; or
- By financing/managing programs managed developed by others.

The discussion was wide ranging and illustrative of the range of ongoing efforts and needs. Below are some high-level elements of that discussion:

- Organizations received most the funds available from the Department of Housing and Urban Development (HUD) in the 1970s and 1980s, allowing for asset purchases;
- Organizations that gained such assets are now able to refinance to provide funds to build housing on the existing property or to purchase new property;
- While much of the funding has come from HUD, program requirements and reporting for HUD programs are currently very difficult for some attendees to navigate;
- Many participants required separate property management services, which could include lending support;
- A desire to provide housing, while maintaining the church use was prevalent;
- Providing housing can serve as an identity-forming activity for the religious organization and the created living community;
- Many are currently providing senior housing, with a desire to create low-income housing for multiple generations; and
- Collectively, religious institutions own a significant amount of property with Spokane city limits, allowing for potential collaboration.

Participants wanted to emphasize that they saw faith-based organizations as *part* of the housing conversation. While there were differences of opinion on the overall role, faith-based organizations in general were viewed as a small component of the physical aspect of providing housing, but one whose



role could be much larger if more opportunities were available. To the participants, the story of housing needed to be connected to the story of healing, examining community aspects that can lead to a lack of housing.

## Identified Opportunities

During the roundtable discussion, the group identified and discussed some barriers to faith-based organizations providing housing and what opportunities exist to mitigate those barriers.

- Reduce parking requirements for church uses on properties also providing housing, to allow for a better use of available space;
- Faith-based organizations are well placed to provide housing in coordination with social services (“housing plus community”);
- Due to the difficulty of relying on federal funding, allow both affordable *and* market-rate housing to open the opportunity for private financing, making projects easier to develop;
- Provide guidance and training to demystify the planning and building process to institutions without significant existing knowledge and comfort with City processes;
- Improve or streamline the process to rezone a property to allow for increased density and/or allow for more mixed-used opportunities;
- Exemptions to faith-based organizations or other non-profit organizations should consider the different ways ownership can impact whether those exemptions apply or not (e.g. property may be owned by the church or by an LLC, the church may be providing financing but not own the property, etc.);
- Exemptions to faith-based organizations should be applied to the organizations and not just the property, to avoid the buying of church properties by developers for housing-only developments;
- Consider religious institutions that own existing property that they want to redevelop, in addition to institutions that want to purchase separate property for housing;
- Develop a program/method for the release of surplus City property for development of housing by faith-based organizations;
- Create a housing benefit district along the freeway where vacant WSDOT property currently exists;
- The desire to “right size” existing church buildings provides the opportunity for more available space for housing on these properties—for churches with smaller congregations, a smaller church building could be sufficient and allow for reuse of the remainder of the property;
- Consider allowing density bonuses for any actions that provide value to the community (community gathering space, social services, affordable housing, etc.); and



- Acknowledge that the City needs to incentivize affordable housing for larger developers, but also needs to make providing affordable housing feasible for entities who already want to provide that resource.

## Continuing the Conversation

A common theme throughout the roundtable discussion was the group's desire to keep the conversation going, recognizing that they all shared many of the same goals. As such, Department staff has asked permission from each attendant to share their contact information with the group. Below are some items that were brought up as potential "next steps" for the faith-based organizations:

- Share lessons learned with the group;
- Share financing opportunities;
- Form an interfaith coalition that comments on relevant state legislation, such as [HB 1628](#), [HB 1111](#), [HB 1695](#), and [SB 5334](#);
- Consider how faith-based organizations can provide services and support to persons of all faiths and ideologies;
- Form an interfaith coalition to combine financial resources to allow for larger developments; and
- Collectively or individually consider the social role of faith-based organizations in the conversations.

## Parking Lot

During the conversation, specific concepts were brought up that are not within the purview of the Building Opportunity for Housing project. However, we recognize that successful community planning relies on the interconnection and collaboration of services across many topics. As such, a "parking lot" was established to capture these ideas so they could be sent to the appropriate project teams, City Departments, or decisionmakers.

- Unhoused persons should be provided with trash services, or faith-based organizations should be provided with additional services to accommodate the additional need;
- Ensure that *youth* suffering from homelessness, not just adults, is part of the conversation when providing homeless services;
- Ensure all growth projections and housing needs anticipate continued unprecedented growth, rather than following the current curve; and



- Allow for the ability to use technological advancements (e.g. 3D printing or modular housing) to provide more affordable housing options.

## Next Steps

The first part of the Building Opportunity for Housing project involves an update of [Shaping Spokane](#), the city's comprehensive plan. The updates will be targeted to the vision of housing and related policies that are necessary to improve access to housing choice in Spokane. Once the comprehensive plan is updated, development regulations within the [Spokane Municipal Code](#) will be updated to modify housing requirements and allowances. We anticipate this overall effort will be completed by the end of 2023.

Both the comprehensive plan and development code amendments will first go to [Plan Commission](#) for recommendation of approval, before going before [City Council](#) for the final decision. City Council decisions are then sent to the [Mayor](#), to sign, veto, or leave unsigned.

As far as engagement, the faith-based roundtable was just one opportunity for the participants to stay engaged in the ongoing project. Department staff will continue to be out in the community sharing about the project, both related to the religious institution discussion and beyond. Public comments will be accepted for both phases of the project, to be sent on to the Plan Commission and/or City Council for review during decision making. Department staff is also available to answer questions or receive feedback anytime, at [developmentcode@spokanecity.org](mailto:developmentcode@spokanecity.org).



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# **Exhibit D**

**Housing Journey Survey Results and Analysis**

# Housing Journey Survey

## Results and Analysis

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May 2023



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The following report provides an initial summary of responses to the Housing Journey survey recently issued by the Planning & Economic Development Department. This survey is only part of a larger public engagement strategy around a Comprehensive Plan and Municipal Code amendment currently under development by the department, known overall as Building Opportunity for Housing (BOH).

The Housing Journey survey was issued online via the Survey Monkey software between January 23 and March 31 of this year. The survey asked a combination of multiple-choice and text answers exploring topics of past, present, and future housing as well as some general economic and demographic information. Questions were chosen to be understandable and easy to answer by most residents.

### Survey Response Rates and Valid Submittals

The survey was available online for a total of 68 days via an online form. Respondents were not required to answer every question if they did not want to. The survey was issued in seven languages common in the Spokane region, including English, Spanish, Arabic, Russian, Vietnamese, Tagalog, and Marshallese. The survey was originally drafted in English and then translated into these additional languages by Spokane International Translation, a local agency that provides both voice and text translation services. Similarly, text responses that were received in languages other than English were translated by the same firm into English for the consideration of decisionmakers.

During the survey period, the City received 5,226 responses, a record number for a City of Spokane survey. Of those, the following non-English responses were received:

- 31 in Spanish;
- 9 in Arabic;
- 3 in Russian; and
- 3 in Marshallese.

Upon completion of the survey period, staff undertook an overall review and analysis of the responses. During this review, several responses were identified that showed a high probability they were not genuine responses and had been generated by a bot or script. Various criteria were used to confirm this determination, including:

- Completion times of less than one minute;
- Grouped simultaneous submittals that provided identical responses to all questions; and
- Responses in individual records that contradicted answers later in the same survey response.

These suspect responses were analyzed by staff and found to be sourced from international servers in countries known to have issues with internet security. Accordingly, these flagged responses were removed from the results pool and are not represented in the following analysis. A total of 1,809 responses were invalidated, leaving 3,417 valid responses. Those 3,417 will be used going forward for all analysis and discussion.

### Result Fidelity and Census/ACS Comparison

In the case of this report, fidelity connotes the approximate degree to which the 3,700 responses are representative of the Spokane community. This is not as exact as statistical validity but is a reasonable approach for determining the applicability of results for purposes of the BOH project. To measure the

fidelity of the collected responses, staff compared certain questions in the survey to similar questions asked by the American Communities Survey (“ACS”, a product of the US Census Bureau). If the proportion of answers were similar to those given by ACS the survey is considered to have fidelity and readers can reasonably assume that the survey results were not unduly influenced by one part of the community to the detriment of others. To test this, seven ACS variables are presented in the following table alongside the response rates from survey responses:

**Variable Comparison: ACS to Survey Results**

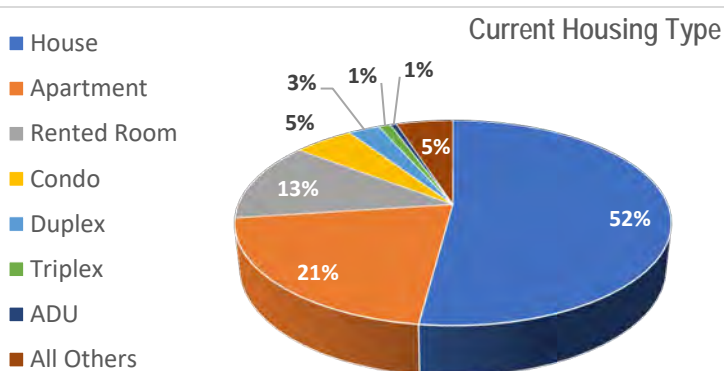
Variable	ACS	Survey	Deviation
<b>Worked Full Time</b>	57.6%	57.1%	0.5%
<b>Worked Part Time</b>	19.8%	19.9%	-0.1%
<b>Work from Home</b>	9.5%	10.7%	-1.2%
<b>Own Their Home</b>	56.9%	54.8%	2.2%
<b>Rent Their Home</b>	43.1%	40.0%	3.1%
<b>2 Bedroom Home</b>	29.9%	31.6%	-1.7%
<b>1 Bedroom Home</b>	14.9%	13.9%	1.0%

*Note: ACS = 5-year 2021 American Community Survey Results, retrieved from data.census.gov*

All response rates between the ACS and the survey were within +/- five percent, suggesting survey results are reasonably representative of the community. However, no part of this analysis is meant to indicate that these results are scientifically or statistically accurate. This is an optional survey whose respondents chose for themselves whether they were sufficiently interested in the topic to respond. As such, the results should not be considered alone and should instead be evaluated alongside other engagement efforts underway by the City (and others) around the topic of housing.

### Current Housing Characteristics

The first round of questions provided input into the respondents and their current living conditions. As shown in the chart below, the survey asked respondents to indicate their current home type. Responses indicate most live in a house, with the second most living in apartments. The low number of respondents living in duplexes, triplexes, and ADUs may correlate to the low number of units of those types present in the city.



*Note: “All Others” answers included “unhoused, group housing, dormitory,” or a text answer entered by the user.*

Respondents were also asked to write in an answer if they felt that the available categories did not reflect their current home. Of these “other” responses, several indicated townhomes, while others stated they were living with friends or relatives. Several others indicated “trailer” or “RV.” All told, only 52 respondents felt the need to select the “other” option.

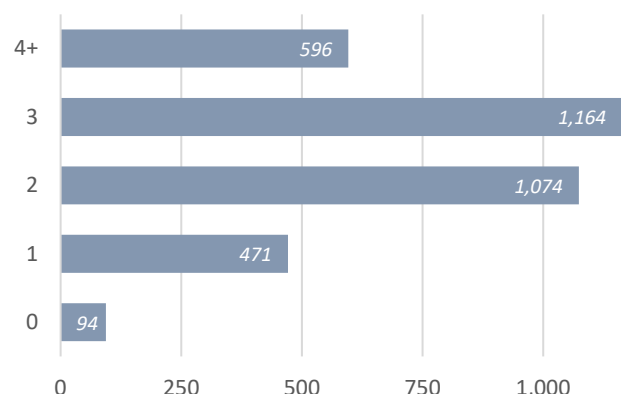
Next, the survey explored the number of bedrooms in the homes of respondents (see next page). The overwhelming majority of

respondents reported either two or three bedrooms. However, both larger and smaller residences are still fairly common. Only 17 percent of respondents were from homes with one or no bedroom, indicating that smaller homes were somewhat less prevalent in the responses.

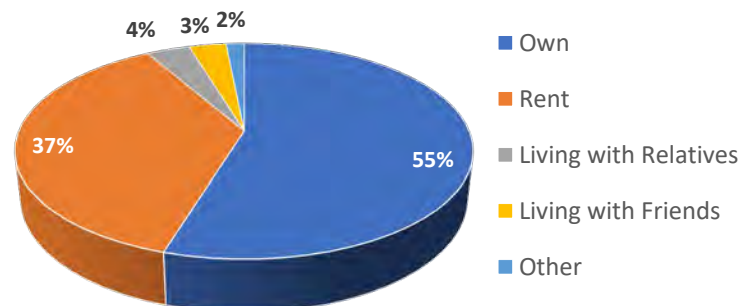
In addition to the physical characteristics of the home, it is helpful to understand the tenure of current housing—whether respondents rent or own their home. The proportion of responses is shown at right. More than half the respondents, 55 percent, own their home. Nearly 40 percent rent and the remaining live with friends or relatives, or answered “other”.

When reviewing the above results, readers should note that these answers do not indicate the *desired* condition—some respondents may be living in 3-bedroom homes but are seeking more or fewer bedroom homes. See the “**Housing Desire**” section later in this report for a comparison between home types in which respondents are currently living and their desired home type.

Number of Bedrooms in the Home



Current Housing Tenure



Note: Respondents were not given an option to explain their response of “other.”

### Adults and Children in the Home

The survey asked respondents to report the number of children in their home as well as the number of adults. Children were defined in the survey as those under 18. With these two factors, it is useful to compare the answers together. The following table shows the responses to both questions and how they compare. For sake of clarity, responses of four or more adults or children are combined.

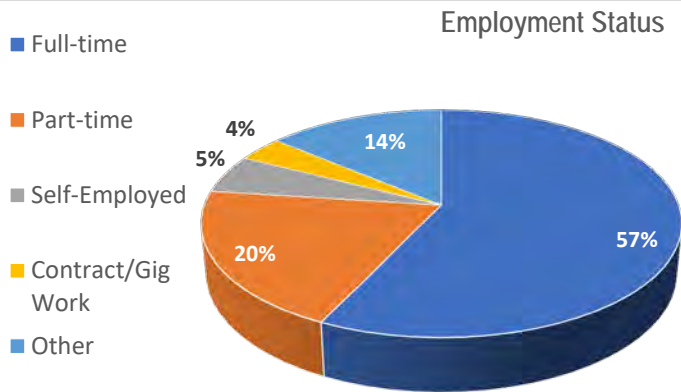
Adults and Children by Respondent

Number of Adults	Number of Children					TOTAL
	0	1	2	3	4+	
1	288	33	20	2	2	345
2	627	255	153	35	20	1,090
3	482	232	124	41	15	894
4+	146	114	83	24	29	396
<b>TOTAL</b>	<b>1,543</b>	<b>634</b>	<b>380</b>	<b>102</b>	<b>66</b>	<b>2,725</b>

Notes: Data shown in table represent the number of children reported by respondents who also reported that number of adults. For example, to determine the number of times a respondent reported both 1 adult and 2 children, find the intersection of the “1 adult” row and the “2 children” column to find 20 total respondents.

As shown in the table on the previous page, the most common combination was two adults with zero children, though respondents who reported children in the home made up 43 percent of all responses.

While responses of more than two children made up only a small percentage of responses (6 percent), a much larger number of responses indicated more than two adults in the home (48 percent). This, combined with the high percentage of responses indicating zero children (57 percent), could indicate that the need for housing options for adults is higher in Spokane than for those with children. However, more study is required to make this determination. Approximately 50 percent of responses to the survey represented households with two or fewer adults and two or fewer children.



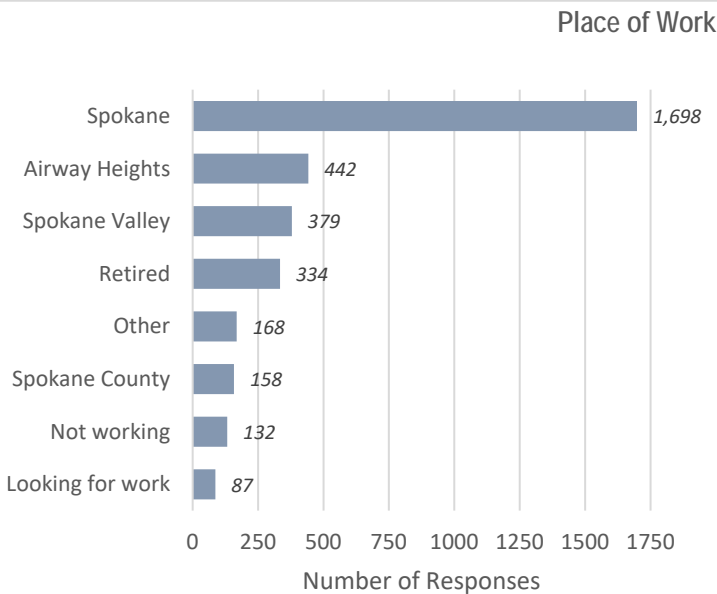
Note: Respondents were not given an option to explain their response of "other."

### Employment Responses

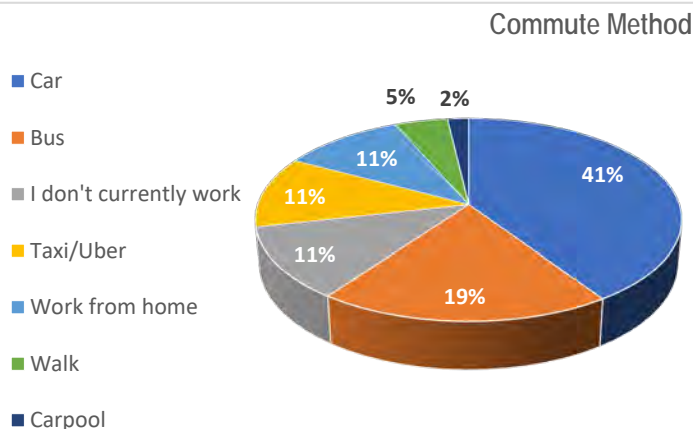
Relatively few questions in the survey concerned economic aspects of housing and need, though some general questions were included. Firstly, respondents' employment status was requested (results at left). Nearly two-thirds of respondents work full time, coupled with an additional five percent that are "self-employed." One fifth of the respondents work part time as well. These proportions match, within five percent, similar data provided by the ACS (see the "Fidelity" section above).

The survey next asked respondents to report the location of their work. Fifty percent of respondents work in the City of Spokane, while the remainder either works elsewhere or does not work at all. Of note, four percent of respondents reported "not working" while a further three percent are actively looking for work.

The survey also asked respondents for their typical form of commute. The largest proportion of respondents drive to work (41 percent), but other commute methods are well represented in the responses. Also of note, 11 percent of respondents work from home, a number that is assumed to be much larger after the COVID pandemic than before. As the world continues to

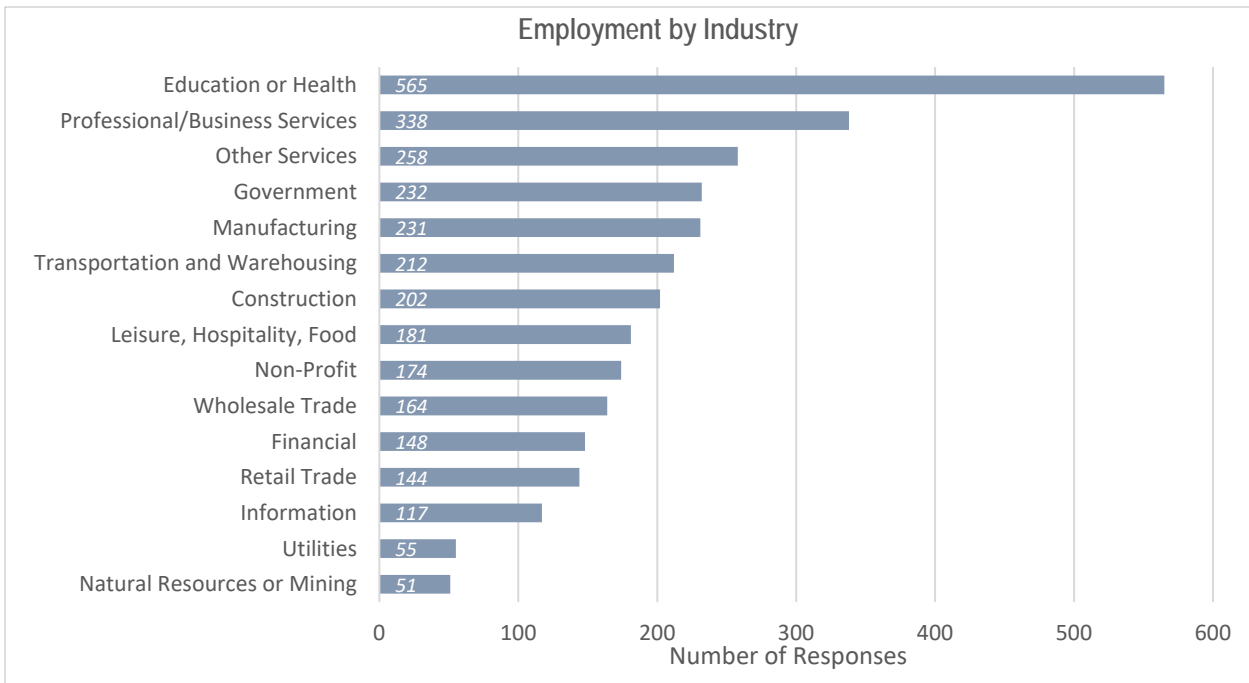


Note: Respondents were not given an option to explain their response of "other."

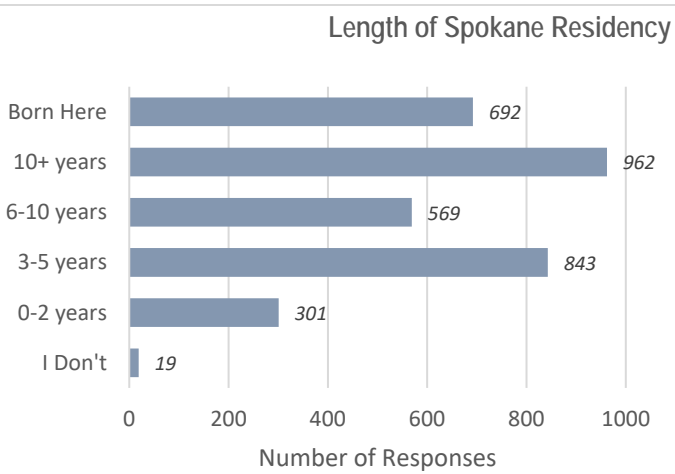


recover from the fallout of a global pandemic and the rise of new technologies that allow many more work from home opportunities, the working environment may continue to change. This number should be monitored in the future, but this survey only provides a point-in-time picture of current employment here.

The survey also asked in what general industries respondents are currently employed (those who *are* employed). Because there is a very large list of possible industries in common usage, the survey utilized grouped responses that conform to typical Census reporting. As shown below, respondents reported working in a wide range of industries, with all possible industry groups represented. One in five respondents work in the Education/Health industry, with a further ten percent in the Professional/Business Services realm.



Overall, respondents reported a broad range of employment industries, commute types, status, and place of work. Accordingly, responses to other questions are expected to represent a similarly broad range of residents and community members.



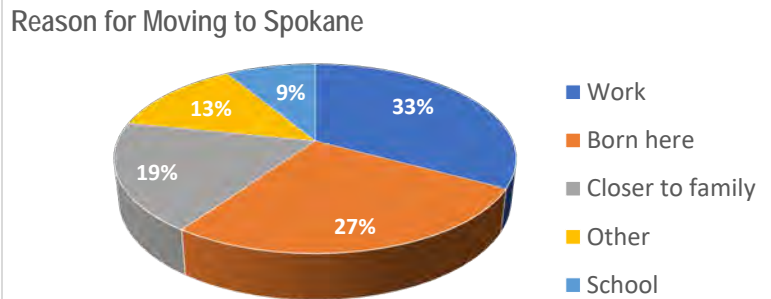
### Residence and Mobility

To better understand the degree to which responses are from long-time residents of Spokane or those that have moved here in recent years, the survey asked respondents to report how long they have lived in Spokane (see at left). The survey did not define the term “born here” further, so some respondents may have reported longer times if they lived here in the past, left, and have since returned.

Of note, only 19 respondents indicated that they do not currently live in Spokane. For the remaining responses,

only 300 lived here less than three years (9 percent). More than a quarter of respondents have lived here more than a decade, not including a further 20 percent that reported being born here. Responses span the range of possible residencies, indicating that no one group has overly influenced the survey data. Those not living in the region are not well represented, but they were not the direct target of this outreach effort. Regardless, some of these respondents may benefit from the overall project if they decide to move to the region in the future.

For those that live here, the survey also asked respondents to report the general reason they moved to Spokane in the first place. Responses are shown at right. More than half of respondents were either born here or came to Spokane for work. Perhaps indicating a social aspect to housing need, nearly 20 percent of respondents (622) indicated they moved here to be closer to family.

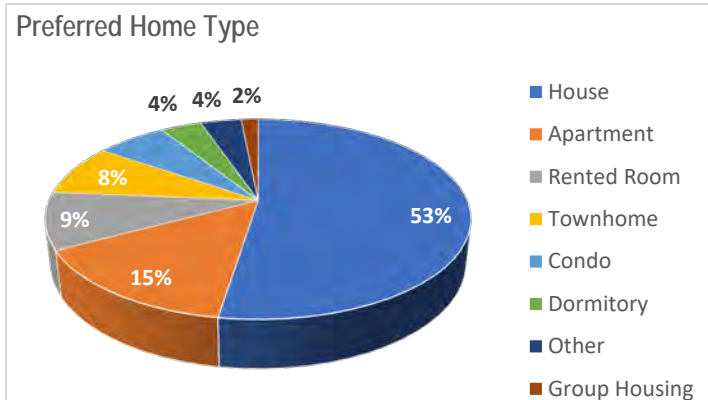


There is an apparent inconsistency when comparing length of residence to their reason for moving to Spokane. While 692 respondents reported their length of residence as “Born Here,” many more (898) reported that they moved to Spokane because they were born here. There are two possible explanations for this.

Firstly, as is often said, “Spokane is a great place to move back to.” Many residents who have interacted with staff as part of other public engagement efforts have indicated that they were born here, left for employment or school, and moved back to Spokane later. Accordingly, some of these respondents may have answered “born here” on both questions, while others may not have. Secondly, it was not explicit in the survey questions that “born here” as a reason for moving here or as a length of stay indicates that they have lived only here their whole lives. Respondents’ answers to these two questions were left to each respondent’s judgment, thus there is some variability in possible responses.

### Housing Desire and Factors in Securing It

The survey sought to understand better the relationship between where respondents live and where they desire to live. Firstly, the survey asked respondents to report their *preferred* housing type, with the overall results shown at right. The survey then asked respondents to report what kind of housing they would occupy if cost were not a factor.

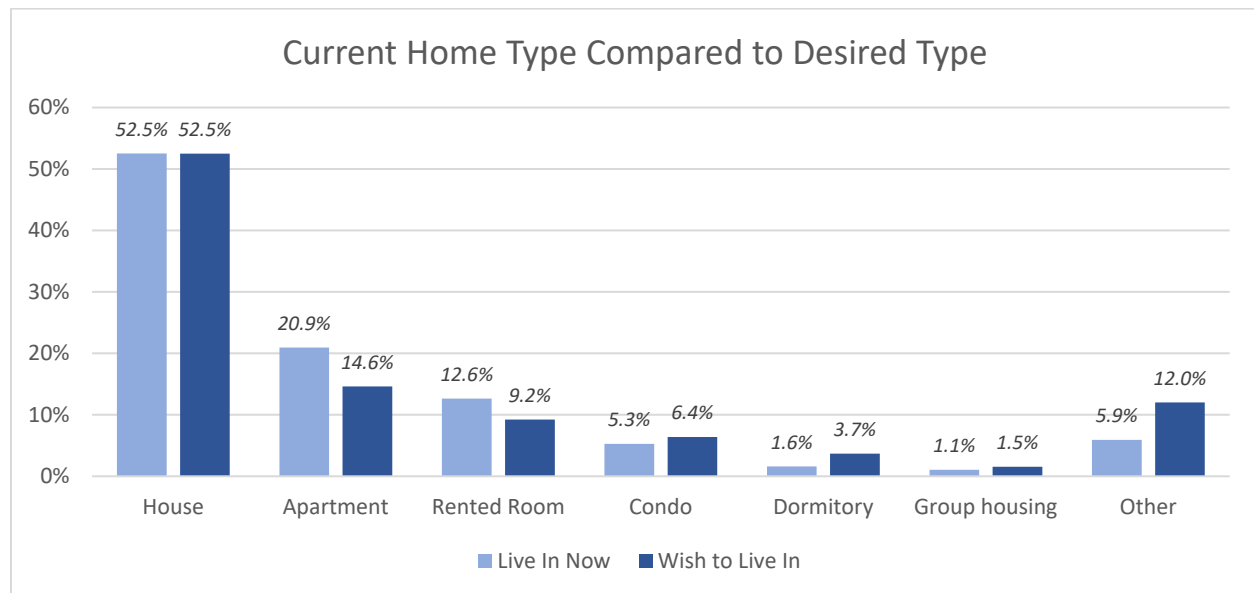


If respondents selected “other” as their preferred home type, the survey asked them to enter their preferred type. These ranged widely and included several responses that were outside the concept of “type” as envisioned in this question. That said, many people mentioned ADUs and duplexes as a preferred home type. Co-housing was also a

frequent answer, as was mention of a senior/retirement community. Only four percent of respondents selected “other” as a response here.

The relationship between existing housing and preferred housing can shed light on the overall demand for certain housing types in the city. By comparing these answers, we might better understand those parts of the community that remain in undesired housing types, and how they might migrate to other types if that type of home became available. Results also potentially speak to the potential that smaller, more affordable housing is sometimes occupied by those that seek to move to larger/different housing. Residents vacating a smaller, more affordable unit would then free that unit up for someone who is seeking smaller or more affordable options.

Some adjustment of responses is required to directly compare existing and desired home types. Most of the possible answers to both questions match, but some (like “triplex” or “duplex”) cannot be matched perfectly between the two questions. For the following discussion, any answers that match between the two questions (i.e. house, apartment, condo) are retained, while any that are unique to one question or the other are grouped into the “other” category. The resulting comparison overall is shown in the figure below.



As a rule of thumb, differences in the “live in now” and “wish to live in” answers in the chart provide an approximation of demand for that type. If the second column is greater, then we can assume that demand for that type is greater than our current capacity. Likewise, if the righthand column is lower, then demand is lower than our current supply.

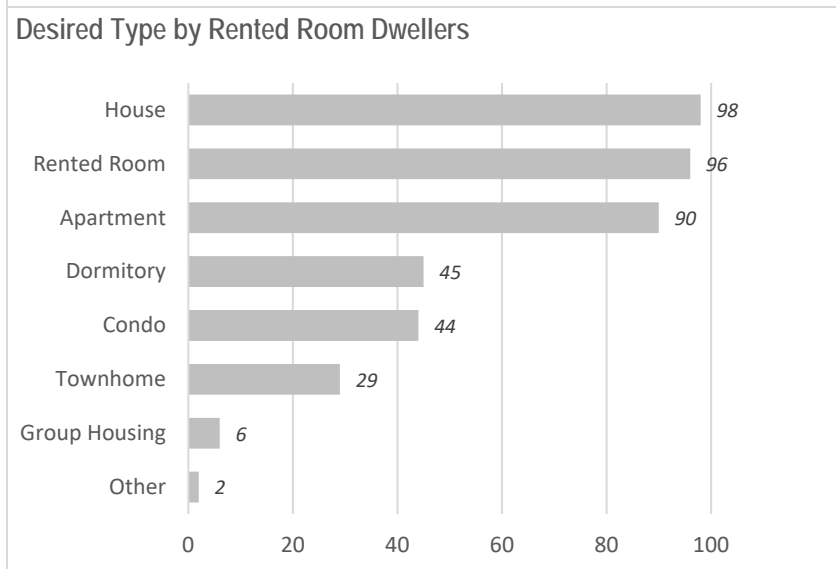
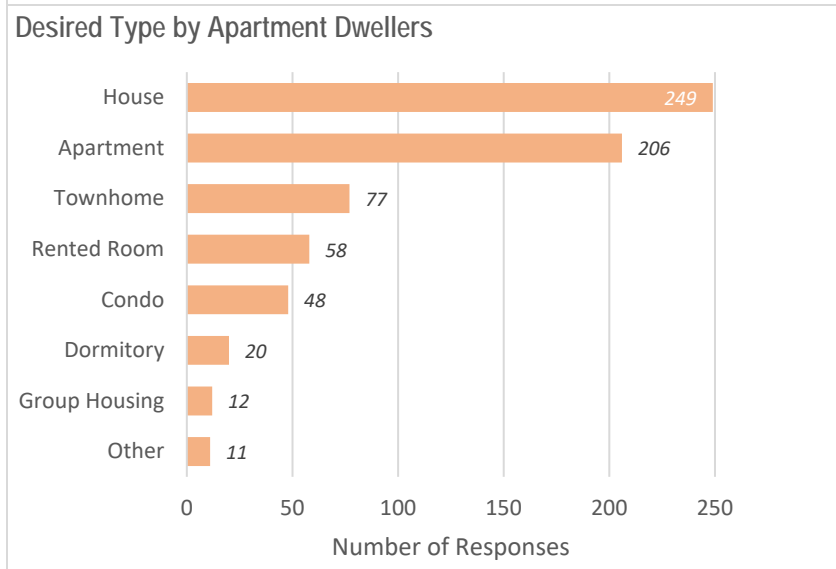
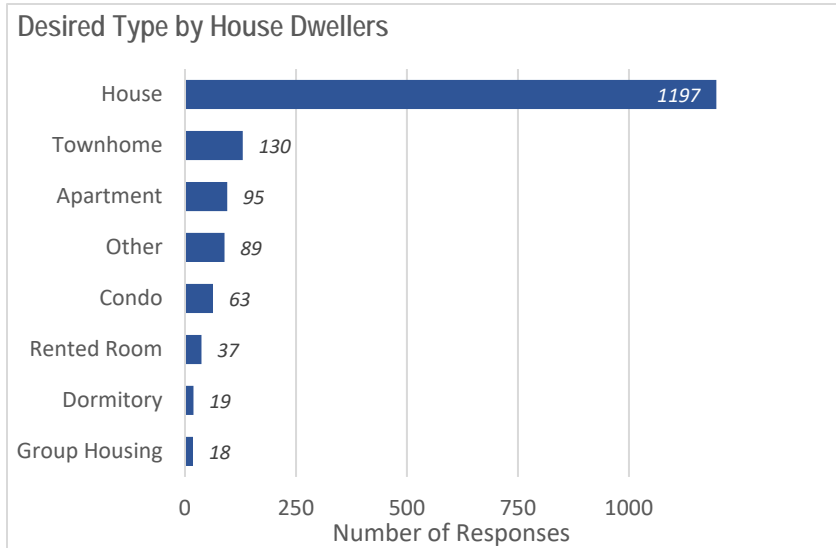
Using this basic comparison as a guide, the chart above indicates that demand for houses is somewhat the same while demand for apartments and rented rooms is significantly lower. In contrast, demand for condos and dormitories is increased. Perhaps most significantly for the considerations of the project at hand, demand for “other” types of housing (including duplexes, triplexes, etc.) is significantly higher. Those seeking these other types of housing are twice those currently living in those types. In general, these responses would seem to indicate a moderate shift in demand from more “traditional” forms (e.g., houses and apartments) to types not currently seen in large numbers in Spokane, like middle housing types.

To further illuminate these comparisons, three charts are provided at right, indicating the home type desired by those currently living in a house, an apartment, and a rented room, in that order. These data are distinct from the comparison on the previous page because they are limited only to the answers of one type of *current* home type.

Of the 1,648 respondents living in houses now, only 1,197 reported they wish to remain in a house, a reduction of 27 percent. This is a telling difference that may indicate the desire for more housing types in the city outside the “traditional” single-family detached house. It could also point to a desire by many house dwellers to change their housing type, while those living in apartments or other home types might still want to occupy houses. To explore this, the next chart is provided.

The second chart indicates desired housing types reported by apartment dwellers. When asked where they live now, 681 respondents answered “apartment.” Of those 681, only 206 reported wishing to continue living in an apartment (30 percent). However, not all of those wished to leave apartment living for a house. Only 37 percent of apartment dwellers are seeking a house. A further 18 percent are seeking a condo or townhome. This may indicate that ownership of some kind is more important to some apartment dwellers than the physical type of home.

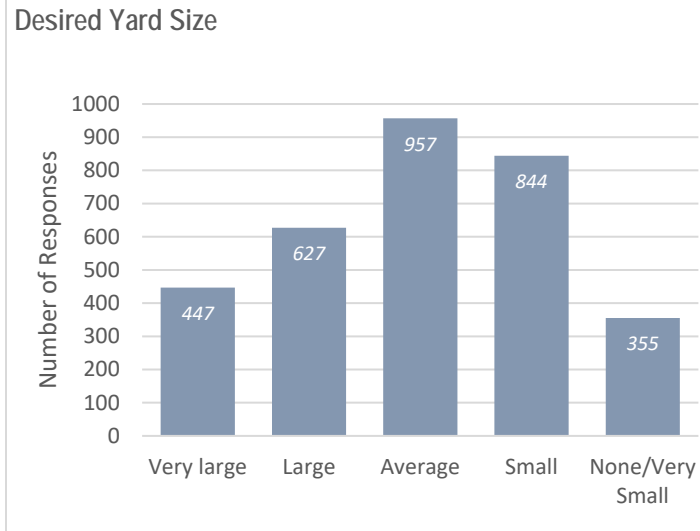
Lastly, the third chart indicates the desired housing type of those who reported they currently live in a rented room. A total of 410 respondents currently live in a rented room. Of those, desire is split nearly evenly among houses, staying in a rented room, and apartments (approximately 23 percent each). A further ten percent desire to live in dormitories (pointing to possible students) and another 10 percent desire a condo situation.





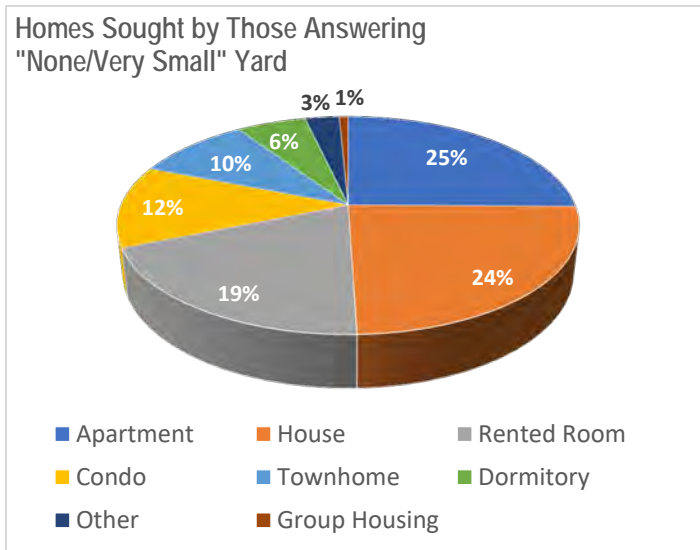
There are more factors involved than just the type of home, of course. The yard and the property on which that home sits have been frequently reported as a factor in choosing a home.

When discussing this topic in the community and with decisionmakers, the assumption is often expressed that most people want a big green lawn with lots of space. To explore that assertion, the survey asked respondents to classify how large their ideal yard would be. Possible answers were subjective, using terms like “average” and “small,” as this question intended to delve into personal attitudes, not specific measured sizes of yards. An option was included for “no yard”, as not everyone was expected to want one.



As shown at right, a range of answers were provided, but the peak was for an “average” yard size. More telling, however, is the high number of “small” responses as well as a notable number of “none/very small.” Approximately 37 percent of respondents are seeking a small, very small, or no yard, potentially speaking against traditional detached home subdivisions with large yards, and more towards middle housing types with shared or smaller yards per lot.

To further explore this group of responses, the chart at right provides the housing types sought by only those that want either a small yard or no yard at all. Of those 1,199 respondents, a quarter are also seeking a house, further supporting the concept that a large house with a large yard may not represent the main desire of Spokane residents as it may have in the past.



In addition to comparisons of house type and yard size, it is useful to consider that the answer might differ depending on the phase of life of the respondent. For instance, the question has arisen whether retired persons in general desire smaller yards. US Census data has shown that

the share of the population 65 years old and older has increased in Washington and is expected to continue increasing. If retired persons do in fact desire smaller yards, the increasing share of the population that is retired could directly affect the overall answers to the survey. To account for this, the chart at the top of the next page separates out yard size desired by retired persons from all others.

While there is some variation between retired and non-retired respondents, the two sets of answers show a similar curve. Answers of “Very Large” or “Large” seem less prevalent among retirees, perhaps

supporting the assumption that many retirees desire smaller yards. However, retirees also seem to desire average yards more often than non-retired persons.



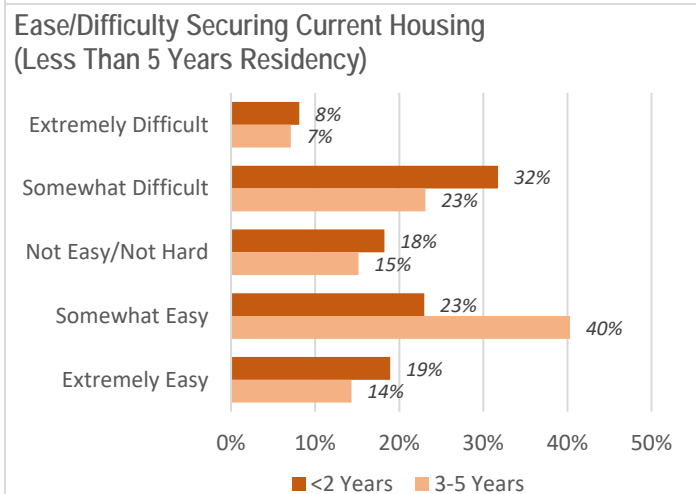
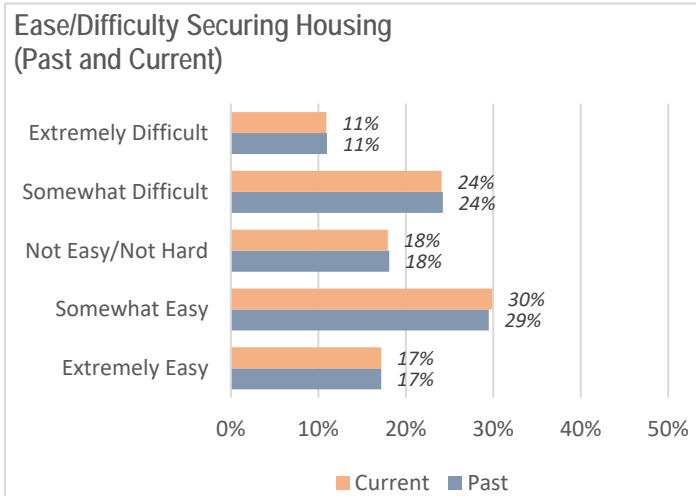
### Barriers and Challenges Faced by Respondents

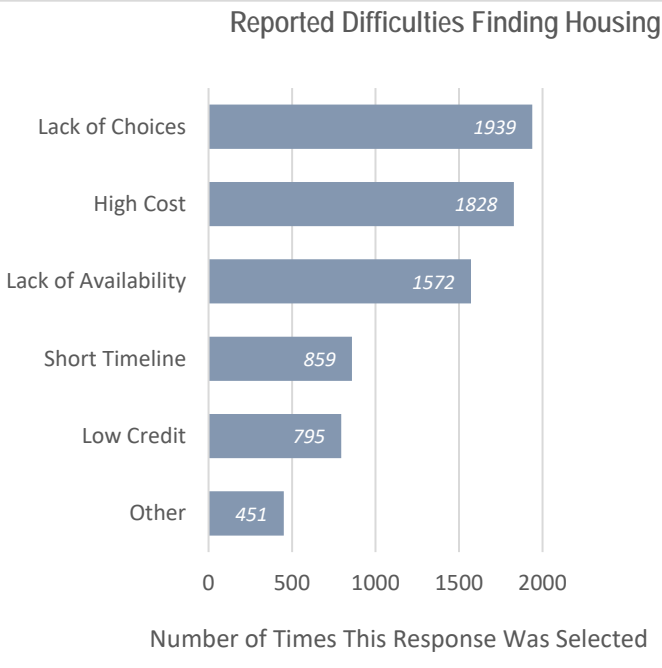
The survey not only asked respondents what they desired, but also to report on their experiences in the past. As a general indicator of difficulty, respondents were asked to grade the relative ease or difficulty they experienced when finding both their current and past residences.

As shown in the chart at right, it made little difference if respondents were considering their current housing or their previous home. The answers in each category largely conformed regardless. Of note is that the fewest respondents felt either experience was extremely difficult (11 percent), while nearly three quarters of respondents felt that their experiences were between somewhat easy and somewhat difficult.

Somewhat surprisingly, the highest number of respondents reported that their current and past housing was somewhat easy to obtain. However, because this survey includes both people who recently moved to Spokane and those that have lived here a long time (or all their lives), it is helpful to break these results down by respondents' length of residency. The second chart indicates answers to the "current housing" question, limiting respondents to only those that have lived in Spokane less than two years or those that have lived here three to five years.

By looking closer at recent residents, some interesting conclusions can be reached. Most cogent to the considerations of this project, it appears that





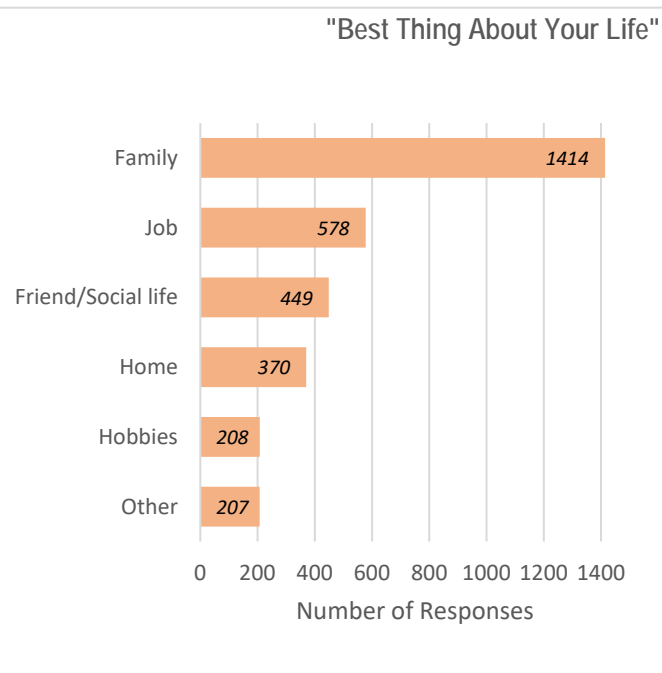
recent residents (those less than two years) reported a more difficult time finding housing than those that moved here three to five years ago. What cannot be determined from this survey is the effect the COVID epidemic had on this response. However, it is sufficient to assume that the ease by which recently arrived residents find housing in Spokane is worsening of late.

The survey also asked respondents to choose from a list of common housing hardships and provide the top three they experienced when seeking and securing housing. Respondents were also provided an opportunity to enter something else if they felt something was missing from the selected answers. The chart at left provides the various difficulties reported by respondents.

High cost, lack of choice, and lack of availability were each reported the most. A low number of “other” responses were reported as well (approximately 6 percent of the time). Among answers of “Other” to this question, respondents often indicated difficulties that are closely related to the choices already listed—such as cost, difficulty finding homes, and availability in a preferred neighborhood. However, some unique difficulties were mentioned, including the inability to find a place that would accept pets, difficulty securing a loan, and rising interest rates. Some also mentioned that cash buyers were making it hard for those with loans to purchase homes in Spokane.

High cost, lack of choice, and lack of availability were each reported the most. A low number of “other”

In an effort to explore desire and need further, the survey also asked respondents to indicate the best thing about their life by choosing from a list of possible answers. The various answers received from respondents are shown below.

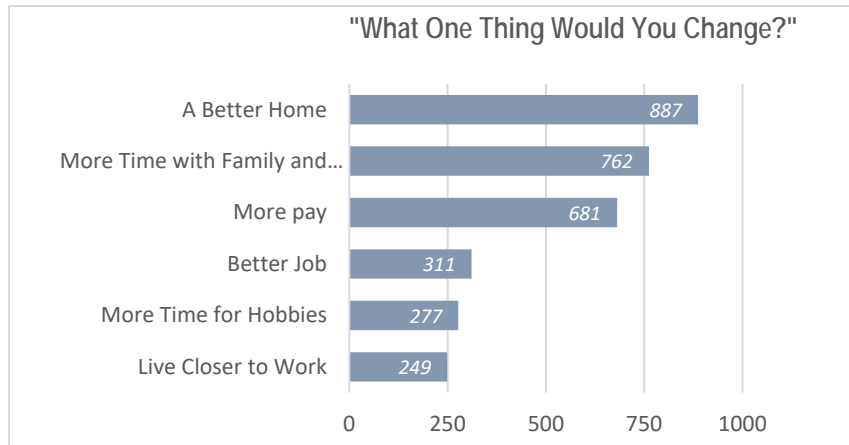


Perhaps not surprisingly, the most respondents by far listed family as the best thing about their life. Only about 11 percent listed their home as their answer, potentially indicating need for improvement in housing conditions in the city. As a secondary concern, the high “family” response rate indicates a possible focus on community and social aspects over physical housing needs. However, home is a critical component of community and society—a safe home is generally understood to be a critical component in the happiness of any person, family, or group.

“Other” responses to this question ranged widely. The vast majority of these “other” answers relate to the other possible answers (i.e., “time with family” could also be classified under the “family” response). However, some unique responses stood out, including

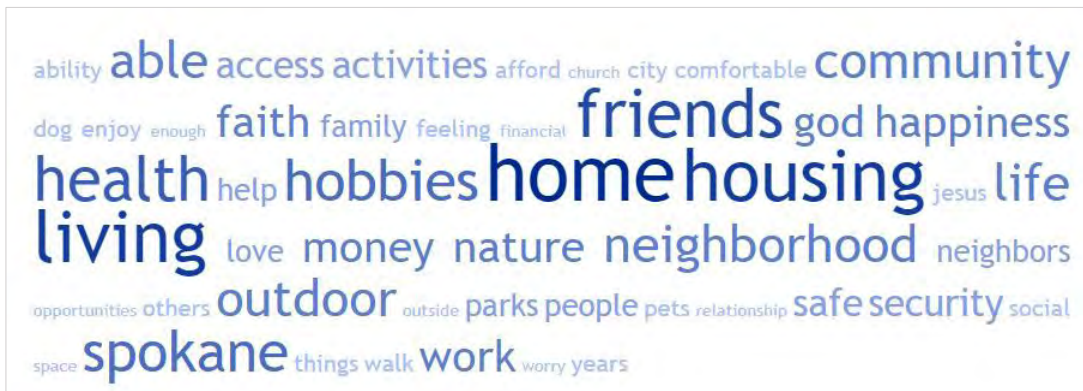
mentions of work/life balance and topics of religion or faith. Still others mentioned that the best thing in their life was that they were now retired.

As a follow up question to the best thing about life, the survey also asked respondents to report the top thing in their life they would change if they could (see results at right). Possible answers were chosen by staff to somewhat coordinate with the previous question. The chart at right provides the response from respondents.



The most frequent request to this question was “a better home.” Considering the low number of respondents who indicated in the last question that home was the best thing about their life, respondent satisfaction with their home is both important and relatively low at this time.

A follow up question was asked as well regarding the topic of happiness and satisfaction. This open-ended question asked respondents to describe the one thing in their life has had the most influence on their happiness, not including job or family. The survey did not specify if that thing should be positive or negative. Using a word cloud association tool, the following terms arose most frequently (see below). As shown in the graphic, home and housing were two of the most frequent words that showed up in the 1,793 answers provided to this question. Community was also prevalent in answers as well as God or other terms of faith.



*Note: The more often a term appeared in the text answers to the question, the larger the word appears in the word cloud above. The top terms in this word cloud, those most frequently included in responses, were “home, living, and housing, in that order.*

To provide some analysis of the responses, staff used various word searches for key topics/terms and recorded the frequency those topics appeared in the responses to this question. Please note that some respondents answered with more than one theme or topic. Major themes identified by staff analysis are shown in the table on the following page.

Theme or Topic	Count of Related Responses
Home, Housing, Shelter	256
Friends, Neighbors, Community, Pets	242
Religion, Faith	146
Money, Finances, Mortgage, Affordable	131
Nature, Outdoors, Gardens	116
Hobbies, Activities, Sports	91

## Final Conclusions

This effort overall resulted in one of the largest public engagement response rates of any effort to date by the City of Spokane. Accordingly, several major takeaways have arisen from the analysis above for consideration. To provide a summary for decisionmakers, the largest outputs from the Housing Journey survey can be summarized as follows:

1. **The housing crisis is foremost in the community's mind.** Collected responses make it clear that housing is both important and in crisis in Spokane. A combination of factors, chief among them lack of choice and high prices, have contributed to this condition. Housing is both the highest need as well as the largest factor when achieving happiness and wellbeing in the region.
2. **Choice and diversity of housing type is truly a major factor in the local housing situation.** A significant part of the community still seeks a single family detached home, but the desire for middle housing types is high enough to warrant the development of more middle housing. To put it bluntly, no single housing type can serve the immediate needs or desires of the entire Spokane community.
3. **Demand in the housing market is nuanced.** It would be incorrect to assume that purchasing a detached house with a big yard is the dream of almost all residents. The survey delved deeply into respondents' desires and found that the dream for many has evolved from the traditional detached house to a range of living situations. Furthermore, respondents' needs change over time and thus safe, secure housing should be seen as a journey, not a destination.

Staff Report - File Z23-112COMP

# **Exhibit E**

**Resident Forum Summary**

# District Resident Forums Summary

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May 2023



We would like to take the opportunity to thank the 22 residents who participated in the Building Opportunity for Housing Resident Forum series. The time spent discussing housing in Spokane and telling personal stories was invaluable. In an effort to formally document the diverse experiences and perspectives shared during these discussions, as well as an attempt to help keep these topics moving forward throughout the process, the following summary has been assembled.

Through the District Resident Forum series, participants put together the puzzle of what a livable and thriving community that supports all members of the community looks like and how we might reach that goal together. No one piece is enough to improve housing in Spokane—it will take many efforts on more than one front. Full details of the extensive conversations held with a diverse range of residents can be found in the following pages. In general, participants identified that:

- “Community” is essential to provide and support housing stability
- Many people’s current housing strategy is limited to “luck”
- People are focusing more on affordability than safety
- The uniqueness of Spokane’s neighborhoods can lead to greater security
- Diversity of housing, which leads to a diversity of income and life experiences, is key
- People are more concerned about complimentary buildings in a neighborhood than what “type” of housing it is—size, height, scale, appearance, etc. is more important than unit count
- Everyone is experiencing difficulties with housing, not just first-time homebuyers or the income constrained
- It’s not only about the building that someone lives in, its about the entire neighborhood





# Resident Forum Overview

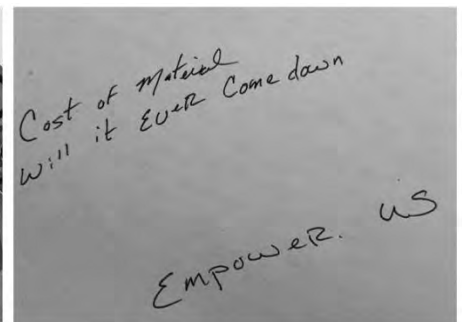
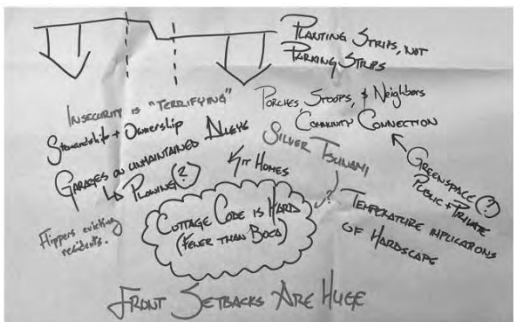
Following on the heels of the successful Building Opportunity and Choices for All interim ordinance, the Building Opportunity for Housing project intends to develop lasting Comprehensive Plan and Municipal Code amendments that increase housing choice and diversity throughout the city. A significant component of those updates is robust community engagement to explore and inform the vision of housing in Spokane.

One strategy of the engagement plan involved district-by-district conversations. These Resident Forums were held to hear from residents about housing in Spokane. The open discussions helped identify opportunities to increase housing and diversity of housing choice, while allowing for community collaboration with the process and between each other. Participants of the Resident Forums were randomly selected from the over 3,000 respondents to the Building Opportunity for Housing survey and were also invited through the Neighborhood Council system. Information about the Resident Forums was also posted on the Building Opportunity for Housing webpage.



*Resident Forum participants discussing their housing experiences.*

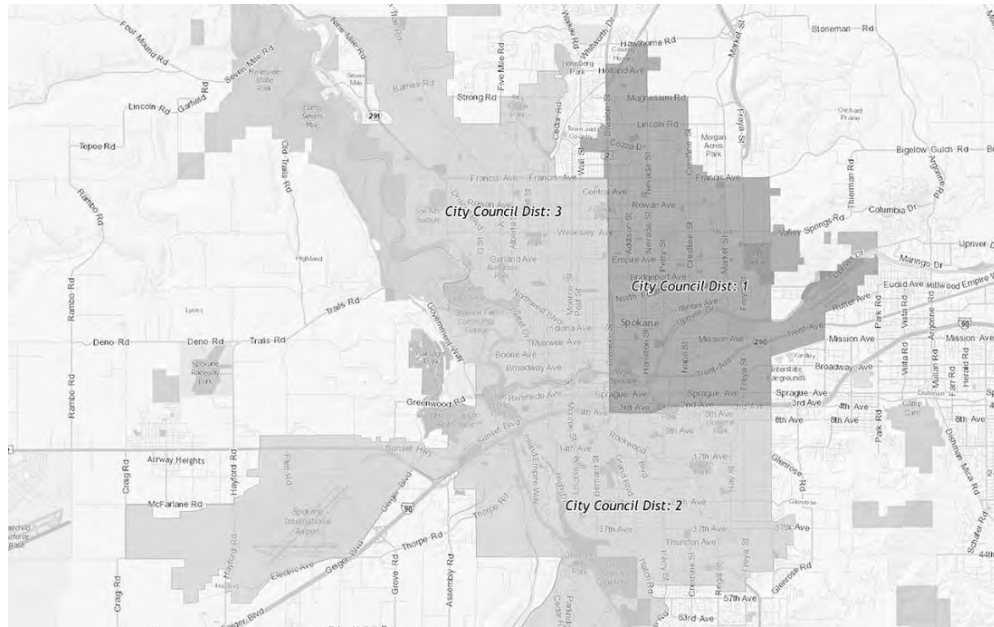
Separate meetings were set with each of the three City Council Districts. A final celebratory meeting was then hosted to bring all of the District participants together to celebrate all that was learned and to review possible language refinements to the Comprehensive Plan. Due to the considerable time commitment requested from attendees, compensation for participant efforts was provided.



*Notes taken at Resident Forums identifying key topics and opinions.*



# Council District 1



Map highlighting City Council District 1.

City Council District 1 is located in northeast Spokane and is represented by Council Members Michael Cathcart and Jonathan Bingle. Resident Forum meetings were held on April 7 and April 21, 2023 at the Northeast Community Center.

The first Resident Forum meeting in each District revolved around sharing participants’ housing journeys and personal experiences, as well as their opinions about housing. Questions were asked to help Planning staff identify what can improve the housing situation in Spokane, but also how the City can improve engagement and other processes to avoid potential reservations held by participants.

## Question 1 – Why did you choose to come tonight?

<p>“Housing is out of control”</p>	<p>“I’m invested in Spokane”</p>	<p>Want to have input on what potential change may look like</p>
<p>Concerned how new development can impact existing neighborhoods</p>	<p>Want to learn about the work the City is doing directly from the City</p>	



**Question 2 – What is your ideal neighborhood?**

- Central courtyards, shared garden space to bring people together
- Enough parking to avoid neighbors being mad at one another
- Monthly neighborhood get-togethers
- Being a close community without excluding newcomers
- Close to schools
- Walkable, improved sidewalks
- Houses not boarded up/condemned
- Mix of densities, but all “house” size (no large apartment complexes)
- Grocery stores/shops within walking, biking, and rolling distance
- Available community spaces
- Self-contained “village” feel

**Question 3 – Recall a time when you struggled to find housing. What ultimately tipped the scales (or could have tipped the scales) towards finding your next place?**

- A small landlord willing to view the renter as a person instead of a number
- Wages not keeping up with rental prices has led to a current struggle
- Ultimately had to choose the house and not the neighborhood because housing stock throughout the city was in bad condition
- Support from federal financing programs

**Question 4 – What does safe and secure housing look like to you? How do we get there?**

- Being able to rehab and maintain your home; “houses rot out from under people”
- Structurally safe
- Student-only housing that is vacant all summer is not safe (vacant = no eyes on the street); a diversity of living experiences and housing types can increase safety
- A cleaner neighborhood is a safer neighborhood, so make it easy to dispose of trash

**Question 5 – What role do existing residents play in housing new neighbors?**

- Landlords can give people a chance or be willing to be a part of Section 8
- Talking to neighbors and providing support
- Connecting good tenants with good landlords
- Encouraging the City to fulfill neighborhood needs, through code enforcement and community policing



- Building community through investments in park benches, public garbage cans, and other human scale investments that make places more livable; “making it easier to be human”

**Question 6 – When you heard about this project, what doubts or reservations came to mind? What would keep those doubts from coming true?**

- Any engagement is appreciated and better than some past planning efforts
- Concerned about going too far without considering impact on neighborhoods
- Concerned that the project was “just a bunch of city workers making decisions and not caring about people”; participant noted that their perception changed during the meeting

During the conversation, participants identified additional barriers and opportunities for housing in Spokane. The following summarizes those concepts:

Rentals are not affordable partially because of fees (first and last rent, security deposits, application fees, etc.)

People do not report bad conditions because they need a place to live and fear retaliation

Pressure to build/convert to multifamily is not appealing to everyone

Concerned over multifamily housing bringing a nonstable, rotating group of residents which can prevent community building

Housing diversity, including a mix of rentals and ownership, can create neighborhood stability

Impact fees affect smaller developers more than larger developers

Affordable housing is bought and flipped, leaving out first time homebuyers

It is often the lack of management of rentals, not the rentals themselves, that cause concerns

The second Resident Forum in each District dug deeper into the participants’ vision for the future of Spokane. To help inform specific updates to the Shaping Spokane Comprehensive Plan, specific language from [Land Use, Chapter 3](#) was presented and discussed.



**Question 1 – What have you continued to think about or what is something that has stuck with you from the first meeting?**

- Diversity = community
- Concerns over renters not taking pride in the neighborhood; many renters move frequently because of increased rents, not a desire to move
- How to maintain pride in ownership, for homeowners and landlords
- Single-family homes can be tall/imposing just like “multifamily” buildings can; it’s more about form than function

**Question 2 – Whether you’ve lived here in Spokane for 20 days or 20 years, what is the biggest change you have seen in the community?**



Growth, more sprawl, reduced homeownership, gradual shift (not sudden change)



Feels less safe, people are less polite, lack of community



Planning process now includes more people, less active Neighborhood Councils

**Question 3 – What is one positive attribute of Spokane that should be maintained?**

Parks

Bikeable

Colorful characters

Murals/artistic signs

Teachers and educational institutions

Unique neighborhoods

Services and amenities



Once the group discussed the past and present of Spokane, it was time to think about the future. The Comprehensive Plan is the 20-year vision for the city that helps guide decision makers. Resident Forum participants were provided with the existing vision and values found within Chapter 3, Land Use and Chapter 6, Housing of the Comprehensive Plan and asked to explore it with the group. The currently adopted Vision and Values can be found attached in Exhibit A.

**Question 4 – Do you see the current land use values advocating for the type of city you believe Spokane should be? What is missing?**

- Missing stability/consistency, anxiety is caused by not knowing when or how things will change
- Need to emphasize sustainability, particularly in regard to water conservation and wildland fire prevention
- Maintain and foster a small-town feel
- Enhance regional coordination
- Maintain existing housing stock (rehabilitation in addition to redevelopment)
- Physical accessibility to housing and connectivity should be prioritized
- Embrace the unknown and be comfortable with change
- Ensure access to transit
- Use people first language

Next, participants went line by line reviewing the existing Land Use, Chapter 3 values. The following observations were made:

- “Acquiring and preserving the natural areas inside and outside the city”
  - Upkeep and improvements are important, go beyond preservation
  - How are natural areas defined?
- “Controlling urban sprawl in order to protect outlying rural areas”
  - Control is a strong word that doesn’t allow for flexibility
  - Regulate, strategize, or manage may be more appropriate
- “Protecting the character of single-family neighborhoods”
  - What is the character of a single-family neighborhood?
    - Architecture?
    - Walkable, safe to play outside and walk dogs?
  - This can prevent density that can make neighborhoods more active, vibrant, and safe



"SEE THE PERSON, NOT THE SITUATION."

CELEBRATE WHAT IS WHILE ALLOWING IT TO CHANGE

STEWARDSHIP OVER CONTROL

WHY JUST SFR?

SAFETY ↔ PROTECT

KEEP PEOPLE IN HOMES AND KEEP HOMES AROUND PEOPLE.

"PROTECT" MEANS MANY THINGS

"CONVENIENT" IS MISSING

↳ = WALKABLE, NOT JUST DRIVABLE + TRANST

MINIMIZE SPRAWL WHILE ALSO INCREASING DENSITY

MAINTAIN COMMUNITY BONDS

"YOU CAN'T WAREHOUSE PEOPLE"

"IT'S NOT ALL ABOUT THE CAR"

"WALKABLE + BIKABLE"

"PEOPLE + PLANET"

CHARACTER MIGHT NEED TO GO TO NEED

SINGLE FAMILY RESIDENTIAL ISNT INCLUSIVE

EQUITABLE APPLICATION OF EFFORT

RETAIN WHAT WE HAVE.

PROTECTING ≠ EQUITABLE?

DON'T BE AFRAID TO IMPROVE WHERE WE'VE ALREADY BUILT

"MINIMIZE SPRAWL"

DESIGNATED AREAS SHOULD BE ABLE TO ADJUST TO LOCAL CHANGES

Metrics!

Context of Place

PARKING LOT

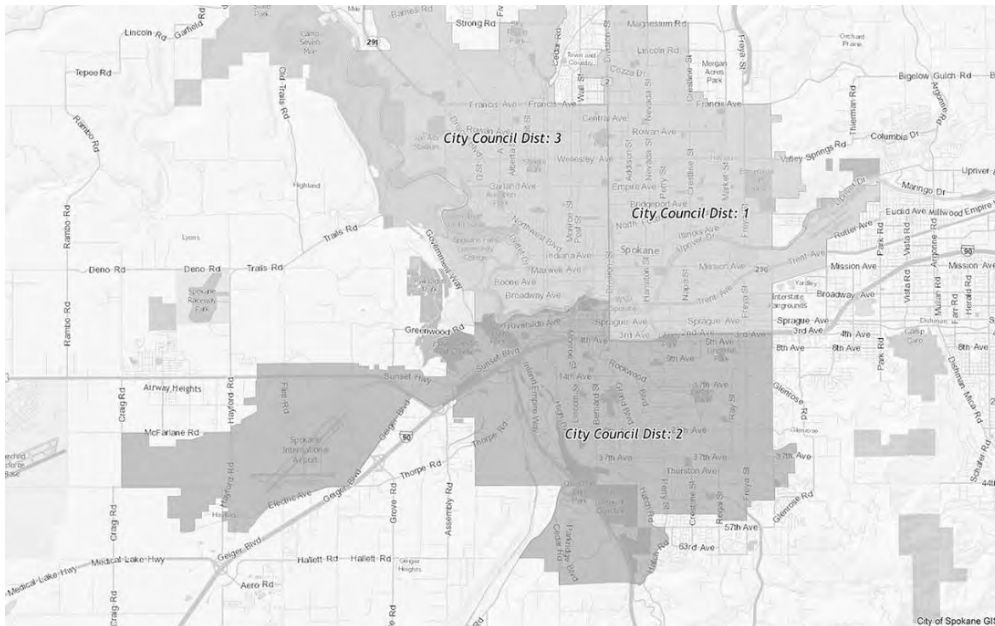
- Neighborhood Safety
- Loss of Urban Forest
- BUILDING CODE IMPACTS

Tell the stories  
And speak up

Notes taken during Resident Forum meetings to document the discussions. Much of the conversation focused on people and telling individual stories.



# Council District 2



Map highlighting City Council District 2.

District 2 is located in southern Spokane and is represented by Council Members Betsy Wilkerson and Lori Kinneer. Resident Forum meetings were held on April 6 and April 20, 2023 at the Liberty Park Library.

## Question 1 – Why did you choose to come tonight?

“I care because I have to care”

The details matter when it comes to planning and housing regulations, want to be part of the details

“To help solve the problem instead of just complaining about it”

Came to represent people who look like me to insure different voices are included in the conversation when changes are made

Everyone is currently living in “housing musical chairs”, moving around making decisions based purely on affordability and it is not sustainable

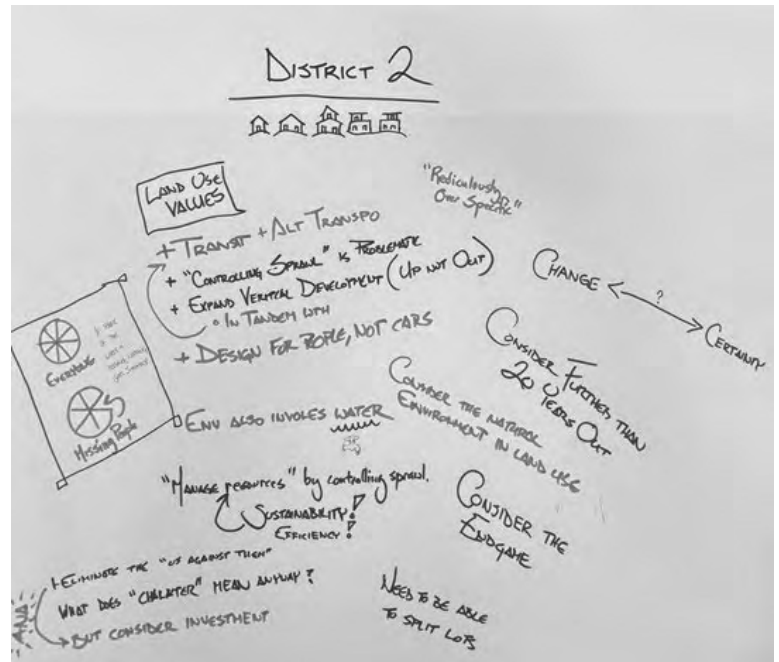
“You must participate to make things better”





## Question 2 – What is your ideal neighborhood?

- Mix of uses
- Ways for people to bump into each other exist
- Small or no lawns, nearby open space
- Strong community connections
- Let people move around equally, within all neighborhoods
- Diverse – people, incomes, housing types, and both renters and owners
- Community gardens
- Trees and shading canopies
- Safe
- Flexible
- Walkable
- Affordable
- “Playable” for children



Notes taken during a Resident Forum meeting.

## Question 3 – Recall a time when you struggled to find housing. What ultimately tipped the scales (or could have tipped the scales) towards finding your next place?

- Roommates chose to leave and couldn't afford to stay – no control over my own housing situation
- Working full time but not finding affordable options
- “Luck is not a housing strategy”, yet it is what many must rely on
- Homebuyer training tipped the scales, avoided a bank taking advantage
- Rent to own opportunities
- Veteran housing services

## Question 4 – What does safe and secure housing look like to you? How do we get there?

- Having control over your own housing situation
- Housing that can be kept up, maintained
- Structurally sound, no mold or failing infrastructure



### Question 5 – What role do existing residents play in housing new neighbors?

- Create community and a sense of belonging in the neighborhood; host block parties, talk to neighbors
- Model what you want, on a small scale
- Tell our own stories, take away shame and make it easier for others to share their stories
- Talk to City Council, be active in the community and decision-making process
- Building additional units when financially possible (accessory dwelling unit, duplex)

### Question 6 – When you heard about this project, what doubts or reservations came to mind? What would keep those doubts from coming true?

- How will these changes affect existing neighborhoods?
- Is the project ignoring past work done in the City?
- Continue being transparent, engaging multiple areas of the community
- Be clear on how the project is leveraging prior work and engagement

Below are identified barriers and opportunities for housing in Spokane that were in addition to the above questions:

Intersection of housing needed to maintain neighborhood communities; need a mix of renters and homeowners

Ability to purchase homes downtown desired by younger populations

People who age out of a single-family homes (larger family, downsizing, etc.) keep it as a rental instead of selling, reducing the stock for first time homebuyers

“You don’t invest in communities you don’t get to stay in”

All concerns about neighborhood compatibility is labeled as NIMBY, being weaponized by developers

Lack of entry level homes to buy

Neighborhood Council (NC) rules that limit who can be a voting member leaves out parents, people with busy lives and disincentivizes participating in the NCs

“If you don’t become a landlord, you can’t afford to retire”

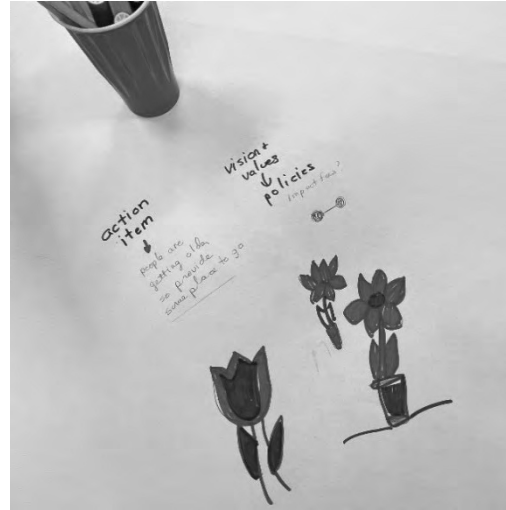
“Create communities people want to invest in” – both socially and physically



During the second Resident Forum, participants dug deeper into their vision for the future of Spokane.

**Question 1 – What have you continued to think about or something that has stuck with you from the first meeting?**

- Importance of community
- Emphasis on cost of housing first, safety and quality of housing second
- Public greenspace is needed to build community
- If everyone keeps their house for a rental as they move to a new house, prices will continue to rise and create a “wealth bottleneck”. On the flip side, rentals are also a nest egg for many people
- What IS affordable?
- Diversity is key for ideal neighborhoods
- More people in a neighborhood can increase random interactions and support community connections



*Participants took notes on topics important to them.*

**Question 2 – Whether you’ve lived here in Spokane for 20 days or 20 years, what is the biggest change you have seen in the community?**



Increased housing prices, decreased housing quality, less open land, stable compared to other places



Seclusion, less people talk to each other, more traffic, wages have not changed



Downtown, Park, and Library improvements, growing business districts (e.g. Perry and Garland)



**Question 3 – What is one positive attribute of Spokane that should be maintained?**



**Question 4 – Do you see the land use values advocating for the type of city you believe Spokane should be? What is missing?**

- Transit access/transit oriented development
- Sustainability, emphasis on water conservation
- Higher density is not specifically mentioned
- A city built for people, not cars – “Sprawl works for a car centric city, but doesn’t look into the future”
- 20 years goes by fast – how does the plan look further ahead?

The following observations were made as the participants went line by line reviewing the Land Use, Chapter 3 values:

- “Controlling urban sprawl in order to protect outlying rural areas”
  - Feels aggressive without providing solutions (incentivizing building up instead of out should also be included)
- “Protecting the character of single-family neighborhoods”
  - “Protect” creates an us-against-them mentality
  - Why are single-family homes the only type of neighborhood/housing being protected?
  - Balance “protect” with new development
  - Biggest investment is someone’s home, so they want to protect it
  - “Character” has historically been used to exclude marginalized communities from neighborhoods
  - There is no agreement of what character means (vibe, architecture, or something else?)
  - Each neighborhood has its own character; there is no such thing as a “single-family neighborhood character”



# Council District 3



Map highlighting City Council District 3.

District 3 is located in northwest Spokane and is represented by Council Members Karen Stratton and Zack Zappone. Resident Forum meetings were held on April 4 and April 18, 2023 at the Shadle Library.

### Question 1 – Why did you choose to come tonight?

“People are struggling”

It’s painful to see the housing issues

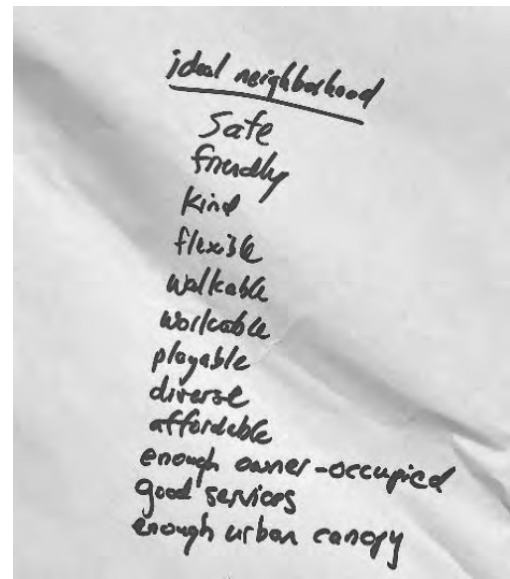
“I feel helpless”

Appreciate not having current housing insecurity, but know its not guaranteed in the future



## Question 2 – What is your ideal neighborhood?

- Front porches to increase neighborliness
- Greenery, trees
- Walkable
- Small yards with nearby open space
- Mix of residential and commercial uses
- Community hub with shops
- Native plants and sustainable landscaping
- Natural swales and stormwater
- Accessible sidewalks
- Constructed like a village
- Safe



*Notes taken during a Resident Forum meeting listing out traits of an ideal neighborhood.*

## Question 3 – Recall a time when you struggled to find housing. What ultimately tipped the scales (or could have tipped the scales) towards finding your next place?

- Found an affordable option and got lucky enough to have seen it in time before it was rented out
- Bought a dilapidated house that was too expensive for investors to put money into, but in too bad of shape for most first-time home buyers
- Neighbors were renters who were having the duplex sold out from under them, purchased the property using a home occupied loan and traded units with one of the renters to help avoid displacement (resident tipped the scales for their neighbors)
- Got in early, able to get a foot in the door
- Support from state financing

## Question 4 – What does safe and secure housing look like to you? How do we get there?

- A place you know you won't get kicked out of
- "We're at the bottom of the barrel now, people's standards of safe and secure have dopped"
- Stability trumps livability
- Financial insecurity is scarier than physical insecurity when it comes to housing
- Security means there are no unknowns
- People stay in toxic relationships (friends, romantic) due to fear of not having housing; that is not safe or secure
- Being desperate for housing, people do not report substandard housing
- Baseline of housing is warm with a roof and lock



### Question 5 – What role do existing residents play in housing new neighbors?

- “I can’t make a big difference to everyone, but I can impact my neighbors”
- Create community and sense of belonging and value, look out for one another
- Work on changing individuals’ minds, if you’re not currently struggling it’s easier to dismiss potential solutions for other people
- “Change is going to happen, so how do we shape that change together?”
- Build accessory dwelling units for long term rentals, not short-term rentals
- “Being neighborly is being safe”

### Question 6 – When you heard about this project, what doubts or reservations came to mind? What would keep those doubts from coming true?

- Concerned about how and if change will occur
- Not sure what to expect, appreciated that it was a conversation
- Talk to real people who understand the housing struggle
- Be accessible to people and answer questions, even if they are broad
- Be out in the community constantly talking about the project

Below are identified barriers and opportunities for housing in Spokane that were in addition to the above questions:

Finding housing with kids and pets is an added struggle

Development regulations, such as setbacks and the cottage housing code, prevent it from being easy to build affordable housing

“Density is the solution”

Height transitions for infill will help increase neighborhood compatibility

If the landlord is not invested in the property, why would the renter be invested?

Rehabilitate existing housing stock

Change can be scary, need to bring people along and demystify the process

Investors flipping houses drives up costs and pushes out first-time home buyers

“We are building for the past, not for the reality of today”



During the second Resident Forum, participants dug deeper into their vision for the future of Spokane.

**Question 1 – What have you continued to think about or something that has stuck with you from the first meeting?**

- How the built environment can support community connectivity (front porches, walkability, anything to increase random interactions)
- The importance of greenery and the natural environment to ideal neighborhoods
- Housing security, putting affordability before safety

**Question 2 – Whether you’ve lived here in Spokane for 20 days or 20 years, what is the biggest change you have seen in the community?**



More sprawl (“sprawl is my fear for Spokane”), less open space and farmland



Increased traffic, less bikeable, historic neighborhoods have kept their sense of place (because of the people)



Developers are no longer building what the community needs or desires (bedroom count, location, affordability)

**Question 3 – What is one positive attribute of Spokane that should be maintained?**

Unique neighborhoods

Access to nature

Neighborliness

Areas with a mix of uses

The people

Diversity



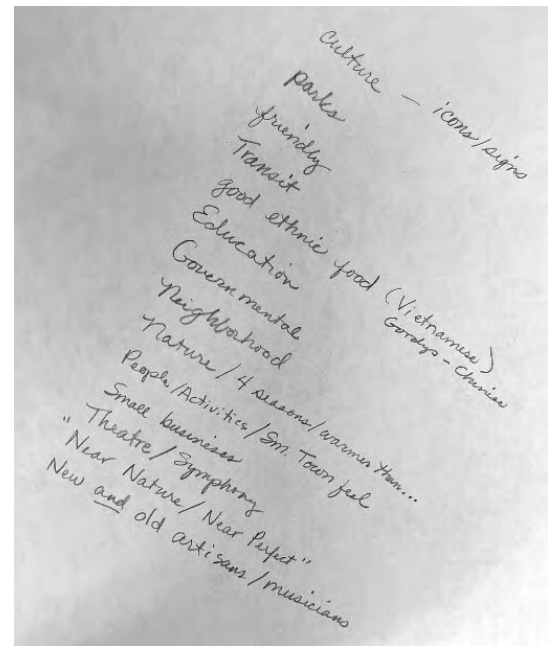


#### Question 4 – Do you see the land use values advocating for the type of city you believe Spokane should be? What is missing?

- Affordability
- Diversity and equitability
- Access to public transportation
- Walkable/bikeable
- Sustainability, impacts of climate change
- How to integrate a mix of uses
- Language needs to be adaptable to change
- Supporting, allowing to thrive, and stewardship should be guiding principles

The following observations were made as the participants went line by line reviewing the Land Use, Chapter 3 values:

- “Acquiring and preserving the natural areas inside and outside the city”
  - Sustainability and improvements should be identified
- “Protecting the character of single-family neighborhoods”
  - Protecting the character of single-family neighborhoods only means more sprawl
  - Protect should mean upkeep of existing homes (rehabilitate), not to preserve in amber
  - Which neighborhoods are currently being protected and which ones have not been?
  - What does character mean? Character changes and develops with the people
  - There is no one “character” of a neighborhood
  - To protect means there is an adversary
- “Guaranteeing a variety of densities that support a mix of land uses”
  - Single-family neighborhoods appear privileged in the values, which prevents clarity on what this means
  - Emphasize increased density, not just variety
- “Utilizing current residential lots before development raw land”
  - Displacement needs to be addressed



Notes taken at a Resident Forum calling out important values for the future of Spokane.

## Shared Values

All three districts were brought together for a final celebratory meeting to discuss shared values that arose out of the Resident Forums series and to review draft language influenced by their engagement. The meeting was held on April 28, 2023 at the Central (Downtown) Library.

A summary of key takeaways included:

- Conflicts between what “is” and “what will be” are foremost in everyone’s mind
- Everyone is having difficulty, not just the first-time homebuyer or the income constrained
- It isn’t just about housing availability, but security
- Luck is not a housing strategy
- It is not just about the building, its about the entire neighborhood
- It takes a home and a community



*A word cloud created from the table and staff notes of all six Resident Forum meetings that was presented at the final meeting on April 28.*



The draft language presented to participants was as follows:

- Acquiring, preserving, and enhancing the natural areas inside and outside the city;
- Managing urban growth to ensure development results in equitable, livable, community-oriented neighborhoods, contributes positively to the City’s financial resources, and protects outlying rural areas;
- Developing and maintaining sufficient access and opportunities for amenities, services, and employment in all neighborhoods;
- Celebrating the uniqueness of each neighborhood while allowing for growth and diversity everywhere;
- Ensuring equitable housing supply by encouraging diversity of housing choice, addressing displacement of existing residents, and ensuring attainable and accessible housing for all parts of the community;
- Encouraging redevelopment in already-built areas while promoting compatible changes in residential neighborhoods; and
- Balancing stability and flexibility by reviewing and amending standards in an orderly and thoughtful fashion as needs change in the city.

Discussion around the proposed draft language to Chapter 3, Land Use values included:

- Equity was appropriately added within the proposed language
- How is walkability and bikeability incorporated into the values? What about transit?
- Access to greenspace should be specifically mentioned
- Education and access to schools is missing
- Maintaining and increasing tree canopies should be included as a value
- The use of “sufficient” does not capture the complexity of access and opportunities, almost minimizes their needs with the adjective

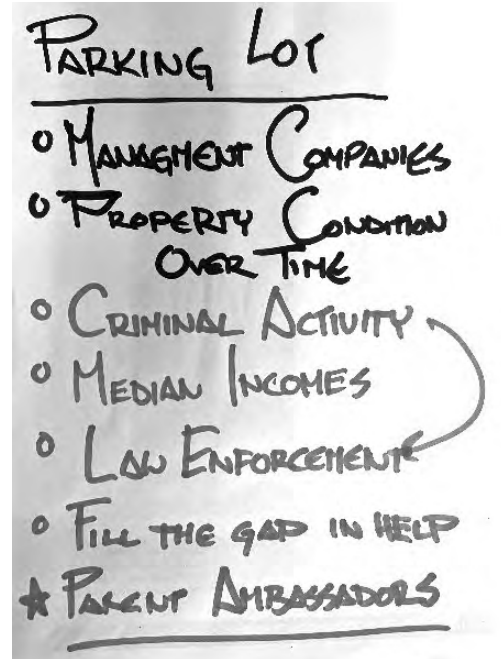
The comments received have been incorporated into the final recommended language and will be sent to Plan Commission and City Council for review.

## Parking Lot

During the conversations, concepts were brought up that were not within the purview of the Building Opportunity for Housing project. However, there is recognition that successful community planning relies on the interconnection and collaboration of services. As such, “parking lots” were established to capture these ideas so they could be sent to the appropriate project teams, City Department, or decision maker.



- Childcare costs are so high that for many people it is cheaper to be a single income household than to be a two-income household and pay for care
- It is important to maintain a culture of honesty and straightforwardness in local governance
- Getting people educated in the planning and government processes is key to getting more people involved
  - People need to know how it helps/serves them to be involved
- Condos could increase homeownership significantly
- Tiny homes can help increase housing diversity and provide more affordable, smaller housing options
- Incentives to encourage desired behavior (renters, affordable housing) are needed
- Permitting needs to work at the neighborhood impact level, not just the individual property level
- There is a lack of transparency on submitted projects under permit review; need to improve information sharing with citizens
- The potential impact of natural gas bans on housing (e.g., utility costs, replacing appliances)
- The interim ordinance (Building Opportunity and Housing for All) did not incorporate sustainability/environmental practices
- Many people make too much to qualify for housing vouchers or other assistance programs, but not enough to afford housing or basic needs
- Expensive permitting processes incentivize bad design
- Design standards should increase walkability and community connectivity (e.g., less garages and more front porches)
- Improve code enforcement to enforce maintenance of homes and prevent deterioration of buildings
- Ensure solar access is maintained (state incentivizes solar and it is a long-term investment on people's homes)



*Notes taken at a Resident Forum identifying Parking Lot elements.*

## Next Steps

The first part of the Building Opportunity for Housing project involves amendments to [Shaping Spokane](#), the city's comprehensive plan. These amendments will concentrate on the City's land use



vision for how land use and housing interact. Related amendments to policies necessary to improve access to housing choice in Spokane will be crafted as well. Once the comprehensive plan is updated (tentatively by July), development regulations within the [Spokane Municipal Code](#) will be updated to modify housing requirements and allowances.

Both the comprehensive plan and development code amendments will first go to [Plan Commission](#) for recommendation of approval, before going before [City Council](#) for the final decision. City Council decisions are then sent to the [Mayor](#), to sign, veto, or leave unsigned. Resident Forum participants will be kept up to date throughout the process and notified when there are opportunities to speak/write to City Council as they consider the changes.

The Resident Forums were the last major part of a robust engagement effort around the Comprehensive Plan amendment process for the Building Opportunity for Housing project. The insight gained from the series will be combined with other public comments received throughout the process, the [Community Roundtable](#), the [Faith-Based Roundtable](#), and [multilingual survey results](#) to inform the final decision. Department staff will continue to be available to answer questions or receive additional feedback anytime at [developmentcode@spokanecity.org](mailto:developmentcode@spokanecity.org).



# Exhibit A – Currently Adopted Vision and Values

Shaping Spokane, a Comprehensive Plan for the future of Spokane

Comprehensive Plan is the name given to identify the community's long-range plan for growth. It is comprehensive because it provides guidance for all aspects of the city's growth and development over a long period, typically twenty-years. The plan is a set of visions, goals, policies, and implementation strategies that state how the city should grow physically, socially, and economically. This comprehensive plan is the product of many, many people including hundreds of community members, the city Plan Commission, City Council and Mayor.

## Chapter 3, Land Use

### 3.2 VISION AND VALUES

Spokane volunteers working to develop the 2001 Comprehensive Plan identified important themes in relation to Spokane's current and future growth. A series of visions and values was crafted for each element of the Comprehensive Plan that describes specific performance objectives. From the Visions and Values document, adopted in 1996 by the City Council, the Comprehensive Plan's goals and policies were generated.

Land use is defined as the general location of various uses of land, population density, and building intensities.

#### VISION

"Growth will be managed to allow a mix of land uses that fit, support, and enhance Spokane's neighborhoods, protect the environment, and sustain the downtown area and broaden the economic base of the community."

#### VALUES

"The things that are important to Spokane's future include:

- Acquiring and preserving the natural areas inside and outside the city;
- Controlling urban sprawl in order to protect outlying rural areas;
- Developing and maintaining convenient access and opportunities for shopping, services, and employment;
- Protecting the character of single-family neighborhoods;
- Guaranteeing a variety of densities that support a mix of land uses; and
- Utilizing current residential lots before developing raw land."



## Chapter 6, Housing

### 6.2 VISION AND VALUES

Spokane volunteers working on the Comprehensive Plan identified important themes in relation to Spokane's current and future growth. A series of visions and values was crafted for each element of the Comprehensive Plan that describes specific performance objectives. From the Visions and Values document, adopted in 1996 by the City Council, the Comprehensive Plan's goals and policies were generated. Housing refers to housing availability, affordability, and mix.

#### VISION

"Affordable housing of all types will be available to all community residents in an environment that is safe, clean, and healthy. Renewed emphasis will be placed on preserving existing houses and rehabilitating older neighborhoods."

#### VALUES

"The things that are important to Spokane's future include:

- Keeping housing affordable;
- Encouraging home ownership;
- Maintaining pride in ownership;
- Developing a good mix of housing types;
- Encouraging housing for the low-income and homeless throughout the entire city;
- Preserving existing houses; and
- Rehabilitating older neighborhoods."



Staff Report - File Z23-112COMP

# **Exhibit F**

**Agency/Department Comments Received**



**From:** [Nilsson, Mike](#)  
**To:** [Freibott, Kevin](#)  
**Cc:** [Whitmarsh, Brandon](#); [Brown, Eldon](#); [Eliason, Joelle](#); [Johnson, Erik D.](#)  
**Subject:** RE: Request for Agency/Department Comment - Comp Plan Amendment File Z23-112COMP  
**Date:** Wednesday, April 26, 2023 8:35:34 AM  
**Attachments:** image002.png  
image003.png  
image004.png

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Engineering has no comments at this time. Individual projects following the new comp plan amendments will be evaluated for their specific proposed improvements.

---

**From:** Freibott, Kevin <kfreibott@spokanecity.org>  
**Sent:** Monday, April 17, 2023 1:27 PM  
**Cc:** Whitmarsh, Brandon <bwhitmarsh@spokanecity.org>  
**Subject:** Request for Agency/Department Comment - Comp Plan Amendment File Z23-112COMP

Please see the attached request for agency/department comments relating to the [Building Opportunity for Housing](#) comprehensive plan amendments. **We request you submit comments no later than May 2 at 5:00 PM** by emailing this address or by mail at:

Attn: Kevin Freibott, Planning & Economic Development  
**Spokane City Hall**  
808 W Spokane Falls Blvd  
Spokane, WA 99201

Thank you and have a great day!

Sincerely,

Kevin Freibott



**Kevin Freibott, MA ORGL** | Senior Planner | City of Spokane - Planning and Economic Development  
509.625-6184 | <mailto:kfreibott@spokanecity.org> | [spokanecity.org](http://spokanecity.org) | [spokaneplanning.org](http://spokaneplanning.org)



**Please note that my work schedule is currently 6:30 AM – 5:30 PM, Monday through Thursday**



**Spokane Tribe of Indians**  
**Tribal Historic Preservation Office**  
PO Box 100 Wellpinit WA 99040

May 22, 2023

**To: Kevin Freibott, Senior Planner**

**RE: File No. Z23-112 COMP**

Mr. Freibott,

Thank you for contacting the Tribe's Historic Preservation Office, we appreciate the opportunity to provide a cultural consult for your project. The intent of this process is to preserve and protect all cultural resources whenever protection is feasible.

As you already know these areas are sacred, religious and cultural significance to the Spokane Tribe, these sites are very limited and irreplaceable.

While surface evidence or artifacts and human remains may be sparse after years of no-Indian occupation and development, evidence below the surface may still be in place and artifacts and human remains may be entering the site through hydrological processes and other means.

**RE:** Case by case review on each project and may require cultural surveys and monitoring on these projects

We are looking forward to working with you and your staff.

Again, thank you for this opportunity to comment and consider this a positive action that will assist in protecting our shared heritage.

If questions arise, please contact me at (509) 258 4222.

Sincerely,

Randy Abrahamson  
Tribal Historic Preservation Officer (T.H.P.O.)

June 5, 2023

Kevin Freibott  
Senior Planner  
City of Spokane  
Planning & Economic Development  
808 W. Spokane Falls Blvd.  
Spokane, WA 99201

RE: City of Spokane Proposed Comprehensive Plan Amendment Z23-112COMP

Mr. Freibott,

Thank you for the opportunity to review and comment on the City of Spokane's Comprehensive Plan Amendment Z23-112COMP Building Opportunity for Housing Phase 1. SRTC staff has reviewed the notices and materials provided. As we previously discussed, SRTC's requirements for reviewing and certifying comprehensive plans are outlined in [SRTC's Plan Review and Certification Process Instruction Manual](#).

We understand that the proposed text amendments to Chapter 3 of the City's Comprehensive Plan essentially allow more housing types in low intensity residential areas. Based on our conversation in April, we also understand that this will not increase development beyond what is already planned for in the City of Spokane's current comprehensive plan.

Based on the information provided for the proposed comprehensive plan changes, SRTC has determined that the proposed amendment is generally consistent with the relevant Guiding Principles and Policies of [Horizon 2045](#), the Regional Transportation Plan (RTP). SRTC has also determined that the proposed amendment is generally consistent with the relevant transportation planning requirements of the Revised Code of Washington ([RCW](#)), including the Growth Management Act ([GMA](#)).

In the future, SRTC would like to be able to provide a more comprehensive analysis of regional impacts. For comprehensive plan updates and amendments, SRTC may conduct a regional level of service (LOS) analysis for the regional mobility corridors as outlined in the certification instruction manual. To that end, we look forward to working with the City of Spokane to discuss opportunities for SRTC to provide the analysis.

Please contact me if you need any additional information about our review of the amendment proposal.

Sincerely,



Ryan Stewart, AICP  
Principal Transportation Planner

SRTC MEMBER AGENCIES

Staff Report - File Z23-112COMP

# **Exhibit G**

**Public Comments Received**

**From:** [Carl](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Subject:** Comment on Proposed Changes to Spokane Comprehensive Plan  
**Date:** Wednesday, May 17, 2023 11:44:27 AM

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

**Department of Planning & Economic Development**  
City of Spokane

I would like to submit for consideration the following comment on the proposed changes to the Spokane Comprehensive Plan.

Thank you,  
J. Carl Bruesch  
3003 S. Manito Blvd.

- The proposal would change one of the Values statements as follows:

~~Protecting the character of single-family neighborhoods;~~ **Celebrating the uniqueness of each neighborhood while allowing for growth and diversity everywhere;**

- Comment:

The character of these residential neighborhoods is important, and I think it is a mistake to eliminate neighborhood character as a value.

For example, I live in the Comstock neighborhood and walkability is a significant part of the neighborhood's character. This is clearly described in the Comstock neighborhood profile posted on the Spokane City website, and was a significant factor in my house purchase. Daily I see children walking to and from school, dog walkers, as well as general strollers – and I count myself among them.

It is important to me that potential development in my neighborhood be evaluated for impact on this character (among others).

- Suggested alternative language for this bullet point:

Protecting the character of ~~single-family residential~~ neighborhoods;, **Ccelebrating the uniqueness of each neighborhood while allowing for appropriate growth and diversity;**

**From:** [David Camp](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Subject:** Comment on Comp Plan Amendment proposal  
**Date:** Wednesday, May 24, 2023 7:40:07 AM

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

To the Plan Commission:

Regarding the proposed changes to Spokane's Comprehensive Plan, allowing fourplexes nearly everywhere, please add language that prevents developers from pushing most of this dense development out to the city's suburban fringes, far from bus lines and emergency services, in far-flung neighborhoods such as North Indian Trail, North Nevada and South Regal.

Let's learn from the city's failed multifamily tax incremental financing policy of 20 years ago, which was intended to subsidize apartment development in inner neighborhoods. Instead, developers took the subsidies to the city limits, building subsidized apartments in outer fringes where they were least needed, locking in still more car dependency and carbon emissions, forcing taxpayers to fund more suburban streets and services.

Without stronger language in the plan amendment, developers will do this again.

Please stick to Spokane's "centers and corridors" plan, giving preference to fourplex developments close to bus lines, schools and businesses, where existing police and fire resources can serve additional people, and where we won't need to build as many additional streets, water and sewer lines.

The state Growth Management Act will soon require Spokane to reduce emissions and vehicle miles traveled, so please ensure that this plan amendment puts density close to transit.

I love density. I love more housing. However, let's not let developers abandon Spokane's inner neighborhoods again.

Please add language to the amendment that prioritizes density near bus lines and existing services.

Thank you,  
David Camp

**From:** [Linda Carroll](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Subject:** keep dense development at centers and corridors, do not extend to outlying areas  
**Date:** Wednesday, May 24, 2023 6:41:27 PM

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[CAUTION - EXTERNAL EMAIL - Verify Sender]

To the Planning Commission,

As an environmentally-motivated Spokane voter and property owner, I support the Spokane's Comprehensive Plan in its current form, which allows increasing housing density through permitting fourplexes near centers and corridors that provide public and active transportation connections and are near schools and businesses because that plan will help us reach our goal of reducing greenhouse gas emissions and creating livable 15-minute neighborhoods.

I strongly oppose the proposed extension of such density to outlying areas such as North Indian Trail, North Nevada, and South Regal because those areas are not well served by public transportation and have few nearby schools and businesses and therefore such an extension would trap our city in the destructive car culture that has produced so much pollution damaging to our health and environment and that causes endless crashes, reckless driving, and street racing.

Please retain the current Comprehensive Plan density around centers and corridors to promote a healthier life for our community and all of us who live in it.

Linda Carroll

**From:** [Gaither, Kari Ann](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Subject:** Testimony to Plan Commission re changing comprehensive plan  
**Date:** Wednesday, May 24, 2023 1:26:42 PM

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Dear Plan Commission,

I understand that you are meeting today to discuss an amendment to Spokane's Comprehensive Plan which would allow for development of fourplexes around the city. I commend this move, however, I have serious concerns regarding how this change is implemented. More housing is clearly needed and fourplexes, duplexes and the like are wins for improving the housing crisis in Spokane. But it is imperative that this is implemented in keeping with the current objectives to increase housing density in the centers and corridors, where bus lines, infrastructure (including fire and police resources) and shops and businesses already exist. This will reduce the need for expensive new roads, water and sewer lines and reduce dependence on cars, thereby helping to mitigate already clogged traffic arteries in the city and reduce pollution.

Please include stronger language in your amendment to the plan which emphasizes development of fourplexes in the centers and corridors of Spokane to keep developers from focusing on developing these high density housing structures in fringe neighborhoods in Spokane, which though costing them less, would cost the city and its residents more in terms of sprawl, infrastructure development, less green spaces, and more pollution.

Thank you kindly,

***Kari Gaither***



**From:** [lila girvin](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Subject:** amendment to plan  
**Date:** Wednesday, May 24, 2023 12:06:53 PM

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

As a long time observer and participant (I was on the Boundary Review Board) I request that you stick to the centers and corridor plan.

Thank you,  
Lila Shaw Girvin

**From:** [Joey Gunning](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Subject:** Comprehensive Plan Comments  
**Date:** Monday, June 5, 2023 9:31:34 AM  
**Attachments:** image004.png  
City of Spokane Comp Plan - Comment.docx

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Good Morning,

Attached are some comments on the Comp Plan.

Really great work – and a lot of goals that tie directly to our region’s Comprehensive Economic Development Strategy (THRIVE Spokane). Great to see the City leading the way!

**Joey Gunning**

*Strategic Growth Manager*

[Greater Spokane Inc.](#)

(509) 321-3617

**together we’re greater**



[AdvantageSpokane.com](#) | [THRIVESpokane.org](#)



[Register today!](#)

## **Public Comment on City of Spokane Comprehensive Plan: Chapter 7 – Economic Development**

### **ED 1.2 Support of Economic Development Organizations**

I would suggest calling out the support of organizations who support underrepresented communities, such as AHANA, Carl Maxey Center, HBPA, Latinos En Spokane, etc. This is critical to ensuring economic development activities and policies achieve equitable outcomes.

### **ED 2.2 Revitalization Opportunities**

May want to include language around pursuing policies and processes to stabilize communities and mitigate gentrification.

### **ED 2.4 Mixed-Use**

Could add language around supporting arts & culture here. Creative economy has emerged as a key industry both locally and state-wide.

### **ED 3.5 Locally-Owned Businesses**

The region's CEDS includes language around elevating the region's buy local campaigns, such as Live Local INW, to support locally owned BIPOC and small businesses. Might include language here to align with the region's equity goals.

### **ED 4.2 Benchmark Indicators**

Might include language around equity here. How can we use benchmark indicators to achieve more equitable results going forward.

### **ED 5.2 Youth Programs**

Might include language around supporting youth entrepreneurship programs to help Spokane's young residents cultivate an entrepreneurial spirit, building a community culture of innovation.

### **ED 5.3 Post-Secondary Education and Job Training**

Could include language around uplifting BIPOC workers by connecting them with clear career pathways that offer earn-and-learn initiatives, like stipends, paid work experience, internships, or on-the-job training.

### **ED 5.8 Library as Educational Resource**

Absolutely! The Library provides tools to help businesses overcome their vulnerabilities and to ensure they have critical processes to continue operations in the event of an unplanned disruption or disaster. This is critical.

*Prepared by: Joey Gunning, Greater Spokane Inc.*

#### **ED 7.1 Collaborative Nurturing of the Business Climate**

This is also critical. Might include specific language around establishing a process for regular communication with businesses to understand their priority issues and needs.

#### **ED 8.4 Recreation and Tourism Promotion**

How can you partner with municipalities and organizations that are already doing this? We could think about a collaborative approach to promoting the region's identity and high quality of life to support tourism, business attraction, and talent attraction and retention.

**From:** [Howard Family](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Subject:** comp plan comments  
**Date:** Friday, May 12, 2023 9:54:39 AM

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Mr. Freibott,

I am excited that Spokane is FINALLY getting serious about the need for housing options for both homeless and other folks.

As we move toward more density it will be crucial that development be done in such a manner to "help" us live better at density. By that I mean as lots are developed or redeveloped that there would be requirements for the following; lighting that does not bleed onto adjacent properties; landscaping that does not bleed onto neighboring properties; sidewalks whether new or existing be installed, repaired and maintained (levers to use: business license renewals for apt. owners, building permits for lot improvements and development, sidewalks required to be in good condition at the time of property sale and the city could repair or replace the sidewalk and put a lien on the property which would be paid off at the time of sale of the property) Sidewalk condition is an equity and quality of life condition in all areas of the city and cannot be allowed to be ignored as it has been for DECADES.

Don't forget noise ordinances, traffic enforcement and traffic calming so pedestrians and bicycles can safely move through neighborhoods.

There should be clear paths identified so that if a condition needs to be addressed that citizens know who in the city to contact so the issue can be resolved. I suspect that more code enforcement folks will need to be hired to "help" citizens live better at density. Density needs to happen whether people want it or not and density can either be an inconvenience or a horror depending upon how it occurs. Thanks Debra Howard

**From:** [Bob Hyta](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Subject:** Outdated comprehensive plan  
**Date:** Wednesday, May 10, 2023 6:32:16 AM

---

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Upon cursory review, many amendments to the comprehensive plan are as old as January 2020!!! This is pre-covid. Pre-urban exodus. Certainly, anything post-covid would be much more valuable to the city and it's residents.



Robert C. Hyta  
Wells St. John P.S.  
601 W. Main Avenue, Ste. 600  
Spokane, WA 99201  
Tel: (509) 624-4276  
Fax: (509) 838-3424

[bhyta@WellsIP.com](mailto:bhyta@WellsIP.com)  
[www.WellsIP.com](http://www.WellsIP.com)

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**From:** [Alena I](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Subject:** Chapter 3, city land use  
**Date:** Thursday, May 11, 2023 7:34:20 AM

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

To whom it may concern,  
I am excited to see that city council will allow to build multi-residential units and halt city sprawling

I would like to address the concerns of clear cutting of mature trees within and on outskirts of our city.

The examples are a new apartment development at the intersection of Magnesium and Nevada (by the international school) and the one across the Sundown plaza at the end of the Indian trail rd.

There used to be beautiful, mature park, which was clear cut.

Could you please consider requiring a 30% or so retainment of original vegetation and incorporate new buildings into the existing nature?

It breaks my heart to see loss of mature trees our city is famous for. I am also concerned for environmental impact with high winds and dry, hot summers with no tall trees to break the wind speed or shade to provide

Sincerely, Alena Izhokhina, homeowner in Spokane  
425 419 9570 cell

Sent from my T-Mobile 5G Device  
Get [Outlook for Android](#)

**From:** [David Jones](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Subject:** from David Jones/comments about the new BOCA zoning regulations  
**Date:** Thursday, May 11, 2023 2:11:24 PM

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

To whom it may concern

I am reservations against the new BOCA zoning regulations. The new rules allow for up to 4 units on any parcel zoned single family. Many new 4 plexes will be built in historically single family neighborhoods which defeats the whole purpose of zoning. Many people decided to buy homes in established single family neighborhoods and planned on raising their families in a lower density area. I am seeing plans to break up larger parcels into many parcels and put 4 plexes on them to create apartment complexes. I don't believe this was the intended purpose of the zoning changes. But, it is happening. The proposed 5 Mile Multi Family project at 7601 N 5 Mile Rd is an example of this.

This type of project goes against the language in the law and is wholly incompatible with the foundational goals and policies of the City of Spokane's Comprehensive Plan as listed in section 3.3:

1. ...Much of the future growth will occur within concentrated areas in Neighborhood Centers, District Centers, Employment Centers and Corridors designated on the Land Use Plan Map. While this growth occurs in Centers and Corridors, established single-family residential neighborhoods will remain largely unchanged. The Centers and Corridors contain a mix of uses, including higher density housing centered around or above retail and commercial establishments, office space and public and semi-public activities (parks, government and schools).

...Other important directives of the land use goals and policies include:  
limiting commercial and higher density development outside Centers and Corridors to support growth and development of Centers and Corridors;  
directing new higher density housing to Centers and Corridors and restricting this type of development in single-family areas; and

2. Using design guidelines to ensure that commercial buildings and higher density housing are compatible with existing neighborhood character in and around Centers and Corridors. [Emphasis Added] Comprehensive Plan, Amended Jan. 17, 2020, 3-5 - 3-6

If new apartment developments are allowed to be built in single-family neighborhoods it will irreversibly degrade areas that have traditionally been areas many people want to live in. Those people will be forced to push further out of the city to find similar neighborhoods to live in. That would be unfair and detrimental to the city financially.

Please reconsider the BOCA plan and ensure established single family neighborhoods are protected.

David

--





## DAVID JONES

Realtor® at John L. Scott

509.990.8552

[david.jonescb@gmail.com](mailto:david.jonescb@gmail.com)

[davidjones.johnlscott.com](http://davidjones.johnlscott.com)

**[What's my home worth?](#)**

**From:** [Betty Krafft](#)  
**To:** [Downey, KayCee](#)  
**Subject:** Re: Thank you for taking the Building Opportunity for Housing survey!  
**Date:** Thursday, February 16, 2023 6:50:53 PM  
**Attachments:** [image001.png](#)

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Thanks for your response.

What I didn't see in the survey was a space about current housing options. The sale price of my condo has tripled since I bought it 11 years ago. While that would be good news if I wanted to sell it, the fact is that if i did sell, it would be difficult to find affordable housing in Spokane. I checked condos on the internet and the price went quickly from \$65k for a "blank canvas" that would require a tremendous amount of work to \$150k with nothing in between. And no parking. So if I sold, I would have no place to go.

I am a promoter of condos as a good way of increasing the number of people that can live in an area. Rents increase constantly (my own experience) and a 10% limit on increases can still move an apartment from reasonable \$800/month to unaffordable in just a few years. But you own your condo unit. If public spaces are easily accessible (parks, etc) then children can also thrive in a condo. And a condo is a good first time homebuyer investment. (The other issue is I don't WANT to take care of a yard)

Transportation is also an issue. I chose to live near Gonzaga because I knew I would have reasonably good bus service (and wonderful bus service with the Central City line), but for activities after dark, one still needs a car because busses don't come that often and may not coincide with the end of a movie or a worship service.

Wish I had some answers, but I think rules that encourage condos could be part of the mix.

Thank you.

**From:** [Cynthia Manycolors](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Subject:** housing plans  
**Date:** Sunday, May 28, 2023 6:41:31 AM

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Hello,  
keeping new development of housing to corridors near schools and bus routes will be better for the community in a variety of ways. If people can ride the bus to school and work and appointments, there is less wear and tear on our roads, less pollution. In addition, poorer people many times can afford older cars more likely to break down and lack of transportation can mean losing a job, which can start a cycle of homelessness or other hardship. Let's do what is most effective.

Thanks,  
Cynthia Manycolors  
Spokane, WA

**From:** [Ben M](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Cc:** [Beggs, Breean](#); [Bingle, Jonathan](#); [Cathcart, Michael](#); [Wilkerson, Betsy](#); [Kinneer, Lori](#); [Zappone, Zack](#); [Stratton, Karen](#)  
**Subject:** BOCA Concerns  
**Date:** Monday, June 5, 2023 8:58:46 PM

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

To Whom It May Concern,

Building Opportunity and Choices for All is meant to encourage better housing on many levels. It's meant to create generational wealth, make housing available at different price levels, and create housing for more to enjoy.

Unfortunately, there are no safeguards to prevent unscrupulous developers from taking advantage of BOCA to line their already well lined pockets. All over the city these developers are snapping up any piece of land they can get their hands on and stacking as many houses as they can on them. They add moderate to high density housing in traditionally single family residence areas.

With the increase in density created by BOCA for all zoning areas, this puts more people in areas without public transit. And since the parking requirements listed in Table 17C.230-2 were not updated to take into account the increased density, the developers are only required to provide one parking space per house. You would be hard pressed to find families with only one vehicle. And with Spokane lacking a sufficient public transit system, how are families supposed to traverse the area? The original framework of BOCA included a requirement for nearby public transportation, however, for some reason, it was removed. The definition of public transit, however, was left in the interim ordinance. The city of Spokane has a number of places that are not serviced by public transportation and building multi-unit dwellings without requiring a sufficient number of parking spaces is contrary to providing housing choices for all. Not everyone has a personal vehicle and therefore requires housing with easy access to public transportation. No one wants to have to hunt for on-street parking when they get home after working or going to school, nor not have any guest parking for people who might visit.

As you work on making the Building Opportunity and Choices for All interim ordinance permanent, I request that you revisit the access to public transportation, on-site parking requirements and not allowing moderate to high density housing in areas traditionally and historically meant for single family homes.

Sincerely,  
Ben Maplethorpe  
Five Mile Prairie Resident

**From:** [Adam Marshall](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Subject:** Comment: Building Opportunity for Housing – Comprehensive Plan Amendment  
**Date:** Wednesday, June 7, 2023 5:01:48 PM

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

City of Spokane Planning,

This current amendment to the Comp Plan appears benign but still does not address critical requirements that should be considered prior to authorizing development which are lacking or remain unenforced in the Comp Plan - namely adequate infrastructure in place or enforced concurrency. Largely in outer districts such as Latah Valley, 5 mile, Indian Trail, West Hills the checks and balances which should be present prior to permitting have not been adhered to. This has and will continue to result in inefficient and in some cases reckless growth patterns creating public safety concerns (fire, water quality) or access issues to critical roadways. Not including specifics on required infrastructure and functioning levels of service, whether imposed by low-density zoning changes should be remedied. Direction to the Planning Department to potentially deny permits when infrastructure . The Comp Plan should incorporate more appropriate and comprehensive infrastructure requirements, such as availability of public transportation, parks, fire & police support, K-12 schools and bussing, libraries, and active-transportation corridors. Recognizing the Comp Plan only directs water and sewer levels of service,

Adam Marshall

**From:** [RICK MESSENGER](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Subject:** Comments on new housing plan  
**Date:** Tuesday, June 6, 2023 9:01:15 PM

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Hello;

I have a few comments & suggestions on the new housing plans.

First off I think it's unfair to neighborhoods to allow investors to have ADU's in the backyards of homes they do not live in. We have an 8 year old home across the street from us that was built by an investor for a rental house. At only 8 yrs. old it looks older, junky and unkept. The sidewalks (& it's a corner lot) have never been shoveled no matter how much snow falls. The weeds grow up out of the fence & grow as tall as the fence. The trees that were planted in the back died within the first year of neglect. And we're talking about the comstock neighborhood. Now, the new rules have allowed him to build an ADU behind the parent house. The whole neighborhood knows what this means. 2 unkept homes & yards with more than enough cars & trucks for 2 homes. Since this law is not going to change, why do you not apply some rules to these investors who you have just gifted with 2 rental incomes off of one property? Such as an ADU can only be added (in the case of the owner not being onsite) when the investor provides full lawn care (including regular weed killing), full snow shoveling & requirements that their tenants have no more vehicles than the required "off" street parking that you allowed to be built for the size of the homes. They get double income & further lower the quality of the neighborhood & neighbors frustration for zero effort. It seems like this requirement would give something back to the neighborhoods you indicate you're trying to preserve.

Another concern is the daily commercials about the importance of trees. Spokane has an Urban Forestry department that is supposed to be insuring that trees are being planted and our dwindling canopy being restored. But in another conflict the city is allowing homes to be built 15 ft. from the curb & allowing porches to extend 6 ft. into that setback effectively allowing homes to sit 9 ft. from the curb. Where do the trees go? We have a home being built in a 2 lot pocket lot next door where the neighborhood was promised "more" landscaping because it was a pocket development than a single family home required. We notice on the application for permit that Urban forestry has stated there is no room for a tree because of right of way. A fine will have to be paid instead. Won't this be the case with all homes built so close to the curbs? What happened to the concern for trees & the tree lined streets you envision? The ADU across the street has room for a street tree but Urban Forestry states on their permit that they "can" plant a tree in there's an appropriate place or pay a fine. Hmmm. It seems like fines are what they're after not trees.

And finally, I think you should come clean with the public about what constitutes "off" street parking. The bunny story in one of your community outreach updates indicated that all bunnies would have a bedroom & therefore their home would require 5 off street parking spaces. Everyone is relieved. Except you never mention that if the bunnies lot was 100ft. wide, all 5 "off" street parking spots could be met "on" the street. And your vision of narrower neighborhood streets, tree lined forgot to mention those narrow streets would be filled with cars that have no where else to park. If you think people will get rid of their cars, ride the bus or a bike if you just eliminate most of the parking, you need look no further than Seattle with their superior bus & rail system, not to mention their milder winters and see their neighborhoods are busting with cars on top of cars. If you're so sure each home & rental will come with no more than the parking spaces you require, then that should be another rule for

the investors. They must allow no more vehicles to be at their rentals than the city required them to provide. I think since you are so sure of vehicle count per bedroom, it should be a requirement at least in rentals.

Thank you for your time. I know you only want to hear positive input but you asked for peoples opinions. I'm not sure you really listen or care to anything that is said that goes against your agenda but I thought I would try.

Regards,

Rick & Roxanne Messenger

**May 24, 2023**

**TO: Spokane City Plan Commission**

**RE: Comprehensive Plan Land Use Amendments  
Proposed Text Amendments Chapter 3**

**Page 1: Vision**

**I would suggest leaving the word “neighborhoods” in the paragraph. Since we are talking about adding more diverse housing to neighborhoods.**

**Page 1: Values**

**I am all for enhancing natural areas inside and outside the city, would be good to explore here how you plan to do that.**

**If you are truly committed to the uniqueness of each neighborhood then you must realize that “All Land Is Not Created Equal”. You can only build what the land will allow while following all the regulations for stormwater, erodible soils, ground water saturation and contamination and the harm that blasting has on a basalt mesa like Five Mile Prairie.**

**I think it is also fair to say that even though these amendments are meant for every city neighborhood, development will come to the neighborhoods that have the land. And by looking at a map you can see where those neighborhoods are.**

**The last bullet point I don't understand. It would help to know what your thinking is with regards to being flexible in amending standards.**

**Also I do not see anything about the Capital Facilities Plan, and how we are going to pay for services knowing that they are more expensive on the fringe of the city. Providing services outside of centers and corridors is more expensive for the city, right? And concurrency will still be an important part of adding density to every part of the city?**

**Page 3: LU1.3**

**This is where again, please be reminded that not “Not All Land Is Equal”. Because we sit on 4 perched aquifers, we are a CARA,(critical aquifer recharge area), we have underground springs and huge evaporation ponds with complimentary frogs!**



**We find that we need less impervious surface not more. We are more than a mile from a transit stop and we share our roads with our rural neighbors who still farm. More walking and biking facilities would be great we have a bike/ped plan already adopted.**

**Page 6:**

**Top of Page 6 under Residential Low. This seems to be out of context with residential low. Grocery stores, small format retail, medical facilities? These should be in neighborhood centers, centers and corridors, but you would need land that is environmentally safe and could take more impervious surfaces, I am sure there are several neighborhoods that this would not work well and is one reason why our Neighborhood Plan does not call for “commercial development”. I hope you will rethink this section and out it under high intensity uses where commercial should go. I don’t believe it belongs here.**

**Thank you for listening. I’ll have more comments before the deadline.**

**Respectfully,**



**Kathy Miotke**

**53 year resident of Five Mile Prairie**

*prairiepyrs@fastmail.com*

**From:** [Scott Moore](#)  
**To:** [Freibott, Kevin](#)  
**Subject:** Public Comments for Comprehensive Plan  
**Date:** Monday, May 22, 2023 9:00:20 AM

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Greetings,

What good is any spending on planning or its manifested implementations if those achievements are drowned out by rampant crime and drugs?

Numerous businesses have already high-tailed out of downtown and many locals no longer have any desire to go there.

How long will it be ignored?

Only when this blatant issue is addressed will me and others consider it "comprehensive."

Thank you,

Scott Moore  
(406) 926-9583

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**From:** [Heather Morgan](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Cc:** [Beggs, Breean](#); [Bingle, Jonathan](#); [Cathcart, Michael](#); [Wilkerson, Betsy](#); [Kinneer, Lori](#); [Zappone, Zack](#); [Stratton, Karen](#)  
**Subject:** Concerns about Transportation, Land Use and Interim BOCA  
**Date:** Monday, June 5, 2023 6:41:19 PM

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Good afternoon,

BOCA is designed to encourage creating a variety of housing at various price points, but lacks any requirements for access to public transportation or adequate on-site parking. This is shortsighted and ultimately is contrary to promoting a quality of life for people regardless of the type of housing they live in. To make multi-dwelling units liveable you either need to provide adequate on-site parking for residents and their guests and/or they need to have easy access to public transportation. The interim BOCA ordinance does not address this.

I have lived in apartments, townhomes and single family homes at various times in my adult life. When looking and choosing housing, adequate parking or access to public transportation for myself and my co-habitants is a deciding factor in where I chose to live. The city of Spokane has a number of places that are not serviced by public transportation and building multi-unit dwellings without requiring a sufficient number of parking spaces is contrary to providing housing choices for all.

**Parking:**

The interim ordinance only requires builders to adhere to existing requirements found in [Table 17C.230-2 Parking Spaces by Use](#) which only calls for one parking space per unit for less than three bedrooms. In this day and age, it is rare to see one car per household. Even a one bedroom unit is likely to have two car-owners living in it (ie couples, roommates). It would be shortsighted to overlook these lack of sufficient parking requirements which ultimately impedes the quality of life for all. No one wants to have to hunt for on-street parking when they get home after working or going to school, nor have any guest parking for people who might visit.

**Public Transportation:**

Not everyone has a personal vehicle and therefore requires housing with easy access to public transportation. Access to public transportation is even mentioned in the [PIES committee report](#) summary indicates there was discussion to “Allow duplexes in all zoning districts, and triplexes and fourplexes in all areas within ¼ mile of frequent transit and ½ mile of all Center and Corridor zones.” “Major transit stop” is even defined in the interim ordinance (Chapter 17C.400.010B), yet the term is mentioned nowhere else in the ordinance.

As you work on making the Building Opportunity and Choices for All interim ordinance permanent, I request that you revisit the access to public transportation and on-site parking requirements.

And also in the [Proposed Text Amendments - Chapter 3 Comprehensive Plan](#) page 3, complementary types of development should allow residents to walk to “churches,” I suggest you use “places of worship” or another more inclusive term.

Sincerely,  
Heather Morgan

## Freibott, Kevin

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**From:** Candace Mumm <candacemumm@aol.com>  
**Sent:** Wednesday, May 24, 2023 12:40 PM  
**To:** Kathy Miotke; Freibott, Kevin  
**Cc:** Candace Mumm  
**Subject:** PC Comments Mumm May 24, 2023  
**Attachments:** Mumm PC Comments May 24, 2023.docx

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Kevin,

Here are my comments for the PC today.

I have a funeral and will get there as soon as I can.

Candace Mumm

## MIDDLE HOUSING DEFINITION SUBSTITUTE LANGUAGE

Please modify the definition of Middle Housing being added to the Glossary section on Page 10.

State law will likely change again does not prescribe that five and six plexes are outright allowed on any residential lot. Only in the case of being within ¼ mile of a major transit stop or if at least two units are affordable housing.

Optional language is below following the proposed language of May 24, 202

- **Middle Housing**
- ~~In accordance with state law, Middle housing includes buildings that are compatible in scale, form, and character with single-family houses and contain two or more attached, stacked, or clustered homes such as duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked flats, courtyard apartments, and cottage housing.~~
- **Middle Housing** is a range of house-scale buildings with multiple units—compatible in scale and form with detached single-family homes—located in a walkable neighborhood. (source: missingmiddlehousing.com)
- **Middle Housing** is a term for homes that are at a middle scale between detached single-family houses and large multifamily complexes. Examples include: duplexes, triplexes, fourplexes, fiveplexes, sixplexes, courtyard apartments, cottage clusters, and townhomes. These types are typically “house-scale”; that is, the buildings are about the same size and height as detached houses. (source: Commerc.WA.gov)
- **Middle Housing** is diverse, fits seamlessly into existing residential neighborhoods and supports walkability. It can include duplexes, fourplexes, cottage courts, multiplexes and other small-footprint homes.  
  
(source: housingnext.com)

## 3.2 Vision and Values

### Values

1. Keep in language about controlling urban sprawl- this keeps costs down for using capacity of existing investment in infrastructure and expands it only when the city has the means to do so, otherwise this language is permissive and may be used against you when planning for expansion. Remember we serve outside our jurisdiction for water and sometimes sewer.
2. ~~Controlling urban sprawl in order to~~ Managing urban growth to ensure development results in equitable, livable, community-oriented neighborhoods, contributes positively to the City's financial resources, and to protects outlying rural areas;
3. Keep the word "convenient" because it affects climate change—makes it walkable—
4. I like adding education to this section

~~Developing and maintaining convenient access and opportunities for shopping to amenities, services, education, and employment for people of all ages and abilities in all parts of the city;~~

5. This sentence is word salad and unnecessary.

~~Balancing stability and flexibility by reviewing and amending standards in an orderly and thoughtful fashion as needs change in the city.~~

6. Keep these in. They are important to the function and health of Centers and Corridors and focused growth. Must keep this in there---efficient land use for utilities—investment of the city---Not all parts of the city are geographically built to handle the same amount of intensity due to the lack of infrastructure or the fact that they have 400 foot cliffs. New Centers and

limiting commercial and higher density development outside Centers and Corridors to support growth and development of Centers and Corridors;

directing new higher density housing to Centers and Corridors and restricting this type of development in single-family areas; and

using design guidelines to ensure that commercial buildings and higher density housing are compatible with existing neighborhood character in and around Centers and Corridors.

## 7. LU 1.4 Higher Density Intensity Residential Uses Areas

Suggest you substitute this section: “~~and to areas where existing development intensity is already consistent with development of this type.~~ Use language here to **“and adopt new centers through the neighborhood planning process where “existing development intensity is already consistent with development of this type.”**”

*Direct new higher density intensity residential uses to areas in and around Centers and Corridors designated on the Land Use Plan Map and to areas where existing development intensity is already consistent with development of this type.*

(



**From:** [Mark Odegard](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Subject:** Amendment to Comprehensive Plan  
**Date:** Wednesday, May 24, 2023 9:53:52 AM

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Hello – I am a homeowner and business owner in the city of Spokane and creating urban density is critically important to our city. Creating density will help address our homeless problem, better support the local population growth, aligns with the sustainability action plan that was passed by the Spokane City Council in October of 2021, and is critical to addressing the climate crisis.

Allowing growth to expand outwards into the suburbs will create more traffic congestion, increase costs related to maintaining transportation infrastructure, and significantly increase the greenhouse gases that threaten our local and global community.

I urge the Plan Commission to reject the amendment and leave the plan in its current form.

Mark

**Mark Odegard**  
**MEASURE MEANT**  
*Operations | Senior Strategist*  
509.904.5692  
[mark@measurepnw.com](mailto:mark@measurepnw.com)  
[www.measurepnw.com](http://www.measurepnw.com)

**From:** [JAMES O'HARE](#)  
**To:** [Planning Services Development Code](#)  
**Subject:** Housing  
**Date:** Friday, January 6, 2023 12:25:04 PM

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[CAUTION - EXTERNAL EMAIL - Verify Sender]

I am a 74 y.o. white male who has lived in the same residential one level 2100 sq ft rancher in the south hill for 28 years. My spouse and I have raised 4 children, 3 of whom now live outside of Spokane. The youngest child lives with us after he was injured in a major accident 5 years ago.

We love our home but worried going forward about our capacity to continue to manage the upkeep and pay the property taxes.

We have thought about down sizing but upon investigation have found few options that are financially feasible.

When we compare the costs of remaining in our current home vs purchasing a new home, remaining in our current is more cost-effective.

We would like to see options of moving into a multi-age, diverse family make-ups and diverse racial, ethnic and cultural settings.

We are supportive if Spokane developing more housing options for everyone in the community.

Thank you.

James O'HARE

Jolmhc@gmail.com

509-251-4474.

1414 E. Woodcliff Rd

99203

Sent from my iPhone

**From:** [Drew Peterson](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Subject:** Public Comment For Proposed Comp Plan Changes  
**Date:** Monday, June 5, 2023 11:47:25 AM  
**Attachments:** Public Comment Letter - Bethany.pdf

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Hello,

Please find the attached letter we are submitting during your public comment period.

Thank you,

Drew Peterson  
Land Stewardship Guide  
Presbytery of the Inland Northwest  
(509) 496-2916

Dear Spokane City Plan Commission,

Thank you for your hard work in updating our city's comprehensive plan amendment in ways that support increasing opportunities for housing. As you know from the city planning department's roundtable discussion with faith-based leaders, many churches in our city are both geographically and missionally oriented to provide needed housing for the community. We support changes that allow for church sites to create moderate intensity development. Therefore, we appreciate specific mention of "churches" in section 3.4 under "residential moderate", as well as "residential low". We wish to eliminate any possibility for interpretation of the comprehensive plan that excludes churches.

At the bottom of page six, the proposed language amendments to chapter 3 says, "Residential Moderate uses should be generally limited to within moderate walking distance of a Center, Corridor, or major employment/commercial area." Thank you for this language, as it seems to define more clearly what the comp plan means by "in and *around* centers and corridors." We understand the value of using flexible language in the language amendments and we also understand defining "moderate walking distance" may need to be done on a case-by-case basis. Our hope is that these proposed language amendments will support inclusive and expansive interpretations by future city staff to ensure churches are regarded as good partners and preferred locations that fit the vision, values, and goals of the plan commission for building options for housing in our community.

Thank you for the opportunity to comment on this draft language and for including us in this important process.

Sincerely,

Dirk Vastrick, Clerk of Session, Bethany Presbyterian Church

Drew Peterson, Land Stewardship Guide, The Presbytery of the Inland Northwest

Brian Grow, President of the Board, Proclaim Liberty

Sarah Brede, Associate, ZBA Architecture

Dave Roberts, Development Consultant, Kiemle and Hagood

Shannon Meagher, Development Consultant, Kiemle and Hagood

**From:** [Pistone, Amy](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Subject:** Proposal to amend Spokane's Comprehensive Plan,  
**Date:** Wednesday, May 24, 2023 12:20:41 PM

---

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

To whom it may concern,

I'm writing to thank the Plan Commission for their proposal to build fourplexes in the city to increase housing availability and density but also to strongly encourage them to stick to the "centers and corridors" plan, giving preference to fourplex developments close to bus lines, schools and businesses, where existing police and fire resources can serve additional people, and where we won't need to build as many additional streets, water and sewer lines. As Spokane is growing, new housing is incredibly important, and I would love to see this new housing be constructed in ways that are going to be the most cost-efficient and climate-friendly. I think you can accomplish both of those by prioritizing and incentivizing denser housing options closer to existing resources and infrastructure.

Thank you so much,

Amy Pistone

Amy Pistone  
Assistant Professor, Department of Classical Civilizations  
She/her/hers

[@apistone](#)

College Hall 416L

Spring 2023 Office Hours: Mon 11-12, Wed 11-12, Thu 10:30-11:30, or [by appointment](#)

**From:** [EDWARD RENOARD](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Subject:** When considering changes to the comprehensive plan...  
**Date:** Wednesday, May 24, 2023 10:48:57 AM  
**Attachments:** Outlook-horizontal.png

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Hello:

I'm writing to encourage you, when considering changes to Spokane's Comprehensive Plan, that you remain steadfast in sticking to the existing Centers and Corridors strategy, giving preference to developing multifamily projects, including fourplexes, close to existing infrastructure —streets, water, sewer, gas, and electricity — where access to existing services, schools, transit, businesses, shopping, hospitality, and entertainment are easy to access and don't require additional burdens on taxpayers to create new infrastructure in less dense or undeveloped areas where land may be cheaper but civil and societal costs are much higher.

Thank you for your consideration.

Best regards,

Ed. Renouard

---

**EDWARD RENOARD**

(509) 994-4427  
911 EAST 9TH AVENUE  
SPOKANE, WA 99202

**From:** [Richard Schubach](#)  
**To:** [Planning Services Development Code](#)  
**Subject:** E ILLINOIS AVE  
**Date:** Friday, February 17, 2023 10:42:30 AM

---

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

I live on E Illinois consequently, I have a vested interest in any forms of development between Market St & Perry St. The southside of Illinois has railroad tracks & a dynamic panoramic view of the City from Sunset hill to the Idaho Mountains. There is thinking of landscaping with viewpoints on the southside of Illinois between the curb & railroad tracks. A year ago a large apartment complex was built on N Regal which has blocked the view of the river & obviously destroyed any plan of adding a viewpoint in that area. Before that apt complex I used to enjoy the view of the river watching Osprey skim the water catching fish. That's gone now forever. Further development west of Regal should never be considered to avoid destroying one of Spokane's most valuable scenic drives. E Illinois was recently resurfaced with the addition of a jogging/bicycle path against the southern curb, specifically to take advantage of the view. Spokane housing is of great concern & every area of development should be considered but, at what expense to our valuable livable environment needs equal consideration.

Richard Schubach  
[pa.schubach@gmail.com](mailto:pa.schubach@gmail.com)  
509 255 3874  
2809 E. Illinois  
Spokane WA 992207

--

**Richard**

**From:** [Antonia DePasquale](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Subject:** BOCA Ordinance  
**Date:** Wednesday, June 7, 2023 9:38:34 PM

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[CAUTION - EXTERNAL EMAIL - Verify Sender]

Please develop the empty parking lots downtown, before carving into historical neighborhoods, basalt rock formations and green spaces in the city of Spokane, these are our assets... bus lines, infrastructure and retail are already in place downtown. We could add 50,000 residents to downtown, thank you for taking my comment.

Take Care,  
Toni Sharkey

Sent from my iPhone



**From:** [Hannah TeGrotenhuis](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Subject:** New proposal to amend Spokane's Comprehensive Plan  
**Date:** Wednesday, May 24, 2023 3:02:59 PM

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Please stick to the “centers and corridors” plan, giving preference to fourplex developments close to bus lines, schools and businesses, where existing police and fire resources can serve additional people, and where we won’t need to build as many additional streets, water and sewer lines. Spokane is already very car-dependent; please don’t let this continue into the future.

Thank you,

Hannah TeGrotenhuis

**From:** [Carol Tomsic](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Cc:** [Beggs, Breean](#); [Kinnear, Lori](#); [Cathcart, Michael](#); [Bingle, Jonathan](#); [Wilkerson, Betsy](#); [Zappone, Zack](#); [Stratton, Karen](#); [Winkes, Mary](#); [Marilyn](#); [Striker, Patrick](#); [Deasy, Annie](#); [Freibott, Kevin](#)  
**Subject:** Building Opportunity for Housing Comment  
**Date:** Sunday, June 4, 2023 7:37:20 PM

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

I disagree with a proposed change to 3.2 Visions and Values.

Neighborhoods should not be omitted and replaced with livability.

Shaping Spokane Housing "aims to address housing needs while preserving character and livability". Our neighborhoods provide the city's character and livability. The city has 29 neighborhoods that are recognized by City Charter.

I tell everyone I live in the Lincoln Heights neighborhood. We identify ourselves by our neighborhood. Our city supports our neighborhoods with the Neighborhood Traffic Calming Program and the Neighborhood Clean-up Program.

The Land Use chapter should not omit our neighborhoods in its Visions and Values.

And, it was noticeable that 'downtown' was not omitted and given preference, since it is a neighborhood by City Charter.

And, a priority in the Housing Action Plan is to preserve housing affordability and quality to help people thrive where they live and support residents in every 'neighborhood'.

Please leave neighborhoods in the text.

I greatly appreciate the wording in the proposed changes that preserve and enhance the existing character of housing in our neighborhoods, especially LU 5.5 Complementary Development.

Carol Tomsic  
Lincoln Heights

**From:** [Katie Upton](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Subject:** Comprehensive Plan Amendment  
**Date:** Wednesday, May 17, 2023 11:31:31 AM

---

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Hello,

I live in a single family home on a lot next to a low-income, rent assisted apartment building and value my neighbors and what they bring to the neighborhood. I think other neighborhoods will benefit as well by having a more diverse selection of housing available to different income levels.

So just giving a comment of support - I appreciate the attention given to the missing middle. Thank you for your work, I think this is a good step in addressing access to affordable housing.

Thanks!

Katie Upton  
623 W Spofford Ave, Spokane, WA 99205

**From:** [Jimmy Young](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Date:** Wednesday, May 24, 2023 12:13:19 PM

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Hello!

Today at 2 PM, [Spokane's Plan Commission](#) will discuss [a new proposal to amend Spokane's Comprehensive Plan](#), allowing for development of fourplexes all over the city.

While this is in keeping with the Middle Housing Bill just passed by the state legislature **developers want to push this dense development out to the city's suburban fringes**, far from bus lines and emergency services, in far-flung neighborhoods such as North Indian Trail, North Nevada and South Regal. They do this because in these fringe neighborhoods, land is cheaper, parcels are larger and deals are easier.

The result will be an even more car-dependent Spokane, with higher tax bills to support more streets, sewers, police and fire services along sprawling suburban edges.

This echoes the city's failed tax incremental financing policy of 20 years ago, which was intended to subsidize apartment development in inner neighborhoods. Instead, developers took the subsidies to the city limits, building subsidized apartments in outer fringes where they were least needed, locking in still more car dependency.

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Let's not repeat that mistake. **Please stick to the "centers and corridors" plan, giving preference to fourplex developments close to bus lines, schools and businesses, where existing police and fire resources can serve additional people, and where we won't need to build as many additional streets, water and sewer lines.**

Thanks,

Jim Young

Spokane WA

Staff Report - File Z23-112COMP

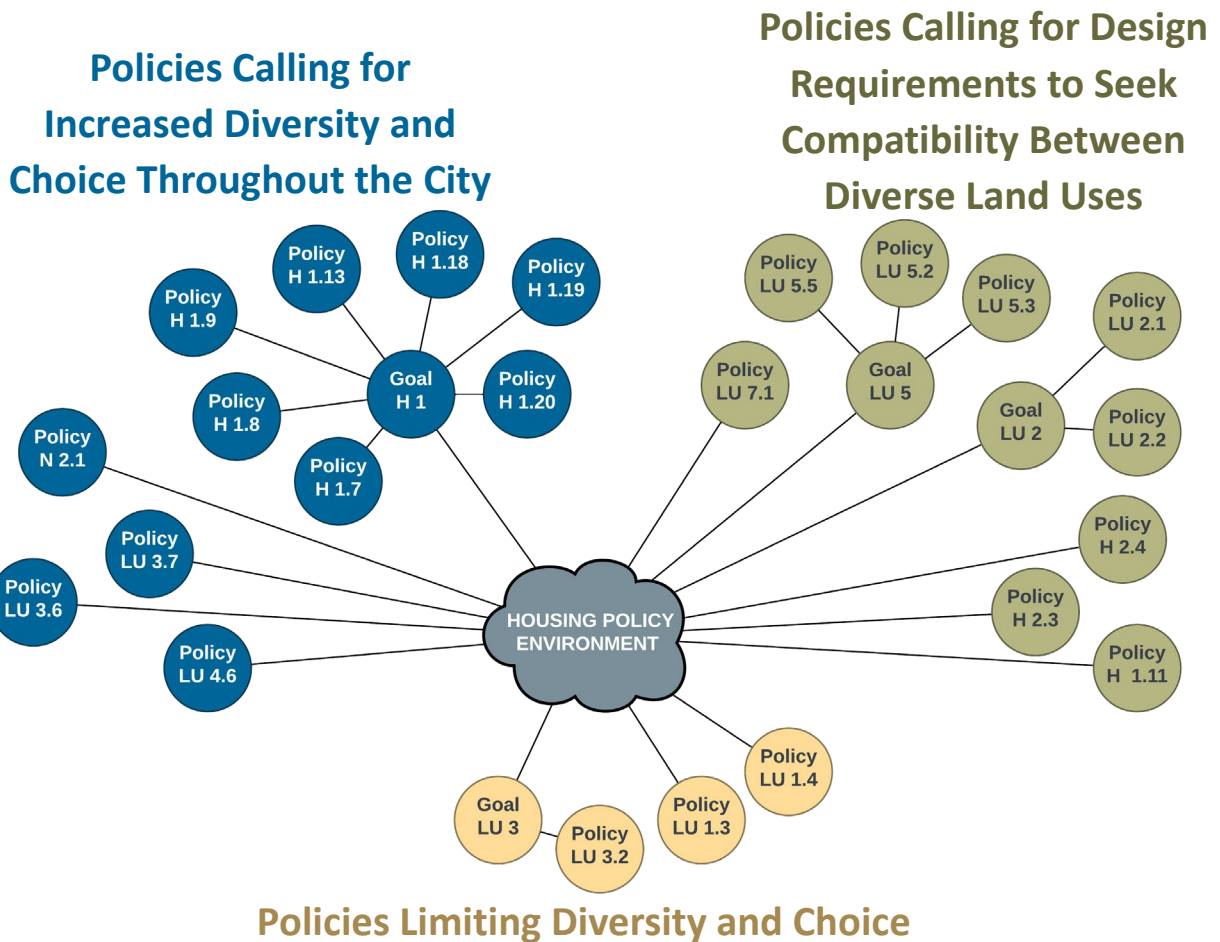
# **Exhibit H**

**Comprehensive Plan Policy Environment Around  
Diversity and Choice**



The following goals and policies of the comprehensive plan relate to file Z23-112COMP. The full text of the Comprehensive Plan can be found at [www.shapingspokane.org](http://www.shapingspokane.org).

## COMPREHENSIVE PLAN POLICY ENVIRONMENT: DIVERSITY AND CHOICE



### Chapter 3 – Land Use

#### LU 1.3 Single-Family Residential Areas

*Protect the character of single-family residential neighborhoods by focusing higher intensity land uses in designated Centers and Corridors.*

#### LU 1.4 Higher Density Residential Uses

*Direct new higher density residential uses to Centers and Corridors designated on the Land Use Plan Map.*

### **LU 2 PUBLIC REALM ENHANCEMENT**

Goal: Encourage the enhancement of the public realm.

#### LU 2.1 Public Realm Features

*Encourage features that improve the appearance of development, paying attention to how projects function to encourage social interaction and relate to and enhance the surrounding urban and natural environment.*

#### LU 2.2 Performance Standards

*Employ performance and design standards with sufficient flexibility and appropriate incentives to ensure that development is compatible with surrounding land uses.*

### **LU 3 EFFICIENT LAND USE**

Goal: Promote the efficient use of land by the use of incentives, density and mixed-use development in proximity to retail businesses, public services, places of work, and transportation systems.

#### LU 3.2 Centers and Corridors

*Designate Centers and Corridors (neighborhood scale, community or district scale, and regional scale) on the Land Use Plan Map that encourage a mix of uses and activities around which growth is focused.*

#### LU 3.3 Designating Centers and Corridors<sup>1</sup>

*Designate new Centers or Corridors in appropriate locations on the Land Use Plan Map through a city-approved planning process.*

#### LU 3.6 Compact Residential Patterns

*Allow more compact and affordable housing in all neighborhoods, in accordance with design guidelines.*

#### LU 3.7 Maximum and Minimum Lot Sizes

Prescribe maximum, as well as minimum, lot size standards to achieve the desired residential density for all areas of the city.

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<sup>1</sup> This policy is included here because it pertains to a public comment discussed in the Staff Report.

#### LU 4.6 Transit-Supported Development

*Encourage transit-supported development, including a mix of employment, residential, and commercial uses, adjacent to high-performance transit stops.*

### **LU 5 DEVELOPMENT CHARACTER**

Goal: Promote development in a manner that is attractive, complementary, and compatible with other land uses.

#### LU 5.2 Environmental Quality Enhancement

*Encourage site locations and design features that enhance environmental quality and compatibility with surrounding land uses.*

#### LU 5.3 Off-Site Impacts

*Ensure that off-street parking, access, and loading facilities do not adversely impact the surrounding area.*

#### LU 5.5 Compatible Development

*Ensure that infill and redevelopment projects are well-designed and compatible with surrounding uses and building types.*

#### LU 7.1 Regulatory Structure

*Develop a land use regulatory structure that utilizes a variety of mechanisms to promote development that provides a public benefit.*

## **Chapter 6 – Housing**

### **H 1 HOUSING CHOICE AND DIVERSITY**

Goal: Provide opportunities for a variety of housing types that is safe and affordable for all income levels to meet the diverse housing needs of current and future residents.

#### H 1.7 Socioeconomic Integration

*Promote socioeconomic integration throughout the city.*

#### H 1.8 Affordable Housing Requirement

*Include a percentage of affordable housing within all new developments that include housing.*

#### H 1.9 Mixed-Income Housing

*Encourage mixed-income developments throughout the city.*



### H 1.11 Access to Transportation

*Encourage housing that provides easy access to public transit and other efficient modes of transportation.*

### H 1.13 Siting of Subsidized Low-Income Housing

*Set clear site selection criteria for publicly subsidized housing to minimize geographic concentrations of publicly subsidized housing projects in neighborhoods with a high percent of minority or low-income households.*

### H 1.18 Distribution of Housing Options

*Promote a wide range of housing types and housing diversity to meet the needs of the diverse population and ensure that this housing is available throughout the community for people of all income levels and special needs.*

### H 1.19 Senior Housing

*Encourage and support accessible design and housing strategies that provide seniors the opportunity to remain within their neighborhoods as their housing needs change.*

### H 1.20 Accessory Dwelling Units

*Allow one accessory dwelling unit as an ancillary use to single-family homes in all designated residential areas as an affordable housing option.*

### H 2.3 Housing Preservation

*Encourage preservation of viable housing.*

### H 2.4 Linking Housing With Other Uses

*Ensure that plans provide increased physical connection between housing, employment, transportation, recreation, daily-needs services, and educational uses.*

## **Chapter 11 – Neighborhoods**

### N 2.1 Neighborhood Quality of Life

*Ensure that neighborhoods continue to offer residents transportation and living options, safe streets, quality schools, public services, and cultural, social, and recreational opportunities in order to sustain and enhance the vitality, diversity, and quality of life within neighborhoods.*

Staff Report - File Z23-112COMP

# **Exhibit I**

**SEPA Determination and Environmental Checklist**

**NONPROJECT DETERMINATION OF NONSIGNIFICANCE**

**FILE NO(S):** Z23-112COMP

**PROPONENT:** City of Spokane

**DESCRIPTION OF PROPOSAL:** The City of Spokane is proposing various amendments to Chapter 3, Land Use, and the Glossary of the City’s Comprehensive Plan with the intent of encouraging and easing development of middle housing in Spokane. Pursuant to the findings of the City’s Housing Action Plan, and as called for in Revised Code of Washington (RCW) 36.70A.600, the City intends to amend the Comprehensive Plan to increase the types of housing that may be accommodated and expected in residential land use plan areas throughout the City while accounting for and minimizing impacts to adjacent uses.

**LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY:** The proposal would potentially affect any future development or redevelopment of residential properties in the city.

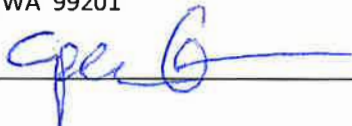
**LEAD AGENCY:** City of Spokane

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

- There is no comment period for this DNS.
- This DNS is issued after using the optional DNS process in section 197-11-355 WAC. There is no further comment period on the DNS.
- This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for at least 14 days from the date of issuance (below). Comments regarding this DNS must be submitted no later than 5 p.m. on June 27, 2023 if they are intended to alter the DNS.

\*\*\*\*\*

**Responsible Official:** Spencer Gardner  
**Position/Title:** Director, Planning Services **Phone:** (509) 625-6500  
**Address:** 808 W. Spokane Falls Blvd., Spokane, WA 99201

**Date Issued:** June 12, 2023 **Signature:** 

\*\*\*\*\*

**State Environmental Policy Act (SEPA)  
ENVIRONMENTAL CHECKLIST**

**File No. Z23-112COMP**

**PLEASE READ CAREFULLY BEFORE COMPLETING THE CHECKLIST!**

**Purpose of Checklist:**

The State Environmental Policy Act (SEPA) chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An Environmental Impact Statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

**Instructions for Applicants:**

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

**Use of checklist for nonproject proposals:**

Complete this checklist for nonproject proposals, even though questions may be answered "*does not apply.*"

IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (Part D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

## A. BACKGROUND

1. Name of proposed project: **Building Opportunity for Housing – Phase I (Comp Plan), Amendments to the City of Spokane Comprehensive Plan**
2. Applicant: **City of Spokane (Contact: Kevin Freibott)**
3. Address: **808 W Spokane Falls Blvd**  
City/State/Zip: **Spokane, WA 99201**  
Phone: **509-625-6500**  
Agent or Primary Contact: **Kevin Freibott, Senior Planner (kfreibott@spokanecity.org)**  
Address: **(same)**  
City/State/Zip: **(same)** \_\_\_\_\_ Phone: \_\_\_\_\_  
Location of Project: **Citywide (text/map amendment to Comprehensive Plan)**  
Address: **n/a**  
Section: \_\_\_\_\_ Quarter: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_  
Tax Parcel Number(s) **All residentially zoned parcels in the City of Spokane**
4. Date checklist prepared: **April 15, 2023**
5. Agency requesting checklist: **City of Spokane**
6. Proposed timing or schedule (including phasing, if applicable): **Comprehensive plan amendments are expected to be completed by third quarter of 2023.**
7. a. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. **Following adoption of the proposed amendments to the City of Spokane Comprehensive Plan, a series of Municipal Code amendments will be developed for consideration. These code changes are not reviewed in this SEPA process.**  
b. Do you own or have options on land nearby or adjacent to this proposal? If yes, explain. **N/A**
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. **No specific studies or analyses have been prepared.**
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. **The City is not currently processing any other Comprehensive Plan amendments during 2023.**
10. List any government approvals or permits that will be needed for your proposal, if known. **City Council approval of a Comprehensive Plan Amendment.**

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.

**The City of Spokane is proposing various amendments to Chapter 3, Land Use of the City's Comprehensive Plan with the intent of encouraging and easing development of middle housing in Spokane. Pursuant to the findings of the City's Housing Action Plan, and as called for in Revised Code of Washington (RCW) 36.70A.600, the City intends to amend the Comprehensive Plan to increase the types of housing that may be accommodated and expected in residential land use plan areas throughout the City while accounting for and minimizing impacts to adjacent uses.**

**The City of Spokane proposes to amend the text of Chapter 3, Land Use, as follows:**

- 1) Text amendments to the vision and values section in Chapter 3, clarifying the intended relationship between low-intensity residential areas and a mix of housing types;**
- 2) Text amendments to Policies LU 1.3 and LU 1.4, clarifying that middle housing types (up to 6 units per lot) are appropriate within low-intensity residential areas in the City and outlining topics which should be considered during any future land use or zoning changes that might increase the intensity of a given residential area in the city;**
- 3) Text amendments to the land use plan map designations described in the chapter, changing the descriptors from density (units per acre) to low-, medium-, and high-intensity residential uses; and**
- 4) Updates to land use labels on the Land Use Plan Map (map LU-1) to match the updated land uses described in item 3 above.**

**No change to the Spokane municipal code is proposed as part of this proposal.**

12. Location of the proposal: Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you

should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit application related to this checklist. **Various locations throughout the City. Land Use Plan Map (LU1) residential land use descriptions will change; no changes to the boundaries of these residential land uses are proposed by this action. To view the Land Use Plan Map designations, visit the City's public mapping website at [my.spokanecity.org/opendata/gis/](http://my.spokanecity.org/opendata/gis/)**

13. Does the proposed action lie within the Aquifer Sensitive Area (ASA)? The General Sewer Service Area? The Priority Sewer Service Area? The City of Spokane? (See: Spokane County's ASA Overlay Zone Atlas for boundaries.) This is a non-project action that is citywide. **Portions of the City are located within the ASA, and most is within a sewer service area.**

14. The following questions supplement Part A.

a. Critical Aquifer Recharge Area (CARA) / Aquifer Sensitive Area (ASA)

(1) Describe any systems, other than those designed for the disposal of sanitary waste installed for the purpose of discharging fluids below the ground surface (includes systems such as those for the disposal of stormwater or drainage from floor drains). Describe the type of system, the amount of material to be disposed of through the system and the types of material likely to be disposed of (including materials which may enter the system inadvertently through spills or as a result of firefighting activities). **As a non-project action, this proposal is not expected to directly result or impel any physical development or alteration of the physical environment.**

(2) Will any chemicals (especially organic solvents or petroleum fuels) be stored in aboveground or underground storage tanks? If so, what types and quantities of material will be stored? **N/A, Non-Project Action (see answer 1 above).**

(3) What protective measures will be taken to ensure that leaks or spills of any chemicals stored or used on site will not be allowed to percolate to groundwater. This includes measures to keep chemicals out of disposal systems. **N/A, Non-Project Action (see answer 1 above).**

(4) Will any chemicals be stored, handled or used on the site in a location where a spill or leak will drain to surface or groundwater or to a stormwater disposal system discharging to surface or groundwater? **N/A, Non-Project Action (see answer 1 above).**

b. Stormwater

(1) What are the depths on the site to groundwater and to bedrock (if known)? **Varies throughout the City.**

(2) Will stormwater be discharged into the ground? If so, describe any potential impacts. **N/A, Non-Project Action.**

## B. ENVIRONMENTAL ELEMENTS

### 1. Earth

a. General description of the site (check one):

Flat    Rolling    Hilly    Steep slopes    Mountainous

Other: **Varies throughout the City. Any future development in accordance with this proposal would be subject to a site-by-site determination as to the slope impacts to that development at the time of building permit application.**

b. What is the steepest slope on the site (approximate percent slope)? **Varies throughout the City.**

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. **Varies throughout the City.**

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. **N/A, Non-Project Action (see answer A.14.a.1 above for more detail).**

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill: **N/A, Non-Project Action (see answer A.14.a.1 above for more detail).**

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. **No, as this is a Non-Project Action. Any future development in accordance with this proposal would be subject to a site-by-site determination as to the erosion impacts and measures to prevent those impacts at the time of building permit application.**



- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt, or buildings)? **N/A, Non-Project Action (see answer A.14.a.1 above for more detail).**
- h. Proposed measures to reduce or control erosion or other impacts to the earth, if any: **None.**

## 2. Air

- a. What type of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. **N/A, Non-project action.**
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. **No.**
- c. Proposed measures to reduce or control emissions or other impacts to air, if any: **None, Non-Project Action.**

## 3. Water

- a. SURFACE WATER:
- (1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. **N/A, Non-Project Action (see answer 14.a.1 above). Any development within Shoreline Jurisdictional Boundaries is subject to additional scrutiny, approval, and mitigation under existing requirements of the Spokane Municipal Code.**
- (2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. **N/A, Non-Project Action.**
- (3) Estimate the amount of fill and dredge material that would be placed in or removed from the surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. **N/A, Non-Project Action.**
- (4) Will the proposal require surface water withdrawals or diversions? If yes, give general description, purpose, and approximate quantities if known. **N/A Non-project action.**

(5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. **Varies throughout the City. Future development proposals would be subject to analysis at the time of application to determine any potential impacts from the floodplain.**

(6) Does the proposal involve any discharge of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. **No, Non-Project Action.**

b. GROUNDWATER:

(1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. **Non-project action. Future developments will be subject to concurrency determinations per the Spokane Municipal Code.**

(2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. **NA Non-project action.**

c. WATER RUNOFF (INCLUDING STORMWATER):

(1) Describe the source of runoff (including stormwater) and method of collection and disposal if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. **N/A, Non-Project Action.**

(2) Could waste materials enter ground or surface waters? If so, generally describe. **N/A, Non-Project Action.**

(3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. **N/A, Non-Project Action.**

d. PROPOSED MEASURES to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any. **None.**

#### 4. Plants

- a. Check the type of vegetation found on the site: **Non-project action. All of the following are found in various locations throughout the City.**

Deciduous tree:  alder  maple  aspen

Other: **Various street trees.**

Evergreen tree:  fir  cedar  pine

Other: **Various street trees.**

Shrubs  Grass  Pasture  Crop or grain

Orchards, vineyards or other permanent crops

Wet soil plants:  cattail  buttercup  bullrush  skunk cabbage

Other: \_\_\_\_\_

Water plants:  water lily  eelgrass  milfoil

Other: \_\_\_\_\_

Other types of vegetation: \_\_\_\_\_

- a. What kind and amount of vegetation will be removed or altered? **N/A, Non-Project Action.**
- b. List threatened and endangered species known to be on or near the site. **N/A, Non-Project Action.**
- c. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: **None.**
- d. List all noxious weeds and invasive species known to be on or near the site. **N/A, Non-Project Action.**

#### 5. Animals

- a. Check and List any birds and other animals which have been observed on or near the site or are known to be on or near the site: **N/A Non-project action. Many of the following may be found in various locations throughout the City.**

Birds:  hawk  heron  eagle  songbirds

Other: \_\_\_\_\_

Mammals:  deer  bear  elk  beaver

Other: \_\_\_\_\_

Fish:  bass  salmon  trout  herring  shellfish

Other: \_\_\_\_\_

Other (*not* listed in above categories): **Typical urban wildlife may exist on various sites within landscaping and street trees.**

b. List any threatened or endangered animal species known to be on or near the site.

**None.**

c. Is the site part of a migration route? If so, explain. **Unknown.**

d. Proposed measures to preserve or enhance wildlife, if any: **None.**

e. List any invasive animal species known to be on or near the site. **None.**

## 6. Energy and natural resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. **N/A, Non-Project Action.**

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. **N/A, Non-Project Action.**

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any: **None.**

## 7. Environmental health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe. **N/A, Non-Project Action.**

(1) Describe any known or possible contamination at the site from present or past uses. **None.**

(2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. **N/A, Non-Project Action.**

(3) Describe any toxic or hazardous chemicals/conditions that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. **N/A, Non-Project Action.**

(4) Describe special emergency services that might be required. **None.**

(5) Proposed measures to reduce or control environmental health hazards, if any:  
**None.**

b. NOISE:

(1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? **N/A Non-Project action.**

(2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site. **N/A Non-Project action.**

(3) Proposed measure to reduce or control noise impacts, if any: **None.**

**8. Land and shoreline use**

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. **N/A Non-Project action.**

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? **N/A.**

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: **N/A, Non-Project Action**
- c. Describe any structures on the site. **N/A Non-project action.**
- d. Will any structures be demolished? If so, which? **N/A, Non-Project Action.**
- e. What is the current zoning classification of the site? **This is a non-project action that potentially changes the descriptions of Land Use classifications. It will not change zoning classifications.**
- f. What is the current comprehensive plan designation of the site? **This non-project action will not change the parcel level designations of the Land Use Plan Map but may change the descriptions of Land Use Plan Map classifications.**
- g. If applicable, what is the current shoreline master program designation of the site? **N/A, Non-Project Action.**
- h. Has any part of the site been classified as a critical area by the city or the county? If so, specify. **N/A, Non-Project Action. Development within critical areas is guided by Spokane Municipal Code requirements.**
- i. Approximately how many people would reside or work in the completed project? **N/A, Non-Project Action.**
- j. Approximately how many people would the completed project displace? **N/A, Non-Project Action.**
- k. Proposed measures to avoid or reduce displacement impacts, if any: **None.**
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: **The proposal would amend land uses and land use plan map designations and policies, actions allowed under RCW 36.70A.130 and SMC 17G.020.**

- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any: **None.**

## 9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. **N/A, Non-Project Action.**
- b. Approximately how many units, if any, would be eliminated? Indicate whether high-, middle- or low-income housing. **This non-project action does not require the demolition or removal of any existing units.**
- c. Proposed measures to reduce or control housing impacts, if any: **None.**

## 10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? **N/A, Non-Project Action.**
- b. What views in the immediate vicinity would be altered or obstructed? **N/A, Non-Project Action.**
- c. Proposed measures to reduce or control aesthetic impacts, if any: **None.**

## 11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? **N/A, Non-Project Action.**
- b. Could light or glare from the finished project be a safety hazard or interfere with views? **N/A, Non-Project Action.**
- c. What existing off-site sources of light or glare may affect your proposal? **N/A, Non-Project Action.**
- d. Proposed measures to reduce or control light and glare impacts, if any: **None.**

## 12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity? **Varies throughout City.**

- b. Would the proposed project displace any existing recreational uses? If so, describe. **Non-project action.**
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: **None.**

### 13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the sited that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe. **N/A, Non-Project Action.**
- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. **N/A, Non-Project Action.**
- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archaeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. **None.**
- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required. **None.**

### 14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. **N/A this is a non-project action.**
- b. Is site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop **The City is currently served by a comprehensive regional and local transit system, as managed by the Spokane Transit Authority. This is a non-project action which does not address public transit.**
- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? **N/A, Non-Project Action.**



- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). **N/A Non-project action.**
- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail or air transportation? If so, generally describe. **N/A, Non-Project Action.**
- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates? **N/A, Non-Project Action.**

*(Note: to assist in review and if known, indicate vehicle trips during PM peak, AM Peak, and Weekday (24 hours).)*

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, general describe. **No.**
- h. Proposed measures to reduce or control transportation impacts, if any: **None.**

#### **15. Public services**

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. **This is a non-project action. Any future project actions must meet the concurrency requirements in SMC 17D.075.030.**
- b. Proposed measures to reduce or control direct impacts on public services, if any: **None.**

#### **16. Utilities**

- a. Check utilities currently available at the site:
- electricity**
  - natural gas**
  - water**

refuse service

telephone

sanitary sewer

septic system

Other: \_\_\_\_\_

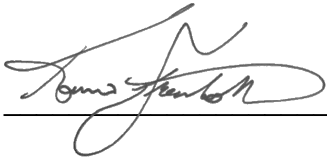
\_\_\_\_\_

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed: **None.**

**C. SIGNATURE**

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the *agency* must withdraw any determination of Nonsignificance that it might issue in reliance upon this checklist.

Date: April 17, 2023

Signature:  \_\_\_\_\_

***Please Print or Type:***

Proponent: City of Spokane  
**Staff Contact: Kevin Freibott, Department of Planning & Economic Development**

Address: 808 W Spokane Falls Blvd

Phone: 509-625-6184

Person completing form (if different from proponent):

Phone: \_\_\_\_\_ Address: \_\_\_\_\_  
\_\_\_\_\_

**FOR STAFF USE ONLY**

Staff member(s) reviewing checklist: Spencer Gardner, Planning Director

Based on this staff review of the environmental checklist and other pertinent information, the staff concludes that:

- A. there are no probable significant adverse impacts and recommends a Determination of Nonsignificance.
- B. probable significant adverse environmental impacts do exist for the current proposal and recommends a Mitigated Determination of Nonsignificance with conditions.
- C. there are probable significant adverse environmental impacts and recommends a Determination of Significance.

#### D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

*(Do not use this sheet for project actions)*

Because these questions are very general, it may be helpful to read them in conjunction with the list of elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise? **This proposal is not expected to increase the overall density of development beyond levels already planned in the City. The overall impacts from development are expected to be substantially similar to those that could occur under the existing Comprehensive Plan language.**

Proposed measures to avoid or reduce such increases are: **None.**

2. How would the proposal be likely to affect plants, animals, fish or marine life? **As discussed in the previous answer, the proposed amendments concern future residential development in portions of the City already designated for residential and/or urban development. Impacts to plants, animals, fish, or marine life would be substantially similar between current Comprehensive Plan language and the proposal. Likewise, any direct impacts to these resources resulting from any future private residential development that may or may not occur following adoption of the proposal would be subject to additional SEPA review and potential mitigation, as required by SMC 17E.050.**

Proposed measures to protect or conserve plants, animals, fish or marine life are: **None.**

3. How would the proposal be likely to deplete energy or natural resources? **As the proposal concerns portions of the City already designated for urban development, and because the proposal would authorize/permit similar urban development in those areas, the impacts to energy or natural resources are expected to be substantially similar to those already expected under existing conditions.**

Proposed measures to protect or conserve energy and natural resources are: **None.**

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, flood plains or prime farmlands? **This is a non-project action that does not change any designations of environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, flood plains or prime farmlands**

Proposed measures to protect such resources or to avoid or reduce impacts are: **None.**

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans? **This is a non-project action. Land Use Plan Map and policy descriptions are proposed to be amended to allow for more types of housing. This will ensure compatible development patterns. No changes to the Shoreline Master Program are proposed.**

Proposed measures to avoid or reduce shoreline and land use impacts are: **None.**

6. How would the proposal be likely to increase demands on transportation or public services and utilities? This is a non-project action. **The proposal envisions a similar intensity of urban residential development as is current called for by the Comprehensive Plan. These urban-scale uses were previously anticipated by the Comprehensive Plan and thus are accounted for in existing infrastructure and service plans for the City. While the proposal would potentially allow for future modification of the housing types allowed within residential areas of the City, the overall density of these areas is not anticipated to increase beyond the maximum currently planned for. Thus, demand for services or infrastructure is not expected to rise beyond that already assumed by the Comprehensive Plan.**

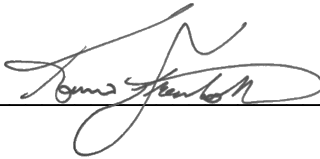
Proposed measures to reduce or respond to such demand(s) are: **None.**

7. Identify, if possible, whether the proposal may conflict with local, state or federal laws or requirements for the protection of the environment. **The proposed amendment is both consistent with and supported by RCW 36.70A.600.**

C. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the agency may withdraw any Determination of Nonsignificance that it might issue in reliance upon this checklist.

Date: April 17, 2023

Signature:  \_\_\_\_\_

***Please Print or Type:***

Proponent: City of Spokane  
**Primary Staff Contact: Kevin Freibott, Department of Planning & Economic Development**

Address: 808 W Spokane Falls Blvd

Phone: 509-625-6184

Person completing form (if different from proponent): \_\_\_\_\_

Phone: \_\_\_\_\_ Address: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**FOR STAFF USE ONLY**

Staff member(s) reviewing checklist: Spencer Gardner, Planning Director

Based on this staff review of the environmental checklist and other pertinent information, the staff concludes that:

- A.  there are no probable significant adverse impacts and recommends a Determination of Nonsignificance.
- B.  probable significant adverse impacts do exist for the current proposal and recommends a Mitigated Determination of Nonsignificance with conditions.
- C.  there are probable significant adverse environmental impacts and recommends a Determination of Significance.

Ordinance No. C36414

AN ORDINANCE RELATING TO PROPOSAL FILE Z23-112COMP, AMENDING CHAPTER 3, LAND USE, AND THE GLOSSARY OF THE COMPREHENSIVE PLAN WITH THE GOAL OF INCORPORATING AND ACCOMMODATING MIDDLE HOUSING TYPES IN ALL RESIDENTIAL AREAS OF THE CITY AND IMPROVING THE OVERALL IMPLEMENTATION AND EFFECTIVENESS OF VISION, VALUES, AND POLICIES OF THE CHAPTER.

WHEREAS, RCW 36.70A.600(1) encourages the City to take a number of actions in order to increase its residential building capacity and authorized the City to adopt a housing action plan (the “HAP”); and

WHEREAS, Council Resolution RES 2021-0062 adopted the HAP as a guide for future housing planning, policy development, and regulatory/programmatic implementation measures that increase housing options for people of all incomes in the City; and

WHEREAS, the Mayor’s proclamation of July 26, 2021, also directed the City to expand housing options in the city, including changes to codes and plans to allow more housing types in all areas in the city; and

WHEREAS, the Spokane City Council adopted interim zoning ordinance C36232 (2022), making immediate changes to the City’s Municipal Code to allow development of middle housing types everywhere and calling on the City to evaluate “whether to make these measures permanent;” and

WHEREAS, the Planning & Economic Development Department has undertaken an extensive and in-depth review and exploration of the interim ordinance, including its effectiveness and success, and has developed the proposal to incorporate certain changes to Chapter 3, Land Use, supporting greater housing choice and enhancing certain policies and standards envisioned by the Comprehensive Plan as a first step towards making the effects of the interim ordinance permanent, while also incorporating lessons learned during the tenure of the interim ordinance; and

WHEREAS, the preparation of the proposal has included a robust public participation plan, commensurate with RCW 36.70A.140 and as requested by Section 4 of the interim ordinance (C36232); and

WHEREAS, during preparation of the proposal, the State has passed House Bill 1110 (2023-24) which among other things, requires Cities (including Spokane) to increase middle housing in areas traditionally dedicated to single-family detached houses, requirements with which the proposal substantially complies; and

WHEREAS, the proposal seeks to amend the Vision and Values; policies LU 1.3, LU 1.4, LU 3.6, and LU 5.5; residential land use names and descriptions, and various other minor amendments throughout Chapter 3 and the Glossary of the Comprehensive Plan; and

WHEREAS, the proposal brings the Comprehensive Plan into compliance with Section 3 of House Bill 1110 (2023-24); and

WHEREAS, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice before adoption of proposed changes to the Comprehensive Plan on April 18, 2023; and

WHEREAS, staff requested comments from agencies and departments on April 17, 2023, and a public comment period ran from May 8, 2023 to June 7, 2023; and

WHEREAS, the Spokane Plan Commission held workshops during the public comment period to study the proposal on May 10 and May 24, 2023, commensurate with the requirements of SMC 17G.020.060.B.5; and

WHEREAS, a State Environmental Policy Act (SEPA) Determination of Non-Significance was issued on June 12, 2023, for the amendment to the Comprehensive Plan, the comment period for which ended on June 27, 2023; and

WHEREAS, a staff report for the proposal reviewing all the criteria relevant to consideration of the proposal was published on June 12, 2023 and sent to all interested parties and the Plan Commission; and

WHEREAS, notice of the Plan Commission Hearing and SEPA Determination for the proposal was published online and in the Spokesman Review on June 14 and June 21, 2023; and

WHEREAS, the Spokane Plan Commission held a public hearing, including the taking of public testimony, on June 28, 2023, during which the public record was closed; and

WHEREAS, the Spokane Plan Commission found that the proposal is consistent with and implements the Comprehensive Plan; and

WHEREAS, the Spokane Plan Commission found that the proposal meets the final review criteria for Comprehensive Plan Amendments delineated in Spokane Municipal Code 17G.020.030; and

WHEREAS, the Spokane Plan Commission voted 9 to 0 to recommend approval of the proposal, conditioned upon three distinct changes to the proposal: (1) changing the word “churches” to “places of worship,” (2) changing the term “Residential



Increased” to “Residential Plus,” and (3) amending the text of policy LU 5.5, “Compatible and Complementary Development”; and

WHEREAS, the City Council adopts the recitals set forth herein as its findings and conclusions in support of its adoption of this ordinance and further adopts the findings, conclusions, and recommendations from the Planning Services Staff Report and the City of Spokane Plan Commission for the same purposes; --

NOW, THEREFORE, THE CITY OF SPOKANE DOES ORDAIN:

1. Approval of the Proposal. Proposal Z23-112COMP is approved.
2. Amendment of the Comprehensive Plan. Chapter 3, Land Use, of the Comprehensive Plan is amended as shown in Exhibit 1 of this Ordinance.
3. Amendment of the Comprehensive Plan Glossary. The Comprehensive Plan Glossary is amended as shown in Exhibit 2 of this Ordinance.
4. Amendment of Map LU-1, Land Use Plan Map. Map LU-1 of the Comprehensive Plan, the Land Use Plan Map, is amended to rename all residential land use plan map designations as follows:

<b>Previous Land Use Designation</b>	<b>Revised Land Use Designation</b>
“Residential 4-10”	“Residential Low”
“Residential 10-20”	“Residential Plus”
“Residential 15-30”	“Residential Moderate”
“Residential 15+”	“Residential High”

PASSED BY THE CITY COUNCIL ON \_\_\_\_\_, 2023.

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

Attest:

Approved as to form:

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

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

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

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



# Building Opportunity for Housing Phase I

## Exhibit I – Amendments to Chapter 3, Land Use, Comprehensive Plan

Department of Planning & Economic Development

---- Changes start on page 3-5 of the currently adopted Comprehensive Plan ----

### 3.2 VISION AND VALUES

Spokane volunteers working to develop the 2001 Comprehensive Plan identified important themes in relation to Spokane’s current and future growth. A series of visions and values was crafted for each element of the Comprehensive Plan that describes specific performance objectives. From the Visions and Values document, adopted in 1996 by the City Council, the Comprehensive Plan’s goals and policies were generated. In 2023, the City endeavored to explore these visions and values further, seeking to refine them in the face of an ongoing housing crisis (see the Spokane Housing Action Plan). Accordingly, the City held numerous meetings and roundtable discussions with the public and key housing stakeholders in the region and crafted updates to the vision and values herein.

Land use is defined as the general location of various uses of land, concentrations of population ((density)), and building-intensities: of development (size, height, lot coverage, etc.).

#### Vision

Growth will be managed to allow a mix of land uses that fit, support, and enhance Spokane’s neighborhoods livability, protect the environment, and sustain the downtown area, and broaden the economic base of the community.

#### Values

The things that are important to Spokane’s future include:

- Acquiring ~~((and))~~, preserving, and enhancing the natural areas inside and outside the city;
- ~~((Controlling urban sprawl in order to))~~ Managing urban growth to ensure development results in equitable, livable, community-oriented neighborhoods, contributes positively to the City’s financial resources, and to protect outlying rural areas;
- Developing and maintaining ~~((convenient))~~ access ~~((and opportunities for shopping))~~ to amenities, services, education, and employment for people of all ages and abilities in all parts of the city;
- ~~((Protecting the character of single-family neighborhoods;))~~ Celebrating the uniqueness of each neighborhood while allowing for growth and diversity everywhere;
- Ensuring equitable housing supply by encouraging diversity of housing choice, mitigating the effects of displacement on existing residents, and ensuring attainable and accessible housing for all members of the community;
- ~~((Guaranteeing a variety of densities that support a mix of land uses; and))~~

- ~~((Utilizing current residential lots before developing raw land.)) Encouraging development in built areas while promoting complementary changes in all parts of the city; and~~
- Balancing stability and flexibility by reviewing and amending standards in an orderly and thoughtful fashion as needs change in the city.

### 3.3 GOALS AND POLICIES

Goals and policies provide direction for planning and decision-making. Overall, they indicate desired directions, accomplishments, or aims in relation to the growth and development of Spokane. The land use goals and policies establish a framework for future growth and development of the city.

Much of the future growth ~~((will))~~ should occur within concentrated areas in and around Neighborhood Centers, District Centers, Employment Centers, ~~((and))~~ Corridors, and Downtown (the Regional Center), as designated on the Land Use Plan Map. ~~((While this))~~ Significant growth ~~((occurs in))~~ is directed to Centers and Corridors, ~~((established single-family))~~ with changes in other areas (like existing residential neighborhoods ~~((will remain largely unchanged))~~) guided towards more compatible uses and scales that fit well into those existing areas.

The Centers and Corridors contain a mix of uses, including higher ~~((density))~~ intensity housing centered around or above retail and commercial establishments, office space, and public and semi-public activities (parks, government, and schools). In addition to these uses, areas designated as Employment Centers emphasize a strong employment component such as major offices or light industrial uses. Street patterns within the Centers and surrounding neighborhoods enable residents to walk or bicycle for their daily service needs and to access each center’s transit stop. Higher ~~((density))~~ intensity housing within and around the Centers supports business in the Center and allows for enhanced transit service between Centers, along Corridors, and to the downtown area. Center designations on the Land Use Plan Map may change to reflect neighborhood planning decisions.

~~((Other important directives of the land use goals and policies include:~~

- ~~limiting commercial and higher density development outside Centers and Corridors to support growth and development of Centers and Corridors;~~
- ~~directing new higher density housing to Centers and Corridors and restricting this type of development in single-family areas; and~~
- ~~using design guidelines to ensure that commercial buildings and higher density housing are compatible with existing neighborhood character in and around Centers and Corridors.))~~

---- No other proposed changes until page 3-8 ----

#### LU 1.3 ~~((Single-Family))~~ Lower Intensity Residential Areas

~~((Protect the character of single-family residential neighborhoods by focusing higher intensity land uses in designated Centers and Corridors.))~~ Focus a range of lower intensity residential uses in every neighborhood while ensuring that new development complements existing development and the form and function of the area in which it is located.

**Discussion:** The city’s residential neighborhoods are one of its most valuable assets. ~~((They are worthy of protection from the intrusion of incompatible land uses. Centers and Corridors provide opportunities for~~

complementary types of development and a greater diversity of residential densities.)) Diversity in both housing type and residents in these areas is essential for the wellbeing and health of the city's neighborhoods. Lower intensity residential uses, from detached homes to middle housing types, are generally compatible with each other and can be incorporated effectively into all neighborhoods. Accordingly, some residential areas would benefit from slightly increased intensities of residential use (e.g., somewhat taller buildings, more lot coverage), dependent on the context and nature of the surrounding neighborhood. These areas of increased residential development should focus on those parts of the neighborhood where proximity to adequate transportation (such as frequent transit), parks, schools, shopping, and other services already exists and where conditions allow for accommodation of increased utility/service needs and other impacts such as parking or the need for public green space.

Complementary types of development ~~((may))~~ should include places for neighborhood residents to walk to work, shop, eat, and recreate. Complementary uses include those serving daily needs of residents, including schools, places of worship, grocery stores, recreation facilities, and small-format retail and medical uses. Development of these uses in a manner that avoids negative impacts to surroundings is essential. Creative mechanisms, including design standards, must be implemented to address these impacts so that potential conflicts are avoided.

The following graphics are provided as a conceptual guide to different intensities envisioned by this policy. These are schematic representations of possible development intensities and are not intended to call for specific structure designs or architectural details.



For specific guidance as to the land use plan map designations guided by this policy—"Residential Low" and "Residential Plus"—see Section 3.4 below.

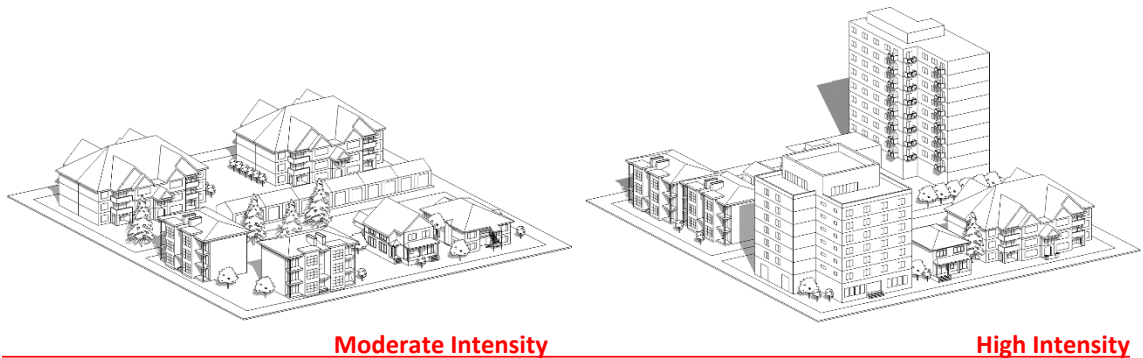
#### **LU 1.4 Higher ~~((Density))~~ Intensity Residential ~~((Uses))~~ Areas**

*Direct new higher ~~((density))~~ intensity residential uses to areas in and around Centers and Corridors designated on the Land Use Plan Map and to areas where existing development intensity is already consistent with development of this type.*

**Discussion:** Higher ~~((density))~~ intensity housing of various types is the critical component of a Center. Without substantially increasing population in a Center's immediate vicinity, there is insufficient market demand for goods and services at a level to sustain ~~((neighborhood-scale businesses. Higher density residential uses in Centers range from multi-story condominiums and apartments in the middle to small-lot homes at the edge. Other possible housing types include townhomes, garden apartments, and housing over retail space))~~ more intense commercial development. Residential uses in and around Centers generally consist of multi-story condominiums and apartments. In some cases, smaller-scale residential development may be interspersed among those higher intensity uses, but generally uses of higher scale and height should predominate in these areas, especially as proximity to designated Centers or Corridors increases. Likewise, residential development should increase in height, mass, and lot coverage as properties are located closer to commercial areas or where employment is higher.

To ensure that the market for higher ((density)) intensity residential use is directed to Centers, future ((higher density)) housing of higher scale and form is generally ((is)) limited in other areas. ((The infill of Residential 15+ and Residential 15-30 residential designations located outside Centers are confined to the boundaries of existing multi-family residential designations where the existing use of land is predominantly higher density residential.)) Whenever more intense residential uses are proposed outside the general vicinity of Centers and Corridors, topics such as the proximity of those areas to uses like commercial or downtown uses should be considered. Design and site requirements should be considered that minimize conflict between these areas and other uses.

The following graphics are provided as a conceptual guide to different intensities envisioned by this policy. These are schematic representations of possible development intensities and are not intended to call for specific structure designs or architectural details.



For specific guidance as to the two land use plan map designations guided by this policy—“Residential Moderate” and “Residential High”—see Section 3.4 below.

---- No other proposed changes until page 3-24 ----

### **LU 3.6 Compact Residential Patterns**

*Allow more compact and affordable housing in all neighborhoods, in accordance with design guidelines.*

**Discussion:** Compact and affordable housing includes such choices as townhouses, accessory dwelling units (granny flats), live-work housing, triplexes, zero-lot line, starter, small-lot, and row houses. Middle housing types such as these are compatible with all residential areas, commensurate with policy LU 1.3 above.

---- No other proposed changes until page 3-28 ----

### **LU 5.5 Compatible and Complementary Development**

*Ensure that infill and redevelopment projects are ((well-designed and)) designed to be compatible with and complement surrounding uses and building types.*

**Discussion:** New infill development and redevelopment should be designed and planned to seek compatibility with its location. Consideration should be given to multiple scales of compatibility, from the site on which the use will be constructed to the wider area in which it will reside. New development or redevelopment should also seek to complement and enhance the existing neighborhood where possible by expanding the choices available in the area and improving the

use and form of the area in which it is located. For example, middle housing types provide for increased diversity in scale and form while also maintaining a high level of compatibility with existing residential neighborhoods, especially in those areas where only one housing type was previously available.

---- No other proposed changes until page 3-37 ----

### **3.4 DESCRIPTION OF LAND USE DESIGNATIONS**

~~((Much of the future growth will occur in District Centers, Employment Centers, Neighborhood Centers, and Corridors. A key component of each of these focused growth areas is higher density housing centered around or above service and retail facilities. This enables residents near the Center or Corridor to walk or bicycle for their daily needs. Higher density housing also provides economic support for the businesses and allows for more efficient transit service along the Corridor and between mixed-use Centers and downtown Spokane.~~

~~Focusing growth results in a more compact urban form with less land being used at the fringe of the city. It provides city residents with more housing and transportation choices. New policies, regulations, and incentives allow mixed-use in designated Centers and Corridors and assure that these areas are designed to be compatible with surrounding lower density residential areas.))~~

~~The following land use plan map designations are necessary for development and growth in the city to achieve the vision and values discussed at the beginning of the chapter. These land use designations are shown on the following map, LU-1 Land Use Plan Map, which apply the requirements of land use and the goals and policies of the Comprehensive Plan to the physical environment, describing the types of development expected in each area. The overall strategy, as described above, is that development mass, height, and lot coverage be concentrated in focused growth areas (Centers and Corridors) while the remaining parts of the city remain occupied by lower intensity uses. Furthermore, future changes to the land use plan map should seek to achieve a transition between areas of lower and higher development mass and form and should avoid locations where the lowest intensity uses immediately transition to the highest intensity uses.~~

~~There is expected to be some variation in residential zones within each residential land use plan map designation. Contextual factors such as proximity to services, transportation options, and existing land use patterns should be considered when assigning a zoning category.~~

The land use designations and their general characteristics are as follows:

---- No other proposed changes until page 3-40 ----

~~((**Residential 4-10:** This designation allows single-family residences, and attached (zero-lot-line) single-family residences. The allowed density is a minimum of four units and a maximum of ten units per acre. Allowed structure types are single-family residences, attached (zero-lot-line) single-family residences, or two-family residences in appropriate areas. Other residential structure types may be permitted through approval of a Planned Unit Development or other process identified in the development regulations.))~~

~~**Residential Low:** The Residential Low land use designation should focus on a range of housing choices built at the general scale and height of detached houses. This includes both detached and attached homes and housing categorized as middle housing (duplex, triplex, etc.). Combinations of these types should also be allowed, such as a duplex with an accessory dwelling unit. Other non-residential uses should be allowed conditionally, provided they integrate into the nature and context of the~~

neighborhood. This would include uses such as schools, places of worship, grocery, small-format retail and medical services, and other resident serving uses.

Residential Low areas are appropriate in parts of the city where amenities and services are scaled for a lower level of development intensity.

((Residential 10-20: This designation allows single-family residences or two-family residences on individual lots or attached (zero-lot line) single-family residences. The allowed density is a minimum of 10 and a maximum of 20 units per acre. Allowed structure types are single-family residences or two-family residences on individual lots or attached (zero-lot line) single-family residences. Other residential structure types may be permitted through approval of a Planned Unit Development or other process identified in the development regulations.)) **Residential Plus:** Uses in the Increased Intensity Residential designation are largely similar in type to low intensity residential areas. However, the overall development scale of those uses should be slightly higher, including possible design allowances like increased lot coverage, height, and other similar design requirements. The intent of Increased Intensity Residential areas is to provide a gradual increase in intensity, height, and overall context as the lower intensity areas transition into the more intense uses found in Centers and Corridors or significant commercial areas.

Residential Plus areas are appropriate whenever predominately lower scale residential is located near or around more intense uses like commercial locations or designated Centers and Corridors. Factors to be considered in designating such areas should include proximity to arterials and collectors, availability of transit, the nearness of more intense development, available capacity in systems and infrastructure, and any other factors that help ensure the proposed land use designation integrates well into the existing built environment.

Development allowed in these areas is expected to be larger in form (height, lot coverage, etc.) than those in the Low Intensity Residential areas, while still maintaining a high level of continuity and consistency between the two less intense residential areas.

((Residential 15-30: This designation allows higher density residential use at a density of 15 to 30 units per acre.)) **Residential Moderate:** Residential Moderate areas provide increased intensity of development more appropriate to areas in the vicinity of designated Centers and Corridors and those served by substantial commercial or employment opportunities. The typical type of residential development appropriate to this designation include larger apartment buildings while also including a mix of the lower intensity areas where warranted. Example apartment types include the three-floor walkup and traditional apartment complexes as well as larger townhome and condo complexes. If neighborhood serving uses are included, such as places of worship or community centers, those non-residential uses can be of a higher scale and intensity than those conditionally permitted in Low and Increased Intensity Residential areas.

Residential Moderate uses should be generally limited to within moderate walking distance of a Center, Corridor, or major employment/commercial area. Placement of Moderate Residential outside walking distance of these more intense areas is acceptable if sufficient rationale exists to place them further out—such as proximity to high-capacity or frequent transit service (aka Transit Oriented Development).

((Residential 15+: This designation allows higher density residential use at a density of 15 or more units per acre or more.)) **Residential High:** The Residential High designation allows for the highest intensity of residential uses, including construction types found in the Moderate Intensity Residential designation but also including taller and more intense apartment complexes. High Intensity Residential areas are

intended to focus residential intensity in the near vicinity of downtown and other Centers and Corridors in the city, where sufficient services and employment opportunities exist nearby. A focus on accessibility, walkability, and equitable housing provisions should be provided in this area, including incentives and other bonuses for more affordable/attainable units as these areas are also located near to services and essential facilities like frequent transit.

---- No other proposed changes until page 3-41 ----

The following table, LU 2, “Description of Land Use Designations,” provides the names of the Land Use Map designations, a description of the typical land uses found in each designation, and some of the applicable development standards. While the following table provides the approximate range of residential density expected in some areas, this is not intended to be a site-by-site maximum limit for development. The number is provided here for the planning and provision of services and utilities in these areas (see Chapter 5, Capital Facilities and Utilities) and represents the average density one might expect in these areas. Conversely, where minimum densities are listed, implementing codes and practices should seek to achieve or exceed those minimums in general. The table is followed by the Land Use Plan Map which shows the location of the various land use designations that are described in the following table:

TABLE LU 2 – DESCRIPTION OF LAND USE DESIGNATIONS			
Land Use Designations	Typical Land Use	Assumed Density (Units per Acre)	
		Minimum	Maximum
Heavy Industrial	Heavier Industrial uses. No residential uses.	-	-
Light Industrial	Light industrial uses, limited commercial and residential uses.	-	-
General Commercial	Commercial and residential uses, warehouses.	-	-
Regional Center (Downtown)	Variety of goods, services, cultural, governmental, hospitality, and residential uses. Downtown plan provides detail of planning for this area.	-	-
Neighborhood Retail	Neighborhood-Serving Business and residential use. Maximum containment area of two acres.	-	30
Neighborhood Mini-Center	Same uses as Neighborhood Retail.	-	30
Office	Offices and residential use.	-	-
Institutional	Includes uses such as middle and high schools, colleges, universities, and large governmental facilities.	Same standards as designation in which institution is located or as allowed by discretionary permit approval.	
Residential ((4-10) Low)	Attached or detached ((single-family) residences and middle housing types.	4	10
Residential ((10-20) Plus)	((Attached or detached single-family and two-family residences.)) Middle housing types of greater scale or intensity than in	10	20



**TABLE LU 2 – DESCRIPTION OF LAND USE DESIGNATIONS**

Land Use Designations	Typical Land Use	Assumed Density (Units per Acre)	
		Minimum	Maximum
	<u>lower intensity areas, with potential for mixed-use, neighborhood scale retail and services.</u>		
Residential ((15-30)) <u>Moderate</u>	<u>((Higher-density residences.)) A mix of more intense middle housing types and moderate-sized apartment, condo, townhome developments.</u>	15	30
Residential ((15+)) <u>High</u>	<u>((Higher-density residences.)) Large apartment, condominium, townhouse developments, potentially on multiple sites with site planning and features.</u>	15	-
Agriculture	Agricultural lands of local importance.	-	-
Conservation Open Space	Areas that are publicly owned, not developed and designated to remain in a natural state.	-	-
Potential Open Space	Areas that are not currently publicly owned, not developed and expected to remain in a natural state.	-	-
Open Space	Major publicly or privately owned open space areas such as golf courses, major parks and open space areas, and cemeteries.	-	-
Neighborhood Center	Neighborhood-oriented commercial uses, offices, mixed-type housing, parks, civic uses in a master-planned, mixed-use setting.	15	32 in the core, 22 at the perimeter
District Center	Community-oriented commercial uses, offices, mixed-type housing, parks, civic uses in a master-planned, mixed-use setting.	15	44 in the core, 22 at the perimeter
Corridor	Community-oriented commercial uses, mixed-type housing in a master-planned, mixed-use setting.	15	44 in the core, 22 at the perimeter
Employment Center	Major employment uses, community-oriented commercial uses, mixed-type housing in a master-planned, mixed-use setting.	15	44 in the core, 22 at the perimeter
Center & Corridor Core	Commercial, office and residential uses consistent with type of designated Center and Corridor.	-	-
Center & Corridor Transition	Office, small retail, and multi-family residential uses. Office and retail uses are required to have residential uses on the same site.	-	-



# Building Opportunity for Housing Phase I

## Exhibit II – Amendments to the Glossary, Comprehensive Plan

Department of Planning & Economic Development

*The following terms would be added to the glossary in their proper place in the alphabetical order of that section.*

### Glossary

#### **Intensity (of Development)**

Development intensity refers to factors beyond simple density (e.g., units per acre). Instead, the concept of development intensity focuses on the mass, form, and function of development. A tall building with many floors, covering a large proportion of the site, and requiring a high level of service/utility connections would be considered a “high intensity” use. A small building, covering less of the lot, of less height, and integrated into the physical environment in which it is located would be a lower intensity use. In the case of housing, middle housing types are considered “low intensity” while multi-story apartment buildings are considered “high intensity.”

#### **Livability**

Livability in the Comprehensive Plan encompasses the positive attributes that make places feasible and enjoyable to live, work, and visit. The values that support livability include but are not limited to:

- Equity
- Diversity (both physical and social)
- Accessibility (physical, cognitive, and financial)
- Attainability
- Walkability and Transit Access
- Environmental Sustainability
- Integration Between Different Uses
- Greenery and Canopy Coverage
- Connected Community

#### **Middle Housing**

In accordance with state law, middle housing includes buildings that are compatible in scale, form, and character with single-family houses and contain two or more attached, stacked, or clustered homes such as duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked flats, courtyard apartments, and cottage housing.



Building Opportunity for Housing Phase I

## **Plan Commission Findings of Fact, Conclusions, And Recommendations on Comprehensive Plan Amendment File Z23-112COMP**

**A Recommendation of the Spokane Plan Commission to the City Council to APPROVE the Comprehensive Plan Amendment proposal seeking to amend the text of Chapter 3 and the Glossary to accommodate and ease development of middle housing in Spokane.**

### **FINDINGS OF FACT:**

- A. Amendment proposal Z23-112COMP (“the proposal”) was impelled by the adoption of the Interim Zoning Ordinance known as Building Opportunity and Choices for All (C36232), in that the interim ordinance called on the City to develop a permanent solution following a complete public engagement process and study of the expected impacts of the changes.
- B. The Proposal was prepared according to the requirements of the Growth Management Act (RCW 36.70A) and included an extensive and thorough public engagement effort.
- C. The Proposal seeks to make various amendments to Chapter 3, Land Use, and the Glossary of the Comprehensive Plan.
- D. As reflected throughout the City’s Comprehensive Plan, the Plan envisions a variety of compatible housing types in a neighborhood and that the housing assortment should include higher density residences developed in the form of small-scale apartments, townhouses, duplexes, and rental units that are accessory to single-family homes. LU 1.1 (Neighborhoods).
- E. The Comprehensive Plan also recognizes the need for increased density which enables the provision of affordable housing. LU 3.7.
- F. The Comprehensive Plan also promotes socioeconomic integration throughout the City and recognizes that housing affordability acts as a barrier to integration of all socioeconomic groups throughout the community. H 1.7 (Socioeconomic Integration).
- G. The Comprehensive Plan also encourages mixed-income developments throughout the city and recognizes that mixed-income housing provides socio-economic diversity that enhances community stability and ensures that low-income households are not isolated in concentrations of poverty. H 1.9 (Mixed-Income Housing).
- H. The Comprehensive Plan also calls for a variety of housing types should be available in each neighborhood. Diversity includes styles, types, size, and cost of housing. Many different housing forms can exist in an area and still exhibit an aesthetic continuity. Development of a diversity of housing must take into account the context of the area and should result in an improvement to the existing surrounding neighborhood. H 1.18 (Distribution of Housing Options).
- I. On March 1, 2023, the Land Use Subcommittee of the Community Assembly received a presentation regarding the proposal.

- J. On April 17, 2023, staff requested comments from local, regional, and state agencies as well as City departments. The City received two agency comment letters, one from the City of Spokane Engineering Department and one from the Spokane Tribe.
- K. On April 18, 2023, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice of intent to adopt before adoption of any proposed changes to the Comprehensive Plan.
- L. On April 18, 2023, the required Spokane Regional Transportation Council (SRTC) review of the proposal was initiated by staff.
  - 1. On June 5, 2023, SRTC provided comment that the proposal is generally consistent with the Regional Transportation Plan.
- M. In April 2023 the State Legislature passed Engrossed Second Substitute House Bill 1110, which calls for City's of at least 75,000 people who are either required or have elected to plan under the State Growth Management Act, which includes the City of Spokane, to allow construction on any residential lot of up to four units, including various middle housing types (duplex, triplex, fourplex, etc.) and up to six units on a lot if a lot is within one-quarter mile of transit or for development where at least two units are affordable.
- N. This nonproject action to amend the City's Comprehensive Plan will bring the City into compliance with Section 3 of HB 1110.
- O. In May 8, 2023 a Notice of Application was published in the Spokesman Review. The Notice of Application initiated a 30-day public comment period from May 8 to June 7, 2023, during which thirty one (31) comments were received.
- P. On May 10 and May 24, 2023, the Spokane City Plan Commission held a workshop to study the Proposal.
- Q. On June 12, 2023, a State Environmental Policy Act (SEPA) Checklist and Determination of Non-Significance were issued for the Proposal. The deadline to appeal the SEPA determination was June 27, 2023. No comments on the SEPA determination were received.
- R. On June 12, 2023, staff published a report addressing SEPA and providing staff's analysis of the merits of the Proposal, copies of which were circulated as prescribed by SMC 17G.020.060B.8. Staff's analysis of the Proposal recommended approval of the Proposal.
  - 1. Staff's analysis of the proposal and its likely effect included a determination that the residential densities expected in the city under the existing Comprehensive Plan would not be exceeded by the proposal, given the fact that the city is mostly built-out already and that development in recent years has generally fallen below the minimum density called for in the Comprehensive Plan.
  - 2. Accordingly, as density is not expected to change overall the impact on City public services and facilities is not expected to be significant.

3. This will be reviewed again during the next periodic update to the City’s Comprehensive Plan and, pursuant to Section 3 of HB1110, again during the periodic update occurring on or after June 30, 2034.
- S. On June 14 and June 21, 2023, notice was published in the Spokesman Review providing notice of a SEPA Determination of Non-Significance and of the Plan Commission Public Hearing.
- T. On June 28, 2023, the Plan Commission held a public hearing on the Proposal, including the taking of verbal testimony, and closed the public record on that date.
- U. On June 28, 2023, the Spokane Plan Commission conducted its deliberations on this Proposal and voted to recommend the City Council approve this Proposal with the following conditions:
  1. Replace the word “churches” with “places of worship” in the new language;
  2. Replace the term “Residential Increased” with “Residential Plus;” and
  3. Modify the proposed amendments to Policy LU 5.5 commensurate with the alternate version presented at the Plan Commission workshop on June 14, 2023.
- V. As a result of the City’s efforts, pursuant to the requirements of SMC 17G.020.070, the public has had extensive opportunities to participate throughout the process and persons desiring to comment were given an opportunity to do so.
- W. Except as otherwise indicated herein, the Plan Commission adopts the findings and analysis set forth in the Staff Report prepared for the Proposal (the “Staff Report”).
- X. The Plan Commission finds that the proposal meets the intent and requirements of the Comprehensive Plan.
- Y. The Plan Commission finds that the proposal meets the decision criteria established by SMC 17G.020.030, as described in the Staff Report.

**CONCLUSIONS:**

Based upon the application materials, staff analysis (which is hereby incorporated into these findings, conclusions, and recommendation), SEPA review, agency and public comments received, and public testimony presented regarding Proposal File No. Z23-112COMP, the Plan Commission makes the following conclusions with respect to the review criteria outlined in SMC 17G.020.030:

1. The Proposal was submitted in a timely manner and added to the 2023 Annual Comprehensive Plan Amendment Work Program.
2. Interested agencies and the public have had extensive opportunities to participate throughout the process and persons desiring to comment have been given that opportunity to comment.
3. The Proposal is consistent with recent changes in State law and particularly those in RCW 36.70A.600 and HB 1110 and is also consistent with the goals and purposes of GMA.
4. The Proposal will help to bring the City into compliance with HB 1110.

5. Any potential infrastructure implications associated with the Proposal will either be mitigated through projects reflected in the City’s relevant six-year capital improvement plans or through enforcement of the City’s development regulations at time of any future development.
6. As outlined in above in the Findings of Fact, the Proposal is internally consistent as it pertains to the Comprehensive Plan, as described in SMC 17G.020.030.E.
7. The Proposal is consistent with the Countywide Planning Policies for Spokane County, the comprehensive plans of neighboring jurisdictions, applicable capital facilities plans, the regional transportation plan, and official population growth forecasts.
8. As this was the only proposal to amend the comprehensive plan this cycle, no cumulative analysis was required.
9. SEPA review was completed for the Proposal.
10. The Proposal will not adversely affect the City’s ability to provide the full range of urban public facilities and services citywide at the planned level of service, or consume public resources otherwise needed to support comprehensive plan implementation strategies.
11. The Proposal proposes policy adjustments intended to be consistent with the Comprehensive Plan and to provide correction and additional guidance towards better implementation of the community’s vision and values.

**RECOMMENDATIONS:**

In the matter of Z23-112COMP, a request by the City of Spokane to amend the text of the Comprehensive Plan, based upon the above listed findings and conclusions, by a vote of **9 to 0**, the Spokane Plan Commission recommends City Council **APPROVE** the requested amendments to the Comprehensive Plan, conditioned upon the changes outlined above, and authorizes the President to prepare and sign on the Commission’s behalf a written decision setting forth the Commission’s findings, conclusions, and recommendation on the Proposal.

Greg Francis  
Greg Francis (Jun 29, 2023 11:18 PDT)

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**Greg Francis, President**  
Spokane Plan Commission  
Date: Jun 29, 2023

# Final Findings and Conclusions - Z23-112COMP

Final Audit Report

2023-06-29

Created:	2023-06-29
By:	Jackie Churchill (jchurchill@spokanecity.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAA_FHH2lc0ScVA6ZIK1TuPrUspeGGIz0BB

## "Final Findings and Conclusions - Z23-112COMP" History

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Signature Date: 2023-06-29 - 6:18:44 PM GMT - Time Source: server- IP address: 65.133.88.36
-  Agreement completed.  
2023-06-29 - 6:18:44 PM GMT



**File Z23-112COMP: Building Opportunity for Housing Phase I**

**Written Public Comment Received AFTER Staff Report was Published**



**From:** Ben Stuckart <[benstuckart@gmail.com](mailto:benstuckart@gmail.com)>  
**Sent:** Friday, June 9, 2023 10:38 AM  
**To:** City Council Members and Staff <[citycouncil@spokanecity.org](mailto:citycouncil@spokanecity.org)>  
**Cc:** Gardner, Spencer <[sgardner@spokanecity.org](mailto:sgardner@spokanecity.org)>  
**Subject:** BOCA Comment

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

City Council

I understand you have been receiving comments from specific neighborhoods as well as concerns from parties concerned about gentrification.

The wealthy neighborhoods are worried about poorer folks moving in and the people worried about gentrification are concerned about poor people being displaced. These concerns are at odds with each other. They both cannot be true. As you know I have been working heavily on housing policy since 2017 and since 2020 spend over 40 hours per week researching, advocating, and attending conferences to learn best practices.

Below are my thoughts. I am free to meet with any of you in the lead up to your hearing at the end of the month.

On July 18, 2022 The Spokane City Council passed the Building Opportunity and Choices for All (BOCA) Ordinance. This ordinance was in response to the local market rate housing crisis which has seen rents and ownership rates rise at unsustainable levels over the last 3 years. The average Spokane renter is seeing rent increases over 60% the last 3 years. Combine this with the fact that wages are not rising this fast and we have an unsustainable housing situation. If you look at the data, inventory is low and rents are rising. A lack of supply has led to this situation.

The BOCA ordinance allows duplexes, fourplexes and townhomes in Spokane's single family neighborhoods. Production of these types of homes fills the "missing middle". Spokane's policy was praised across the state by advocates of both urbanism and the free market as a step in the right direction. Spokane has seen an increase in permitted activity over the last 12 months and we must act to make BOCA permanent.

The great thing about allowing the missing middle is that it directly addresses the racism of past housing policies and at the same time satisfies those that see the free market as the solution to many economic crises. In 1916, the city of Berkeley CA didn't want a black owned business to open in a predominantly white neighborhood, so the Berkeley city council passed an ordinance that said no black

owned businesses in certain rich, white neighborhoods. The CA State Supreme court rightfully struck this law down. So what did Berkeley do? They came up with Single Family Zoning out of thin air, and by saying certain neighborhoods could only have homes and not apartments, townhomes, duplexes or fourplexes, by doing this they zoned poor people out of their neighborhoods. A majority of people of color in Berkeley were poor so in essence they used zoning for racial segregation. Fast forward 108 years and we have gotten rid of this legacy of our shameful past. We are now directly attacking the roots of racist housing policy.

If you don't think we should be using policy to address the wrongs of the past but instead just believe you should be able to use your property that you own to build what you want, BOCA is also for you. You now have a much wider set of options available to you to suit your needs. Want a single family home, go for it. Want a couple townhouses, go for it. The market is free to create more housing. What could be better than the left and right coming together to solve the housing crisis!

But as with all complicated policy decisions you have people on all spectrums of the political landscape coming out against making these groundbreaking changes permanent. The first set of opposition is grumbings from our neighborhoods on the edges of town that tend to be wealthier and believe their property rights extend to what everyone else around them builds as well. I get it, people in very wealthy neighborhoods such as Indian Trail, Five Mile and Rockwood bought homes in exclusive wealthy neighborhoods and don't want "those" people living near them. They want the character of their neighborhood to stay the same, damn the consequences. Literature refers to these members of our community as "NIMBYS" or "not in my backyard" opposition. I say "Yes in my backyard" and cannot wait until an ADU can be built in my backyard. Things change and change is hard. Opposition based on self preservation of the status quo of income segregation has no real basis in policy nor moral grounding.

These changes will create mixed income neighborhoods, this is good. Mixed-income neighborhoods stop income segregation and stop the practice of othering people because at the grocery store, at the library and across the street you run into people who are different from you. We should strive for every neighborhood to be mixed-income.

The second set of opposition is those that believe that allowing "upzoning" or new types of housing in a neighborhood or new investment in neighborhoods will lead to gentrification (displacement). Gentrification is a real worry in poor neighborhoods when investment is made without regards to the current

residents. They will be pushed out as new investments are made and property values rise. Think of the investments we made on the Sprague corridor from 2014-2017, by incentivizing and funding low-income housing development along the corridor and prioritizing rehabilitation of current houses as we invested in the streets and infrastructure the city was able to create a permanent mixed income neighborhood instead of allowing prices to rise and forcing residents to leave. Those investments hedged against gentrification. In regards to the Building Opportunities and Choices for All Act the city is doing the opposite. Allowing less expensive options in middle class and wealthy neighborhoods. The investments will create a mix of incomes and a healthier community. *Gentrification worries have followed this discussion but not one scholarly study has shown that by confronting our racist housing policies we should worry about gentrification.* It has not happened where this has been done before. As communities implement a variety of strategies to foster mixed income neighborhoods we see strengthening communities, more walkable neighborhoods and a decrease in the ability to “other” members of our community. Our strength is in our diversity and in this instance a free market solution that confronts past racist housing policies is a step in the right direction.

Thanks for reading  
Ben

Ben Stuckart  
Executive Director, Spokane Low Income Housing Coalition  
[www.housingandhelp.org](http://www.housingandhelp.org)

# Land Use Solutions & Entitlement

## Land Use Planning Services

9101 N. MT. VIEW LANE Spokane, WA 99218  
509-435-3108 (V)

(Sent via email this date)

6-26-23

City of Spokane Planning Commission  
C/O Kevin Freibott, Senior Planner,  
City of Spokane Planning & Economic Development  
808 W Spokane Falls Blvd.  
Spokane WA 99201

Ref: Comprehensive Plan Amendment for Housing – Church/Residential

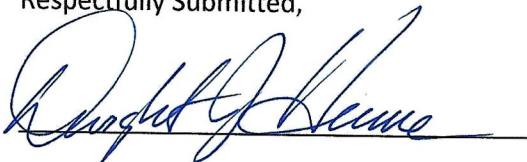
Members of the Planning Commission:

This letter is in support of the proposed amendment language which provides policy support for the intensification of housing within residential zones. Kudos to both the staff and you for this extraordinary effort to seek public participation and feedback on this major change in land use policy.

My focus is upon the provision to integrate housing onto existing church sites. More importantly, to enable the mix of market-rate and low-income housing, to ensure economic viability. This is a critical change in church/housing mix from what the RCW currently provides, but doesn't address viability, by limiting housing to low-income only. This amendment addresses that.

As a land use planner, myself, I look forward to assisting staff on writing reasonable criteria for such use. I know that there are several church bodies that anxiously await the conclusion of these efforts, so they can accommodate this use into their church functions and ministry.

Respectfully Submitted,



Dwight J Hume, Land Use Planner-Consultant

**From:** [Carol Tomsic](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Cc:** [Freibott, Kevin](#); [Beggs, Breean](#); [Kinnear, Lori](#); [Wilkerson, Betsy](#); [Cathcart, Michael](#); [Bingle, Jonathan](#); [Zappone, Zack](#); [Stratton, Karen](#); [Mary Winkes](#); [Marilyn](#); [Deasy, Annie](#); [Striker, Patrick](#)  
**Subject:** Comprehensive Plan Amendments for Building Opportunity for Housing Comment Plan Commission 6/28/23 Meeting  
**Date:** Monday, June 26, 2023 10:40:04 PM

---

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

I am asking for 'neighborhoods' not be omitted in the proposed change to 3.2 Visions and Values.

In the staff response - 'neighborhood terminology' it was stated neighborhoods was removed due to public engagement and direct consultation with participants of the Resident Forums. In the Resident Forum Summary it was stated that 22 residents participated in the series. In the 2022 Census quick facts Spokane had 230,160 residents. 22 participants is not an adequate percentage of the population to determine that neighborhoods do not clarify the original vision in 3.2 Visions and Values. The term is inclusive. A neighborhood is the area or region around or near some place or thing (dictionary.com).

In the staff response- 'neighborhood terminology' it was also stated neighborhoods remain a major component of the comprehensive plan, including Chapter 11 Neighborhoods. Therefore, neighborhoods should be a major part of our city's visions and values.

In Chapter 11 Neighborhoods of the Comprehensive Plan, it states, "the goals and policies are intended to enable Spokane to be a cohesive network of individual neighborhoods by providing residents with a wide range of choices of housing locations and options; the preservation of distinctive neighborhood character; attractive and safe streetscapes; transportation options; quality schools; inviting gathering places' proximity to a variety of public services' cultural, social recreational and entertainment opportunities; and finally a place and community - a city citizens can proudly call home, a city of neighborhoods".

Our neighborhoods provide the city's livability.

Thank you!

Carol Tomsic  
resident

**From:** [Marcella Bennett](#)  
**To:** [Freibott, Kevin](#)  
**Cc:** [Mary Ann Corman](#); [MUMM, CANDACE](#); [Kathy Miotke](#); [Stacy Ryser](#)  
**Subject:** Five Mile prairie - 7601 N Five Mile proposal  
**Date:** Tuesday, June 27, 2023 8:22:49 AM

---

[CAUTION - EXTERNAL EMAIL - Verify Sender]

We have lived on Five Mile Prairie for over 30 years and were involved in the historical preservation of the Five Mile School House. We understand the importance of development and celebrate the neighborhood communities that have been established.

What we do not understand is why this Planning Department is intent on destroying the integrity of these neighborhoods. Build your multiple 4-plexes in like areas where there is adequate infrastructure, not in the backyards of an established single family home neighborhood.

We implore you to really listen to these people who not only live on the Prairie but have done extensive research as to why this proposed development will have negative impact on the Five Mile neighborhood and have submitted an appeal to the proposal. Then re-evaluate. Thank you for your consideration.

Sincerely,  
Blaine and Marcella Bennett  
3093 W Horizon Ave  
Spokane, WA 98208  
509-481-1740

Sent from my iPhone



**Agenda Sheet for City Council Meeting of:**  
07/24/2023

<b>Date Rec'd</b>	7/20/2023
<b>Clerk's File #</b>	LGL 2023-0027
<b>Renews #</b>	

<b>Submitting Dept</b>	CITY CLERK	<b>Cross Ref #</b>	ORD C36408
<b>Contact Name/Phone</b>	TERRI PFISTER 625-6354	<b>Project #</b>	
<b>Contact E-Mail</b>	TPFISTER@SPOKANECITY.ORG	<b>Bid #</b>	
<b>Agenda Item Type</b>	Report Item	<b>Requisition #</b>	
<b>Agenda Item Name</b>	0260 - INITIATIVE NO. 2023-4 PETITION SIGNATURES		

**Agenda Wording**  
Set hearing before City Council for July 31, 2023, on Proposed Initiative 2023-4 validated petition signatures filed on behalf of Brian Hansen, petitioner, regarding prohibiting encampments near schools, parks, playgrounds, and child care facilities.

**Summary (Background)**  
At its meeting held Monday, July 10, 2023, the City Council requested the validation of signatures on Initiative 2023-4. In order to be placed on the November 7, 2023, ballot, 2,624 validated signatures are required. A certificate with a breakdown of the validation process was received by the City Clerk's Office on July 17, 2023. The Certificate reflects that the Spokane County Elections Office examined 4,769 signatures, of which 2,713 were approved as valid and 2,056 were not approved.

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

<b>Approvals</b>		<b>Council Notifications</b>	
<b>Dept Head</b>	PFISTER, TERRI	<b>Study Session\Other</b>	
<b>Division Director</b>		<b>Council Sponsor</b>	
<b>Finance</b>	BUSTOS, KIM	<b>Distribution List</b>	
<b>Legal</b>	PICCOLO, MIKE	mpiccolo@spokanecity.org	
<b>For the Mayor</b>	JONES, GARRETT	Brian.Hansen@hcahealthcare.com	
<b>Additional Approvals</b>		johnestey97@gmail.com	
<b>Purchasing</b>			



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

### **Agenda Wording**

### **Summary (Background)**

This constitutes 5.17 percent of the votes cast at the last general municipal election held November 2, 2021. At the hearing, pursuant to SMC 2.02.100 and Section 82 of the City Charter, the initiative ordinance is given a second and final reading. In addition, unless a motion is made and passed to grant the petition and pass the measure as requested in the initiative petition, the City Council adopts a resolution to place the measure on the ballot at the next available election.

### **Fiscal Impact**

Select     \$

Select     \$

### **Budget Account**

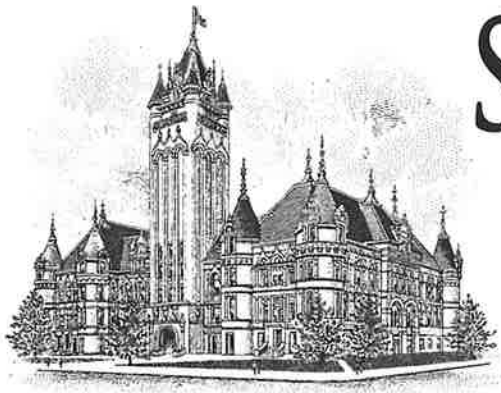
#

#

### **Distribution List**

<b><u>Distribution List</u></b>	





SPOKANE COUNTY COURT HOUSE

# SPOKANE COUNTY

## ELECTIONS DEPARTMENT

1033 W. Gardner Ave., Spokane, WA 99260-0025  
(509) 477-2320 • Fax (509) 477-6607 • TDD: (509) 477-2333

RECEIVED

JUL 17 2023

CITY CLERK'S OFFICE

STATE OF WASHINGTON )  
County of Spokane )

ss.

CERTIFICATE

The Spokane County Elections Department does hereby certify that the following is a true and correct recapitulation of the results of the verification of signatures submitted by the City of Spokane on July 11, 2023 (Pages 1 – 447) in the matter of:

Initiative No. 2023-4 petitions filed by or on behalf of Brian Hansen.

The required number of valid signatures to equal 5% of the number of registered voters who voted in the last General Municipal Election in the City of Spokane is 2,624.

The Spokane County Elections Office examined 4,769 signatures, of which 2,713 were approved and 2,056 were not approved.

**SPOKANE COUNTY ELECTIONS DEPARTMENT**

*Lickey M Dalton*

County Auditor

ATTEST:

*Mike McLaughlin*

Mike McLaughlin – Elections Manager

July 17, 2023

cc: File



Every person who signs this petition with any other than his or her true name, knowingly signs more than one of these petitions, signs this petition when he or she is not a legal voter, or makes any false statement on this petition may be punished by fine or imprisonment.

INITIATIVE PETITION TO THE CITIZENS OF THE CITY OF SPOKANE  
INITIATIVE NO. 2023-4

We, the undersigned citizens and legal voters of the City of Spokane, Washington, respectfully direct that this proposed City Ordinance, known as Initiative No. 2023 - \_\_\_\_\_, a full, true and correct copy of which is printed herein, be submitted to the electors of the City of Spokane for their approval or rejection at the next available special or general municipal election. The proposed City Ordinance amendment shall appear as the following proposition:

BALLOT TITLE  
INITIATIVE PROHIBITING ENCAMPMENTS NEAR SCHOOLS, PARKS, PLAYGROUNDS, & CHILD CARE FACILITIES.

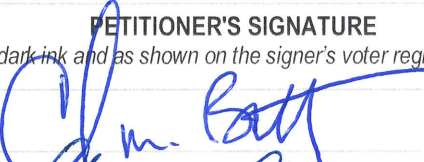


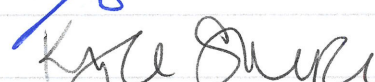

The Spokane Municipal Code prohibits camping underneath or within 50 feet of any railroad viaduct located within the Spokane Police Department's Downtown Precinct and within three blocks of any congregate shelter. This measure amends SMC 12.02.1010 A. 3, to extend the prohibition on unauthorized camping to within 1,000 feet of any public or private school, public park, playground, or licensed child care facility as those terms are defined in the Revised Code of Washington.

Shall the Spokane Municipal Code be amended to prohibit encampments within 1,000 feet of any public or private school, public park, playground, or licensed child care facility?

YES  NO

Each of us for himself or herself says: I have personally signed this petition; I am a legal voter of the City of Spokane; my residence address is correctly stated; and I have knowingly signed this petition only once.

(The full text of the proposed City Ordinance is printed on the reverse side of this page and continuing on the pages following)

PETITIONER'S SIGNATURE <i>(in dark ink and as shown on the signer's voter registration)</i>	PRINTED NAME <i>(legibly in dark ink)</i>	ADDRESS WHERE REGISTERED TO VOTE			
		Street Address	City	State	Zip
	Chris Batten	2307 E. South Alhamet Blvd	Spokane WA	99201	
	Audry Agnew	3607 E 33rd Ave	Spokane WA	99223	
	Sterling Oakland	1405 E 35th Ave	Spokane WA	99203	
	Troy Batten	2307 E South Alhamet Blvd	Spokane WA	99201	
	Kyle Strampe	1210 E 15th Ave	Spokane WA	99203	

RECEIVED

JUN 12 2023

CITY CLERK'S OFFICE

Petitioner: Brian Hansen, 8603 N Upper Mayes Ln, Spokane, WA 99208, (770) 680-6518; initiative2023.3@gmail.com  
Signature-gathering firm: Groundgame Political Solutions, LLC, 217 E Capitol Ave, Jefferson City, Missouri 65101, (573) 415-8234;  
City Business Registration No. 604951621-001-0001

SUMMARY OF MEASURE

**THE LAW AS IT CURRENTLY EXISTS:**  
The Spokane Municipal Code currently prohibits camping underneath or within 50 feet of any railroad viaduct located within the Spokane Police Department's Downtown Precinct and within three blocks of any congregate shelter.

**THE EFFECT OF THE PROPOSAL, IF APPROVED:**  
This measure amends the Spokane Municipal Code Section 12.02.1010A.3. by creating a new subsection 12.02.1010A.3.c. This ordinance amendment would make it unlawful to camp or store personal property, including camp facilities and camp paraphernalia, or to have unauthorized encampments within 1,000 feet of any public or private school, public park, playground, or licensed child care facility as those terms are defined in the Revised Code of Washington.

RECEIVED 5

JUN 12 2023

CITY CLERK'S OFFICE

DECLARATION OF SIGNATURE GATHERER

I, John Estey, swear or affirm under penalty of law that I circulated this sheet of the foregoing petition, and that, to the best of my knowledge, every person who signed this sheet of the foregoing petition knowingly and without any compensation or promise of compensation willingly signed his or her true name and that the information provided therewith is true and correct. I further acknowledge that under chapter 29A.84 RCW, forgery of signatures on this petition constitutes a class C felony, and that offering any consideration or gratuity to any person to induce them to sign a petition is a gross misdemeanor, such violations being punishable by fine or imprisonment or both. (Signature) John Estey (Date) 6/12/2023

AN ORDINANCE TO PROHIBIT ENCAMPMENTS WITHIN ONE THOUSAND (1000) FEET OF A PUBLIC OR PRIVATE SCHOOL, PUBLIC PARK, PLAYGROUND OR LICENSED CHILD CARE FACILITY

**WHEREAS**, the citizens of the City of Spokane recognize the need to protect schools, parks, playgrounds and child care facilities and have previously enacted laws to create protective areas around areas where children gather; and

**WHEREAS**, minor children are particularly vulnerable when they walk to and from schools, parks and playgrounds and deserve a safe environment when doing so; and

**WHEREAS**, Spokane has experienced criminal and traumatic acts in the presence and plain view of children near existing encampments; and

**WHEREAS**, the citizens of Spokane desire to act to keep the children of their City safe and provide law enforcement and the prosecutor lawful ordinances to enforce to keep schools, parks, playgrounds, and child care facilities safe.

**NOW, THEREFORE, THE PEOPLE OF THE CITY OF SPOKANE HEREBY ORDAIN:**

**Section 1.** That Section 12.02.1010 of Title 12 of the Spokane Municipal Code is amended to read as follows:

**12.02.1010 Unauthorized Camping on Public Property – Violation**

**A. Prohibition**

1. No person may camp in or upon any public property including, but not limited to, on conservation lands and natural areas abutting the Spokane River, Latah Creek and their tributaries, unless specifically authorized by declaration of the Mayor in emergency circumstances.
2. At all times, regardless of the availability of shelter, it is unlawful to camp where such activity poses:
  - a. a substantial danger to any person,
  - b. an immediate threat and/or an unreasonable risk of harm to public health or safety, or
  - c. a disruption to vital government services.

In such circumstances, the encampment shall be subject to expedited removal pursuant to SMC 12.02.1011.

3. At all times, regardless of the availability of shelter space or beds, it is unlawful to camp or store personal property, including camp facilities and camp paraphernalia, or to have unauthorized encampments, at any time in the following locations:
  - a. Underneath or within 50 feet of any railroad viaduct located within the Spokane Police Department's Downtown Precinct boundary as shown out in Exhibit A; and
  - b. Within three blocks of any congregate shelter provided that signs are posted prohibiting camping that are clearly visible to pedestrians.
  - c. In public within one thousand (1,000) feet of the perimeter of the grounds of a park (SMC Section 12.06A.030(B&D)), a day care center or child care facility (RCW 35.63.170(3-4)), or a public or private school (RCW 28A.150.010 and RCW 28A.195.010).

**B. Penalty**

A violation of this section is a misdemeanor. Unless otherwise subject to custodial arrest on a warrant or probable cause for another crime, individuals subject to enforcement under this section shall be cited and released rather than being booked into jail. With the exception of those who do not meet the criteria for acceptance into community court, individuals subject to enforcement under this chapter shall be referred to community court by officer citation.

**C. Enforcement**

1. Law enforcement officers shall not issue a criminal citation to enforce unauthorized camping in violation of section 12.02.1010 (A)(1) when an individual is on public property at a time when there is no available overnight shelter. Nothing in this section shall be construed to prevent the enforcement of section 12.02.1003 at all times, regardless of the availability of shelter, when a person is causing harm to the Spokane River or Latah Creek or to the banks and natural areas that buffer these waterways; nor shall this section be construed to prevent the expedited removal of an encampment on any public property pursuant to section 12.02.1012 (C).
  - a. Prior to issuing a citation to a homeless person who is sleeping, lying, sitting, or camping outdoors, the police officer must first confirm that a 24/7 low-barrier shelter had available space during the previous twenty-four hours that could have been utilized by that individual.
  - b. Confirmation of overnight shelter availability may come from data provided through a City-approved data system or through direct contact with regional low-barrier shelters, and shall consist of the following:
    - i. whether a shelter has available space for sleeping,
    - ii. the number of available spaces, and
    - iii. the guests each shelter will accept (i.e. men, women, families with children, etc.).
2. Sections 12.02.1010 (A)(2) and (A)(3) are enforceable at all times regardless of shelter availability.

**Section 2.** Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

**Section 3.** Submission to the Voters. This City ordinance shall be submitted to the voters of the City of Spokane for their approval or rejection at the next applicable election under Section 82 of the Spokane City Charter.

**Section 4.** Effective Date. If approved by the electors, this city ordinance amendment shall take effect and be in full force upon issuance of the certificate of election by the Spokane County Auditor's Office.



**Agenda Sheet for City Council Meeting of:**  
07/24/2023

<b>Date Rec'd</b>	7/20/2023
<b>Clerk's File #</b>	ORD C36408
<b>Renews #</b>	

<b>Submitting Dept</b>	CITY CLERK	<b>Cross Ref #</b>	LGL 2023-0027
<b>Contact Name/Phone</b>	TERRI PFISTER 625-6354	<b>Project #</b>	
<b>Contact E-Mail</b>	TPFISTER@SPOKANECITY.ORG	<b>Bid #</b>	
<b>Agenda Item Type</b>	Report Item	<b>Requisition #</b>	
<b>Agenda Item Name</b>	0260 - INITIATIVE NO. 2023-4 PETITION SIGNATURES		

**Agenda Wording**  
Set hearing before City Council for July 31, 2023, on Proposed Initiative 2023-4 validated petition signatures filed on behalf of Brian Hansen, petitioner, regarding prohibiting encampments near schools, parks, playgrounds, and child care facilities.

**Summary (Background)**  
At its meeting held Monday, July 10, 2023, the City Council requested the validation of signatures on Initiative 2023-4. In order to be placed on the November 7, 2023, ballot, 2,624 validated signatures are required. A certificate with a breakdown of the validation process was received by the City Clerk's Office on July 17, 2023. The Certificate reflects that the Spokane County Elections Office examined 4,769 signatures, of which 2,713 were approved as valid and 2,056 were not approved.

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

<b>Approvals</b>		<b>Council Notifications</b>	
<b>Dept Head</b>	PFISTER, TERRI	<b>Study Session\Other</b>	
<b>Division Director</b>		<b>Council Sponsor</b>	
<b>Finance</b>	BUSTOS, KIM	<b>Distribution List</b>	
<b>Legal</b>	PICCOLO, MIKE	mpiccolo@spokanecity.org	
<b>For the Mayor</b>	JONES, GARRETT	Brian.Hansen@hcahealthcare.com	
<b>Additional Approvals</b>		johnestey97@gmail.com	
<b>Purchasing</b>			



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

### **Agenda Wording**

### **Summary (Background)**

This constitutes 5.17 percent of the votes cast at the last general municipal election held November 2, 2021. At the hearing, pursuant to SMC 2.02.100 and Section 82 of the City Charter, the initiative ordinance is given a second and final reading. In addition, unless a motion is made and passed to grant the petition and pass the measure as requested in the initiative petition, the City Council adopts a resolution to place the measure on the ballot at the next available election.

### **Fiscal Impact**

Select     \$

Select     \$

### **Budget Account**

#

#

### **Distribution List**




SPOKANE COUNTY COURT HOUSE

# SPOKANE COUNTY

## ELECTIONS DEPARTMENT

1033 W. Gardner Ave., Spokane, WA 99260-0025  
(509) 477-2320 • Fax (509) 477-6607 • TDD: (509) 477-2333

RECEIVED

JUL 17 2023

CITY CLERK'S OFFICE

STATE OF WASHINGTON )  
County of Spokane )

ss.

CERTIFICATE

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SPOKANE COUNTY ELECTIONS DEPARTMENT

*Lickey M Dalton*

County Auditor

ATTEST:

*Mike McLaughlin*

Mike McLaughlin – Elections Manager

July 17, 2023

cc: File





AN ORDINANCE TO PROHIBIT ENCAMPMENTS WITHIN ONE THOUSAND (1000) FEET OF A PUBLIC OR PRIVATE SCHOOL, PUBLIC PARK, PLAYGROUND OR LICENSED CHILD CARE FACILITY

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

07/24/2023

<b>Date Rec'd</b>	7/19/2023
<b>Clerk's File #</b>	RES 2023-0067
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	

<b>Submitting Dept</b>	CITY COUNCIL
<b>Contact Name/Phone</b>	TERRI PFISTER 6354
<b>Contact E-Mail</b>	TPFISTER@SPOKANECITY.ORG
<b>Agenda Item Type</b>	Resolutions
<b>Agenda Item Name</b>	0320 - BALLOT INITIATIVE PROHIBITING ENCAMPMENTS

**Agenda Wording**

A Resolution requesting the Spokane County Auditor to hold a special election on November 7, 2023, in conjunction with the scheduled general election to submit to the voters of the City of Spokane a proposition regarding an amendment to the Spokane Municipal Code relating to the prohibition of encampments within one thousand feet of a public or private school, public park, playground, or licensed child care facility.

**Summary (Background)**

On May 10, 2023, Brian Hansen filed a new initiative with the City Clerk's Office identified as Initiative No. 2023-4 regarding an amendment to the Spokane City Charter relating to the prohibition of encampments within one thousand feet of a public or private school, public park, playground or licensed child care facility, replacing a previously filed initiative.

Lease? NO Grant related? NO Public Works? NO

**Fiscal Impact**

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

**Budget Account****Approvals**

<b>Dept Head</b>	BYRD, GIACOBBE
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<b>Division Director</b>	
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<b>Finance</b>	
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<b>Legal</b>	
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<b>For the Mayor</b>	
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**Additional Approvals**

<b>Purchasing</b>	
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**Council Notifications**

<b>Study Session\Other</b>	N/A
----------------------------	-----

<b>Council Sponsor</b>	Kinnear & Bingle
------------------------	------------------

**Distribution List**

	gbyrd@spokanecity.org
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RESOLUTION NO. 2023 - 0067

A RESOLUTION REQUESTING THE SPOKANE COUNTY AUDITOR TO HOLD A SPECIAL ELECTION ON NOVEMBER 7, 2023 IN CONJUNCTION WITH THE SCHEDULED GENERAL ELECTION TO SUBMIT TO THE VOTERS OF THE CITY OF SPOKANE A PROPOSITION REGARDING AN AMENDMENT TO THE SPOKANE MUNICIPAL CODE RELATING TO THE PROHIBITION OF ENCAMPMENTS WITHIN ONE THOUSAND FEET OF A PUBLIC OR PRIVATE SCHOOL, PUBLIC PARK, PLAYGROUND OR LICENSED CHILD CARE FACILITY.

WHEREAS, pursuant to section 82 of the City Charter, an initiative regarding amendments to the Spokane Municipal Code may be submitted to popular vote for adoption or rejection; and

WHEREAS, on April 14, 2023, Brian Hansen filed with the City Clerk's Office an initiative designated as Initiative No. 2023-3 regarding an amendment to the Spokane Municipal Code relating to the prohibition of encampments within one thousand feet of a public or private school, public park, playground or licensed child care facility; and

WHEREAS, on May 10, 2023, Brian Hansen filed a new initiative with the City Clerk's Office identified as Initiative No. 2023-4 regarding an amendment to the Spokane Municipal Code relating to the prohibition of encampments within one thousand feet of a public or private school, public park, playground or licensed child care facility, replacing the previously filed initiative; and

WHEREAS, the ballot title for Initiative No. 2023-4 is as follows:

Shall the Spokane Municipal Code be amended to prohibit encampments within 1,000 feet of any public or private school, public park, playground, or licensed child care facility?

WHEREAS, on June 12, 2023, a representative of Initiative 2023-4 filed with the City Clerk's Office the petition signatures for Initiative No. 2023-4; and

WHEREAS, on July 10, 2023, the City Council held a hearing pursuant to SMC 2.02.080 for Initiative No. 2023-4, designated by the City Council as Ordinance No. C - 36408, at which time the City Council voted to have the City Clerk validate the signatures; and

WHEREAS, on July 17, 2023, the Spokane County Elections Office certified that Initiative No. 2023-4 satisfied the required number of valid signatures of registered voters to be placed on the November 7, 2023 general election as required by Section 82 of the City Charter; and

WHEREAS, pursuant to SMC 2.02.100, the City Council held a hearing on July 31, 2023 on the initiative petition where Ordinance No. C - 36408 was given a second and final reading; and

WHEREAS, RCW 29A.04.330 requires the City to transmit to the Spokane County Auditor by August 1, 2023 a resolution calling for a special election.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Spokane, pursuant to Section 82 of the City Charter, that:

1) the Spokane County Auditor is hereby requested pursuant to RCW 29A.04.330 to hold a special election on November 7, 2023, in conjunction with the scheduled general election for the purpose of submitting to the voters of the City of Spokane for their approval or rejection the following proposition to amend the Spokane Municipal Code as set forth in Initiative 2023-4:

**PROPOSITION NO. 2**

**CITY OF SPOKANE**

**INITIATIVE PROHIBITING ENCAMPMENTS NEAR SCHOOLS, PARKS, PLAYGROUNDS, & CHILD CARE FACILITIES.**

Shall the Spokane Municipal Code be amended to prohibit encampments within 1,000 feet of any public or private school, public park, playground, or licensed child care facility as set forth in Ordinance No. C-36408?

\_\_\_\_\_ YES

\_\_\_\_\_ NO

2) the City Clerk is directed to deliver a certified copy of this resolution to the Spokane County Auditor no later than August 1, 2023.

Adopted \_\_\_\_\_.

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

Approved as to form:

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Assistant City Attorney