

## CITY OF SPOKANE



### REGARDING CITY COUNCIL 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 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 March 25, 2024, meetings is below. All meetings will 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 March 25, 2024:**

3:30 p.m. Briefing Session: 1-408-418-9388; access code: 249 250 76017; password: 0320

6:00 p.m. Legislative Session: 1-408-418-9388; access code: 248 885 63067; password: 0320

Thursday Study Session: 1-408-418-9388; access code: 249 143 67432; password: 0320

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

Testimony sign-up is open beginning at 5:00 p.m. on Friday, March 22, 2024, and ending at 6:00 p.m. on Monday, March 25, 2024, via the online testimony sign-up form link which can be accessed by clicking <https://forms.gle/Vd7n381x3seaL1NW6> or in person outside council chambers beginning at 8:00 a.m. on March 25, 2024. You must sign up by 6:00 p.m. to be called on to testify. (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 not relating to the current or advance agendas, pending hearing items, or initiatives or referenda in a pending election. "Affairs of the city" shall include (i) matters within the legislative, fiscal or regulatory purview of the city, (ii) any ordinance, resolution or other official act adopted by the city council, (iii) any rule adopted by the city, (iv) the delivery of city services and operation of city departments, (v) any act of members of the city council, the mayor or members of the administration, or (vi) any other matter deemed by the council president to fall within the affairs of the city, which determination may be overridden by majority vote of the council members present. Individuals speaking during the open forum shall address their comments to the council president and shall maintain decorum as laid out in Rule 2.15 (Participation by Members of the Public in Council Meetings).

**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. Two-minute time limit for comments made during open forum, and three-minute time limit on public testimony regarding legislative items!**

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

Further, keep the following City Council Rules in mind:

**Rule 2.2 OPEN FORUM**

- A. After the conclusion of all legislative business, the council shall recess briefly and then convene for an open forum, unless a majority of council members vote otherwise. The open forum shall have twenty (20) spaces available. The individuals assigned to the twenty (20) spaces available will be chosen at random, with preference given to individuals who have not spoken at open forum during that calendar month. The council shall conclude open forum after twenty (20) speakers unless a majority of council members vote to allow additional speakers. The city clerk and other staff shall not be required to remain in attendance during the open forum. Nothing in this Rule 2.2 shall be deemed to require open forum or the legislative session to continue after 10:00 p.m., or to require open forum during a council “Town Hall” meeting contrary to Rule 2.14.F.
- B. Members of the public can sign up for open forum beginning no later than 5:00 p.m. on the Friday immediately preceding the legislative session and ending at 6:00 p.m. on the date of the meeting via the virtual testimony form linked in the meeting packet or in person outside council chambers beginning at 8:00 a.m. on the day of the legislative session. Speakers must sign themselves in using a name. Members of the public who are unable to sign up during the sign-up period or who attempt to sign up late will be added to the list of speakers at the discretion of the chair, or their designee. The order of the speakers will be determined at the discretion of the chair, taking into account any special accommodations for persons of limited English proficiency as provided in Rule 2.2.F below. Each speaker shall be limited to no more than two (2) 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. “Affairs of the city” shall include (i) matters within the legislative, fiscal or regulatory purview of the city, (ii) any ordinance, resolution or other official act adopted by the city council, (iii) any rule adopted by the city, (iv) the delivery of city services and operation of city departments, (v) any act of members of the city council, the mayor or members of the administration, or (vi) any other matter deemed by the council president to fall within the affairs of the city, which determination may be overridden by majority vote of the council members present. Absent permission of the chair, 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. 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.
- E. No person shall be permitted to display visual information during open forum, including but not limited to presentations, videos, or other media; however, members of the public may share this information with the council by emailing them at [citycouncil2@spokanecity.org](mailto:citycouncil2@spokanecity.org). Individuals speaking during open forum shall address their comments to the council president, and speakers as well as members of the audience shall comply with Rule 2.15 (Participation by Members of the Public in Council Meetings).
- F. Participation of individuals with limited English language proficiency in open forum shall be accommodated to the extent set forth in Rule 2.15.J.

**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**

The council encourages public participation in the legislative process. Council meetings shall be conducted in a manner that provides the opportunity for all attendees to hear, see and participate in the proceedings to the extent provided in these Rules and applicable city, state, and federal law. Speech or conduct that disrupts, disturbs, or otherwise impedes the orderly conduct of any council meeting is prohibited. In addition to these general principles governing public participation, the following specific rules apply:

- 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, hearing items, special considerations, and other items before the city council requiring council action, except those that are adjudicatory or solely administrative in nature. This rule shall not limit the public's right to speak on issues that are not part of the current or advanced agendas during open forum.
- B. No member of the public may speak without first being recognized for that purpose by the chair. Except for named parties to an adjudicative hearing, a person may be required to sign a sign-up sheet and provide their city of residence as a condition of recognition. Council members must be recognized by the chair for the purpose of obtaining the floor.
- C. Each person speaking in a public council meeting shall verbally identify themselves by name, city of residence, and, if appropriate, representative capacity.
- D. Each speaker shall follow all written and verbal instructions so that verbal remarks are electronically recorded, and documents submitted for the record are identified and marked by the clerk.
- E. Those who wish to provide commentary but do not wish to give verbal comments at the podium may provide written comments to the council via letter or electronic mail.
- F. No person shall be permitted to conduct demonstrations, display banners, hold signs, applaud or boo speakers, use profanity, vulgar language or obscene speech, yell or make comments that attack or verbally insult any individual, or engage in other such disorderly conduct that disrupts, disturbs, or otherwise impedes the orderly conduct of the proceedings.
- G. Standing is permitted so long as doing so maintains compliance with applicable fire codes and the Americans with Disability Act (ADA), does not interfere with reserved seating areas, and does not impede access to entrances and exits to the Council Chambers, aisles, or pathways inside the Council Chambers. Attendees shall be mindful not to obstruct the views of others in Council Chambers when standing.
- H. 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.
- I. 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.
- J. City employees or city officials (including members of city boards and commissions) 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.
- K. 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 policy advisor and/or a 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 harassing other attendees or risk being removed and/or prohibited from attending future meetings.

- L. The city council intends to fully comply with chapter 18.11 SMC, Language Access in Municipal Proceedings. Rules regarding participation of individuals in council proceedings, including legislative sessions and open forum, shall be deemed amended to conform to any Language Access Plan adopted by the council pursuant to SMC 18.11.030. Except as otherwise provided in an adopted Language Access Plan, individuals with limited English language proficiency are encouraged to contact the council office director at least five (5) days prior to a scheduled legislative session for assistance with the signing up to testify or to arrange translation or interpretation assistance.
- M. City council legislative sessions are regularly video and audio recorded and available online (<https://vimeo.com/spokanecitycouncil>). Members of the public may also photograph or film council proceedings so long as doing so maintains compliance with applicable fire codes and the Americans with Disability Act (ADA), does not interfere with reserved seating areas, and does not impede access to entrances and exits to the Council Chambers, aisles, or pathways inside the Council Chambers. Attendees shall be mindful not to obstruct the views of others in Council Chambers when photographing or recording. No flash photography or other lighting is permitted.
- N. RCW 42.17A.555 generally prohibits the use of city facilities for electioneering. Therefore, no person may use the council meeting or facilities for the purpose of assisting a campaign for election of any person to any office, or for the promotion of or opposition to any ballot proposition. In this context, the term “facilities” includes council chambers, the council gallery and the speaking opportunities available through the public comment and open forum procedures set forth in these rules.

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

- A. Members of the public can sign up to give testimony beginning no later than 5:00 p.m. on the Friday immediately preceding the legislative session and ending at 6:00 p.m. on the date of the meeting via the online testimony sign-up form linked in the meeting packet or in person outside council chambers beginning at 8:00 a.m. on the day of the legislative session. Speakers must sign in using a 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. The chair, absent a majority vote of the council, has the authority to lower the three (3) minutes per speaker time limit by announcing the new, lower time limit at the legislative session. 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. Testimony on a legislative item deferred to a future date shall be taken on the future date, unless testimony on the date of deferral is allowed by the Council President.
- C. No public testimony shall be taken on oral 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. No person shall be permitted to display visual information during their testimony, including but not limited to presentations, videos, or other media; however, members of the public may share this information with the council by emailing them at [citycouncil2spokanecity.org](mailto:citycouncil2spokanecity.org).
  - H. In addition to in-person or remote verbal testimony, 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.<sup>1</sup>

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

# THE CITY OF SPOKANE



## CURRENT COUNCIL AGENDA

MEETING OF MONDAY, MARCH 25, 2024

### **MISSION STATEMENT**

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

**MAYOR LISA BROWN**

**COUNCIL PRESIDENT BETSY WILKERSON**

**COUNCIL MEMBER JONATHAN BINGLE**

**COUNCIL MEMBER MICHAEL CATHCART**

**COUNCIL MEMBER PAUL DILLON**

**COUNCIL MEMBER KITTY KLITZKE**

**COUNCIL MEMBER LILI NAVARRETE**

**COUNCIL MEMBER ZACK ZAPPONE**

**CITY COUNCIL CHAMBERS  
CITY HALL**

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

City of Spokane Guest Wireless access for Council Chambers for March 25, 2024:

User Name: **COS Guest**

Password: **K8vCr44y**

**Please note the space in user name.  
Both user name and password are case sensitive.**

## **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. 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 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. To prevent disruption of council meetings and visual obstruction of proceedings, members of the audience shall remain seated during council meetings.
- 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, and shall confine their remarks to the matters that are specifically before the Council at that time or, if speaking during Open Forum, shall confine their remarks to affairs of the city.
- 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/citycouncil/documents/>.



# **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**

**PROCLAMATIONS AND SALUTATIONS**

**REPORTS FROM COMMUNITY ORGANIZATIONS**

**ANNOUNCEMENTS**

(Announcements regarding Changes to the City Council Agenda)

**NO BOARDS AND COMMISSIONS APPOINTMENTS**

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# CONSENT AGENDA

The consent agenda consists of purchases and contracts for supplies and services provided to the city, as well as other agreements that arise (such as settlement or union agreements), and weekly claims and payments of previously approved obligations and biweekly payroll claims against the city. Any agreement over \$50,000 must be approved by the city council. Typically, the funding to pay for these agreements has already been approved by the city council through the annual budget ordinance, or through a separate special budget ordinance. If the contract requires a new allocation of funds, that fact usually will be indicated in the summary of the contract in the consent agenda.

Unless a council member requests that an item be considered separately, the council approves the consent agenda as a whole in a single vote. Note: The consent agenda is no longer read in full by the city clerk. The public is welcome to testify on matters listed in the consent agenda, but individual testimony is limited to three minutes for the entire consent agenda.

## REPORTS, CONTRACTS AND CLAIMS

## RECOMMENDATION

- |    |  |         |               |
|----|--|---------|---------------|
| 1. | Pre-approval to purchase four electric vehicles as available within budget, which may include vehicles similar to Ford Mach E, Ford Lightning, Chevrolet Bolt, or other cost-effective and usable vehicles that become available—not to exceed \$200,000 (incl. tax). (Council Sponsors: Council Members Zappone, Bingle, and Klitzke) | Approve | OPR 2024-0212 |
| 2. | Special Counsel Contract Amendment No. 5 with Craig Trueblood and K&L Gates, LLP (Seattle, WA) to provide legal advice and counsel regarding environmental matters for the Wastewater Management Department—additional \$50,000. Total contract amount: \$243,100. (Council Sponsor: Council Member Bingle)                            | Approve | OPR 2018-0252 |
| 3. | Contract Renewal 4 of 4 with Desimone Consulting Group (Seattle, WA) for federal lobbying services from January 1, 2024, through December 31, 2024. (Council Sponsors: Council Members Zappone, Klitzke, and Bingle)   | Approve | OPR 2020-0506 |
| 4. | Interlocal Agreement with the Washington State Department of Transportation (WSDOT) to address homeless encampments on WSDOT right-of-way—\$845,000 Revenue. (Council Sponsors: Council Members Klitzke, Bingle, and Zappone)  | Approve | OPR 2024-0213 |

5. **Multiple Family Housing Property Tax Exemption Conditional Agreements with:** **Approve All**
- a. **NARP LLC for the future construction of approximately 4 units at Parcel Number 35204.0211, commonly known as 1207 E. Newark Avenue.** **OPR 2024-0214**
  - b. **Five Mile Spokane, LLC, for the future construction of approximately 48 units at Parcel Number 26252.0064, commonly known as 7650 N. A Street (also known as 7601 N. Five Mile Rd).** **OPR 2024-0215**
  - c. **Cap 31<sup>st</sup> Avenue Residences, LLC, for the future construction of approximately 96 units at Parcel Number 35331.0017, commonly known as 2402 E. 31<sup>st</sup> Avenue.** **OPR 2024-0216**
  - d. **Grove at Cannon, LLC, for the future construction/renovation of approximately 13 units at Parcel Number 25244.2705, commonly known as 621 S. Cannon Street.** **OPR 2024-0217**
  - e. **Jay Higgins/Cheryl Ann Kordner for the future construction of approximately 20 units at Parcel Number 35091.2914, commonly known as 2517 E. Upriver Drive.** **OPR 2024-0218**
  - f. **5115 S. Freya St., LLC, for the future construction of approximately 30 units at Parcel Number 34031.9114, commonly known as 5115 S. Freya Street.** **OPR 2024-0219**
  - g. **Garland Acquisitions, LLC, for the future construction of approximately 44 units at Parcel Number 35062.1409, commonly known as 924 W. Garland Avenue.** **OPR 2024-0220**

**The Conditional Agreements will ultimately result in the issuances of final certificates of tax exemption to be filed with the Spokane County Assessor's Office post construction. (Council Sponsors: Council Members Bingle, Zappone, and Klitzke)**

- 6. Report of the Mayor of pending:
  - a. Claims and payments of previously approved obligations, including those of Parks and Library, through March 15, 2024, total \$8,256,910.16, with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$7,892,650.63. Approve & Authorize Payments CPR 2024-0002
  - b. Payroll claims of previously approved obligations through March 16, 2024: \$9,392,817.98. CPR 2024-0003
- 7. City Council Meeting Minutes: March 11, 2024. Approve All CPR 2024-0013

# LEGISLATIVE AGENDA

## SPECIAL BUDGET ORDINANCES

(Require Five Affirmative, Recorded Roll Call Votes)

Ordinance C36503 amending Ordinance No. C36467 passed by the City Council November 27, 2023, and entitled, "An Ordinance adopting the Annual Budget of the City of Spokane for 2024, making appropriations to the various funds of the City of Spokane government for the fiscal year ending December 31, 2024, and providing it shall take effect immediately upon passage," and declaring an emergency and appropriating funds in:

**Urban Forestry Fund**

1) Increase revenue by \$2,000,000

A) Of the increased revenue, \$2,000,000 is provided by the United States Department of Agriculture (USDA) and disbursed by the United States Forest Service (USFS) as part of the United States Federal Government’s Inflation Reduction Act.

2) Increase appropriation by \$2,000,000

A) Of the increased appropriation, \$2,000,000 is provided solely for contractual services procured to plant and maintain trees in economically disadvantaged areas of the City of Spokane.

(This action arises from the need to accept and budget for grant funding from the USDA to plant and maintain trees in economically disadvantaged areas of the City of Spokane.) (Council Sponsors: Council Members Bingle, Zappone, and Klitzke)

## **NO EMERGENCY ORDINANCES**

### **RESOLUTIONS**

(Require Four Affirmative, Recorded Roll Call Votes)

**RES 2024-0028** Regarding the approval of year 2025 traffic calming applications and projects to be paid through the Traffic Calming Measures Fund. (Deferred from March 18, 2024, Agenda, during the March 11, 2024, 3:30 p.m. Briefing Session) (Council Sponsors: Council Members Cathcart, Zappone, and Dillon)

[Dillon/Cathcart/Zappone Proposed Amendment:](#)

- Request motion to amend previous version of RES 2024-0028 with an updated amended version filed March 22, 2024, and included in agenda packet under RES 2024-0028. (Amends dollar amount on page one of the resolution and the list of projects in Exhibit A.)

**RES 2024-0029** Regarding applications to amend the City’s Comprehensive Plan and setting the annual Comprehensive Plan Work Program for 2024. (Council Sponsors: Council Members Bingle, Klitzke, and Zappone)

**RES 2024-0030** Approving settlement of Tatyanna Presnell—\$300,000. (Council Sponsors: Council President Wilkerson and Council Members Bingle and Klitzke)

**RES 2024-0031** Adopting a plan to address the fentanyl and opiate overdose crisis in the City of Spokane and declaring that exigent circumstances exist that demand coordination of resources available between the City of Spokane and the State of Washington, in partnership with community organizations. (Council Sponsors: Council Members Dillon, Zappone, and Bingle)

[Bingle Proposed Amendment:](#)

- Request motion to amend previous version of RES 2024-0031 by inserting four additional recitals and an additional resolution statement as filed on March 21, 2024, and included in agenda packet under RES 2024-0031.

## **NO FINAL READING ORDINANCES**

## **FIRST READING ORDINANCES**

**ORD C36504**      Altering the Lodging Tax Advisory Committee, creating the Lodging Tax Advisory Program; amending sections 04.30.010 and 04.030.020 of the Spokane Municipal Code, and adding a new section to Chapter 04.30 of the Spokane Municipal Code. (Council Sponsors: Council Members Zappone, Dillon, and Klitzke)

**FURTHER ACTION DEFERRED**

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## **NO SPECIAL CONSIDERATIONS**

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## **NO HEARINGS**

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## **OPEN FORUM**

At the conclusion of legislative business, the Council shall recess briefly and then hold an open public comment period for up to 20 (twenty) speakers, unless a majority of council members vote otherwise. Each speaker is limited to no more than two minutes. In order to participate in Open Forum, you must sign up beginning at 5:00 p.m. on the Friday immediately preceding the legislative session and ending at 6:00 p.m. on the date of the meeting via the virtual testimony form linked in the meeting packet (<https://my.spokanecity.org/citycouncil/documents/>) or in person outside council chambers beginning at 8:00 a.m. on the day of the legislative session. The virtual sign-up form can also be found here: <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.) Speakers must sign themselves in using a name. The individuals assigned to the twenty (20) spaces available will be chosen at random, with preference given to individuals who have not spoken at open forum during that calendar month. 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 other than items appearing on the Current or Advance Agendas, pending hearing items, and 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.

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## **ADJOURNMENT**

The March 25, 2024, Regular Legislative Session of the City Council will be held and is adjourned to April 8, 2024.

**Note:** The regularly scheduled City Council meeting for Monday, April 1, 2024, has 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 [mlovmaster@spokanecity.org](mailto:mlovmaster@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:****Committee:** Urban Experience **Date:** 03/11/2024**Committee Agenda type:** Consent**Date Rec'd**

2/27/2024

**Clerk's File #**

OPR 2024-0212

**Renews #****Cross Ref #****Council Meeting Date:** 03/25/2024**Submitting Dept**

FLEET SERVICES

**Project #****Contact Name/Phone**

RICK GIDDINGS 625-7706

**Bid #****Contact E-Mail**

RGIDDINGS@SPOKANECITY.ORG

**Requisition #**

RE20422

**Agenda Item Type**

Purchase w/o Contract

**Council Sponsor(s)**

ZZAPPONE JBINGLE KKLITZKE

**Agenda Item Name**

5100 - DSC PRE-PURCHASE APPROVAL FOR 4 VEHICLES

**Agenda Wording**

Fleet Services would pre-purchase approval for 4 Electric vehicles as available within budget. These may include vehicles similar to Ford Mach E, Ford Lightning, Chevrolet Bolt, or other cost effective and usable vehicles that become available.

**Summary (Background)**

Fleet Services would pre-purchase approval for 4 Battery Electric vehicles as available within budget. These may include vehicles similar to Ford Mach E, Ford Lightning, Chevrolet Bolt, or other cost effective and usable vehicles that become available for purchase. Total cost including sales tax is not to exceed \$200,000.

Lease? NO

Grant related? NO

Public Works? NO

**Fiscal Impact**

Approved in Current Year Budget? YES

Total Cost \$ 200,000.00

Current Year Cost \$

Subsequent Year(s) Cost \$

**Narrative**

Vehicles will be purchased using pre-competed contracts, or other approved competitive City purchasing procedures. Selection will be based on lowest lifecycle cost for available vehicles meeting the functional need of the department.

**Amount****Budget Account**

Expense \$ 200,000.00

# 4700-41200-94240-56404-99999

Select \$

#

Select \$

#

Select \$

#

\$

#

\$

#





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

**Agenda Wording**

**Summary (Background)**

**Approvals**

**Dept Head**

GIDDINGS, RICHARD

**Division Director**

BOSTON, MATTHEW

**Accounting Manager**

ALBIN-MOORE, ANGELA

**Legal**

HARRINGTON,

**For the Mayor**

PICCOLO, MIKE

**Additional Approvals**

**PURCHASING**

PRINCE, THEA

**Distribution List**

rgiddings@spokanecity.org

atrussell@spokanecity.org

tprince@spokanecity.org

tpalmquist@spokanecity.org

klouden@spokanecity.org

korlob@spokanecity.org


## Committee Agenda Sheet

### Urban Experience Committee

<b>Committee Date</b>	March 11, 2024
<b>Submitting Department</b>	Fleet Services
<b>Contact Name</b>	Rick Giddings
<b>Contact Email &amp; Phone</b>	<a href="mailto:rgiddings@spokanecity.org">rgiddings@spokanecity.org</a> 509-625-7706
<b>Council Sponsor(s)</b>	<u>Zappone, Bingle, Klitzke</u>
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion    Time Requested:
<b>Agenda Item Name</b>	5100- DSC Pre-Purchase Approval for 4 Vehicles
<b>Proposed Council Action</b>	<input checked="" type="checkbox"/> Approval to proceed to Legislative Agenda <input type="checkbox"/> Information Only
<b>Summary (Background)</b>	<p>Fleet Services would pre-purchase approval for 4 Battery Electric vehicles as available within budget. These may include vehicles similar to Ford Mach E, Ford Lightning, Chevrolet Bolt, or other cost effective and usable vehicles that become available for purchase. Total cost including sales tax is not to exceed \$200,000.</p>
*use the Fiscal Impact box below for relevant financial information	
<b>Fiscal Impact</b>	
<b>Approved in current year budget?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Total Cost: <u>\$200,000</u> Current year cost: \$200,000 Subsequent year(s) cost: \$0	
<b>Narrative:</b> <u>Vehicles will be purchased using pre-competed contracts, or other approved competitive City purchasing procedures. Selection will be based on lowest lifecycle cost for available vehicles meeting the functional need of the department.</u>	
<b>Funding Source</b> <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring <input type="checkbox"/> N/A Specify funding source: Program revenue Is this funding source sustainable for future years, months, etc? Yes	
<b>Expense Occurrence</b> <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring <input type="checkbox"/> N/A  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? None Identified.	
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 not be collected.	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution? Lifecycle costs are collected in our FMIS system to evaluate value in the future.	
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? Aligns with Centralized Fleet Policy and Capital Improvement Plan.	

**Agenda Sheet for City Council:****Committee:** Urban Experience **Date:** 03/11/2024**Committee Agenda type:** Consent**Date Rec'd**

2/29/2024

**Clerk's File #**

OPR 2018-0252

**Renews #****Cross Ref #****Council Meeting Date:** 03/25/2024**Submitting Dept**

CITY ATTORNEY

**Project #****Contact Name/Phone**

ELIZABETH 6232

**Bid #****Contact E-Mail**

ESCHOEDEL@SPOKANECITY.ORG

**Requisition #****Agenda Item Type**

Contract Item

**Council Sponsor(s)**

JBINGLE

**Agenda Item Name**

0500 SPECIAL COUNSEL CONTRACT AMENDMENT #5

**Agenda Wording**

Special Counsel Contract Amendment #5 with Craig Trueblood, K & L Gates, LLP (Seattle, WA) for outside counsel advise for Wastewater - additional \$50,000. Total contract: \$243,100. (Council Sponsor: Council Member Bingle)

**Summary (Background)**

Craig Trueblood of K & L Gates, has expertise in environmental law, particularly the Clean Water Act. Mr. Trueblood's contract continues to assist and advise the City in the water quality rules and regulations, implementation of the National Pollutant Discharge Elimination System and the Integrated Clean Water Plan projects.

Lease? NO

Grant related? NO

Public Works? NO

**Fiscal Impact**

Approved in Current Year Budget? YES

Total Cost \$ 243,100.00

Current Year Cost \$ 50,000.00

Subsequent Year(s) Cost \$

**Narrative****Amount****Budget Account**

Expense \$ 50,000

# TBD

Select \$

#

Select \$

#

Select \$

#

\$

#

\$

#



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

### Agenda Wording

### Summary (Background)

#### **Approvals**

##### Dept Head

PICCOLO, MIKE

##### Division Director

##### Accounting Manager

ALBIN-MOORE, ANGELA

##### Legal

SCHOEDEL, ELIZABETH

##### For the Mayor

PICCOLO, MIKE

#### **Additional Approvals**

#### **Distribution List**

Craig Trueblood - craig.trueblood@klgates.com

mfeist@spokanecity.org

rgennett@spokanecity.org

eschoedel@spokanecity.org

rhulvey@spokanecity.org

seweraccounting@spokanecity.org

## Committee Agenda Sheet

### Urban Experience Committee

<b>Committee Date</b>	March 11, 2025
<b>Submitting Department</b>	Legal
<b>Contact Name</b>	Elizabeth Schoedel
<b>Contact Email &amp; Phone</b>	<a href="mailto:Eschoedel@spokanecity.org">Eschoedel@spokanecity.org</a> 6232
<b>Council Sponsor(s)</b>	CM Bingle
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion    Time Requested:
<b>Agenda Item Name</b>	Special Counsel Contract Amendment #5
<b>Proposed Council Action</b>	<input checked="" type="checkbox"/> Approval to proceed to Legislative Agenda <input type="checkbox"/> Information Only
<b>Summary (Background)</b>	<p>Craig Trueblood of K &amp; L Gates, has expertise in environmental law, particularly the Clean Water Act.</p> <p>*use the Fiscal Impact box below for relevant financial information</p> <p>This amendment is to add additional funds to Mr. Trueblood’s contract to continue to assist and advise the City in the DO TMDL, water quality rules and regulations, implementation of the NPDES Permit and the Integrated Clean Water Plan projects, and other issues with wastewater and RPWRF. Last contract amendment was in 2022.</p> <p>Additional funds need to be added in the amount of \$50,000.00.</p>
<b>Fiscal Impact</b>	
<b>Approved in current year budget?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Total Cost: <u>243,100.00</u> Current year cost: 50,000 Subsequent year(s) cost:	
<b>Narrative:</b> Please provide financial due diligence review, as applicable, such as number and type of positions, grant match requirements, summary type details (personnel, maintenance and supplies, capital, revenue), impact on rates, fees, or future shared revenue	
<b>Funding Source</b> <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring <input type="checkbox"/> N/A Specify funding source: Select Funding Source* Is this funding source sustainable for future years, months, etc? Yes	
<b>Expense Occurrence</b> <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring <input type="checkbox"/> N/A  Other budget impacts: (revenue generating, match requirements, etc.)	
<b>Operations Impacts</b> (If N/A, please give a brief description as to why)	
<ul style="list-style-type: none"> <li>• What impacts would the proposal have on historically excluded communities? N/A</li>   <li>• 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 – This work is for special counsel advice. It will not impact racial, gender</li> </ul>	

identity, national origin, income levels, disability, sexual orientation, or other existing disparity factors.

- 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? This Contract Amendment is consistent with the City's requirement for helping align City policies and providing the City with legal support, advice, consultation, and risk analysis and support on issues regarding both wastewater and stormwater issues.

**Council Subcommittee Review**

- Please provide a summary of council subcommittee review. If not reviewed by a council subcommittee, please explain why not. N/A – Contract Amendment



**City of Spokane**  
**SPECIAL COUNSEL**  
**CONTRACT AMENDMENT #5**

This Contract Amendment is made and entered into by and between the **City of Spokane** as ("City"), a Washington municipal corporation, and **Craig Trueblood of the Law Firm K & L Gates, LLP.**, whose address is 925 Fourth Avenue, Suite 2900, Seattle, Washington 98104-1158, as ("Firm"), Individually hereafter referenced as a "party", and together as the "parties".

*WHEREAS, the parties entered into a Contract wherein the Firm agreed to act as Special Counsel for the City to provide legal advice and counsel regarding environmental matters for the Wastewater Management Department; and.*

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

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

**1. CONTRACT DOCUMENTS.**

The original Contract, dated May 17, 2018, any previous amendments, addendums and / or extensions / renewals thereto, are incorporated by reference into this document as though written in full and shall remain in full force and effect except as provided herein.

**2. EFFECTIVE DATE.**

This Contract Amendment shall become effective February 1, 2024.

**3. COMPENSATION.**

The City shall pay an additional amount not to exceed **FIFTY THOUSAND AND NO/100 DOLLARS (\$50,000.00)** as full compensation for everything furnished and done under this Contract Amendment. The total amount under the original Contract, any subsequent amendments, and this Contract Amendment is **TWO HUNDRED FORTY-THREE THOUSAND ONE HUNDRED AND NO/100 DOLLARS (\$243,100.00).**

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

**K & L GATES LLP**

**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

U2024-023





**Agenda Sheet for City Council:**

**Committee:** Urban Experience **Date:** 03/11/2024

**Committee Agenda type:** Consent

**Date Rec'd**

2/28/2024

**Clerk's File #**

OPR 2020-0506

**Renews #**

**Cross Ref #**

**Council Meeting Date:** 03/25/2024

**Submitting Dept**

CITY COUNCIL

**Project #**

**Contact Name/Phone**

ERIK POULSEN 625-6721

**Bid #**

**Contact E-Mail**

EPOULSEN@SPOKANECITY.ORG

**Requisition #**

CR 26090

**Agenda Item Type**

Contract Item

**Council Sponsor(s)**

ZZAPPONE KKLITZKE JBINGLE

**Agenda Item Name**

0320 - CONTRACT RENEWAL FOR DESIMONE CONSULTING

**Agenda Wording**

Contract Renewal for Desimone Consulting for federal lobbying services--\$80,000

**Summary (Background)**

This action is to exercise the fourth and final available 1-year renewal of the contract with DESIMONE CONSULTING GROUP for federal lobbying services. The original contract was done as a minor contract in 2020, but the exercise of four renewals places it above the minor contract threshold. This renewal is for \$80,000 for the 2024 year.

Lease? NO

Grant related? NO

Public Works? NO

**Fiscal Impact**

Approved in Current Year Budget? YES

Total Cost

\$

Current Year Cost

\$ 80,000

Subsequent Year(s) Cost

\$ Not Applicable

**Narrative**

This is the fourth and final renewal option on this contract.

**Amount**

**Budget Account**

Expense

\$ 80,000

# 0320-36100-11600-54101-99999

Select

\$

#

Select

\$

#

Select

\$

#

\$

#

\$

#



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

**Agenda Wording**

**Summary (Background)**

**Approvals**

**Dept Head**

**Division Director**

**Accounting Manager**

**Legal**

**For the Mayor**

**Additional Approvals**

BUSTOS, KIM

HARRINGTON,

**Distribution List**

Rick Desimone rick@desimonecg.com

epoulsen@spokanecity.org

ywang@spokanecity.org

## Committee Agenda Sheet

### Urban Experience Committee

<b>Committee Date</b>	Urban Experience 03/11/24
<b>Submitting Department</b>	City Council
<b>Contact Name</b>	Erik Poulsen
<b>Contact Email &amp; Phone</b>	<a href="mailto:epoulsen@spokanecity.org">epoulsen@spokanecity.org</a> / x6721
<b>Council Sponsor(s)</b>	Zappone, Klitzke, Bingle
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion    Time Requested:
<b>Agenda Item Name</b>	0320 - Contract Renewal OPR 2020-0506
<b>Proposed Council Action</b>	<input type="checkbox"/> Approval to proceed to Legislative Agenda <input type="checkbox"/> Information Only
<b>Summary (Background)</b>	<p>This action is to exercise the fourth and final available 1-year renewal of the contract with DESIMONE CONSULTING GROUP for federal lobbying services. The original contract was done as a minor contract in 2020, but the exercise of four renewals places it above the minor contract threshold. This renewal is for \$80,000 for the 2024 year.</p>
*use the Fiscal Impact box below for relevant financial information	
<b>Fiscal Impact</b>	
<b>Approved in current year budget?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Total Cost: <a href="#">Click or tap here to enter text.</a> Current year cost: <b>\$80,000</b> Subsequent year(s) cost: <b>Not applicable – Contract expires 12/31/24</b>	
<b>Narrative:</b> Please provide financial due diligence review, as applicable, such as number and type of positions, grant match requirements, summary type details (personnel, maintenance and supplies, capital, revenue), impact on rates, fees, or future shared revenue	
<b>Funding Source</b> <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring <input type="checkbox"/> N/A Specify funding source: Select Funding Source* Is this funding source sustainable for future years, months, etc? <a href="#">Click or tap here to enter text.</a>	
<b>Expense Occurrence</b> <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring <input type="checkbox"/> N/A  Other budget impacts: (revenue generating, match requirements, etc.)	
<b>Operations Impacts</b> (If N/A, please give a brief description as to why)	
<ul style="list-style-type: none"> <li>What impacts would the proposal have on historically excluded communities?</li> </ul> <p><b>Federal lobbyists are working on City initiatives that help the City of Spokane residents and historically excluded communities through Council and Administrative direction. Federal lobbying done aligns with Council legislative priorities set forth by Council.</b></p> <ul style="list-style-type: none"> <li>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?</li> </ul>	

**Reporting on initiatives and work performed will be done by lobbyists and intergovernmental affairs.**

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

**Reporting on initiatives and work performed will be done by lobbyists and intergovernmental affairs.**

- 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?

**Federal lobbying effort under this contract aligns with City legislative priorities set by the City Council.**

### **Council Subcommittee Review**

- Please provide a summary of council subcommittee review. If not reviewed by a council subcommittee, please explain why not.

**While no subcommittee review is applicable, the contract lobbying effort is directed and overseen by the Council's Legislative Committee**



**City of Spokane**  
**CONTRACT RENEWAL 4 of 4**  
Title: **FEDERAL LOBBYING SERVICES**

This Contract Renewal is made and entered into by and between the **CITY OF SPOKANE** as (“City”), a Washington municipal corporation, and **DESIMONE CONSULTING GROUP**, whose address is 1301 Second Avenue, Suite 2850, Seattle, WA 98101, as (“Consultant”), individually hereafter referenced as a “party”, and together as the “parties”.

*WHEREAS, the parties entered into a Contract wherein the Consultant agreed to provide Federal Lobbying Services to the City; and*

*WHEREAS, the Request for Proposal called for four (4) additional one (1) year renewals with this being the third of those renewals.*

*WHEREAS, the City desires to exercise its fourth renewal of the Contract;*

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

**1. CONTRACT DOCUMENTS.**

The Contract, dated April 10, 2020 and May 6, 2020, 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 Renewal shall become effective on January 1, 2024 and shall end on December 31, 2024.

**3. COMPENSATION.**

The City shall pay an additional amount not to exceed **EIGHTY THOUSAND AND 00/100 DOLLARS, (\$80,000)** for everything furnished and done under this Contract Renewal. This is the maximum amount to be paid under this Renewal, and shall not be exceeded

without the prior written authorization of the City, memorialized with the same formality as the original Contract and this document.

**4. 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.

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

**DESIMONE CONSULTING GROUP**

**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 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.

<hr style="border: none; border-top: 1px solid black;"/> Name of Subrecipient / Contractor / Consultant (Type or Print)	<hr style="border: none; border-top: 1px solid black;"/> Program Title (Type or Print)
<hr style="border: none; border-top: 1px solid black;"/> Name of Certifying Official (Type or Print)	<hr style="border: none; border-top: 1px solid black;"/> Signature
<hr style="border: none; border-top: 1px solid black;"/> Title of Certifying Official (Type or Print)	<hr style="border: none; border-top: 1px solid black;"/> Date (Type or Print)



**Agenda Sheet for City Council:**

**Committee:** Urban Experience **Date:** 03/11/2024

**Committee Agenda type:** Discussion

**Date Rec'd**

2/27/2024

**Clerk's File #**

OPR 2024-0213

**Renews #**

**Cross Ref #**

**Council Meeting Date:** 03/25/2024

**Submitting Dept**

CODE ENFORCEMENT & PARKING

**Project #**

**Contact Name/Phone**

LUIS GARCIA 6850

**Bid #**

**Contact E-Mail**

LGARCIA@SPOKANECITY.ORG

**Requisition #**

**Agenda Item Type**

Contract Item

**Council Sponsor(s)**

KKLITZKE JBINGLE ZZAPPONE

**Agenda Item Name**

1200 - HOMELESS ENCAMPMENTS ON WSDOT RIGHT OF WAY

**Agenda Wording**

Interlocal agreement with WSDOT and the City of Spokane to address homeless encampments on WSDOT Right-of-Way.

**Summary (Background)**

WSDOT and the City desire to enter into an agreement to address homeless encampments on WSDOT (ROW) by providing local, targeted cleanup and outreach services and supporting safety improvements where hazards exist to the traveling public and department employees. WSDOT will use identified funds to reimburse the City in debris cleanup efforts to prevent future encampments from forming on highway right-of-ways.

Lease? NO Grant related? NO Public Works? NO

**Fiscal Impact**

Approved in Current Year Budget? N/A

Total Cost \$ 845,000

Current Year Cost \$

Subsequent Year(s) Cost \$

**Narrative**

Spokane responds to encampments throughout the City, which overlap with WSDOT property. To fully resolve cases, performing work on WSDOT property may be needed. This contract will provide funding support for reimbursement for these efforts.

**Amount**

**Budget Account**

Revenue \$ 845,000

# TBD

Select \$

#

Select \$

#

Select \$

#

\$

#

\$

#





## Committee Agenda Sheet

### \*Select Committee Name\*

<b>Committee Date</b>	Urban Experience
<b>Submitting Department</b>	Code Enforcement & Parking Services
<b>Contact Name</b>	Luis Garcia, Director
<b>Contact Email &amp; Phone</b>	<a href="mailto:lgarcia@spokanecity.org">lgarcia@spokanecity.org</a> & (509) 625-6850
<b>Council Sponsor(s)</b>	Please enter the name of the Council Sponsor(s)
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion    Time Requested:
<b>Agenda Item Name</b>	Homeless Encampments on WSDOT Right of Way
<b>Proposed Council Action</b>	<input checked="" type="checkbox"/> Approval to proceed to Legislative Agenda <input type="checkbox"/> Information Only
<b>Summary (Background)</b>	WSDOT and the City desire to enter into an agreement to address homeless encampments on WSDOT (ROW) by providing local, targeted cleanup and outreach services and supporting safety improvements where hazards exist to the traveling public and department employees. WSDOT will use identified funds to reimburse the City in debris cleanup efforts to prevent future encampments from forming on highway rights-of-way.
<p>*use the Fiscal Impact box below for relevant financial information</p>	<p><b>Fiscal Impact</b></p> <p><b>Approved in current year budget?</b>    <input type="checkbox"/> Yes    <input type="checkbox"/> No    <input checked="" type="checkbox"/> N/A</p> <p>Total Cost: <u>\$845,000 total amount.</u></p> <p>Current year cost:</p> <p>Subsequent year(s) cost:</p> <p><b>Narrative:</b> <u>Spokane responds to encampments throughout the city and in many cases, overlap with WSDOT properties. The challenge is that to fully resolve the cases, performing work on WSDOT property may be needed. This contract will provide funding support for these efforts in a reimbursement model. This agreement can also be used to support social service outreach as appropriate.</u></p> <p><b>Funding Source</b>    <input type="checkbox"/> One-time    <input checked="" type="checkbox"/> Recurring    <input type="checkbox"/> N/A</p> <p>Specify funding source: Program revenue</p> <p>Is this funding source sustainable for future years, months, etc? The contract is intending to be reoccurring as the need will continue.</p> <p><b>Expense Occurrence</b>    <input type="checkbox"/> One-time    <input type="checkbox"/> Recurring    <input checked="" type="checkbox"/> N/A</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><u>An intent of this agreement is to continue to connect people experiencing homelessness with services. By allowing for local government to respond, the response times will be enhanced to protect the occupants of the encampment as well as the public at large.</u></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- No collection of data will be collected or impact the determination of encampment clean-up pursuant to the agreement. Service providers may collect information, however that would be outside of this contract.</p>	

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

Complaints will be received and responded to in the same manner as the existing encampment clean-up. The reporting component will remain the same as the existing impactful 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?

The agreement is in compliance with a clean and safe Spokane, which includes properties owned by state agencies.

**Interlocal Agreement  
Between  
Washington State Department of Transportation (GCB 4001)  
And  
City of Spokane**

This Agreement is between the Washington State Department of Transportation (WSDOT) and City of Spokane (City); hereinafter individually referred to as the "Party" and collectively referred to as the "Parties."

Recitals

- A. ESHB1125 effective May 16, 2023, provides the Transportation Budget.
- B. Section 216 (4)(a) Exhibit A provides state appropriation solely for the department to address the risks to safety and public health associated with homeless encampments on department owned rights-of-way. The department must coordinate and work with local government officials and social service organizations who provide services and direct people to housing alternatives that are not in highway rights-of-way to help prevent future encampments from forming on highway rights-of-way and may reimburse the organizations doing this outreach assistance who transition people into treatment or housing or for debris clean up on highway rights-of-way. A minimum of \$2,000,000 of this appropriation must be used to deliver more frequent removal of litter on the highway rights-of-way that is generated by unsheltered people and may be used to hire crews specializing in collecting and disposing of garbage, clearing debris or hazardous material, and implementing safety improvements where hazards exist to the traveling public and department employees. The department may use these funds to either reimburse local law enforcement costs or the Washington state patrol if they are providing enhanced safety to department staff during debris cleanup or during efforts to prevent future encampments from forming on highway rights-of-way
- C. Section 216 (5) (EXHIBIT A) provides that \$1,000,000 of the motor vehicle account—state appropriation is provided solely for a partnership program between the department and the city of Spokane, to be administered in conjunction with subsection (4) of this section. The program must address the safety and public health problems created by homeless encampments on the department's property along state highways within the city limits. \$555,000 of the motor vehicle account—state appropriation is for dedicated department maintenance staff and associated clean-up costs. The department and the city of Spokane shall enter into a reimbursable agreement to cover up to \$445,000 of the city's expenses for clean-up crews and landfill costs.
- D. WSDOT has also secured additional funding in the amount of \$400,000 that will go along with Exhibit A.
- E. WSDOT and the City desire to enter into an agreement to address homeless encampments on WSDOT (ROW) by providing local, targeted cleanup and outreach services and supporting safety improvements where hazards exist to the traveling public and department employees.

NOW THEREFORE, pursuant to chapter 39.34 RCW, the above recitals that are incorporated herein as if fully set forth below, and in consideration of the terms, conditions, covenants, and performances contained herein, and the attached Exhibits by this referenced incorporated and made a part hereof, IT IS MUTUALLY AGREED AS FOLLOWS:

**1. General**

- 1.1 WSDOT routes inside the City subject to this Agreement shall include the following: US2, I90, US395, NSC (including the Children of the Sun Trail), SR290, and SR291 corridors located within city limits.
- 1.2 The City will follow adopted City policies and procedures for employee safety and personal protective equipment when completing this encampment cleanup work as shown in exhibit B.
- 1.3 The City will provide employees, tools and equipment to remove materials and repair sites inside or adjacent to WSDOT ROW damaged by homeless encampments. The materials to be removed and the repair of sites may include removal of litter, trash, costs associated with the removal and storage of vehicles including recreational vehicles, debris, hazardous materials, tree limbs, mowing, fence repair and installation and similar work performed to create open sites to help with enforcement and safety.
- 1.4 The City will enforce trespass laws pursuant to RCW on properties with appropriate No Trespass signage.
- 1.5 No Camping – City will enforce chapter 12.02 Obstruction, Encroachment of Public Ways as shown in exhibit C.
- 1.6 The City will notify WSDOT of vehicles parked/stored on WSDOT property covered by this agreement. WSDOT will issue trespass orders to vehicles being parked/ stored on WSDOT property and will remove said vehicles from WSDOT property. Vehicles on City streets and right of way directly adjacent to WSDOT properties will continue to be addressed by City staff in accordance with current City policies and procedures.
- 1.7 WSDOT will post and maintain “No Trespass” signs on WSDOT owned properties. The sign locations will be agreed upon by both parties and pursuant to WSDOT’s Guidelines to Address Illegal Camping within State Right of Way. If requested by WSDOT, SPD will be present during the posting of signage.
- 1.8 WSDOT will maintain all existing barrier infrastructure and other Crime Prevention Through Environmental Design (CPTED) elements including, but not limited to:
  - Fencing
  - Vegetation (unless agreed to alter by both parties).
  - Hard infrastructure not listed as City responsibility below.
- 1.9 WSDOT shall coordinate the appropriate traffic control to ensure safety of laborers and the traveling public as needed for cleanup work adjacent to active traffic on State Routes.
- 1.10 While on WSDOT premises, the City, its agents, employees, or subcontractors shall comply with WSDOT safety and security policies and regulations. Including requirements for the prevention of transmission of communicable diseases (such as Covid).

- 1.11 The City may provide outreach services for the purpose of connecting at-risk populations inside WSDOT right-of-way with critical wrap-around social services and resources that can aid and improve the circumstances of homeless persons ability to leave the ROW.
- 1.12 In conjunction with WSDOT, the City will monitor and clean WSDOT ROW based on existing maintenance routes to help ensure homeless encampments do not form or return. The City will prioritize cleanup sites and efforts based on staffing capacity, time, and equipment availability.
- 1.13 At the request of the City, WSDOT will participate in meetings and develop reclamation plans for any identified WSDOT ROW site. During these meetings, WSDOT and the City will agree on work to be performed to reduce accessibility and use of WSDOT ROW.
- 1.14 The effective date of this agreement is the date this agreement is signed by both Parties with a termination date of June 30, 2025, or before if available funding is fully expended.

## **2. Payment**

- 2.1 WSDOT in consideration of the faithful performance of the work to be done by the City, in accordance with this Agreement will reimburse the City for the actual direct and related indirect cost of the work in an amount not to exceed Eight Hundred Forty Five Thousand Dollars (\$845,000).
- 2.2 Partial payments shall be made by WSDOT, upon request of the City, to cover costs incurred. These payments are not to be more frequent than one (1) per month. It is agreed that any such partial payment will not constitute agreement as to the appropriateness of any item and that, at the time of the final audit, all required adjustments will be made and reflected in a final payment.
- 2.3 The City agrees to submit a final bill to WSDOT within ninety (90) days after completion of Work and no more often than once per month.
- 2.4 Invoices and Payment  
The City shall submit invoices that include detailed backup information including but not limited to timesheet reports. Each invoice shall include the following items:
  - Agreement number and title.
  - Invoice number.
  - Period covered by the invoice (specific beginning and ending calendar days).
  - Total amount expended to-date against the City's preliminary estimate, which WSDOT has agreed to as the total dollar amount for this agreement.
  - A brief narrative progress report that addresses progress of the work performed by the City.

- 2.5 State Fiscal Year End Closure Requirements (chapter 43.88 RCW): Any invoices for work performed between July 1 and June 30 of any given year must be submitted to WSDOT no later than July 6th (or the first business day after the July 4th holiday) of the same calendar year. If the City is unable to provide an invoice for such work by this date, an estimate of all remaining payable costs owed by WSDOT for work performed by the City prior to July 1 must be submitted to the WSDOT no later than July 19th of the same year in order for WSDOT to accrue the amount necessary for payment. The City will thereafter submit any remaining invoices to WSDOT for such work as soon as possible. Failure to comply with these requirements may result in delayed payment. WSDOT shall not be required to pay to the City late payment fees, interest, or incidental costs incurred by the City or any other costs related to a delayed payment if the City fails to comply with the invoice requirements of this Section.
- 2.6 WSDOT will review invoices, and associated attachments, and will notify the City of any unallowable/disapproved costs. WSDOT will specify the reason for any unallowable/disapproved costs on the invoiced amounts it believes it is not responsible for and/or may request justification from the City for the unallowable/disapproved costs. If the City provides the justification and WSDOT approves the cost, the City may resubmit the unallowable/disapproved costs in a subsequent invoice, noted as a resubmittal and within 60-days' notice of WSDOT's notification to the City of the initial unallowable/ disapproved cost.

Otherwise, the Parties may enter into the dispute resolution process (all unallowable/disapproved costs shall be subject to the dispute resolution process unless otherwise agreed to by the Parties) as noted in Section 3.

### **3. Dispute Resolution**

- 3.1 The Parties shall make good faith efforts to quickly and collaboratively resolve any dispute arising under or in connection with this Agreement. The dispute resolution process outlined in this Section applies to disputes arising under or in connection with the terms of this Agreement.
- 3.2 Informal Resolution. The informal resolution process begins at the staff level and is raised to the higher organizational levels, if necessary. The levels of resolution are described below:
- 3.2.1 Upon receipt of a written notice of request for dispute resolution, the WSDOT and the City Project Managers shall meet within ten (10) Business Days and attempt to resolve the dispute. Any resolution of the dispute requires the agreement of all Designated Representative attending the meeting who requested to attend the meeting.
- 3.2.2 If unresolved, the WSDOT and City's project manager listed in section 8.1 shall jointly cooperate to informally resolve any dispute as quickly and efficiently as possible.
- 3.2.3 If the Parties have not resolved the dispute within five (5) Business Days after the second level meeting, at any time thereafter either Party may seek relief under this Agreement in a court of law. The Parties agree that they have no right to relief in a court of law until they have completed the dispute resolution process outlined in this section.

#### **4. Modification**

- 4.1 This Agreement may be amended or modified only by the mutual agreement of the Parties. Such amendments or modifications shall not be binding unless they are in writing and signed by persons authorized to bind each of the Parties.

#### **5. Indemnification and Insurance**

- 5.1 To the extent permitted by law, WSDOT and the City shall protect, defend, indemnify, and save harmless each other, their respective officers, officials, employees, and agents, while acting within the scope of their employment as such, from any and all costs, claims, judgment, and/or awards of damages, arising out of, or in any way resulting from, Indemnifying Party's negligent acts or omissions. Neither WSDOT nor the City will be required to indemnify, defend, or save harmless each other if the claim, suit, or action for injuries, death, or damages is caused by the sole negligence of the other Party. Where such claims, suits, or actions result from concurrent negligence of WSDOT and the City, the indemnity provisions provided herein shall be valid and enforceable only to the extent of WSDOT's or the City's own negligence. WSDOT and the City agree that their respective obligations under this subsection extend to any claim, demand, and/or cause of action brought by, or on behalf of, any of its employees or agents. For this purpose, WSDOT and the City, by mutual negotiation, hereby waive, with respect to the other Party only, any immunity that would otherwise be available against such claims under the industrial insurance provisions of Title 51 RCW. In the event that WSDOT or the City incurs any judgment, award, and/or cost arising therefrom, including attorneys' fees, to enforce the provisions of this section, all such fees, expenses, and costs shall be recoverable by the prevailing Party. This indemnification shall survive the termination of this Agreement.
- 5.2 The City warrants that it is self-insured pursuant to a self-insurance "risk pool" duly authorized by the State of Washington and agrees to provide acceptable evidence of its self-insured status to WSDOT. The City self-insurance risk pool insurance policy must provide liability coverage for its operations under this Agreement, including (i) general liability coverage for bodily injury, property damage, and personal injury of not less than Two Million and no/100 Dollars (\$2,000,000.00) combined single limit per occurrence, with a general aggregate amount of not less than Five Million Dollars (\$5,000,000.00) per policy period; coverage under policies shall be triggered on an "occurrence basis," not on a "claims made" basis; and (ii) commercial automobile liability coverage providing bodily injury and property damage liability coverage for all owned and non-owned vehicles assigned to or used in the performance of the operations under this Agreement, with a combined single limit of not less than One Million \$1,000,000 per occurrence. WSDOT shall be named as an additional insured by endorsement of the commercial general liability coverage provided under the "risk pool" coverage, utilizing ISO Form 2026 (Additional Insured – Designated Person or Organization) or its equivalent without modification. Coverage obtained by County in compliance with the Section shall not be deemed as having relieved County of any liability in excess of such coverage.

In the event the City is not a party to a state approved self-insurance "risk pool", it shall secure insurance coverage in conformance with the required of this Section 5.2 and promptly provide a certificate of insurance from an insurer licensed to conduct business in the State of Washington, evidencing the procurement of the required insurance coverages. WSDOT shall be named as an additional insured by endorsement of the liability policy required, utilizing ISO Form 2026 (Additional Insured – Designated Person or Organization) or its equivalent without modification on any such general liability policies.



**6. Governing Law and Venue**

6.1 This Agreement shall be construed and interpreted in accordance with the laws of the state of Washington. In the event that either Party deems it necessary to institute legal action or proceedings to enforce any right or obligation under this Agreement, the Parties hereto agree that any such action or proceedings shall be brought in Thurston/Spokane XXXX Superior Court. Further, the Parties agree that each will be solely responsible for payment of their own attorneys' fees, witness fees, and costs.

**7. Independent capacity**

7.1 The employees or agents of each Party who are engaged in the performance of this Agreement shall continue to be employees or agents of that Party and shall not be considered for any purpose to be employees or agents of the other Party.

**8. Contacts and Notices**

8.1 Contact between the Parties, including but not limited to invoicing, agreement administration, and notices will be directed to the below identified contacts as follows or his/her designee or such other addresses as either Party may, from time to time, designate in writing:

**City Project Manager shall be:**

Name: Luis Garcia

Title:

Address:

Phone:

Email:

**WSDOT Project Manager shall be:**

Name: Kurt Kaufman

Title: Maintenance Operation Manager

Address: 2714 N. Mayfair Street

Spokane, WA 99207

Phone (509) 324-6583

Email: kaufmak@wsdot.wa.gov

**9. Severability**

9.1 Should any clause, phrase, sentence or paragraph of this Agreement or its application be declared invalid or void by a court of competent jurisdiction, the remaining provisions of this Agreement or its applications of those provisions not so declared shall remain in full force and effect.

**10. Termination**

10.1 Neither WSDOT nor the City may terminate this Agreement without the concurrence of the other Party. Termination shall be in writing and signed by both Parties. If this Agreement is so terminated prior to the fulfillment of the terms stated herein, the City shall be reimbursed for actual direct and related indirect expenses and costs incurred up to the date of termination, as well as the costs of non-cancelable obligations.

**11. No Third-Party Beneficiaries**

11.1 This Agreement is executed for the sole and exclusive benefit of the signatory Parties. Nothing in this Agreement, whether expressed or implied, is intended to confer any right, remedy or other entitlement upon any person other than the Parties hereto, nor is anything in this Agreement intended to relieve or discharge the obligation or liability of any third-party, nor shall any provision herein give any third-party any right of action against any Party hereto.

**12. Audits/Records**

12.1 All records for the PROJECT in support of all costs incurred shall be maintained by the Parties for a period of six (6) years. The Parties shall have full access to and right to examine said records, during normal business hours and as often as it deems necessary. The Parties agree

that the work performed herein is subject to audit by either or both Parties and/or their designated representatives, and/or the federal/state government.

- 12.2 If any litigation, claim, or audit is started before the expiration of the six (6) year period, the records shall be retained until all litigation, claims, or audit findings involving the records have been resolved.
- 12.3 Records and other documents, in any medium, furnished by one Party to this Agreement to the other Party, will remain the property of the furnishing Party, unless otherwise agreed. The Parties understand that such records and documents related to this Agreement are subject to public release through state public disclosure requests. The receiving Party will not disclose or make available this material to any third parties without first giving notice to the furnishing Party and giving it a reasonable opportunity to respond. Each Party will utilize reasonable security procedures and protections to assure that records and documents provided by the other Party are not erroneously disclosed to third parties.

**13. Working Days**

- 13.1 Working days for this Agreement are defined as Monday through Friday, excluding Washington State furlough days or state holidays pursuant to RCW 1.16.050.

**14. Counterparts**

- 14.1 This Agreement may be executed in counterparts or in duplicate originals. Each counterpart or each duplicate shall be deemed an original copy of this Agreement signed by each party, for all purposes. Electronic signatures or signatures transmitted via e-mail in a "PDF" may be used in place of original signatures on this Agreement. Each party intends to be bound by its electronic or "PDF" signature on this Agreement and is aware that the other parties are relying on its electronic or "PDF" signature.

In Witness Whereof, the Parties hereto have executed this Agreement as of the date last written below.

<b>City of Spokane</b>	<b>Washington State Department of Transportation</b>
By:	By:
Printed:	Printed: Todd Trepanier, P.E.
Title:	Title: Region Administrator
Date:	Date:

Approved as to Form City of Spokane	Approved as to Form Washington State Department of Transportation
By:	By: <i>Maek Schomock</i>
Printed:	Printed: <i>Maek Schomock</i>
Title:	Title: <i>Assistant Attorney General</i>
Date:	Date: <i>1/18/23</i>

CERTIFICATION OF ENROLLMENT  
**ENGROSSED SUBSTITUTE HOUSE BILL 1125**

Chapter 472, Laws of 2023  
(partial veto)

68th Legislature  
2023 Regular Session

TRANSPORTATION BUDGET

EFFECTIVE DATE: May 16, 2023

Passed by the House April 22, 2023  
Yeas 98 Nays 0

LAURIE JINKINS

**Speaker of the House of  
Representatives**

Passed by the Senate April 22, 2023  
Yeas 46 Nays 3

DENNY HECK

**President of the Senate**

Approved May 16, 2023 11:39 AM with  
the exception of sections 204(3),  
207(5), 20(10), 211(1), 215(3),  
217(6), 218(5), 219(2), 221(18),  
223(3), 224(4), 208(29), 208(31),  
213(5), 214(7), 215(4), 217(10),  
219(11), 219(12), 224(3), 701(1),  
804, 1102(1), 1102(14), 208(17),  
208(18), 208(19), and 208(33), which  
are vetoed.

JAY INSLEE

**Governor of the State of Washington**  
GCB 4001 Exhibit A

CERTIFICATE

I, Bernard Dean, Chief Clerk of the  
House of Representatives of the  
State of Washington, do hereby  
certify that the attached is  
**ENGROSSED SUBSTITUTE HOUSE BILL  
1125** as passed by the House of  
Representatives and the Senate on  
the dates hereon set forth.

BERNARD DEAN

**Chief Clerk**

FILED

May 17, 2023

**Secretary of State  
State of Washington**

1 transportation committees of the legislature on agency activities and  
2 their status by December 1, 2023, and to provide a final report to  
3 the transportation committees of the legislature by December 1, 2024.

*\*Sec. 215 was partially vetoed. See message at end of chapter.*

4 NEW SECTION. **Sec. 216. FOR THE DEPARTMENT OF TRANSPORTATION—**  
5 **HIGHWAY MAINTENANCE—PROGRAM M**

6	Motor Vehicle Account—State Appropriation. . . . .	\$535,033,000
7	Motor Vehicle Account—Federal Appropriation. . . . .	\$7,000,000
8	Move Ahead WA Account—State Appropriation. . . . .	\$50,000,000
9	State Route Number 520 Corridor Account—State	
10	Appropriation. . . . .	\$4,838,000
11	Tacoma Narrows Toll Bridge Account—State	
12	Appropriation. . . . .	\$1,585,000
13	Alaskan Way Viaduct Replacement Project Account—	
14	State Appropriation. . . . .	\$8,752,000
15	Interstate 405 and State Route Number 167 Express	
16	Toll Lanes Account—State Appropriation. . . . .	\$2,624,000
17	TOTAL APPROPRIATION. . . . .	\$609,832,000

18 The appropriations in this section are subject to the following  
19 conditions and limitations:

20 (1) \$5,000,000 of the motor vehicle account—state appropriation  
21 is provided solely for a contingency pool for snow and ice removal.  
22 The department must notify the office of financial management and the  
23 transportation committees of the legislature when they have spent the  
24 base budget for snow and ice removal and will begin using the  
25 contingency pool funding.

26 (2) (a) \$115,000 of the state route number 520 corridor account—  
27 state appropriation is provided solely for the department to enter  
28 into a dispute resolution process with local jurisdictions to produce  
29 interagency agreements to address the ongoing facility and landscape  
30 maintenance of the three state route number 520 eastside lids and  
31 surrounding areas at the Evergreen Point Road, 84th Avenue NE, and  
32 92nd Avenue NE.

33 (b) The agreements pursuant to (a) of this subsection must be  
34 executed by June 30, 2024.

35 (3) The appropriations in this section provide sufficient funding  
36 for the department assuming vacancy savings that may change over  
37 time. Funding for staffing will be monitored and adjusted in the 2024

1 supplemental transportation appropriations act to restore funding as  
2 authorized staffing levels are achieved.

3 (4) (a) \$7,000,000 of the motor vehicle account—state  
4 appropriation is provided solely for the department to address the  
5 risks to safety and public health associated with homeless  
6 encampments on department owned rights-of-way. The department must  
7 coordinate and work with local government officials and social  
8 service organizations who provide services and direct people to  
9 housing alternatives that are not in highway rights-of-way to help  
10 prevent future encampments from forming on highway rights-of-way and  
11 may reimburse the organizations doing this outreach assistance who  
12 transition people into treatment or housing or for debris clean up on  
13 highway rights-of-way. A minimum of \$2,000,000 of this appropriation  
14 must be used to deliver more frequent removal of litter on the  
15 highway rights-of-way that is generated by unsheltered people and may  
16 be used to hire crews specializing in collecting and disposing of  
17 garbage, clearing debris or hazardous material, and implementing  
18 safety improvements where hazards exist to the traveling public and  
19 department employees. The department may use these funds to either  
20 reimburse local law enforcement costs or the Washington state patrol  
21 if they are providing enhanced safety to department staff during  
22 debris cleanup or during efforts to prevent future encampments from  
23 forming on highway rights-of-way.

24 (b) Beginning November 1, 2023, and semiannually thereafter, the  
25 Washington state patrol and the department of transportation must  
26 jointly submit a report to the governor and the transportation  
27 committees of the legislature on the status of these efforts,  
28 including:

29 (i) A summary of the activities related to addressing  
30 encampments, including information on arrangements with local  
31 governments or other entities related to these activities;

32 (ii) A description of the planned activities in the ensuing two  
33 quarters to further address the emergency hazards and risks along  
34 state highway rights-of-way; and

35 (iii) Recommendations for executive branch or legislative action  
36 to achieve the desired outcome of reduced emergency hazards and risks  
37 along state highway rights-of-way.

38 (5) \$1,000,000 of the motor vehicle account—state appropriation  
39 is provided solely for a partnership program between the department  
40 and the city of Spokane, to be administered in conjunction with

1 subsection (4) of this section. The program must address the safety  
2 and public health problems created by homeless encampments on the  
3 department's property along state highways within the city limits.  
4 \$555,000 of the motor vehicle account—state appropriation is for  
5 dedicated department maintenance staff and associated clean-up costs.  
6 The department and the city of Spokane shall enter into a  
7 reimbursable agreement to cover up to \$445,000 of the city's expenses  
8 for clean-up crews and landfill costs.

9 (6) \$1,025,000 of the motor vehicle account—state appropriation  
10 is provided solely for the department to implement safety  
11 improvements and debris clean up on department-owned rights-of-way in  
12 the city of Seattle at levels above that being implemented as of  
13 January 1, 2019, to be administered in conjunction with subsection  
14 (4) of this section. The department must maintain a crew dedicated  
15 solely to collecting and disposing of garbage, clearing debris or  
16 hazardous material, and implementing safety improvements where  
17 hazards exist to the traveling public, department employees, or  
18 people encamped upon department-owned rights-of-way. The department  
19 may request assistance from the Washington state patrol as necessary  
20 in order for both agencies to provide enhanced safety-related  
21 activities regarding the emergency hazards along state highway  
22 rights-of-way in the Seattle area.

23 (7) \$1,015,000 of the motor vehicle account—state appropriation  
24 is provided solely for a partnership program between the department  
25 and the city of Tacoma, to be administered in conjunction with  
26 subsection (4) of this section. The program must address the safety  
27 and public health problems created by homeless encampments on the  
28 department's property along state highways within the city limits.  
29 \$570,000 of the motor vehicle account—state appropriation is for  
30 dedicated department maintenance staff and associated clean-up costs.  
31 The department and the city of Tacoma shall enter into a reimbursable  
32 agreement to cover up to \$445,000 of the city's expenses for clean-up  
33 crews and landfill costs.

34 (8) \$1,500,000 of the motor vehicle account—state appropriation  
35 is provided solely for the department to contract with the city of  
36 Fife to address the risks to safety and public health associated with  
37 homeless encampments on department-owned rights-of-way along the SR  
38 167/SR 509 Puget Sound Gateway project corridor in and adjacent to  
39 the city limits pursuant to section 216(10), chapter 186, Laws of

CITY OF SPOKANE EXECUTIVE ORDER	EO 2020-00 <u>17</u> LGL 2020-00 <u>08</u>
TITLE: <b>DIRECTIVE OF THE MAYOR REGARDING ADOPTION OF AN ADMINISTRATIVE POLICY</b>	
EFFECTIVE DATE: November <u>13<sup>th</sup></u> , 2020	RECEIVED NOV 13 2020 CITY CLERK'S OFFICE
REVISION DATE IF APPLICABLE:	

Pursuant to the City of Spokane (the "City") Administrative Policy and Procedure Number 0325-18-1, Section 5.2.1, the Mayor hereby issues this Directive:

**AUTHORITY:**

Section 5.2.1 provides in part as follows:

Copies of proposed policies and procedures shall be provided to all affected departments for review and comment for at least a two week period prior to final adoption, *unless* (emphasis added), directed otherwise by the Mayor or City Administrator.

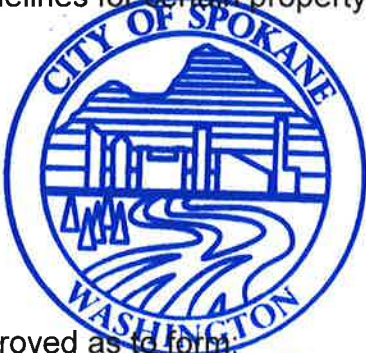
**ACTION:**


In this instance the undersigned Mayor of the City directs that the Encampment Removal and Cleanup Policy, attached hereto as Exhibit "A", is to become effective immediately upon signature, for the reasons set forth herein.

- 1) The effective date of the application of this Policy is necessary in order to resolve litigation filed in the United States District Court for the Eastern District of Washington captioned David Ham vs. City of Spokane, case No. 2:19-cv-00236-TOR; and
- 2) The potential enforcement of the City Municipal Code provisions that prohibit camping on public lands may create the need for additional camp site clean ups and this policy and procedure will provide rules and guidelines for certain property found in any encampments

Dated this 13 day of November, 2020.

  
 \_\_\_\_\_  
 Mayor Nadine Woodward



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

Attest:

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

Date of Publication: \_\_\_\_\_

Effective Date: 11/13/2020



CITY OF SPOKANE  
ADMINISTRATIVE POLICY AND PROCEDURE

CITY OF SPOKANE ADMINISTRATIVE POLICY AND PROCEDURE	ADMIN 1200-20-01 LGL 2020-0022
TITLE: <b>ENCAMPMENT REMOVAL AND CLEANUP POLICY</b> EFFECTIVE DATE: <b>November 13, 2020</b> REVISION DATE:	

1.0 GENERAL

1.1 PURPOSE AND INTENT

The purpose of this policy is to establish criteria and outline procedures for the removal and cleanup of encampments.

The intent of this policy is to promote the interests of public health and safety while also respecting the rights of unsheltered individuals and connecting them with available shelter services. The public health and safety concerns related to encampments have generated innumerable citizen complaints and have prompted city departments to send crews of personnel to clean up garbage and solid waste. The City's efforts have not only been costly, but have brought to light far more than a problem of mere unwanted litter.

Behaviors associated with encampments have resulted in a variety of problems that include, but are not limited to, uncontained fires, damage to trees and landscaping, contaminated hypodermic needles left out on open lands, biohazards such as exposed human waste, damage to critical infrastructure such as bridges and streets, and significant interference with the intended uses of public facilities. Additionally, there have been threats to the health and safety of the campers themselves and to the community.

The City of Spokane intends to address these issues by establishing this Encampment Removal and Cleanup Policy.

1.2 TABLE OF CONTENTS

- 1.0 GENERAL
- 2.0 DEPARTMENTS/DIVISIONS AFFECTED
- 3.0 REFERENCES
- 4.0 DEFINITIONS
- 5.0 POLICY
- 6.0 PROCEDURE
- 7.0 RESPONSIBILITIES
- 8.0 APPENDICES

## 2.0 DEPARTMENTS/DIVISIONS AFFECTED

This policy shall apply to the Spokane Police Department, Parks and Recreation and Neighborhood and Business Services.

## 3.0 REFERENCES

Washington State Constitution, Article XI, section 11

Spokane City Charter, Article 1 section 3

Spokane Municipal Code - Article VI. Protection of Public Lands and Properties, sections 12.02.1000 through 12.02.1012

Spokane Municipal Code section 12.02.0208

Spokane Municipal Code section 12.02.0737

Spokane Municipal Code section 10.10.026

Spokane Municipal Code section 12.06A.040.H.1

## 4.0 DEFINITIONS

4.1 Encampment means a site where one or more individuals or groups of persons temporarily reside outdoors.

## 5.0 POLICY

5.1 It is the policy of the City of Spokane to remove and clean up encampments on public property while respecting the personal property rights of campers.

## 6.0 PROCEDURE

### 6.1 REMOVAL AND CLEANUP CRITERIA

A. Any encampment on public property may be designated for removal and cleanup consistent with this policy.

B. The City will prioritize removal if any of the following conditions is observed or reasonably suspected in connection with an encampment:

1. physical threats or violence;
2. criminal activity not inherent in the act of unauthorized camping (e.g., drug use or sales, theft, sex trafficking, malicious mischief);
3. a condition that significantly increases the likelihood of disease or the spread of disease (e.g., rodents, exposed meat, human waste);

4. a condition that presents a significant risk of bodily injury or death (e.g., discarded needles, vehicular traffic, weapons);
  5. any other substantial threat to public health or safety;
  6. damage (including potential or foreseeable damage) to the natural environment of environmentally critical areas;
  7. significant amounts of trash;
  8. significant disruption to a primary intended use of public property (e.g., blocking a doorway, on a sports field or court; obstructing a large portion of a sidewalk);
  9. occupation of an area in which the public is not allowed to be present during the times camping is occurring.
- C. Any of the factors enumerated in the above section that are observed at an encampment that is the subject of removal should be documented with a specific description, which may include a police report, and available photographic or videographic evidence including footage from body worn cameras.
- D. In addition to documentation with regard to the aforementioned conditions, the police officer or other person responsible for documentation should include a statement whether such conditions place the public at risk and how removal of the encampment is related to preservation of public health or safety.

## 6.2 REMOVAL AND CLEANUP PROCEDURES

### A. Unoccupied Encampments – Written Notice Required Prior to Removal

For unoccupied encampments, written notice of removal will be posted on each tent and/or in any other distinct areas of the encampment. Reasonable efforts should be made to ensure that campers who are known to have difficulties understanding a written notice (whether because they are non-English speakers or impaired in some other way) receive the notice in a manner that is clear.

#### 1. Contents of Notice

The written notice will provide at least the following notifications:

- a. Campers must remove all their belongings from the site within 48 hours.
  - b. Campers should not leave behind any items they want to keep.
  - c. Campers unable to remove their belongings in time due to disability or an equivalent hindrance may call 311 or visit MySpokane at Spokane City Hall (808 W. Spokane Falls Blvd), to make a request for special assistance. The request will be evaluated for reasonableness, and if reasonable, accommodated to the extent practicable. Campers should not assume that a request for assistance will be approved or that the City will be able to accommodate the request.
  - d. Campers may call 311 or visit MySpokane at Spokane City Hall (808 W. Spokane Falls Blvd) to inquire about whether items that were left at an encampment have been stored. Campers may retrieve their belongings without fear of arrest solely on the basis that they are retrieving their belongings.
  - e. Campers wishing to minimize the risk of losing valued possessions in removals should always keep such items, to the extent possible, in visible, sanitary, and safely accessible bags or bins.
  - f. If the City does not clean up the site within a reasonable period of time, not to exceed five business days from expiration of the 48-hour period, the notice will be disregarded, and a new notice may then be posted.
  - g. Basic contact information for campers seeking shelters or social services.
2. Cleanup - After 48 hours, the City will clean up the site within a reasonable period of time.
    - a. Any campers who are present at that time will be directed to remove their belongings from the site.

- i. Items that a camper leaves behind will be deemed abandoned.
  - ii. Requests for additional time or assistance to remove items will be evaluated for reasonableness, and if reasonable, accommodated to the extent practicable.
- b. City staff, as designated by the Director of Code Enforcement, will conduct an inspection for any remaining, unclaimed items, to the extent this can be done safely. An inspection may be narrowed or terminated for one or more of the following reasons that render further inspection unsafe:
  - i. presence of one or more hypodermic needles (especially if uncapped);
  - ii. strong odor or visual indication of unsanitary condition (e.g., biological waste) permeating a tent or space;
  - iii. a tent or space that is soaked in liquid or mud;
  - iv. any other similar indication that further inspection or manipulation would be unsafe.
- c. Unclaimed items found in an inspection will be initially eligible for storage if and only if:
  - i. circumstances indicate that the item belongs to a person;
  - ii. the item has apparent utility in its current condition and circumstances; and
  - iii. the item can be safely retrieved from the site.

Examples of potentially storable items include: identification, medication stored in medication bottles with identifying information, art, art supplies, musical instruments, and items that reasonably appear to have sentimental value in their current condition. An item need not be in new or perfect condition to have apparent utility.

- d. An eligible item found in an inspection will be put into storage, unless it is determined to meet one of the following disqualifying conditions:
  - i. hazardous (e.g., items contaminated with human waste, explosives, moldy items);
  - ii. likely to become hazardous in storage (e.g., perishables, wet materials that might become moldy, items covered in mud);
  - iii. practically un-storable, due to large size, weight, or other similar characteristic;
  - iv. contraband or stolen;
  - v. is on the City's current list (as published on the City's website) of common types of items that, in the experience of City staff, campers regularly abandon during encampment removals, and there is no contrary indication as to the specific item.
- e. Any items taken into storage will be kept in storage for up to 60 days. In addition to information already available on the notice, information about how stored items can be retrieved shall be available on the City of Spokane's website.

3. If the City does not clean up the site within a reasonable period of time, not to exceed five business days from expiration of the 48-hour period, the notice will be disregarded, and a new notice may then be posted.

4. Stored items may be retrieved from storage based on a description with sufficient specificity to demonstrate ownership.

## B. Occupied Encampments

For occupied encampments, when shelter is available in the City, the City will provide campers with shelter and service information while expediting cleanup and removal of the site.

1. Campers will be directed to remove their belongings from the site.

- a. Items that a camper leaves behind will be deemed abandoned.
  - b. Requests for additional time or assistance to remove items will be evaluated for reasonableness and, if reasonable, accommodated to the extent practicable.
2. A separate and unclaimed portion of an otherwise occupied encampment will be treated as an unoccupied encampment per Section A above.

### C. Other Expedited Removals

1. The following types of encampments are subject to expedited removal even if the encampment is unoccupied:
  - a. An encampment in an area the public is not allowed to access at the time of removal, with clear signage to that effect.
  - b. An encampment in an area that has been clearly signed as specially off-limits to camping and subject to expedited removal.
  - c. An encampment that significantly disrupts a primary intended use of public property (e.g., blocking a doorway, on a sports field or court, or obstructing a large portion of a sidewalk).
  - d. An encampment that poses a significant risk of bodily injury (e.g., directly adjacent to vehicular traffic, requires walking across highway traffic to access).
  - e. An encampment that appears to have been entirely abandoned (e.g., no persons present and no indication anyone is likely to return for remaining items).
2. In an expedited removal, the notice specified in Section (A)(1) is not required. The City will otherwise follow the same clean-up procedures specified in this policy.

6.3 No part of this Encampment Removal and Cleanup Policy is intended to create any private or other cause of action.

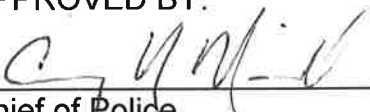
7.0 RESPONSIBILITIES

7.1 Departments are required to coordinate efforts to comply with this policy.

8.0 APPENDICES

Not applicable.

APPROVED BY:

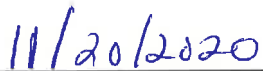
  
\_\_\_\_\_  
Chief of Police

  
\_\_\_\_\_  
Director of Parks and Recreation

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

  
\_\_\_\_\_  
Director of Community and Economic Development

  
\_\_\_\_\_  
City Administrator (Interim)

  
\_\_\_\_\_  
Date





## City of Spokane Camp Removals – Property Storage Commonly Encountered Items

*In the course of responding to reports of illegal camping on public land in the City of Spokane, items are encountered and determinations must be made on site whether to discard or store items. This list is not intended to be all-inclusive and determinations will be made in accordance with the City's Encampment Policy, in good faith and in the interest of the safety of city employees, the personal property rights of campers, and the general health and welfare of the public and its infrastructure. For more information, see the City's Encampment Removal and Cleanup Policy.*

### **Items commonly encountered that will be stored unless in a disqualifying condition (broken, not safely accessible, unsanitary, impractical to store, contraband, or clearly abandoned):**

- Items of obvious value (such as intact personal electronics, jewelry, debit/credit cards)
- Legal documents and identification cards
- Intact medical equipment (including prosthetics, wheelchairs, canes, eye glasses)
- Suitcases, backpacks, and other personal bags
- Clothing and bedding
- Tents
- Intact and undamaged bicycles, scooters, and other personal transportation implements
- Tools and cooking equipment

### **Items encountered that, in the City's experience, commonly are abandoned and presumptively will not be stored:**

- Scrap materials, such as lumber, pallets, tarps, plastic, and tires
- Parts of physical structures
- Couches and mattresses



# Spokane Municipal Code

\*\*\*Note: Many local criminal codes can now be located under [Chapter 10.60 SMC](#) while others are now cited under the Revised Code of Washington (RCW), which was incorporated into the municipal code in 2022. (See [SMC 10.58.010](#)). Code Enforcement, including Noise Control and Animal Regulations are located in Chapters 10.62 through 10.74.

- [Home](#)
- [Title 12](#)
- [Chapter 12.02](#)
- [Section 12.02.1010](#)

## [Title 12](#) Public Ways and Property

### [Chapter 12.02](#) Obstruction, Encroachment of Public Ways

#### Article VI. Protection of Public Lands and Properties

### [Section 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,

Date Passed: Tuesday, November 28, 2023

Effective Date: Tuesday, November 28, 2023

ORD C36408 Section 1



**Agenda Sheet for City Council:**

**Committee:** Urban Experience **Date:** 03/11/2024

**Committee Agenda type:** Consent

**Date Rec'd** 2/29/2024

**Clerk's File #** OPR 2024-0214

**Renews #**

**Cross Ref #**

**Council Meeting Date:** 03/25/2024

<b>Submitting Dept</b>	PLANNING & ECONOMIC	<b>Project #</b>	
------------------------	---------------------	------------------	--

<b>Contact Name/Phone</b>	AMANDA BECK X6414	<b>Bid #</b>	
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<b>Contact E-Mail</b>	ABECK@SPOKANECITY.ORG	<b>Requisition #</b>	
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<b>Agenda Item Type</b>	Contract Item		
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<b>Council Sponsor(s)</b>	JBINGLE ZZAPPONE KKLITZKE		
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<b>Agenda Item Name</b>	0650 - MFTE CONDITIONAL AGREEMENT FOR 1207 E NEWARK AVE		
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**Agenda Wording**

Multiple Family Housing Property Tax Exemption Conditional Agreement with NARP LLC, for the future construction of approximately 4 units, at Parcel Number(s) 35204.0211 commonly known as 1207 E Newark Ave.

**Summary (Background)**

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

Lease? NO Grant related? NO Public Works? NO

**Fiscal Impact**

Approved in Current Year Budget? N/A

Total Cost \$ 0

Current Year Cost \$ 0

Subsequent Year(s) Cost \$ 0

**Narrative**

**Amount**

**Budget Account**

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



# Continuation of Wording, Summary, Approvals, and Distribution

## Agenda Wording

## Summary (Background)

### **Approvals**

**Dept Head**

BLACK, TIRRELL

**Division Director**

BLACK, TIRRELL

**Accounting Manager**

ALBIN-MOORE, ANGELA

**Legal**

RICHMAN, JAMES

**For the Mayor**

PICCOLO, MIKE

### **Additional Approvals**

### **Distribution List**

Drew Helmstadter - alhelmstadter@gmail.com

smacdonald@spokanecity.org

sgardner@spokanecity.org

tstripes@spokanecity.org

abeck@spokanecity.org

rbenzie@spokanecity.org



# PLANNING & ECONOMIC DEVELOPMENT

## MFTE Committee Briefing Paper

### Urban Experience

<b>Submitting Department</b>	Planning and Economic Development
<b>Contact Name &amp; Phone</b>	Amanda Beck, 509-625-6414
<b>Contact Email</b>	abeck@spokanecity.org
<b>Council Sponsor(s)</b>	Zack Zappone, Jonathan Bingle, and Kitty Klitzke
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested: _____
<b>Agenda Item Name</b>	<b>0650 – Multi-Family Tax Exemption (MFTE) Conditional Agreement</b>
<b>Summary (Background)</b>	<p>Chapter 84.14 RCW authorizes the City to create a multiple family housing property tax exemption program and to certify qualified property owners for that property tax exemption. SMC <b>08.15</b> Multiple-family Housing Property Tax Exemption outlines the City of Spokane MFTE Program and project eligibility.</p> <p>Staff has determined that the <b>Perry Street Townhomes</b> Conditional application meets the Project Eligibility defined in SMC <b>08.15.040</b> and is located in a previously adopted Residential Target Areas identified in SMC <b>08.15.030</b>.</p> <p>Once the project is constructed, the applicant intends to finalize as a <b>8-year Market Rate Exemption</b>.</p> <p>This Conditional Agreement authorizes the appropriate city official to enter into the Multiple Family Housing Property Tax Exemption Conditional Agreement, which will ultimately result in the issuance of a final certificate of tax exemption to be filed with the Spokane County Assessor’s Office post construction.</p>
<b>Proposed Council Action &amp; Date:</b>	<p><b>Approve the MFTE Conditional Agreement for the <u>Perry Street Townhomes</u> at the <b>March 25, 2024 City Council Meeting</b>.</b></p> <p><b>Project Details:</b> The applicant applied for a Conditional MFTE Agreement for <b>4 units</b>, at <b>1207 E NEWARK AVE SPOKANE, WA</b></p> <ul style="list-style-type: none"> <li>• Property is zoned <b>RMF</b> and the proposed use is allowed.</li> <li>• Estimated Construction Costs: <b>1000000</b></li> <li>• Located in the <b>East Central</b> neighborhood.</li> </ul>
<b>Fiscal Impact:</b>	
<b>Approved in current year budget?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Total Cost: <b>\$0</b>	
Current year cost:	
Subsequent year(s) cost:	
<b>Narrative:</b>	<u>The Mutli-Family Tax Exemption program has no direct impact on City revenues or expenses.</u>
<b>Funding Source</b>	<input type="checkbox"/> One-time <input type="checkbox"/> Recurring <input checked="" type="checkbox"/> N/A
Specify funding source:	
Is this funding source sustainable for future years, months, etc?	N/A

Expense Occurrence	<input type="checkbox"/> One-time	<input type="checkbox"/> Recurring	<input checked="" type="checkbox"/> N/A
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Other budget impacts: (revenue generating, match requirements, etc.)

**Operation Impacts**

What impacts would the proposal have on historically excluded communities?

**SMC 08.15 Multi- Family Housing Property Tax Exemption**

A. The purposes of this chapter are to:

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

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?

**RCW 84.14.100**

**Report—Filing—Department of commerce audit or review—Guidance to cities and counties. (Expires January 1, 2058.)**

(1) Thirty days after the anniversary of the date of the certificate of tax exemption and each year for the tax exemption period, the owner of the rehabilitated or newly constructed property, or the qualified nonprofit or local government that will assure permanent affordable homeownership for at least 25 percent of the units for properties receiving an exemption under RCW 84.14.021, must file with a designated authorized representative of the city or county an annual report indicating the following:

- (a) A statement of occupancy and vacancy of the rehabilitated or newly constructed property during the twelve months ending with the anniversary date;
- (b) A certification by the owner that the property has not changed use and, if applicable, that the property has been in compliance with the affordable housing requirements as described in RCW 84.14.020 since the date of the certificate approved by the city or county;
- (c) A description of changes or improvements constructed after issuance of the certificate of tax exemption; and
- (d) Any additional information requested by the city or county in regards to the units receiving a tax exemption.

(2) **All cities or counties, which issue certificates of tax exemption for multiunit housing that conform to the requirements of this chapter, must report annually by April 1st of each year, beginning in 2007, to the department of commerce. A city or county must be in compliance with the reporting requirements of this section to offer certificates of tax exemption for multiunit housing authorized in this chapter. The report must include the following information:**

- (a) The number of tax exemption certificates granted;
- (b) The total number and type of units produced or to be produced;
- (c) The number, size, and type of units produced or to be produced meeting affordable housing requirements;
- (d) The actual development cost of each unit produced;
- (e) The total monthly rent or total sale amount of each unit produced;
- (f) The annual household income and household size for each of the affordable units receiving a tax exemption and a summary of these figures for the city or county; and
- (g) The value of the tax exemption for each project receiving a tax exemption and the total value of tax exemptions granted.

(3)(a) The department of commerce must adopt and implement a program to effectively audit or review that the owner or operator of each property for which a certificate of tax exemption has been issued, except for those properties receiving an exemption that are owned or operated by a nonprofit or for those properties receiving an exemption from a city or county that operates an independent audit or review program, is offering the number of units at rents as committed to in the approved application for an exemption and that the tenants are being properly screened to be qualified for an income-restricted unit. The audit or review program must be adopted in consultation with local governments and other stakeholders and may be based on auditing a percentage of income-restricted units or properties annually. A private owner or operator of a property for which a certificate of tax exemption has been issued under this chapter, must be audited at least once every five years.

(b) If the review or audit required under (a) of this subsection for a given property finds that the owner or operator is not offering the number of units at rents as committed to in the approved application or is not properly screening tenants for income-restricted units, the department of commerce must notify the city or county and the city or county must impose and collect a sliding scale penalty not to exceed an amount calculated by subtracting the amount of rents that would have been collected had the owner or operator complied with their commitment from the amount of rents collected by the owner or operator for the income-restricted units, with consideration of the severity of the noncompliance. If a subsequent review or audit required under (a) of this subsection for a given property finds continued substantial noncompliance with the program requirements, the exemption certificate must be canceled pursuant to **RCW 84.14.110**.

(c) The department of commerce may impose and collect a fee, not to exceed the costs of the audit or review, from the owner or operator of any property subject to an audit or review required under (a) of this subsection.

(4) The department of commerce must provide guidance to cities and counties, which issue certificates of tax exemption for multiunit housing that conform to the requirements of this chapter, on best practices in managing and reporting for the exemption programs authorized under this chapter, including guidance for cities and counties to collect and report demographic information for tenants of units receiving a tax exemption under this chapter.

(5) This section expires January 1, 2058.

**[2021 c 187 § 5; 2012 c 194 § 9; 2007 c 430 § 10; 1995 c 375 § 13.]**

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

## **Title 08** Taxation and Revenue

### **Chapter 08.15** Multiple-family Housing Property Tax Exemption

#### **Section 08.15.100** Annual Certification and Affordability Certification

Within thirty days of the anniversary of the date the final certificate of tax exemption was recorded at the County and each year thereafter, for the tax exemption period, the property owner shall file a certification with the director, verified upon oath or affirmation, which shall contain such information as the director may deem necessary or useful, and shall include the following information:

1. A statement of occupancy and vacancy of the multi-family units during the previous year.
2. A certification that the property has not changed use and, if applicable, that the property has been in compliance with the affordable housing requirements as described in **SMC 8.15.090** since the date of filing of the final certificate of tax exemption, and continues to be in compliance with the contract with the City and the requirements of this chapter; and



3. If the property owner rents the affordable multi-family housing units, the property owner shall file with the City a report indicating the household income of each initial tenant qualifying as low and moderate-income in order to comply with the twenty percent requirement of **SMC 8.15.090(A)(2)(b)** and RCW 84.14.020(1)(ii)(B).

a. The reports shall be on a form provided by the City and shall be signed by the tenants.

b. Information on the incomes of occupants of affordable units shall be included with the application for the final certificate of tax exemption, and shall continue to be included with the annual report for each property during the exemption period.

4. A description of any improvements or changes to the property made after the filing of the final certificate or last declaration, as applicable.

B. Failure to submit the annual declaration may result in cancellation of the tax exemption.

Date Passed: Monday, August 21, 2017  
Effective Date: Saturday, October 7, 2017  
ORD C35524 Section 8

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?

**Comprehensive Plan Land Use Policies:**

- LU 1.4 Higher Density Residential Uses
- LU 3.5 Mix of Uses in Centers
- LU 4.2 Land Uses That Support Travel Options and Active Transportation
- LU 4.6 Transit-Supported Development

**Comprehensive Plan Housing Policies:**

- H 1.9 Mixed-Income Housing
- H 1.4 Use of Existing Infrastructure
- H 1.10 Lower-Income Housing Development Incentives
- H 1.11 Access to Transportation
- H 1.18 Distribution of Housing Options

**Comprehensive Plan Economic Development Policies:**

- ED 2.4 Mixed-Use
- ED 7.4 Tax Incentives for Land Improvement

**Council Subcommittee Review:**

Please provide a summary of council subcommittee review. If not reviewed by council subcommittee, please explain why not.

**All Mutli-Family Tax Exemption conditional agreement applications appear before the Urban Experience committee on the consent agengda for approval to appear on the next available legislative consent agenda.**



## PLANNING & ECONOMIC DEVELOPMENT MULTIPLE FAMILY HOUSING PROPERTY TAX EXEMPTION AGREEMENT

**THIS CONDITIONAL AGREEMENT is between the City of Spokane, a Washington State municipal corporation, as “City”, and NARP LLC, as “Owner/Taxpayer” whose business address is 6128 N HOWARD ST SPOKANE, WA 99205.**

**WITNESSETH:**

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

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

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

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

**LIBERTY PARK ADD LTS 14&15 BLK 4**

Assessor’s Parcel Number(s) **35204.0211**,

commonly known as

**1207 E NEWARK AVE SPOKANE, WA.**

WHEREAS, this property is located in the **Spokane Targeted Investment Area**, and is eligible to seek a Final Certificate of Tax Exemption post construction under the **8-year Market Rate Exemption**, as defined in SMC 08.15.090.

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

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

1. The City agrees to issue the Owner/Taxpayer a Conditional Agreement subsequent to the City Council’s approval of this agreement.
2. The project must comply with all applicable zoning requirements, land use

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

3. If the property proposed to be rehabilitated is not vacant, the Owner/Taxpayer shall provide each existing tenant with housing of comparable size, quality and price and a reasonable opportunity to relocate. At the time of an application for a Conditional Agreement, the applicant provided a letter attesting and documenting how the existing tenant(s) were/will be provided comparable housing and opportunities to relocate.

(a). The existing residential tenant(s) are to be provided housing of a comparable size and quality at a rent level meeting the Washington State definition of affordable to their income level. Specifically, RCW 84.14.010 defines "affordable housing" as residential housing that is rented by a person or household whose monthly housing costs, including utilities other than telephone, do not exceed thirty (30) percent of the household's monthly income. The duration of this requirement will be the length of the tenant's current lease plus one year.

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

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

6. The Owner/Taxpayer agrees, upon completion of the improvements and upon issuance by the City of a temporary or permanent certificate of occupancy, to file an application for a Final Certificate of Tax Exemption with the City's Planning and Economic Development Department, which will require the following:

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

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

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

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

7. The City agrees, conditioned on the Owner/Taxpayer's successful completion of the improvements in accordance with the terms of this Conditional Agreement and on the

Owner/Taxpayer's filing of application for the Final Certificate of Exemption with the materials described in Paragraph 6 above, to file a Final Certificate of Tax Exemption with the Spokane County Assessor indicating that the Owner/Taxpayer is qualified for the limited tax exemption under Chapter 84.14 RCW.

8. The Owner/Taxpayer agrees, that once a Final Certificate of Tax Exemption is issued, to comply with all Annual Reporting requirements set forth in SMC 8.15.100 and contained in the annual report form provided by the City. Thirteen (13) months following the first year of the exemption beginning and every year thereafter, the Owner/Taxpayer will complete and file the appropriate Annual Report required by the terms of their Final Certificate of Tax Exemption with the City's Planning and Economic Development Department. The Annual Report is a declaration verifying upon oath and indicating the following:

(a) a statement of occupancy, use of the property/unit, income and rents for qualifying 12-year and 20-year and vacancy of the multi-family units during the previous year;

(b) a certification that the property has not changed to a commercial use or been used as a transient (short-term rental) basis and, if applicable, that the property has been in compliance with the affordable housing income and rent requirements as described in SMC 8.15.090 since the date of the filing of the Final Certificate of Tax Exemption, and continues to be in compliance with this Agreement and the requirements of SMC Chapter 8.15;

(c) for affordable multi-family housing units, information providing the household income, rent and utility cost, of each qualifying as low and moderate-income, which shall be reported on a form provided by the City and signed by the tenants; and

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

9. The parties acknowledge that the units, including any owner-occupied units are to be used and occupied for multifamily permanent residential occupancy and use. The parties further acknowledge that the certificate of occupancy issued by the City is for multifamily residential units. The Owner/Taxpayer acknowledges and agrees that the units shall be used primarily for multi-family housing for permanent residential occupancy as defined in SMC 8.15.020 and RCW 84.14.010 and any business activities shall only be incidental and ancillary to the residential occupancy. Any units that are converted from multi-family housing for permanent residential occupancy shall be reported to the City of Spokane's Planning and Economic Development Department and the Spokane County Assessor's Office and removed from eligibility for the tax exemption within 60 days. If the removal of the ineligible unit or units causes the number of units to drop below the number of units required for tax exemption eligibility, the remaining units shall be removed from eligibility pursuant to state law.

10. To qualify for the twelve-year tax exemption, the Owner/Taxpayer will be required to rent or sell at least **25%** of the multiple family housing units as affordable housing units to low and moderate-income households and will ensure that the units within the 12-yr program are dispersed throughout the building and distributed proportionally among the buildings; not be clustered in certain sections of the building or stacked; comparable to market-rate units in terms of unit size and leasing terms; and are comparable to market-rate units in terms of functionality and building amenities and access in addition to the other requirements set forth

in the Agreement. The Owner/Taxpayer is further required to comply with the rental relocation assistance requirements set forth in RCW 84.14.020 (7) and (8) and in SMC 8.15.090 (D).

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

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

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

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

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

16. The parties agree that this Conditional Agreement, requires the applicant to file an application for the Final Certificate of Tax Exemption post the construction of the multiple family residential housing units referenced above and that the Final Certificate of Tax Exemption shall be subject to the applicable provisions of Chapter 84.14 RCW and Chapter 8.15 SMC that exist at the time this agreement is signed by the parties. The parties may agree to amend this Conditional Agreement requirements as set forth when the applicant applies for the Final Certificate of Tax Exemption based upon applicable amendments and additions to Chapter 84.14 RCW or Chapter 8.15 SMC if the requirements change between the issuance of the Conditional Agreement and the Application for Final Tax Exemption has been submitted.

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

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

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

CITY OF SPOKANE

NARP LLC

By:

---

Interim City Administrator, Garrett Jones

---

Attest:

---

City Clerk

By:

---

Its:

---

Approved as to form:

---

Assistant City Attorney

**Agenda Sheet for City Council:****Committee:** Urban Experience **Date:** 03/11/2024**Committee Agenda type:** Consent**Date Rec'd**

2/28/2024

**Clerk's File #**

OPR 2024-0215

**Renews #****Cross Ref #****Council Meeting Date:** 03/25/2024**Submitting Dept**

PLANNING &amp; ECONOMIC

**Project #****Contact Name/Phone**

AMANDA BECK X6414

**Bid #****Contact E-Mail**

ABECK@SPOKANECITY.ORG

**Requisition #****Agenda Item Type**

Contract Item

**Council Sponsor(s)**

JBINGLE ZZAPPONE KKLITZKE

**Agenda Item Name**

0650 - MFTE CONDITIONAL AGREEMENT FOR 7650 N A ST

**Agenda Wording**

Multiple Family Housing Property Tax Exemption Conditional Agreement with Five Mile Spokane, LLC, for the future construction of approximately 48 units, at Parcel Number(s) 26252.0064 commonly known as 7650 N A St AKA 7601 N Five Mile Rd.

**Summary (Background)**

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

Lease? NO

Grant related? NO

Public Works? NO

**Fiscal Impact**

Approved in Current Year Budget? N/A

Total Cost \$ 0

Current Year Cost \$ 0

Subsequent Year(s) Cost \$ 0

**Narrative****Amount****Budget Account**

Neutral \$

#

Select \$

#

Select \$

#

Select \$

#

\$

#

\$

#



# Continuation of Wording, Summary, Approvals, and Distribution

## Agenda Wording

## Summary (Background)

### **Approvals**

#### Dept Head

GARDNER, SPENCER

#### Division Director

BLACK, TIRRELL

#### Accounting Manager

ALBIN-MOORE, ANGELA

#### Legal

HARRINGTON,

#### For the Mayor

PICCOLO, MIKE

### **Additional Approvals**

### **Distribution List**

Anthony Jansen -

smacdonald@spokanecity.org

sgardner@spokanecity.org

tstripes@spokanecity.org

abeck@spokanecity.org

rbenzie@spokanecity.org





# PLANNING & ECONOMIC DEVELOPMENT

## MFTE Committee Briefing Paper

### Urban Experience

<b>Submitting Department</b>	Planning and Economic Development
<b>Contact Name &amp; Phone</b>	Amanda Beck, 509-625-6414
<b>Contact Email</b>	abeck@spokanecity.org
<b>Council Sponsor(s)</b>	Zack Zappone, Kitty Klitzke, and Jonathan Bingle
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested: _____
<b>Agenda Item Name</b>	<b>0650 – Multi-Family Tax Exemption (MFTE) Conditional Agreement</b>
<b>Summary (Background)</b>	<p>Chapter 84.14 RCW authorizes the City to create a multiple family housing property tax exemption program and to certify qualified property owners for that property tax exemption. SMC <b>08.15</b> Multiple-family Housing Property Tax Exemption outlines the City of Spokane MFTE Program and project eligibility.</p> <p>Staff has determined that the <b>5M Apartments</b> Conditional application meets the Project Eligibility defined in SMC <b>08.15.040</b> and is located in a previously adopted Residential Target Areas identified in SMC <b>08.15.030</b>.</p> <p>Once the project is constructed, the applicant intends to finalize as a <b>12-yr Affordable Rentals of 12 + Units</b>.</p> <p>This Conditional Agreement authorizes the appropriate city official to enter into the Multiple Family Housing Property Tax Exemption Conditional Agreement, which will ultimately result in the issuance of a final certificate of tax exemption to be filed with the Spokane County Assessor's Office post construction.</p>
<b>Proposed Council Action &amp; Date:</b>	<p><b>Approve the MFTE Conditional Agreement for the <u>5M Apartments</u> at the <b>March 25, 2024 City Council Meeting</b>.</b></p> <p><b>Project Details:</b> The applicant applied for a Conditional MFTE Agreement for <b>48 units</b>, at <b>7650 N A ST SPOKANE, WA</b></p> <ul style="list-style-type: none"> <li>• Property is zoned <b>R1</b> and the proposed use is allowed.</li> <li>• Estimated Construction Costs:</li> <li>• Located in the <b>Five Mile Prairie</b> neighborhood.</li> </ul>
<b>Fiscal Impact:</b>	
<b>Approved in current year budget?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Total Cost: <b>\$0</b>	
Current year cost:	
Subsequent year(s) cost:	
<b>Narrative:</b>	<u>The Mutli-Family Tax Exemption program has no direct impact on City revenues or expenses.</u>
<b>Funding Source</b>	<input type="checkbox"/> One-time <input type="checkbox"/> Recurring <input checked="" type="checkbox"/> N/A
Specify funding source:	
Is this funding source sustainable for future years, months, etc?	N/A

Expense Occurrence	<input type="checkbox"/> One-time	<input type="checkbox"/> Recurring	<input checked="" type="checkbox"/> N/A
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Other budget impacts: (revenue generating, match requirements, etc.)

### Operation Impacts

What impacts would the proposal have on historically excluded communities?

#### SMC 08.15 Multi- Family Housing Property Tax Exemption

A. The purposes of this chapter are to:

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

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?

#### RCW 84.14.100

**Report—Filing—Department of commerce audit or review—Guidance to cities and counties. (Expires January 1, 2058.)**

(1) Thirty days after the anniversary of the date of the certificate of tax exemption and each year for the tax exemption period, the owner of the rehabilitated or newly constructed property, or the qualified nonprofit or local government that will assure permanent affordable homeownership for at least 25 percent of the units for properties receiving an exemption under RCW 84.14.021, must file with a designated authorized representative of the city or county an annual report indicating the following:

- (a) A statement of occupancy and vacancy of the rehabilitated or newly constructed property during the twelve months ending with the anniversary date;
- (b) A certification by the owner that the property has not changed use and, if applicable, that the property has been in compliance with the affordable housing requirements as described in RCW 84.14.020 since the date of the certificate approved by the city or county;
- (c) A description of changes or improvements constructed after issuance of the certificate of tax exemption; and
- (d) Any additional information requested by the city or county in regards to the units receiving a tax exemption.

(2) **All cities or counties, which issue certificates of tax exemption for multiunit housing that conform to the requirements of this chapter, must report annually by April 1st of each year, beginning in 2007, to the department of commerce. A city or county must be in compliance with the reporting requirements of this section to offer certificates of tax exemption for multiunit housing authorized in this chapter. The report must include the following information:**

- (a) The number of tax exemption certificates granted;
- (b) The total number and type of units produced or to be produced;
- (c) The number, size, and type of units produced or to be produced meeting affordable housing requirements;
- (d) The actual development cost of each unit produced;
- (e) The total monthly rent or total sale amount of each unit produced;
- (f) The annual household income and household size for each of the affordable units receiving a tax exemption and a summary of these figures for the city or county; and
- (g) The value of the tax exemption for each project receiving a tax exemption and the total value of tax exemptions granted.

(3)(a) The department of commerce must adopt and implement a program to effectively audit or review that the owner or operator of each property for which a certificate of tax exemption has been issued, except for those properties receiving an exemption that are owned or operated by a nonprofit or for those properties receiving an exemption from a city or county that operates an independent audit or review program, is offering the number of units at rents as committed to in the approved application for an exemption and that the tenants are being properly screened to be qualified for an income-restricted unit. The audit or review program must be adopted in consultation with local governments and other stakeholders and may be based on auditing a percentage of income-restricted units or properties annually. A private owner or operator of a property for which a certificate of tax exemption has been issued under this chapter, must be audited at least once every five years.

(b) If the review or audit required under (a) of this subsection for a given property finds that the owner or operator is not offering the number of units at rents as committed to in the approved application or is not properly screening tenants for income-restricted units, the department of commerce must notify the city or county and the city or county must impose and collect a sliding scale penalty not to exceed an amount calculated by subtracting the amount of rents that would have been collected had the owner or operator complied with their commitment from the amount of rents collected by the owner or operator for the income-restricted units, with consideration of the severity of the noncompliance. If a subsequent review or audit required under (a) of this subsection for a given property finds continued substantial noncompliance with the program requirements, the exemption certificate must be canceled pursuant to **RCW 84.14.110**.

(c) The department of commerce may impose and collect a fee, not to exceed the costs of the audit or review, from the owner or operator of any property subject to an audit or review required under (a) of this subsection.

(4) The department of commerce must provide guidance to cities and counties, which issue certificates of tax exemption for multiunit housing that conform to the requirements of this chapter, on best practices in managing and reporting for the exemption programs authorized under this chapter, including guidance for cities and counties to collect and report demographic information for tenants of units receiving a tax exemption under this chapter.

(5) This section expires January 1, 2058.

**[2021 c 187 § 5; 2012 c 194 § 9; 2007 c 430 § 10; 1995 c 375 § 13.]**

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

#### **Title 08** Taxation and Revenue

#### **Chapter 08.15** Multiple-family Housing Property Tax Exemption

#### **Section 08.15.100** Annual Certification and Affordability Certification

Within thirty days of the anniversary of the date the final certificate of tax exemption was recorded at the County and each year thereafter, for the tax exemption period, the property owner shall file a certification with the director, verified upon oath or affirmation, which shall contain such information as the director may deem necessary or useful, and shall include the following information:

1. A statement of occupancy and vacancy of the multi-family units during the previous year.
2. A certification that the property has not changed use and, if applicable, that the property has been in compliance with the affordable housing requirements as described in **SMC 8.15.090** since the date of filing of the final certificate of tax exemption, and continues to be in compliance with the contract with the City and the requirements of this chapter; and

3. If the property owner rents the affordable multi-family housing units, the property owner shall file with the City a report indicating the household income of each initial tenant qualifying as low and moderate-income in order to comply with the twenty percent requirement of **SMC 8.15.090(A)(2)(b)** and RCW 84.14.020(1)(ii)(B).

a. The reports shall be on a form provided by the City and shall be signed by the tenants.

b. Information on the incomes of occupants of affordable units shall be included with the application for the final certificate of tax exemption, and shall continue to be included with the annual report for each property during the exemption period.

4. A description of any improvements or changes to the property made after the filing of the final certificate or last declaration, as applicable.

B. Failure to submit the annual declaration may result in cancellation of the tax exemption.

Date Passed: Monday, August 21, 2017  
Effective Date: Saturday, October 7, 2017  
ORD C35524 Section 8

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?

**Comprehensive Plan Land Use Policies:**

- LU 1.4 Higher Density Residential Uses
- LU 3.5 Mix of Uses in Centers
- LU 4.2 Land Uses That Support Travel Options and Active Transportation
- LU 4.6 Transit-Supported Development

**Comprehensive Plan Housing Policies:**

- H 1.9 Mixed-Income Housing
- H 1.4 Use of Existing Infrastructure
- H 1.10 Lower-Income Housing Development Incentives
- H 1.11 Access to Transportation
- H 1.18 Distribution of Housing Options

**Comprehensive Plan Economic Development Policies:**

- ED 2.4 Mixed-Use
- ED 7.4 Tax Incentives for Land Improvement

**Council Subcommittee Review:**

Please provide a summary of council subcommittee review. If not reviewed by council subcommittee, please explain why not.

**All Mutli-Family Tax Exemption conditional agreement applications appear before the Urban Experience committee on the consent agengda for approval to appear on the next available legislative consent agenda.**



## PLANNING & ECONOMIC DEVELOPMENT MULTIPLE FAMILY HOUSING PROPERTY TAX EXEMPTION AGREEMENT

**THIS CONDITIONAL AGREEMENT is between the City of Spokane, a Washington State municipal corporation, as “City”, and FIVE MILE SPOKANE, LLC, as “Owner/Taxpayer” whose business address is 1030 COMMERCE AVE LONGVIEW, WA 98632.**

### WITNESSETH:

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

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

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

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

**25-26-42 PTN OF W1/2 OF NW1/4 OF NW1/4 LYG SLY OF 5 MILE RD DAF: BEG AT PT ON W LN OF SEC 25 WHICH BEARS S1257.25FT FROM NW COR OF SEC 25 TH N ALG W LN 536.51FT TO PT ON S ROW LN OF 5 MILE RD SAID PT BEING A NON-TANGENT 173.24FT RADIUS CURVE TO LEFT RADIUS BEARS N55\*46'28"E TH SELY ALG CURVE THRU C/ 22\*35'28" ARC DIST 68.31FT TH S56\*4900"E 341FT TH S47\*50'01"W 450.37FT TO POB EXC PTN DAF: A STRIP OF LAND 15FT IN WIDTH LYG SLY & PAR W/ N LN OF PARCEL WHICH ALSO IS S LN OF 5 MILE RD FROM NE COR OF PARCEL WLY 260FT TO A PT & SAID PT IS TERMINUS OF DESCRIPTION**

Assessor's Parcel Number(s) **26252.0064**,

commonly known as

**7650 N A ST SPOKANE, WA.**

WHEREAS, this property is located in the **Affordable Housing Emphasis Area** and is eligible to seek a Final Certificate of Tax Exemption post construction under the **12-yr Affordable Rentals of 12 + Units**, as defined in SMC 08.15.090.

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

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

1. The City agrees to issue the Owner/Taxpayer a Conditional Agreement subsequent to the City Council's approval of this agreement.
2. The project must comply with all applicable zoning requirements, land use requirements, design review recommendations and all building, fire, and housing code requirements contained in the Spokane Municipal Code at the time a complete application for a building permit is received. However, if the proposal includes rehabilitation or demolition in preparation for new construction, the residential portion of the building shall fail to comply with one or more standards of applicable building or housing codes, and the rehabilitation improvements shall achieve compliance with the applicable building and construction codes.
3. If the property proposed to be rehabilitated is not vacant, the Owner/Taxpayer shall provide each existing tenant with housing of comparable size, quality and price and a reasonable opportunity to relocate. At the time of an application for a Conditional Agreement, the applicant provided a letter attesting and documenting how the existing tenant(s) were/will be provided comparable housing and opportunities to relocate.
  - (a). The existing residential tenant(s) are to be provided housing of a comparable size and quality at a rent level meeting the Washington State definition of affordable to their income level. Specifically, RCW 84.14.010 defines "affordable housing" as residential housing that is rented by a person or household whose monthly housing costs, including utilities other than telephone, do not exceed thirty (30) percent of the household's monthly income. The duration of this requirement will be the length of the tenant's current lease plus one year.
4. The Owner/Taxpayer intends to construct on the site, approximately **48** new multiple family residential housing units substantially as described in their application filed with and approved by the City. In no event shall such construction provide fewer than a total of four multiple family permanent residential housing units.
5. The Owner/Taxpayer agrees to complete construction of the agreed-upon improvements within three years from the date the City issues this Conditional Agreement or within any extension granted by the City.
6. The Owner/Taxpayer agrees, upon completion of the improvements and upon issuance by the City of a temporary or permanent certificate of occupancy, to file an application for a Final Certificate of Tax Exemption with the City's Planning and Economic Development Department, which will require the following:
  - (a) a statement of the actual development cost of each multiple family housing unit, and the total expenditures made in the rehabilitation or construction of the entire property;
  - (b) a description of the completed work and a statement that the rehabilitation improvements or new construction of the Owner/Taxpayer's property qualifies the property for the exemption;
  - (c) a statement that the project meets the affordable housing requirements, if

applicable; and

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

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

8. The Owner/Taxpayer agrees, that once a Final Certificate of Tax Exemption is issued, to comply with all Annual Reporting requirements set forth in SMC 8.15.100 and contained in the annual report form provided by the City. Thirteen (13) months following the first year of the exemption beginning and every year thereafter, the Owner/Taxpayer will complete and file the appropriate Annual Report required by the terms of their Final Certificate of Tax Exemption with the City's Planning and Economic Development Department. The Annual Report is a declaration verifying upon oath and indicating the following:

(a) a statement of occupancy, use of the property/unit, income and rents for qualifying 12-year and 20-year and vacancy of the multi-family units during the previous year;

(b) a certification that the property has not changed to a commercial use or been used as a transient (short-term rental) basis and, if applicable, that the property has been in compliance with the affordable housing income and rent requirements as described in SMC 8.15.090 since the date of the filing of the Final Certificate of Tax Exemption, and continues to be in compliance with this Agreement and the requirements of SMC Chapter 8.15;

(c) for affordable multi-family housing units, information providing the household income, rent and utility cost, of each qualifying as low and moderate-income, which shall be reported on a form provided by the City and signed by the tenants; and

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

9. The parties acknowledge that the units, including any owner-occupied units are to be used and occupied for multifamily permanent residential occupancy and use. The parties further acknowledge that the certificate of occupancy issued by the City is for multifamily residential units. The Owner/Taxpayer acknowledges and agrees that the units shall be used primarily for multi-family housing for permanent residential occupancy as defined in SMC 8.15.020 and RCW 84.14.010 and any business activities shall only be incidental and ancillary to the residential occupancy. Any units that are converted from multi-family housing for permanent residential occupancy shall be reported to the City of Spokane's Planning and Economic Development Department and the Spokane County Assessor's Office and removed from eligibility for the tax exemption within 60 days. If the removal of the ineligible unit or units causes the number of units to drop below the number of units required for tax exemption eligibility, the remaining units shall be removed from eligibility pursuant to state law.

10. To qualify for the twelve-year tax exemption, the Owner/Taxpayer will be required to rent or sell at least **30%** of the multiple family housing units as affordable housing units to low and moderate-income households and will ensure that the units within the 12-yr program are dispersed throughout the building and distributed proportionally among the buildings; not be clustered in certain sections of the building or stacked; comparable to market-rate units in terms of unit size and leasing terms; and are comparable to market-rate units in terms of functionality and building amenities and access in addition to the other requirements set forth in the Agreement. The Owner/Taxpayer is further required to comply with the rental relocation assistance requirements set forth in RCW 84.14.020 (7) and (8) and in SMC 8.15.090 (D).

11. The City agrees the Wastewater General Facilities Charges under SMC 13.03.0732 and the Water General Facilities Charges under SMC 13.04.2042 shall be deferred for the life of the property tax exemption issued under this agreement. If the Owner/Taxpayer maintains qualifying status for the entire exemption period, the wastewater and water general facilities charges set out above shall be waived at the end of the exemption period. If the Owner/Taxpayer fails to maintain qualifying status for the entire exemption period, the wastewater and water general facilities charges will have to be paid in the amounts set forth in SMC 13.03.0734 Appendix A and SMC 13.04.2044 Appendix A within three months of the Owner/Taxpayer receiving notice that the exemption has been terminated.

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

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

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

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

16. The parties agree that this Conditional Agreement, requires the applicant to file an application for the Final Certificate of Tax Exemption post the construction of the multiple family residential housing units referenced above and that the Final Certificate of Tax Exemption shall be subject to the applicable provisions of Chapter 84.14 RCW and Chapter 8.15 SMC that exist at the time this agreement is signed by the parties. The parties may agree to amend this Conditional Agreement requirements as set forth when the applicant applies for the Final Certificate of Tax Exemption based upon applicable amendments and additions to Chapter 84.14 RCW or Chapter 8.15 SMC if the requirements change between the issuance of



the Conditional Agreement and the Application for Final Tax Exemption has been submitted.

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

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

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

CITY OF SPOKANE

FIVE MILE SPOKANE, LLC

By:

By:

\_\_\_\_\_

\_\_\_\_\_

Interim City Administrator, Garrett Jones

Its:

\_\_\_\_\_

\_\_\_\_\_

Attest:

Approved as to form:

\_\_\_\_\_

\_\_\_\_\_

City Clerk

Assistant City Attorney

**Agenda Sheet for City Council:****Committee:** Urban Experience **Date:** 03/11/2024**Committee Agenda type:** Consent**Date Rec'd**

2/28/2024

**Clerk's File #**

OPR 2024-0216

**Renews #****Cross Ref #****Council Meeting Date:** 03/25/2024**Submitting Dept**

PLANNING &amp; ECONOMIC

**Project #****Contact Name/Phone**

AMANDA BECK X6414

**Bid #****Contact E-Mail**

ABECK@SPOKANECITY.ORG

**Requisition #****Agenda Item Type**

Contract Item

**Council Sponsor(s)**

JBINGLE ZZAPPONE KKLITZKE

**Agenda Item Name**

0650 - MFTE CONDITIONAL AGREEMENT FOR 2402 E 31ST AVE

**Agenda Wording**

Multiple Family Housing Property Tax Exemption Conditional Agreement with CAP 31ST AVENUE RESIDENCES, LLC , for the future construction of approximately 96 units, at Parcel Number(s) 35331.0017 commonly known as 2402 E 31st Ave.

**Summary (Background)**

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

Lease? NO

Grant related? NO

Public Works? NO

**Fiscal Impact**

Approved in Current Year Budget? N/A

Total Cost \$ 0

Current Year Cost \$ 0

Subsequent Year(s) Cost \$ 0

**Narrative****Amount****Budget Account**

Neutral \$

#

Select \$

#

Select \$

#

Select \$

#

\$

#

\$

#



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

### Agenda Wording

### Summary (Background)

#### **Approvals**

##### Dept Head

GARDNER, SPENCER

##### Division Director

BLACK, TIRRELL

##### Accounting Manager

ALBIN-MOORE, ANGELA

##### Legal

HARRINGTON,

##### For the Mayor

PICCOLO, MIKE

#### **Additional Approvals**

#### **Distribution List**

Ryan Berg & Jordan Tampien - ryanbberg@gmail.com

smaedonald@spokanecity.org

sgardner@spokanecity.org

tstripes@spokanecity.org

abeck@spokanecity.org

rbenzie@spokanecity.org



# PLANNING & ECONOMIC DEVELOPMENT

## MFTE Committee Briefing Paper

### Urban Experience

<b>Submitting Department</b>	Planning and Economic Development
<b>Contact Name &amp; Phone</b>	Amanda Beck, 509-625-6414
<b>Contact Email</b>	abeck@spokanecity.org
<b>Council Sponsor(s)</b>	CMs Bingle, Zappone, and Klitzke
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested: _____
<b>Agenda Item Name</b>	<b>0650 – Multi-Family Tax Exemption (MFTE) Conditional Agreement</b>
<b>Summary (Background)</b>	<p>Chapter 84.14 RCW authorizes the City to create a multiple family housing property tax exemption program and to certify qualified property owners for that property tax exemption. SMC <b>08.15</b> Multiple-family Housing Property Tax Exemption outlines the City of Spokane MFTE Program and project eligibility.</p> <p>Staff has determined that the <b>31st Avenue Apartments</b> Conditional application meets the Project Eligibility defined in SMC <b>08.15.040</b> and is located in a previously adopted Residential Target Areas identified in SMC <b>08.15.030</b>.</p> <p>Once the project is constructed, the applicant intends to finalize as a <b>12-yr Affordable Rentals of 12 + Units</b>.</p> <p>This Conditional Agreement authorizes the appropriate city official to enter into the Multiple Family Housing Property Tax Exemption Conditional Agreement, which will ultimately result in the issuance of a final certificate of tax exemption to be filed with the Spokane County Assessor's Office post construction.</p>
<b>Proposed Council Action &amp; Date:</b>	<p><b>Approve the MFTE Conditional Agreement for the <u>31st Avenue Apartments</u> at the <b>March 25, 2024 City Council Meeting</b>.</b></p> <p><b>Project Details:</b> The applicant applied for a Conditional MFTE Agreement for <b>96 units</b>, at <b>2402 E 31ST AVE SPOKANE, WA</b></p> <ul style="list-style-type: none"> <li>Property is zoned <b>CC4-DC</b> and the proposed use is allowed.</li> <li>Estimated Construction Costs: <b>20250000</b></li> <li>Located in the <b>Lincoln Heights</b> neighborhood.</li> </ul>
<b>Fiscal Impact:</b>	
<b>Approved in current year budget?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Total Cost: <b>\$0</b>	
Current year cost:	
Subsequent year(s) cost:	
<b>Narrative:</b>	<u>The Mutli-Family Tax Exemption program has no direct impact on City revenues or expenses.</u>
<b>Funding Source</b>	<input type="checkbox"/> One-time <input type="checkbox"/> Recurring <input checked="" type="checkbox"/> N/A
<b>Specify funding source:</b>	
<b>Is this funding source sustainable for future years, months, etc?</b>	N/A

Expense Occurrence	<input type="checkbox"/> One-time	<input type="checkbox"/> Recurring	<input checked="" type="checkbox"/> N/A
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Other budget impacts: (revenue generating, match requirements, etc.)

**Operation Impacts**

What impacts would the proposal have on historically excluded communities?

**SMC 08.15 Multi- Family Housing Property Tax Exemption**

A. The purposes of this chapter are to:

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

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?

**RCW 84.14.100**

**Report—Filing—Department of commerce audit or review—Guidance to cities and counties. (Expires January 1, 2058.)**

(1) Thirty days after the anniversary of the date of the certificate of tax exemption and each year for the tax exemption period, the owner of the rehabilitated or newly constructed property, or the qualified nonprofit or local government that will assure permanent affordable homeownership for at least 25 percent of the units for properties receiving an exemption under RCW 84.14.021, must file with a designated authorized representative of the city or county an annual report indicating the following:

- (a) A statement of occupancy and vacancy of the rehabilitated or newly constructed property during the twelve months ending with the anniversary date;
- (b) A certification by the owner that the property has not changed use and, if applicable, that the property has been in compliance with the affordable housing requirements as described in RCW 84.14.020 since the date of the certificate approved by the city or county;
- (c) A description of changes or improvements constructed after issuance of the certificate of tax exemption; and
- (d) Any additional information requested by the city or county in regards to the units receiving a tax exemption.

(2) **All cities or counties, which issue certificates of tax exemption for multiunit housing that conform to the requirements of this chapter, must report annually by April 1st of each year, beginning in 2007, to the department of commerce. A city or county must be in compliance with the reporting requirements of this section to offer certificates of tax exemption for multiunit housing authorized in this chapter. The report must include the following information:**

- (a) The number of tax exemption certificates granted;
- (b) The total number and type of units produced or to be produced;
- (c) The number, size, and type of units produced or to be produced meeting affordable housing requirements;
- (d) The actual development cost of each unit produced;
- (e) The total monthly rent or total sale amount of each unit produced;
- (f) The annual household income and household size for each of the affordable units receiving a tax exemption and a summary of these figures for the city or county; and
- (g) The value of the tax exemption for each project receiving a tax exemption and the total value of tax exemptions granted.

(3)(a) The department of commerce must adopt and implement a program to effectively audit or review that the owner or operator of each property for which a certificate of tax exemption has been issued, except for those properties receiving an exemption that are owned or operated by a nonprofit or for those properties receiving an exemption from a city or county that operates an independent audit or review program, is offering the number of units at rents as committed to in the approved application for an exemption and that the tenants are being properly screened to be qualified for an income-restricted unit. The audit or review program must be adopted in consultation with local governments and other stakeholders and may be based on auditing a percentage of income-restricted units or properties annually. A private owner or operator of a property for which a certificate of tax exemption has been issued under this chapter, must be audited at least once every five years.

(b) If the review or audit required under (a) of this subsection for a given property finds that the owner or operator is not offering the number of units at rents as committed to in the approved application or is not properly screening tenants for income-restricted units, the department of commerce must notify the city or county and the city or county must impose and collect a sliding scale penalty not to exceed an amount calculated by subtracting the amount of rents that would have been collected had the owner or operator complied with their commitment from the amount of rents collected by the owner or operator for the income-restricted units, with consideration of the severity of the noncompliance. If a subsequent review or audit required under (a) of this subsection for a given property finds continued substantial noncompliance with the program requirements, the exemption certificate must be canceled pursuant to **RCW 84.14.110**.

(c) The department of commerce may impose and collect a fee, not to exceed the costs of the audit or review, from the owner or operator of any property subject to an audit or review required under (a) of this subsection.

(4) The department of commerce must provide guidance to cities and counties, which issue certificates of tax exemption for multiunit housing that conform to the requirements of this chapter, on best practices in managing and reporting for the exemption programs authorized under this chapter, including guidance for cities and counties to collect and report demographic information for tenants of units receiving a tax exemption under this chapter.

(5) This section expires January 1, 2058.

**[2021 c 187 § 5; 2012 c 194 § 9; 2007 c 430 § 10; 1995 c 375 § 13.]**

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

**Title 08** Taxation and Revenue

**Chapter 08.15** Multiple-family Housing Property Tax Exemption

**Section 08.15.100** Annual Certification and Affordability Certification

Within thirty days of the anniversary of the date the final certificate of tax exemption was recorded at the County and each year thereafter, for the tax exemption period, the property owner shall file a certification with the director, verified upon oath or affirmation, which shall contain such information as the director may deem necessary or useful, and shall include the following information:

1. A statement of occupancy and vacancy of the multi-family units during the previous year.
2. A certification that the property has not changed use and, if applicable, that the property has been in compliance with the affordable housing requirements as described in **SMC 8.15.090** since the date of filing of the final certificate of tax exemption, and continues to be in compliance with the contract with the City and the requirements of this chapter; and

3. If the property owner rents the affordable multi-family housing units, the property owner shall file with the City a report indicating the household income of each initial tenant qualifying as low and moderate-income in order to comply with the twenty percent requirement of **SMC 8.15.090(A)(2)(b)** and RCW 84.14.020(1)(ii)(B).

a. The reports shall be on a form provided by the City and shall be signed by the tenants.

b. Information on the incomes of occupants of affordable units shall be included with the application for the final certificate of tax exemption, and shall continue to be included with the annual report for each property during the exemption period.

4. A description of any improvements or changes to the property made after the filing of the final certificate or last declaration, as applicable.

B. Failure to submit the annual declaration may result in cancellation of the tax exemption.

Date Passed: Monday, August 21, 2017  
Effective Date: Saturday, October 7, 2017  
ORD C35524 Section 8

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?

**Comprehensive Plan Land Use Policies:**

- LU 1.4 Higher Density Residential Uses
- LU 3.5 Mix of Uses in Centers
- LU 4.2 Land Uses That Support Travel Options and Active Transportation
- LU 4.6 Transit-Supported Development

**Comprehensive Plan Housing Policies:**

- H 1.9 Mixed-Income Housing
- H 1.4 Use of Existing Infrastructure
- H 1.10 Lower-Income Housing Development Incentives
- H 1.11 Access to Transportation
- H 1.18 Distribution of Housing Options

**Comprehensive Plan Economic Development Policies:**

- ED 2.4 Mixed-Use
- ED 7.4 Tax Incentives for Land Improvement

**Council Subcommittee Review:**

Please provide a summary of council subcommittee review. If not reviewed by council subcommittee, please explain why not.

**All Mutli-Family Tax Exemption conditional agreement applications appear before the Urban Experience committee on the consent agengda for approval to appear on the next available legislative consent agenda.**



## PLANNING & ECONOMIC DEVELOPMENT MULTIPLE FAMILY HOUSING PROPERTY TAX EXEMPTION AGREEMENT

**THIS CONDITIONAL AGREEMENT is between the City of Spokane, a Washington State municipal corporation, as “City”, and CAP 31<sup>ST</sup> AVENUE RESIDENCES, LLC, as “Owner/Taxpayer” whose business address is 915 W 2<sup>ND</sup> AVE, SPOKANE, WA 99201.**

**WITNESSETH:**

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

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

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

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

**33-25-43 LT "B" OF CITY S.P. Z01-31 "SOUTHEAST BOULEVARD" AUDITOR'S FILE # 4661956 BEING A PTN OF NE1/4**

Assessor's Parcel Number(s) **35331.0017**,

commonly known as  
**2402 E 31ST AVE SPOKANE, WA.**

WHEREAS, this property is located in the **Affordable Housing Emphasis Area**. and is eligible to seek a Final Certificate of Tax Exemption post construction under the **12-yr Affordable Rentals of 12 + Units**. as defined in SMC 08.15.090.

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

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

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



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

3. If the property proposed to be rehabilitated is not vacant, the Owner/Taxpayer shall provide each existing tenant with housing of comparable size, quality and price and a reasonable opportunity to relocate. At the time of an application for a Conditional Agreement, the applicant provided a letter attesting and documenting how the existing tenant(s) were/will be provided comparable housing and opportunities to relocate.

(a). The existing residential tenant(s) are to be provided housing of a comparable size and quality at a rent level meeting the Washington State definition of affordable to their income level. Specifically, RCW 84.14.010 defines "affordable housing" as residential housing that is rented by a person or household whose monthly housing costs, including utilities other than telephone, do not exceed thirty (30) percent of the household's monthly income. The duration of this requirement will be the length of the tenant's current lease plus one year.

4. The Owner/Taxpayer intends to construct on the site, approximately **96** new multiple family residential housing units substantially as described in their application filed with and approved by the City. In no event shall such construction provide fewer than a total of four multiple family permanent residential housing units.

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

6. The Owner/Taxpayer agrees, upon completion of the improvements and upon issuance by the City of a temporary or permanent certificate of occupancy, to file an application for a Final Certificate of Tax Exemption with the City's Planning and Economic Development Department, which will require the following:

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

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

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

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

7. The City agrees, conditioned on the Owner/Taxpayer's successful completion of

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

8. The Owner/Taxpayer agrees, that once a Final Certificate of Tax Exemption is issued, to comply with all Annual Reporting requirements set forth in SMC 8.15.100 and contained in the annual report form provided by the City. Thirteen (13) months following the first year of the exemption beginning and every year thereafter, the Owner/Taxpayer will complete and file the appropriate Annual Report required by the terms of their Final Certificate of Tax Exemption with the City's Planning and Economic Development Department. The Annual Report is a declaration verifying upon oath and indicating the following:

- (a) a statement of occupancy, use of the property/unit, income and rents for qualifying 12-year and 20-year and vacancy of the multi-family units during the previous year;
- (b) a certification that the property has not changed to a commercial use or been used as a transient (short-term rental) basis and, if applicable, that the property has been in compliance with the affordable housing income and rent requirements as described in SMC 8.15.090 since the date of the filing of the Final Certificate of Tax Exemption, and continues to be in compliance with this Agreement and the requirements of SMC Chapter 8.15;
- (c) for affordable multi-family housing units, information providing the household income, rent and utility cost, of each qualifying as low and moderate-income, which shall be reported on a form provided by the City and signed by the tenants; and
- (d) a description of any improvements or changes to the property made after the filing of the final certificate or last declaration.

9. The parties acknowledge that the units, including any owner-occupied units are to be used and occupied for multifamily permanent residential occupancy and use. The parties further acknowledge that the certificate of occupancy issued by the City is for multifamily residential units. The Owner/Taxpayer acknowledges and agrees that the units shall be used primarily for multi-family housing for permanent residential occupancy as defined in SMC 8.15.020 and RCW 84.14.010 and any business activities shall only be incidental and ancillary to the residential occupancy. Any units that are converted from multi-family housing for permanent residential occupancy shall be reported to the City of Spokane's Planning and Economic Development Department and the Spokane County Assessor's Office and removed from eligibility for the tax exemption within 60 days. If the removal of the ineligible unit or units causes the number of units to drop below the number of units required for tax exemption eligibility, the remaining units shall be removed from eligibility pursuant to state law.

10. To qualify for the twelve-year tax exemption, the Owner/Taxpayer will be required to rent or sell at least **30%** of the multiple family housing units as affordable housing units to low and moderate-income households and will ensure that the units within the 12-yr program are dispersed throughout the building and distributed proportionally among the buildings; not be clustered in certain sections of the building or stacked; comparable to market-rate units in terms of unit size and leasing terms; and are comparable to market-rate units in terms of

functionality and building amenities and access in addition to the other requirements set forth in the Agreement. The Owner/Taxpayer is further required to comply with the rental relocation assistance requirements set forth in RCW 84.14.020 (7) and (8) and in SMC 8.15.090 (D).

11. The City agrees the Wastewater General Facilities Charges under SMC 13.03.0732 and the Water General Facilities Charges under SMC 13.04.2042 shall be deferred for the life of the property tax exemption issued under this agreement. If the Owner/Taxpayer maintains qualifying status for the entire exemption period, the wastewater and water general facilities charges set out above shall be waived at the end of the exemption period. If the Owner/Taxpayer fails to maintain qualifying status for the entire exemption period, the wastewater and water general facilities charges will have to be paid in the amounts set forth in SMC 13.03.0734 Appendix A and SMC 13.04.2044 Appendix A within three months of the Owner/Taxpayer receiving notice that the exemption has been terminated.

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

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

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

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

16. The parties agree that this Conditional Agreement, requires the applicant to file an application for the Final Certificate of Tax Exemption post the construction of the multiple family residential housing units referenced above and that the Final Certificate of Tax Exemption shall be subject to the applicable provisions of Chapter 84.14 RCW and Chapter 8.15 SMC that exist at the time this agreement is signed by the parties. The parties may agree to amend this Conditional Agreement requirements as set forth when the applicant applies for the Final Certificate of Tax Exemption based upon applicable amendments and additions to Chapter 84.14 RCW or Chapter 8.15 SMC if the requirements change between the issuance of the Conditional Agreement and the Application for Final Tax Exemption has been submitted.

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

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

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

CITY OF SPOKANE

CAP 31<sup>ST</sup> AVENUE RESIDENCES LLC

By:

By:

\_\_\_\_\_

\_\_\_\_\_

Interim City Administrator, Garrett Jones

Its:

\_\_\_\_\_

\_\_\_\_\_

Attest:

Approved as to form:

\_\_\_\_\_

\_\_\_\_\_

City Clerk

Assistant City Attorney



**Agenda Sheet for City Council:**

**Committee:** Urban Experience **Date:** 03/11/2024

**Committee Agenda type:** Consent

**Date Rec'd** 2/28/2024

**Clerk's File #** OPR 2024-0217

**Renews #**

**Cross Ref #**

**Council Meeting Date:** 03/25/2024

<b>Submitting Dept</b>	PLANNING & ECONOMIC	<b>Project #</b>	
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<b>Contact Name/Phone</b>	AMANDA BECK X6414	<b>Bid #</b>	
---------------------------	-------------------	--------------	--

<b>Contact E-Mail</b>	ABECK@SPOKANECITY.ORG	<b>Requisition #</b>	
-----------------------	-----------------------	----------------------	--

<b>Agenda Item Type</b>	Contract Item		
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<b>Council Sponsor(s)</b>	JBINGLE ZZAPPONE KKLITZKE		
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<b>Agenda Item Name</b>	0650 - MFTE CONDITIONAL AGREEMENT FOR 621 S CANNON REHABILITATION		
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**Agenda Wording**

Multiple Family Housing Property Tax Exemption Conditional Agreement with Grove at Cannon LLC, for the future construction of approximately 13 units, at Parcel Number(s) 25244.2715 commonly known as 621 S Cannon St.

**Summary (Background)**

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

Lease? NO Grant related? NO Public Works? NO

**Fiscal Impact**

Approved in Current Year Budget? N/A

Total Cost \$ 0

Current Year Cost \$ 0

Subsequent Year(s) Cost \$ 0

**Narrative**

<b>Amount</b>	<b>Budget Account</b>
Neutral \$	#
Select \$	#
Select \$	#
Select \$	#
\$	#
\$	#



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

### Agenda Wording

### Summary (Background)

#### **Approvals**

##### Dept Head

GARDNER, SPENCER

##### Division Director

BLACK, TIRRELL

##### Accounting Manager

ALBIN-MOORE, ANGELA

##### Legal

BEATTIE, LAUREN

##### For the Mayor

PICCOLO, MIKE

#### **Additional Approvals**

#### **Distribution List**

Suzanne Groves - thegroveatcannon@gmail.com

smacdonald@spokanecity.org

sgardner@spokanecity.org

tstripes@spokanecity.org

abeck@spokanecity.org

rbenzie@spokanecity.org



# PLANNING & ECONOMIC DEVELOPMENT

## MFTE Committee Briefing Paper

### Urban Experience

<b>Submitting Department</b>	Planning and Economic Development
<b>Contact Name &amp; Phone</b>	Amanda Beck, 509-625-6414
<b>Contact Email</b>	abeck@spokanecity.org
<b>Council Sponsor(s)</b>	Zack Zappone, Kitty Klitzke, and Jonathan Bingle
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested: _____
<b>Agenda Item Name</b>	<b>0650 – Multi-Family Tax Exemption (MFTE) Conditional Agreement</b>
<b>Summary (Background)</b>	<p>Chapter 84.14 RCW authorizes the City to create a multiple family housing property tax exemption program and to certify qualified property owners for that property tax exemption. SMC <b>08.15</b> Multiple-family Housing Property Tax Exemption outlines the City of Spokane MFTE Program and project eligibility.</p> <p>Staff has determined that the <b>621 S Cannon St Rehabilitation</b> Conditional application meets the Project Eligibility defined in SMC <b>08.15.040</b> and is located in a previously adopted Residential Target Areas identified in SMC <b>08.15.030</b>.</p> <p>Once the project is constructed, the applicant intends to finalize as a <b>12-yr Affordable Rentals of 12 + Units</b>.</p> <p>This Conditional Agreement authorizes the appropriate city official to enter into the Multiple Family Housing Property Tax Exemption Conditional Agreement, which will ultimately result in the issuance of a final certificate of tax exemption to be filed with the Spokane County Assessor’s Office post construction.</p>
<b>Proposed Council Action &amp; Date:</b>	<p><b>Approve the MFTE Conditional Agreement for the <u>621 S Cannon St Rehabilitation</u> at the <b>March 25, 2024 City Council Meeting</b>.</b></p> <p><b>Project Details:</b> The applicant applied for a Conditional MFTE Agreement for <b>13 units</b>, at <b>621 S CANNON ST SPOKANE, WA</b></p> <ul style="list-style-type: none"> <li>• Property is zoned <b>OR-150</b> and the proposed use is allowed.</li> <li>• Estimated Construction Costs: <b>300000</b></li> <li>• Located in the <b>Cliff-Cannon</b> neighborhood.</li> </ul>
<b>Fiscal Impact:</b>	
<b>Approved in current year budget?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Total Cost: <b>\$0</b>	
Current year cost:	
Subsequent year(s) cost:	
<b>Narrative:</b>	<u>The Mutli-Family Tax Exemption program has no direct impact on City revenues or expenses.</u>
<b>Funding Source</b>	<input type="checkbox"/> One-time <input type="checkbox"/> Recurring <input checked="" type="checkbox"/> N/A
<b>Specify funding source:</b>	
<b>Is this funding source sustainable for future years, months, etc?</b>	N/A

Expense Occurrence	<input type="checkbox"/> One-time	<input type="checkbox"/> Recurring	<input checked="" type="checkbox"/> N/A
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Other budget impacts: (revenue generating, match requirements, etc.)

**Operation Impacts**

What impacts would the proposal have on historically excluded communities?

**SMC 08.15 Multi- Family Housing Property Tax Exemption**

A. The purposes of this chapter are to:

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

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?

**RCW 84.14.100**

**Report—Filing—Department of commerce audit or review—Guidance to cities and counties. (Expires January 1, 2058.)**

(1) Thirty days after the anniversary of the date of the certificate of tax exemption and each year for the tax exemption period, the owner of the rehabilitated or newly constructed property, or the qualified nonprofit or local government that will assure permanent affordable homeownership for at least 25 percent of the units for properties receiving an exemption under RCW 84.14.021, must file with a designated authorized representative of the city or county an annual report indicating the following:

- (a) A statement of occupancy and vacancy of the rehabilitated or newly constructed property during the twelve months ending with the anniversary date;
- (b) A certification by the owner that the property has not changed use and, if applicable, that the property has been in compliance with the affordable housing requirements as described in RCW 84.14.020 since the date of the certificate approved by the city or county;
- (c) A description of changes or improvements constructed after issuance of the certificate of tax exemption; and
- (d) Any additional information requested by the city or county in regards to the units receiving a tax exemption.

(2) **All cities or counties, which issue certificates of tax exemption for multiunit housing that conform to the requirements of this chapter, must report annually by April 1st of each year, beginning in 2007, to the department of commerce. A city or county must be in compliance with the reporting requirements of this section to offer certificates of tax exemption for multiunit housing authorized in this chapter. The report must include the following information:**



- (a) The number of tax exemption certificates granted;
- (b) The total number and type of units produced or to be produced;
- (c) The number, size, and type of units produced or to be produced meeting affordable housing requirements;
- (d) The actual development cost of each unit produced;
- (e) The total monthly rent or total sale amount of each unit produced;
- (f) The annual household income and household size for each of the affordable units receiving a tax exemption and a summary of these figures for the city or county; and
- (g) The value of the tax exemption for each project receiving a tax exemption and the total value of tax exemptions granted.

(3)(a) The department of commerce must adopt and implement a program to effectively audit or review that the owner or operator of each property for which a certificate of tax exemption has been issued, except for those properties receiving an exemption that are owned or operated by a nonprofit or for those properties receiving an exemption from a city or county that operates an independent audit or review program, is offering the number of units at rents as committed to in the approved application for an exemption and that the tenants are being properly screened to be qualified for an income-restricted unit. The audit or review program must be adopted in consultation with local governments and other stakeholders and may be based on auditing a percentage of income-restricted units or properties annually. A private owner or operator of a property for which a certificate of tax exemption has been issued under this chapter, must be audited at least once every five years.

(b) If the review or audit required under (a) of this subsection for a given property finds that the owner or operator is not offering the number of units at rents as committed to in the approved application or is not properly screening tenants for income-restricted units, the department of commerce must notify the city or county and the city or county must impose and collect a sliding scale penalty not to exceed an amount calculated by subtracting the amount of rents that would have been collected had the owner or operator complied with their commitment from the amount of rents collected by the owner or operator for the income-restricted units, with consideration of the severity of the noncompliance. If a subsequent review or audit required under (a) of this subsection for a given property finds continued substantial noncompliance with the program requirements, the exemption certificate must be canceled pursuant to **RCW 84.14.110**.

(c) The department of commerce may impose and collect a fee, not to exceed the costs of the audit or review, from the owner or operator of any property subject to an audit or review required under (a) of this subsection.

(4) The department of commerce must provide guidance to cities and counties, which issue certificates of tax exemption for multiunit housing that conform to the requirements of this chapter, on best practices in managing and reporting for the exemption programs authorized under this chapter, including guidance for cities and counties to collect and report demographic information for tenants of units receiving a tax exemption under this chapter.

(5) This section expires January 1, 2058.

**[2021 c 187 § 5; 2012 c 194 § 9; 2007 c 430 § 10; 1995 c 375 § 13.]**

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

#### **Title 08** Taxation and Revenue

#### **Chapter 08.15** Multiple-family Housing Property Tax Exemption

#### **Section 08.15.100** Annual Certification and Affordability Certification

Within thirty days of the anniversary of the date the final certificate of tax exemption was recorded at the County and each year thereafter, for the tax exemption period, the property owner shall file a certification with the director, verified upon oath or affirmation, which shall contain such information as the director may deem necessary or useful, and shall include the following information:

1. A statement of occupancy and vacancy of the multi-family units during the previous year.
2. A certification that the property has not changed use and, if applicable, that the property has been in compliance with the affordable housing requirements as described in **SMC 8.15.090** since the date of filing of the final certificate of tax exemption, and continues to be in compliance with the contract with the City and the requirements of this chapter; and

3. If the property owner rents the affordable multi-family housing units, the property owner shall file with the City a report indicating the household income of each initial tenant qualifying as low and moderate-income in order to comply with the twenty percent requirement of **SMC 8.15.090(A)(2)(b)** and RCW 84.14.020(1)(ii)(B).

a. The reports shall be on a form provided by the City and shall be signed by the tenants.

b. Information on the incomes of occupants of affordable units shall be included with the application for the final certificate of tax exemption, and shall continue to be included with the annual report for each property during the exemption period.

4. A description of any improvements or changes to the property made after the filing of the final certificate or last declaration, as applicable.

B. Failure to submit the annual declaration may result in cancellation of the tax exemption.

Date Passed: Monday, August 21, 2017  
Effective Date: Saturday, October 7, 2017  
ORD C35524 Section 8

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?

**Comprehensive Plan Land Use Policies:**

- LU 1.4 Higher Density Residential Uses
- LU 3.5 Mix of Uses in Centers
- LU 4.2 Land Uses That Support Travel Options and Active Transportation
- LU 4.6 Transit-Supported Development

**Comprehensive Plan Housing Policies:**

- H 1.9 Mixed-Income Housing
- H 1.4 Use of Existing Infrastructure
- H 1.10 Lower-Income Housing Development Incentives
- H 1.11 Access to Transportation
- H 1.18 Distribution of Housing Options

**Comprehensive Plan Economic Development Policies:**

- ED 2.4 Mixed-Use
- ED 7.4 Tax Incentives for Land Improvement

**Council Subcommittee Review:**

Please provide a summary of council subcommittee review. If not reviewed by council subcommittee, please explain why not.

**All Mutli-Family Tax Exemption conditional agreement applications appear before the Urban Experience committee on the consent agengda for approval to appear on the next available legislative consent agenda.**



## PLANNING & ECONOMIC DEVELOPMENT MULTIPLE FAMILY HOUSING PROPERTY TAX EXEMPTION AGREEMENT

**THIS CONDITIONAL AGREEMENT is between the City of Spokane, a Washington State municipal corporation, as “City”, and Grove At Cannon, LLC, as “Owner/Taxpayer” whose business address is PO BOX 14902 Spokane Valley, WA 99214.**

**WITNESSETH:**

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

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

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

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

**CANNONS ADD L7-8 B30 EXC HWY**

Assessor’s Parcel Number(s) **25244.2715**,

commonly known as

**621 S CANNON ST SPOKANE, WA.**

WHEREAS, this property is located in the **Spokane Targeted Investment Area** and is eligible to seek a Final Certificate of Tax Exemption post construction under the **12-yr Affordable Rentals of 12 + Units**, as defined in SMC 08.15.090.

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

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

1. The City agrees to issue the Owner/Taxpayer a Conditional Agreement subsequent to the City Council’s approval of this agreement.
2. The project must comply with all applicable zoning requirements, land use

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

3. If the property proposed to be rehabilitated is not vacant, the Owner/Taxpayer shall provide each existing tenant with housing of comparable size, quality and price and a reasonable opportunity to relocate. At the time of an application for a Conditional Agreement, the applicant provided a letter attesting and documenting how the existing tenant(s) were/will be provided comparable housing and opportunities to relocate.

(a). The existing residential tenant(s) are to be provided housing of a comparable size and quality at a rent level meeting the Washington State definition of affordable to their income level. Specifically, RCW 84.14.010 defines "affordable housing" as residential housing that is rented by a person or household whose monthly housing costs, including utilities other than telephone, do not exceed thirty (30) percent of the household's monthly income. The duration of this requirement will be the length of the tenant's current lease plus one year.

4. The Owner/Taxpayer intends to construct on the site, approximately **13** new multiple family residential housing units substantially as described in their application filed with and approved by the City. In no event shall such construction provide fewer than a total of four multiple family permanent residential housing units.

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

6. The Owner/Taxpayer agrees, upon completion of the improvements and upon issuance by the City of a temporary or permanent certificate of occupancy, to file an application for a Final Certificate of Tax Exemption with the City's Planning and Economic Development Department, which will require the following:

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

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

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

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

7. The City agrees, conditioned on the Owner/Taxpayer's successful completion of the improvements in accordance with the terms of this Conditional Agreement and on the

Owner/Taxpayer's filing of application for the Final Certificate of Exemption with the materials described in Paragraph 6 above, to file a Final Certificate of Tax Exemption with the Spokane County Assessor indicating that the Owner/Taxpayer is qualified for the limited tax exemption under Chapter 84.14 RCW.

8. The Owner/Taxpayer agrees, that once a Final Certificate of Tax Exemption is issued, to comply with all Annual Reporting requirements set forth in SMC 8.15.100 and contained in the annual report form provided by the City. Thirteen (13) months following the first year of the exemption beginning and every year thereafter, the Owner/Taxpayer will complete and file the appropriate Annual Report required by the terms of their Final Certificate of Tax Exemption with the City's Planning and Economic Development Department. The Annual Report is a declaration verifying upon oath and indicating the following:

(a) a statement of occupancy, use of the property/unit, income and rents for qualifying 12-year and 20-year and vacancy of the multi-family units during the previous year;

(b) a certification that the property has not changed to a commercial use or been used as a transient (short-term rental) basis and, if applicable, that the property has been in compliance with the affordable housing income and rent requirements as described in SMC 8.15.090 since the date of the filing of the Final Certificate of Tax Exemption, and continues to be in compliance with this Agreement and the requirements of SMC Chapter 8.15;

(c) for affordable multi-family housing units, information providing the household income, rent and utility cost, of each qualifying as low and moderate-income, which shall be reported on a form provided by the City and signed by the tenants; and

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

9. The parties acknowledge that the units, including any owner-occupied units are to be used and occupied for multifamily permanent residential occupancy and use. The parties further acknowledge that the certificate of occupancy issued by the City is for multifamily residential units. The Owner/Taxpayer acknowledges and agrees that the units shall be used primarily for multi-family housing for permanent residential occupancy as defined in SMC 8.15.020 and RCW 84.14.010 and any business activities shall only be incidental and ancillary to the residential occupancy. Any units that are converted from multi-family housing for permanent residential occupancy shall be reported to the City of Spokane's Planning and Economic Development Department and the Spokane County Assessor's Office and removed from eligibility for the tax exemption within 60 days. If the removal of the ineligible unit or units causes the number of units to drop below the number of units required for tax exemption eligibility, the remaining units shall be removed from eligibility pursuant to state law.

10. To qualify for the twelve-year tax exemption, the Owner/Taxpayer will be required to rent or sell at least **30%** of the multiple family housing units as affordable housing units to low and moderate-income households and will ensure that the units within the 12-yr program are dispersed throughout the building and distributed proportionally among the buildings; not be clustered in certain sections of the building or stacked; comparable to market-rate units in terms of unit size and leasing terms; and are comparable to market-rate units in terms of functionality and building amenities and access in addition to the other requirements set forth

in the Agreement. The Owner/Taxpayer is further required to comply with the rental relocation assistance requirements set forth in RCW 84.14.020 (7) and (8) and in SMC 8.15.090 (D).

11. The City agrees the Wastewater General Facilities Charges under SMC 13.03.0732 and the Water General Facilities Charges under SMC 13.04.2042 shall be deferred for the life of the property tax exemption issued under this agreement. If the Owner/Taxpayer maintains qualifying status for the entire exemption period, the wastewater and water general facilities charges set out above shall be waived at the end of the exemption period. If the Owner/Taxpayer fails to maintain qualifying status for the entire exemption period, the wastewater and water general facilities charges will have to be paid in the amounts set forth in SMC 13.03.0734 Appendix A and SMC 13.04.2044 Appendix A within three months of the Owner/Taxpayer receiving notice that the exemption has been terminated.

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

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

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

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

16. The parties agree that this Conditional Agreement, requires the applicant to file an application for the Final Certificate of Tax Exemption post the construction of the multiple family residential housing units referenced above and that the Final Certificate of Tax Exemption shall be subject to the applicable provisions of Chapter 84.14 RCW and Chapter 8.15 SMC that exist at the time this agreement is signed by the parties. The parties may agree to amend this Conditional Agreement requirements as set forth when the applicant applies for the Final Certificate of Tax Exemption based upon applicable amendments and additions to Chapter 84.14 RCW or Chapter 8.15 SMC if the requirements change between the issuance of the Conditional Agreement and the Application for Final Tax Exemption has been submitted.

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

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

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

CITY OF SPOKANE

Grove At Cannon, LLC

By:

By:

\_\_\_\_\_

\_\_\_\_\_

Interim City Administrator, Garrett Jones

Its:

\_\_\_\_\_

\_\_\_\_\_

Attest:

Approved as to form:

\_\_\_\_\_

\_\_\_\_\_

City Clerk

Assistant City Attorney

**Agenda Sheet for City Council:****Committee:** Urban Experience **Date:** 03/11/2024**Committee Agenda type:** Consent**Date Rec'd**

2/28/2024

**Clerk's File #**

OPR 2024-0218

**Renews #****Cross Ref #****Council Meeting Date:** 03/25/2024**Submitting Dept**

PLANNING &amp; ECONOMIC

**Project #****Contact Name/Phone**

AMANDA BECK X6414

**Bid #****Contact E-Mail**

ABECK@SPOKANECITY.ORG

**Requisition #****Agenda Item Type**

Contract Item

**Council Sponsor(s)**

JBINGLE ZZAPPONE KKLITZKE

**Agenda Item Name**

0650 - MFTE CONDITIONAL AGREEMENT FOR 2517 E UPRIVER DR

**Agenda Wording**

Multiple Family Housing Property Tax Exemption Conditional Agreement with Jay Higgins/Cheryl Ann Kordner, for the future construction of approximately 20 units, at Parcel Number(s) 35091.2914 commonly known as 2517 E Upriver Dr.

**Summary (Background)**

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

Lease? NO

Grant related? NO

Public Works? NO

**Fiscal Impact**

Approved in Current Year Budget? N/A

Total Cost \$ 0

Current Year Cost \$ 0

Subsequent Year(s) Cost \$ 0

**Narrative****Amount****Budget Account**

Neutral \$

#

Select \$

#

Select \$

#

Select \$

#

\$

#

\$

#





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

### Agenda Wording

### Summary (Background)

#### **Approvals**

##### Dept Head

GARDNER, SPENCER

##### Division Director

BLACK, TIRRELL

##### Accounting Manager

ALBIN-MOORE, ANGELA

##### Legal

BEATTIE, LAUREN

##### For the Mayor

PICCOLO, MIKE

#### **Additional Approvals**

#### **Distribution List**

Jay Higgins - jaycasper500@gmail.com

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sgardner@spokanecity.org

tstripes@spokanecity.org

abeck@spokanecity.org

rbenzie@spokanecity.org



# PLANNING & ECONOMIC DEVELOPMENT

## MFTE Committee Briefing Paper

### Urban Experience

<b>Submitting Department</b>	Planning and Economic Development
<b>Contact Name &amp; Phone</b>	Amanda Beck, 509-625-6414
<b>Contact Email</b>	abeck@spokanecity.org
<b>Council Sponsor(s)</b>	Jonathan Bingle, Zack Zappone, and Kitty Klitzke
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested: _____
<b>Agenda Item Name</b>	<b>0650 – Multi-Family Tax Exemption (MFTE) Conditional Agreement</b>
<b>Summary (Background)</b>	<p>Chapter 84.14 RCW authorizes the City to create a multiple family housing property tax exemption program and to certify qualified property owners for that property tax exemption. SMC <b>08.15</b> Multiple-family Housing Property Tax Exemption outlines the City of Spokane MFTE Program and project eligibility.</p> <p>Staff has determined that the <b>2517 E Upriver Multifamily</b> Conditional application meets the Project Eligibility defined in SMC <b>08.15.040</b> and is located in a previously adopted Residential Target Areas identified in SMC <b>08.15.030</b>.</p> <p>Once the project is constructed, the applicant intends to finalize as a <b><u>12-yr Affordable Rentals of 12 + Units</u></b>.</p> <p>This Conditional Agreement authorizes the appropriate city official to enter into the Multiple Family Housing Property Tax Exemption Conditional Agreement, which will ultimately result in the issuance of a final certificate of tax exemption to be filed with the Spokane County Assessor's Office post construction.</p>
<b>Proposed Council Action &amp; Date:</b>	<p><b>Approve the MFTE Conditional Agreement for the <u>2517 E Upriver Multifamily</u> at the <b>March 25, 2024 City Council Meeting</b>.</b></p> <p><b>Project Details:</b> The applicant applied for a Conditional MFTE Agreement for <b>20 units</b>, at <b><u>2517 E UPRIVER DR SPOKANE, WA</u></b></p> <ul style="list-style-type: none"> <li>• Property is zoned <b>RMF</b> and the proposed use is allowed.</li> <li>• Estimated Construction Costs: <b>2100000</b></li> <li>• Located in the <b>Bemiss</b> neighborhood.</li> </ul>
<b>Fiscal Impact:</b>	
<b>Approved in current year budget?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Total Cost: <b>\$0</b>	
Current year cost:	
Subsequent year(s) cost:	
<b>Narrative:</b>	<u>The Mutli-Family Tax Exemption program has no direct impact on City revenues or expenses.</u>
<b>Funding Source</b>	<input type="checkbox"/> One-time <input type="checkbox"/> Recurring <input checked="" type="checkbox"/> N/A
<b>Specify funding source:</b>	
<b>Is this funding source sustainable for future years, months, etc?</b>	N/A

Expense Occurrence	<input type="checkbox"/> One-time	<input type="checkbox"/> Recurring	<input checked="" type="checkbox"/> N/A
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Other budget impacts: (revenue generating, match requirements, etc.)

**Operation Impacts**

What impacts would the proposal have on historically excluded communities?

**SMC 08.15 Multi- Family Housing Property Tax Exemption**

A. The purposes of this chapter are to:

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

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?

**RCW 84.14.100**

**Report—Filing—Department of commerce audit or review—Guidance to cities and counties. (Expires January 1, 2058.)**

(1) Thirty days after the anniversary of the date of the certificate of tax exemption and each year for the tax exemption period, the owner of the rehabilitated or newly constructed property, or the qualified nonprofit or local government that will assure permanent affordable homeownership for at least 25 percent of the units for properties receiving an exemption under RCW 84.14.021, must file with a designated authorized representative of the city or county an annual report indicating the following:

- (a) A statement of occupancy and vacancy of the rehabilitated or newly constructed property during the twelve months ending with the anniversary date;
- (b) A certification by the owner that the property has not changed use and, if applicable, that the property has been in compliance with the affordable housing requirements as described in RCW 84.14.020 since the date of the certificate approved by the city or county;
- (c) A description of changes or improvements constructed after issuance of the certificate of tax exemption; and
- (d) Any additional information requested by the city or county in regards to the units receiving a tax exemption.

(2) **All cities or counties, which issue certificates of tax exemption for multiunit housing that conform to the requirements of this chapter, must report annually by April 1st of each year, beginning in 2007, to the department of commerce. A city or county must be in compliance with the reporting requirements of this section to offer certificates of tax exemption for multiunit housing authorized in this chapter. The report must include the following information:**

- (a) The number of tax exemption certificates granted;
- (b) The total number and type of units produced or to be produced;
- (c) The number, size, and type of units produced or to be produced meeting affordable housing requirements;
- (d) The actual development cost of each unit produced;
- (e) The total monthly rent or total sale amount of each unit produced;
- (f) The annual household income and household size for each of the affordable units receiving a tax exemption and a summary of these figures for the city or county; and
- (g) The value of the tax exemption for each project receiving a tax exemption and the total value of tax exemptions granted.

(3)(a) The department of commerce must adopt and implement a program to effectively audit or review that the owner or operator of each property for which a certificate of tax exemption has been issued, except for those properties receiving an exemption that are owned or operated by a nonprofit or for those properties receiving an exemption from a city or county that operates an independent audit or review program, is offering the number of units at rents as committed to in the approved application for an exemption and that the tenants are being properly screened to be qualified for an income-restricted unit. The audit or review program must be adopted in consultation with local governments and other stakeholders and may be based on auditing a percentage of income-restricted units or properties annually. A private owner or operator of a property for which a certificate of tax exemption has been issued under this chapter, must be audited at least once every five years.

(b) If the review or audit required under (a) of this subsection for a given property finds that the owner or operator is not offering the number of units at rents as committed to in the approved application or is not properly screening tenants for income-restricted units, the department of commerce must notify the city or county and the city or county must impose and collect a sliding scale penalty not to exceed an amount calculated by subtracting the amount of rents that would have been collected had the owner or operator complied with their commitment from the amount of rents collected by the owner or operator for the income-restricted units, with consideration of the severity of the noncompliance. If a subsequent review or audit required under (a) of this subsection for a given property finds continued substantial noncompliance with the program requirements, the exemption certificate must be canceled pursuant to **RCW 84.14.110**.

(c) The department of commerce may impose and collect a fee, not to exceed the costs of the audit or review, from the owner or operator of any property subject to an audit or review required under (a) of this subsection.

(4) The department of commerce must provide guidance to cities and counties, which issue certificates of tax exemption for multiunit housing that conform to the requirements of this chapter, on best practices in managing and reporting for the exemption programs authorized under this chapter, including guidance for cities and counties to collect and report demographic information for tenants of units receiving a tax exemption under this chapter.

(5) This section expires January 1, 2058.

**[2021 c 187 § 5; 2012 c 194 § 9; 2007 c 430 § 10; 1995 c 375 § 13.]**

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

#### **Title 08** Taxation and Revenue

#### **Chapter 08.15** Multiple-family Housing Property Tax Exemption

#### **Section 08.15.100** Annual Certification and Affordability Certification

Within thirty days of the anniversary of the date the final certificate of tax exemption was recorded at the County and each year thereafter, for the tax exemption period, the property owner shall file a certification with the director, verified upon oath or affirmation, which shall contain such information as the director may deem necessary or useful, and shall include the following information:

1. A statement of occupancy and vacancy of the multi-family units during the previous year.
2. A certification that the property has not changed use and, if applicable, that the property has been in compliance with the affordable housing requirements as described in **SMC 8.15.090** since the date of filing of the final certificate of tax exemption, and continues to be in compliance with the contract with the City and the requirements of this chapter; and

3. If the property owner rents the affordable multi-family housing units, the property owner shall file with the City a report indicating the household income of each initial tenant qualifying as low and moderate-income in order to comply with the twenty percent requirement of **SMC 8.15.090(A)(2)(b)** and RCW 84.14.020(1)(ii)(B).

a. The reports shall be on a form provided by the City and shall be signed by the tenants.

b. Information on the incomes of occupants of affordable units shall be included with the application for the final certificate of tax exemption, and shall continue to be included with the annual report for each property during the exemption period.

4. A description of any improvements or changes to the property made after the filing of the final certificate or last declaration, as applicable.

B. Failure to submit the annual declaration may result in cancellation of the tax exemption.

Date Passed: Monday, August 21, 2017  
Effective Date: Saturday, October 7, 2017  
ORD C35524 Section 8

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?

**Comprehensive Plan Land Use Policies:**

- LU 1.4 Higher Density Residential Uses
- LU 3.5 Mix of Uses in Centers
- LU 4.2 Land Uses That Support Travel Options and Active Transportation
- LU 4.6 Transit-Supported Development

**Comprehensive Plan Housing Policies:**

- H 1.9 Mixed-Income Housing
- H 1.4 Use of Existing Infrastructure
- H 1.10 Lower-Income Housing Development Incentives
- H 1.11 Access to Transportation
- H 1.18 Distribution of Housing Options

**Comprehensive Plan Economic Development Policies:**

- ED 2.4 Mixed-Use
- ED 7.4 Tax Incentives for Land Improvement

**Council Subcommittee Review:**

Please provide a summary of council subcommittee review. If not reviewed by council subcommittee, please explain why not.

**All Mutli-Family Tax Exemption conditional agreement applications appear before the Urban Experience committee on the consent agengda for approval to appear on the next available legislative consent agenda.**



## PLANNING & ECONOMIC DEVELOPMENT MULTIPLE FAMILY HOUSING PROPERTY TAX EXEMPTION AGREEMENT

**THIS CONDITIONAL AGREEMENT is between the City of Spokane, a Washington State municipal corporation, as “City”, and HIGGINS, JAY G/KORNDER, CHERYL ANN, as “Owner/Taxpayer” whose business address is PO BOX 18112, Spokane, WA 99228.**

### WITNESSETH:

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

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

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

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

**ROSS PARK NE SUB BLK 29 LT 1 BLK 29 TOG W/ VAC 50' STP LYG ELY OF & ADJ**

Assessor’s Parcel Number(s) **35091.2914**,

commonly known as

**2517 E UPRIVER DR SPOKANE, WA.**

WHEREAS, this property is located in the **Spokane Targeted Investment Area** and is eligible to seek a Final Certificate of Tax Exemption post construction under the **12-yr Affordable Rentals of 12 + Units**, as defined in SMC 08.15.090.

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

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

1. The City agrees to issue the Owner/Taxpayer a Conditional Agreement subsequent to the City Council’s approval of this agreement.
2. The project must comply with all applicable zoning requirements, land use

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

3. If the property proposed to be rehabilitated is not vacant, the Owner/Taxpayer shall provide each existing tenant with housing of comparable size, quality and price and a reasonable opportunity to relocate. At the time of an application for a Conditional Agreement, the applicant provided a letter attesting and documenting how the existing tenant(s) were/will be provided comparable housing and opportunities to relocate.

(a). The existing residential tenant(s) are to be provided housing of a comparable size and quality at a rent level meeting the Washington State definition of affordable to their income level. Specifically, RCW 84.14.010 defines "affordable housing" as residential housing that is rented by a person or household whose monthly housing costs, including utilities other than telephone, do not exceed thirty (30) percent of the household's monthly income. The duration of this requirement will be the length of the tenant's current lease plus one year.

4. The Owner/Taxpayer intends to construct on the site, approximately 20 new multiple family residential housing units substantially as described in their application filed with and approved by the City. In no event shall such construction provide fewer than a total of four multiple family permanent residential housing units.

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

6. The Owner/Taxpayer agrees, upon completion of the improvements and upon issuance by the City of a temporary or permanent certificate of occupancy, to file an application for a Final Certificate of Tax Exemption with the City's Planning and Economic Development Department, which will require the following:

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

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

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

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

7. The City agrees, conditioned on the Owner/Taxpayer's successful completion of the improvements in accordance with the terms of this Conditional Agreement and on the

Owner/Taxpayer's filing of application for the Final Certificate of Exemption with the materials described in Paragraph 6 above, to file a Final Certificate of Tax Exemption with the Spokane County Assessor indicating that the Owner/Taxpayer is qualified for the limited tax exemption under Chapter 84.14 RCW.

8. The Owner/Taxpayer agrees, that once a Final Certificate of Tax Exemption is issued, to comply with all Annual Reporting requirements set forth in SMC 8.15.100 and contained in the annual report form provided by the City. Thirteen (13) months following the first year of the exemption beginning and every year thereafter, the Owner/Taxpayer will complete and file the appropriate Annual Report required by the terms of their Final Certificate of Tax Exemption with the City's Planning and Economic Development Department. The Annual Report is a declaration verifying upon oath and indicating the following:

(a) a statement of occupancy, use of the property/unit, income and rents for qualifying 12-year and 20-year and vacancy of the multi-family units during the previous year;

(b) a certification that the property has not changed to a commercial use or been used as a transient (short-term rental) basis and, if applicable, that the property has been in compliance with the affordable housing income and rent requirements as described in SMC 8.15.090 since the date of the filing of the Final Certificate of Tax Exemption, and continues to be in compliance with this Agreement and the requirements of SMC Chapter 8.15;

(c) for affordable multi-family housing units, information providing the household income, rent and utility cost, of each qualifying as low and moderate-income, which shall be reported on a form provided by the City and signed by the tenants; and

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

9. The parties acknowledge that the units, including any owner-occupied units are to be used and occupied for multifamily permanent residential occupancy and use. The parties further acknowledge that the certificate of occupancy issued by the City is for multifamily residential units. The Owner/Taxpayer acknowledges and agrees that the units shall be used primarily for multi-family housing for permanent residential occupancy as defined in SMC 8.15.020 and RCW 84.14.010 and any business activities shall only be incidental and ancillary to the residential occupancy. Any units that are converted from multi-family housing for permanent residential occupancy shall be reported to the City of Spokane's Planning and Economic Development Department and the Spokane County Assessor's Office and removed from eligibility for the tax exemption within 60 days. If the removal of the ineligible unit or units causes the number of units to drop below the number of units required for tax exemption eligibility, the remaining units shall be removed from eligibility pursuant to state law.

10. To qualify for the twelve-year tax exemption, the Owner/Taxpayer will be required to rent or sell at least **30%** of the multiple family housing units as affordable housing units to low and moderate-income households and will ensure that the units within the 12-yr program are dispersed throughout the building and distributed proportionally among the buildings; not be clustered in certain sections of the building or stacked; comparable to market-rate units in terms of unit size and leasing terms; and are comparable to market-rate units in terms of functionality and building amenities and access in addition to the other requirements set forth



in the Agreement. The Owner/Taxpayer is further required to comply with the rental relocation assistance requirements set forth in RCW 84.14.020 (7) and (8) and in SMC 8.15.090 (D).

11. The City agrees the Wastewater General Facilities Charges under SMC 13.03.0732 and the Water General Facilities Charges under SMC 13.04.2042 shall be deferred for the life of the property tax exemption issued under this agreement. If the Owner/Taxpayer maintains qualifying status for the entire exemption period, the wastewater and water general facilities charges set out above shall be waived at the end of the exemption period. If the Owner/Taxpayer fails to maintain qualifying status for the entire exemption period, the wastewater and water general facilities charges will have to be paid in the amounts set forth in SMC 13.03.0734 Appendix A and SMC 13.04.2044 Appendix A within three months of the Owner/Taxpayer receiving notice that the exemption has been terminated.

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

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

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

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

16. The parties agree that this Conditional Agreement, requires the applicant to file an application for the Final Certificate of Tax Exemption post the construction of the multiple family residential housing units referenced above and that the Final Certificate of Tax Exemption shall be subject to the applicable provisions of Chapter 84.14 RCW and Chapter 8.15 SMC that exist at the time this agreement is signed by the parties. The parties may agree to amend this Conditional Agreement requirements as set forth when the applicant applies for the Final Certificate of Tax Exemption based upon applicable amendments and additions to Chapter 84.14 RCW or Chapter 8.15 SMC if the requirements change between the issuance of the Conditional Agreement and the Application for Final Tax Exemption has been submitted.

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

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

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

CITY OF SPOKANE

HIGGINS, JAY G/KORNDER, CHERYL ANN

By:

By:

\_\_\_\_\_

\_\_\_\_\_

Interim City Administrator, Garrett Jones

Its:

\_\_\_\_\_

\_\_\_\_\_

Attest:

Approved as to form:

\_\_\_\_\_

\_\_\_\_\_

City Clerk

Assistant City Attorney

**Agenda Sheet for City Council:****Committee:** Urban Experience **Date:** 03/11/2024**Committee Agenda type:** Consent**Date Rec'd**

2/28/2024

**Clerk's File #**

OPR 2024-0219

**Renews #****Cross Ref #****Council Meeting Date:** 03/25/2024**Submitting Dept**

PLANNING &amp; ECONOMIC

**Project #****Contact Name/Phone**

AMANDA BECK X6414

**Bid #****Contact E-Mail**

ABECK@SPOKANECITY.ORG

**Requisition #****Agenda Item Type**

Contract Item

**Council Sponsor(s)**

JBINGLE ZZAPPONE KKLITZKE

**Agenda Item Name**

0650 - MFTE CONDITIONAL AGREEMENT FOR 5115 S FREYA PROJECT

**Agenda Wording**

Multiple Family Housing Property Tax Exemption Conditional Agreement with 5115 S Freya St LLC, for the future construction of approximately 30 units, at Parcel Number(s) 34031.9114 commonly known as 5115 S Freya St.

**Summary (Background)**

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

Lease? NO

Grant related? NO

Public Works? NO

**Fiscal Impact**

Approved in Current Year Budget? N/A

Total Cost \$ 0

Current Year Cost \$ 0

Subsequent Year(s) Cost \$ 0

**Narrative****Amount****Budget Account**

Neutral \$

#

Select \$

#

Select \$

#

Select \$

#

\$

#

\$

#



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

### Agenda Wording

### Summary (Background)

#### **Approvals**

##### Dept Head

GARDNER, SPENCER

##### Division Director

BLACK, TIRRELL

##### Accounting Manager

ALBIN-MOORE, ANGELA

##### Legal

BEATTIE, LAUREN

##### For the Mayor

PICCOLO, MIKE

#### **Additional Approvals**

#### **Distribution List**

Josh Cochran - rivercochran@gmail.com

smacdonald@spokanecity.org

sgardner@spokanecity.org

tstripes@spokanecity.org

abeck@spokanecity.org

rbenzie@spokanecity.org



# PLANNING & ECONOMIC DEVELOPMENT

## MFTE Committee Briefing Paper

### Urban Experience

<b>Submitting Department</b>	Planning and Economic Development
<b>Contact Name &amp; Phone</b>	Amanda Beck, 509-625-6414
<b>Contact Email</b>	abeck@spokanecity.org
<b>Council Sponsor(s)</b>	Zappone, Klitzke, Bingle
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested: _____
<b>Agenda Item Name</b>	<b>0650 – Multi-Family Tax Exemption (MFTE) Conditional Agreement</b>
<b>Summary (Background)</b>	<p>Chapter 84.14 RCW authorizes the City to create a multiple family housing property tax exemption program and to certify qualified property owners for that property tax exemption. SMC <b><u>08.15</u></b> Multiple-family Housing Property Tax Exemption outlines the City of Spokane MFTE Program and project eligibility.</p> <p>Staff has determined that the <b>5115 S Freya</b> Conditional application meets the Project Eligibility defined in SMC <b><u>08.15.040</u></b> and is located in a previously adopted Residential Target Areas identified in SMC <b><u>08.15.030</u></b>.</p> <p>Once the project is constructed, the applicant intends to finalize as a <b><u>12-yr Affordable Rentals of 12 + Units</u></b>.</p> <p>This Conditional Agreement authorizes the appropriate city official to enter into the Multiple Family Housing Property Tax Exemption Conditional Agreement, which will ultimately result in the issuance of a final certificate of tax exemption to be filed with the Spokane County Assessor's Office post construction.</p>
<b>Proposed Council Action &amp; Date:</b>	<p><b>Approve the MFTE Conditional Agreement for the <u>5115 S Freya</u> at the <b>March 25, 2024 City Council Meeting</b>.</b></p> <p><b>Project Details:</b> The applicant applied for a Conditional MFTE Agreement for <b><u>30 units</u></b>, at <b><u>5115 S FREYA ST SPOKANE, WA</u></b></p> <ul style="list-style-type: none"> <li>• Property is zoned <b><u>R1</u></b> and the proposed use is allowed.</li> <li>• Estimated Construction Costs: <b><u>3000000</u></b></li> <li>• Located in the <b><u>Southgate</u></b> neighborhood.</li> </ul>
<b>Fiscal Impact:</b>	
<b>Approved in current year budget?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Total Cost: <b><u>\$0</u></b>	
Current year cost:	
Subsequent year(s) cost:	
<b>Narrative:</b>	<u>The Mutli-Family Tax Exemption program has no direct impact on City revenues or expenses.</u>
<b>Funding Source</b>	<input type="checkbox"/> One-time <input type="checkbox"/> Recurring <input checked="" type="checkbox"/> N/A
<b>Specify funding source:</b>	
<b>Is this funding source sustainable for future years, months, etc?</b>	N/A

Expense Occurrence	<input type="checkbox"/> One-time	<input type="checkbox"/> Recurring	<input checked="" type="checkbox"/> N/A
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Other budget impacts: (revenue generating, match requirements, etc.)

**Operation Impacts**

What impacts would the proposal have on historically excluded communities?

**SMC 08.15 Multi- Family Housing Property Tax Exemption**

A. The purposes of this chapter are to:

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

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?

**RCW 84.14.100**

**Report—Filing—Department of commerce audit or review—Guidance to cities and counties. (Expires January 1, 2058.)**

(1) Thirty days after the anniversary of the date of the certificate of tax exemption and each year for the tax exemption period, the owner of the rehabilitated or newly constructed property, or the qualified nonprofit or local government that will assure permanent affordable homeownership for at least 25 percent of the units for properties receiving an exemption under RCW 84.14.021, must file with a designated authorized representative of the city or county an annual report indicating the following:

- (a) A statement of occupancy and vacancy of the rehabilitated or newly constructed property during the twelve months ending with the anniversary date;
- (b) A certification by the owner that the property has not changed use and, if applicable, that the property has been in compliance with the affordable housing requirements as described in RCW 84.14.020 since the date of the certificate approved by the city or county;
- (c) A description of changes or improvements constructed after issuance of the certificate of tax exemption; and
- (d) Any additional information requested by the city or county in regards to the units receiving a tax exemption.

(2) **All cities or counties, which issue certificates of tax exemption for multiunit housing that conform to the requirements of this chapter, must report annually by April 1st of each year, beginning in 2007, to the department of commerce. A city or county must be in compliance with the reporting requirements of this section to offer certificates of tax exemption for multiunit housing authorized in this chapter. The report must include the following information:**

- (a) The number of tax exemption certificates granted;
- (b) The total number and type of units produced or to be produced;
- (c) The number, size, and type of units produced or to be produced meeting affordable housing requirements;
- (d) The actual development cost of each unit produced;
- (e) The total monthly rent or total sale amount of each unit produced;
- (f) The annual household income and household size for each of the affordable units receiving a tax exemption and a summary of these figures for the city or county; and
- (g) The value of the tax exemption for each project receiving a tax exemption and the total value of tax exemptions granted.

(3)(a) The department of commerce must adopt and implement a program to effectively audit or review that the owner or operator of each property for which a certificate of tax exemption has been issued, except for those properties receiving an exemption that are owned or operated by a nonprofit or for those properties receiving an exemption from a city or county that operates an independent audit or review program, is offering the number of units at rents as committed to in the approved application for an exemption and that the tenants are being properly screened to be qualified for an income-restricted unit. The audit or review program must be adopted in consultation with local governments and other stakeholders and may be based on auditing a percentage of income-restricted units or properties annually. A private owner or operator of a property for which a certificate of tax exemption has been issued under this chapter, must be audited at least once every five years.

(b) If the review or audit required under (a) of this subsection for a given property finds that the owner or operator is not offering the number of units at rents as committed to in the approved application or is not properly screening tenants for income-restricted units, the department of commerce must notify the city or county and the city or county must impose and collect a sliding scale penalty not to exceed an amount calculated by subtracting the amount of rents that would have been collected had the owner or operator complied with their commitment from the amount of rents collected by the owner or operator for the income-restricted units, with consideration of the severity of the noncompliance. If a subsequent review or audit required under (a) of this subsection for a given property finds continued substantial noncompliance with the program requirements, the exemption certificate must be canceled pursuant to **RCW 84.14.110**.

(c) The department of commerce may impose and collect a fee, not to exceed the costs of the audit or review, from the owner or operator of any property subject to an audit or review required under (a) of this subsection.

(4) The department of commerce must provide guidance to cities and counties, which issue certificates of tax exemption for multiunit housing that conform to the requirements of this chapter, on best practices in managing and reporting for the exemption programs authorized under this chapter, including guidance for cities and counties to collect and report demographic information for tenants of units receiving a tax exemption under this chapter.

(5) This section expires January 1, 2058.

**[2021 c 187 § 5; 2012 c 194 § 9; 2007 c 430 § 10; 1995 c 375 § 13.]**

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

**Title 08** Taxation and Revenue

**Chapter 08.15** Multiple-family Housing Property Tax Exemption

**Section 08.15.100** Annual Certification and Affordability Certification

Within thirty days of the anniversary of the date the final certificate of tax exemption was recorded at the County and each year thereafter, for the tax exemption period, the property owner shall file a certification with the director, verified upon oath or affirmation, which shall contain such information as the director may deem necessary or useful, and shall include the following information:

1. A statement of occupancy and vacancy of the multi-family units during the previous year.
2. A certification that the property has not changed use and, if applicable, that the property has been in compliance with the affordable housing requirements as described in **SMC 8.15.090** since the date of filing of the final certificate of tax exemption, and continues to be in compliance with the contract with the City and the requirements of this chapter; and

3. If the property owner rents the affordable multi-family housing units, the property owner shall file with the City a report indicating the household income of each initial tenant qualifying as low and moderate-income in order to comply with the twenty percent requirement of **SMC 8.15.090(A)(2)(b)** and RCW 84.14.020(1)(ii)(B).

a. The reports shall be on a form provided by the City and shall be signed by the tenants.

b. Information on the incomes of occupants of affordable units shall be included with the application for the final certificate of tax exemption, and shall continue to be included with the annual report for each property during the exemption period.

4. A description of any improvements or changes to the property made after the filing of the final certificate or last declaration, as applicable.

B. Failure to submit the annual declaration may result in cancellation of the tax exemption.

Date Passed: Monday, August 21, 2017  
Effective Date: Saturday, October 7, 2017  
ORD C35524 Section 8

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?

**Comprehensive Plan Land Use Policies:**

- LU 1.4 Higher Density Residential Uses
- LU 3.5 Mix of Uses in Centers
- LU 4.2 Land Uses That Support Travel Options and Active Transportation
- LU 4.6 Transit-Supported Development

**Comprehensive Plan Housing Policies:**

- H 1.9 Mixed-Income Housing
- H 1.4 Use of Existing Infrastructure
- H 1.10 Lower-Income Housing Development Incentives
- H 1.11 Access to Transportation
- H 1.18 Distribution of Housing Options

**Comprehensive Plan Economic Development Policies:**

- ED 2.4 Mixed-Use
- ED 7.4 Tax Incentives for Land Improvement

**Council Subcommittee Review:**

Please provide a summary of council subcommittee review. If not reviewed by council subcommittee, please explain why not.

**All Mutli-Family Tax Exemption conditional agreement applications appear before the Urban Experience committee on the consent agengda for approval to appear on the next available legislative consent agenda.**





## PLANNING & ECONOMIC DEVELOPMENT MULTIPLE FAMILY HOUSING PROPERTY TAX EXEMPTION AGREEMENT

**THIS CONDITIONAL AGREEMENT is between the City of Spokane, a Washington State municipal corporation, as “City”, and 5115 S FREYA, LLC, as “Owner/Taxpayer” whose business address is 5115 S FREYA ST SPOKANE, WA 99223-7111.**

**WITNESSETH:**

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

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

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

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

**03-24-43 PTN OF GOV LTS 10&11 DAF; BEG AT A PT 12' S OF N LN OF GOV LT 10 & E LN OF FREYA RD TH E400' TH S310' TO TR UE POB TH S308' TH W424' M/L TO E LN OF FREYA RD IN GOV LT 11 TH NLY ALG E LN OF FREYA RD TO PT 322' S MEAS AT RT ANGLES TO N LN OF SD GOV LT 11 TH ELY TO POB**

Assessor’s Parcel Number(s) **34031.9114**,

commonly known as

**5115 S FREYA ST SPOKANE, WA.**

WHEREAS, this property is located in the **Affordable Housing Emphasis Area** and is eligible to seek a Final Certificate of Tax Exemption post construction under the **12-yr Affordable Rentals of 12 + Units**, as defined in SMC 08.15.090.

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

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

1. The City agrees to issue the Owner/Taxpayer a Conditional Agreement

subsequent to the City Council's approval of this agreement.

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

3. If the property proposed to be rehabilitated is not vacant, the Owner/Taxpayer shall provide each existing tenant with housing of comparable size, quality and price and a reasonable opportunity to relocate. At the time of an application for a Conditional Agreement, the applicant provided a letter attesting and documenting how the existing tenant(s) were/will be provided comparable housing and opportunities to relocate.

(a). The existing residential tenant(s) are to be provided housing of a comparable size and quality at a rent level meeting the Washington State definition of affordable to their income level. Specifically, RCW 84.14.010 defines "affordable housing" as residential housing that is rented by a person or household whose monthly housing costs, including utilities other than telephone, do not exceed thirty (30) percent of the household's monthly income. The duration of this requirement will be the length of the tenant's current lease plus one year.

4. The Owner/Taxpayer intends to construct on the site, approximately **30** new multiple family residential housing units substantially as described in their application filed with and approved by the City. In no event shall such construction provide fewer than a total of four multiple family permanent residential housing units.

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

6. The Owner/Taxpayer agrees, upon completion of the improvements and upon issuance by the City of a temporary or permanent certificate of occupancy, to file an application for a Final Certificate of Tax Exemption with the City's Planning and Economic Development Department, which will require the following:

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

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

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

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

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

8. The Owner/Taxpayer agrees, that once a Final Certificate of Tax Exemption is issued, to comply with all Annual Reporting requirements set forth in SMC 8.15.100 and contained in the annual report form provided by the City. Thirteen (13) months following the first year of the exemption beginning and every year thereafter, the Owner/Taxpayer will complete and file the appropriate Annual Report required by the terms of their Final Certificate of Tax Exemption with the City's Planning and Economic Development Department. The Annual Report is a declaration verifying upon oath and indicating the following:

(a) a statement of occupancy, use of the property/unit, income and rents for qualifying 12-year and 20-year and vacancy of the multi-family units during the previous year;

(b) a certification that the property has not changed to a commercial use or been used as a transient (short-term rental) basis and, if applicable, that the property has been in compliance with the affordable housing income and rent requirements as described in SMC 8.15.090 since the date of the filing of the Final Certificate of Tax Exemption, and continues to be in compliance with this Agreement and the requirements of SMC Chapter 8.15;

(c) for affordable multi-family housing units, information providing the household income, rent and utility cost, of each qualifying as low and moderate-income, which shall be reported on a form provided by the City and signed by the tenants; and

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

9. The parties acknowledge that the units, including any owner-occupied units are to be used and occupied for multifamily permanent residential occupancy and use. The parties further acknowledge that the certificate of occupancy issued by the City is for multifamily residential units. The Owner/Taxpayer acknowledges and agrees that the units shall be used primarily for multi-family housing for permanent residential occupancy as defined in SMC 8.15.020 and RCW 84.14.010 and any business activities shall only be incidental and ancillary to the residential occupancy. Any units that are converted from multi-family housing for permanent residential occupancy shall be reported to the City of Spokane's Planning and Economic Development Department and the Spokane County Assessor's Office and removed from eligibility for the tax exemption within 60 days. If the removal of the ineligible unit or units causes the number of units to drop below the number of units required for tax exemption eligibility, the remaining units shall be removed from eligibility pursuant to state law.

10. To qualify for the twelve-year tax exemption, the Owner/Taxpayer will be required to rent or sell at least **30%** of the multiple family housing units as affordable housing units to low and moderate-income households and will ensure that the units within the 12-yr program are dispersed throughout the building and distributed proportionally among the buildings; not

be clustered in certain sections of the building or stacked; comparable to market-rate units in terms of unit size and leasing terms; and are comparable to market-rate units in terms of functionality and building amenities and access in addition to the other requirements set forth in the Agreement. The Owner/Taxpayer is further required to comply with the rental relocation assistance requirements set forth in RCW 84.14.020 (7) and (8) and in SMC 8.15.090 (D).

11. The City agrees the Wastewater General Facilities Charges under SMC 13.03.0732 and the Water General Facilities Charges under SMC 13.04.2042 shall be deferred for the life of the property tax exemption issued under this agreement. If the Owner/Taxpayer maintains qualifying status for the entire exemption period, the wastewater and water general facilities charges set out above shall be waived at the end of the exemption period. If the Owner/Taxpayer fails to maintain qualifying status for the entire exemption period, the wastewater and water general facilities charges will have to be paid in the amounts set forth in SMC 13.03.0734 Appendix A and SMC 13.04.2044 Appendix A within three months of the Owner/Taxpayer receiving notice that the exemption has been terminated.

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

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

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

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

16. The parties agree that this Conditional Agreement, requires the applicant to file an application for the Final Certificate of Tax Exemption post the construction of the multiple family residential housing units referenced above and that the Final Certificate of Tax Exemption shall be subject to the applicable provisions of Chapter 84.14 RCW and Chapter 8.15 SMC that exist at the time this agreement is signed by the parties. The parties may agree to amend this Conditional Agreement requirements as set forth when the applicant applies for the Final Certificate of Tax Exemption based upon applicable amendments and additions to Chapter 84.14 RCW or Chapter 8.15 SMC if the requirements change between the issuance of the Conditional Agreement and the Application for Final Tax Exemption has been submitted.

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

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

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

CITY OF SPOKANE

5115 S FREYA, LLC

By:

By:

\_\_\_\_\_

\_\_\_\_\_

Interim City Administrator, Garrett Jones

Its:

\_\_\_\_\_

\_\_\_\_\_

Attest:

Approved as to form:

\_\_\_\_\_

\_\_\_\_\_

City Clerk

Assistant City Attorney

**Agenda Sheet for City Council:****Committee:** Urban Experience **Date:** 03/11/2024**Committee Agenda type:** Consent**Date Rec'd**

2/28/2024

**Clerk's File #**

OPR 2024-0220

**Renews #****Cross Ref #****Council Meeting Date:** 03/25/2024**Submitting Dept**

PLANNING &amp; ECONOMIC

**Project #****Contact Name/Phone**

AMANDA BECK X6414

**Bid #****Contact E-Mail**

ABECK@SPOKANECITY.ORG

**Requisition #****Agenda Item Type**

Contract Item

**Council Sponsor(s)**

JBINGLE ZZAPPONE KKLITZKE

**Agenda Item Name**

0650 - MFTE CONDITIONAL AGREEMENT FOR GARLAND APARTMENTS

**Agenda Wording**

Multiple Family Housing Property Tax Exemption Conditional Agreement with Garland Acquisitions LLC, for the future construction of approximately 44 units, at Parcel Number(s) 35062.1409 commonly known as 924 W Garland Ave.

**Summary (Background)**

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

Lease? NO

Grant related? NO

Public Works? NO

**Fiscal Impact**

Approved in Current Year Budget? N/A

Total Cost \$ 0

Current Year Cost \$ 0

Subsequent Year(s) Cost \$ 0

**Narrative****Amount****Budget Account**

Neutral \$ #

Select \$ #

Select \$ #

Select \$ #

\$ #

\$ #



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

### Agenda Wording

### Summary (Background)

#### **Approvals**

##### Dept Head

GARDNER, SPENCER

##### Division Director

BLACK, TIRRELL

##### Accounting Manager

ALBIN-MOORE, ANGELA

##### Legal

BEATTIE, LAUREN

##### For the Mayor

PICCOLO, MIKE

#### **Additional Approvals**

#### **Distribution List**

Ryan Berg & Jordan Tampien - ryanbberg@gmail.com

smaedonald@spokanecity.org

sgardner@spokanecity.org

tstripes@spokanecity.org

abeck@spokanecity.org

rbenzie@spokanecity.org



# PLANNING & ECONOMIC DEVELOPMENT

## MFTE Committee Briefing Paper

### Urban Experience

<b>Submitting Department</b>	Planning and Economic Development
<b>Contact Name &amp; Phone</b>	Amanda Beck, 509-625-6414
<b>Contact Email</b>	abeck@spokanecity.org
<b>Council Sponsor(s)</b>	CMs Zappone, Bingle, and Klitzke
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested: _____
<b>Agenda Item Name</b>	<b>0650 – Multi-Family Tax Exemption (MFTE) Conditional Agreement</b>
<b>Summary (Background)</b>	<p>Chapter 84.14 RCW authorizes the City to create a multiple family housing property tax exemption program and to certify qualified property owners for that property tax exemption. SMC <b>08.15</b> Multiple-family Housing Property Tax Exemption outlines the City of Spokane MFTE Program and project eligibility.</p> <p>Staff has determined that the <b>Garland Apartments</b> Conditional application meets the Project Eligibility defined in SMC <b>08.15.040</b> and is located in a previously adopted Residential Target Areas identified in SMC <b>08.15.030</b>.</p> <p>Once the project is constructed, the applicant intends to finalize as a <b>12-yr Affordable Rentals of 12 + Units</b>.</p> <p>This Conditional Agreement authorizes the appropriate city official to enter into the Multiple Family Housing Property Tax Exemption Conditional Agreement, which will ultimately result in the issuance of a final certificate of tax exemption to be filed with the Spokane County Assessor’s Office post construction.</p>
<b>Proposed Council Action &amp; Date:</b>	<p><b>Approve the MFTE Conditional Agreement for the <u>Garland Apartments</u> at the <b>March 25, 2024 City Council Meeting</b>.</b></p> <p><b>Project Details:</b> The applicant applied for a Conditional MFTE Agreement for <b>44 units</b>, at <b>924 W GARLAND AVE SPOKANE, WA</b></p> <ul style="list-style-type: none"> <li>Property is zoned <b>CC1-NC</b> and the proposed use is allowed.</li> <li>Estimated Construction Costs: <b>9000000</b></li> <li>Located in the <b>North Hill</b> neighborhood.</li> </ul>
<b>Fiscal Impact:</b>	
<b>Approved in current year budget?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Total Cost: <b>\$0</b>	
Current year cost:	
Subsequent year(s) cost:	
<b>Narrative:</b>	<u>The Mutli-Family Tax Exemption program has no direct impact on City revenues or expenses.</u>
<b>Funding Source</b>	<input type="checkbox"/> One-time <input type="checkbox"/> Recurring <input checked="" type="checkbox"/> N/A
<b>Specify funding source:</b>	
<b>Is this funding source sustainable for future years, months, etc?</b>	N/A



Expense Occurrence	<input type="checkbox"/> One-time	<input type="checkbox"/> Recurring	<input checked="" type="checkbox"/> N/A
--------------------	-----------------------------------	------------------------------------	---

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

**Operation Impacts**

What impacts would the proposal have on historically excluded communities?

**SMC 08.15 Multi- Family Housing Property Tax Exemption**

A. The purposes of this chapter are to:

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

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?

**RCW 84.14.100**

**Report—Filing—Department of commerce audit or review—Guidance to cities and counties. (Expires January 1, 2058.)**

(1) Thirty days after the anniversary of the date of the certificate of tax exemption and each year for the tax exemption period, the owner of the rehabilitated or newly constructed property, or the qualified nonprofit or local government that will assure permanent affordable homeownership for at least 25 percent of the units for properties receiving an exemption under RCW 84.14.021, must file with a designated authorized representative of the city or county an annual report indicating the following:

- (a) A statement of occupancy and vacancy of the rehabilitated or newly constructed property during the twelve months ending with the anniversary date;
- (b) A certification by the owner that the property has not changed use and, if applicable, that the property has been in compliance with the affordable housing requirements as described in RCW 84.14.020 since the date of the certificate approved by the city or county;
- (c) A description of changes or improvements constructed after issuance of the certificate of tax exemption; and
- (d) Any additional information requested by the city or county in regards to the units receiving a tax exemption.

(2) **All cities or counties, which issue certificates of tax exemption for multiunit housing that conform to the requirements of this chapter, must report annually by April 1st of each year, beginning in 2007, to the department of commerce. A city or county must be in compliance with the reporting requirements of this section to offer certificates of tax exemption for multiunit housing authorized in this chapter. The report must include the following information:**

- (a) The number of tax exemption certificates granted;
- (b) The total number and type of units produced or to be produced;
- (c) The number, size, and type of units produced or to be produced meeting affordable housing requirements;
- (d) The actual development cost of each unit produced;
- (e) The total monthly rent or total sale amount of each unit produced;
- (f) The annual household income and household size for each of the affordable units receiving a tax exemption and a summary of these figures for the city or county; and
- (g) The value of the tax exemption for each project receiving a tax exemption and the total value of tax exemptions granted.

(3)(a) The department of commerce must adopt and implement a program to effectively audit or review that the owner or operator of each property for which a certificate of tax exemption has been issued, except for those properties receiving an exemption that are owned or operated by a nonprofit or for those properties receiving an exemption from a city or county that operates an independent audit or review program, is offering the number of units at rents as committed to in the approved application for an exemption and that the tenants are being properly screened to be qualified for an income-restricted unit. The audit or review program must be adopted in consultation with local governments and other stakeholders and may be based on auditing a percentage of income-restricted units or properties annually. A private owner or operator of a property for which a certificate of tax exemption has been issued under this chapter, must be audited at least once every five years.

(b) If the review or audit required under (a) of this subsection for a given property finds that the owner or operator is not offering the number of units at rents as committed to in the approved application or is not properly screening tenants for income-restricted units, the department of commerce must notify the city or county and the city or county must impose and collect a sliding scale penalty not to exceed an amount calculated by subtracting the amount of rents that would have been collected had the owner or operator complied with their commitment from the amount of rents collected by the owner or operator for the income-restricted units, with consideration of the severity of the noncompliance. If a subsequent review or audit required under (a) of this subsection for a given property finds continued substantial noncompliance with the program requirements, the exemption certificate must be canceled pursuant to **RCW 84.14.110**.

(c) The department of commerce may impose and collect a fee, not to exceed the costs of the audit or review, from the owner or operator of any property subject to an audit or review required under (a) of this subsection.

(4) The department of commerce must provide guidance to cities and counties, which issue certificates of tax exemption for multiunit housing that conform to the requirements of this chapter, on best practices in managing and reporting for the exemption programs authorized under this chapter, including guidance for cities and counties to collect and report demographic information for tenants of units receiving a tax exemption under this chapter.

(5) This section expires January 1, 2058.

**[2021 c 187 § 5; 2012 c 194 § 9; 2007 c 430 § 10; 1995 c 375 § 13.]**

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

**Title 08** Taxation and Revenue

**Chapter 08.15** Multiple-family Housing Property Tax Exemption

**Section 08.15.100** Annual Certification and Affordability Certification

Within thirty days of the anniversary of the date the final certificate of tax exemption was recorded at the County and each year thereafter, for the tax exemption period, the property owner shall file a certification with the director, verified upon oath or affirmation, which shall contain such information as the director may deem necessary or useful, and shall include the following information:

1. A statement of occupancy and vacancy of the multi-family units during the previous year.
2. A certification that the property has not changed use and, if applicable, that the property has been in compliance with the affordable housing requirements as described in **SMC 8.15.090** since the date of filing of the final certificate of tax exemption, and continues to be in compliance with the contract with the City and the requirements of this chapter; and

3. If the property owner rents the affordable multi-family housing units, the property owner shall file with the City a report indicating the household income of each initial tenant qualifying as low and moderate-income in order to comply with the twenty percent requirement of **SMC 8.15.090(A)(2)(b)** and RCW 84.14.020(1)(ii)(B).

a. The reports shall be on a form provided by the City and shall be signed by the tenants.

b. Information on the incomes of occupants of affordable units shall be included with the application for the final certificate of tax exemption, and shall continue to be included with the annual report for each property during the exemption period.

4. A description of any improvements or changes to the property made after the filing of the final certificate or last declaration, as applicable.

B. Failure to submit the annual declaration may result in cancellation of the tax exemption.

Date Passed: Monday, August 21, 2017  
Effective Date: Saturday, October 7, 2017  
ORD C35524 Section 8

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?

**Comprehensive Plan Land Use Policies:**

- LU 1.4 Higher Density Residential Uses
- LU 3.5 Mix of Uses in Centers
- LU 4.2 Land Uses That Support Travel Options and Active Transportation
- LU 4.6 Transit-Supported Development

**Comprehensive Plan Housing Policies:**

- H 1.9 Mixed-Income Housing
- H 1.4 Use of Existing Infrastructure
- H 1.10 Lower-Income Housing Development Incentives
- H 1.11 Access to Transportation
- H 1.18 Distribution of Housing Options

**Comprehensive Plan Economic Development Policies:**

- ED 2.4 Mixed-Use
- ED 7.4 Tax Incentives for Land Improvement

**Council Subcommittee Review:**

Please provide a summary of council subcommittee review. If not reviewed by council subcommittee, please explain why not.

**All Mutli-Family Tax Exemption conditional agreement applications appear before the Urban Experience committee on the consent agengda for approval to appear on the next available legistlative consent agenda.**



## PLANNING & ECONOMIC DEVELOPMENT MULTIPLE FAMILY HOUSING PROPERTY TAX EXEMPTION AGREEMENT

**THIS CONDITIONAL AGREEMENT is between the City of Spokane, a Washington State municipal corporation, as “City”, and GARLAND ACQUISITIONS LLC, as “Owner/Taxpayer” whose business address is 915 W 2ND AVE SPOKANE, WA 99201.**

**WITNESSETH:**

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

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

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

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

**MONROE PK W84FT OF L7-8 ;ALL L9TO12 B14**

Assessor’s Parcel Number(s) **35062.1409**,

commonly known as

**924 W GARLAND AVE SPOKANE, WA.**

WHEREAS, this property is located in the **Spokane Targeted Investment Area** and is eligible to seek a Final Certificate of Tax Exemption post construction under the **12-yr Affordable Rentals of 12 + Units**, as defined in SMC 08.15.090.

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

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

1. The City agrees to issue the Owner/Taxpayer a Conditional Agreement subsequent to the City Council’s approval of this agreement.
2. The project must comply with all applicable zoning requirements, land use

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

3. If the property proposed to be rehabilitated is not vacant, the Owner/Taxpayer shall provide each existing tenant with housing of comparable size, quality and price and a reasonable opportunity to relocate. At the time of an application for a Conditional Agreement, the applicant provided a letter attesting and documenting how the existing tenant(s) were/will be provided comparable housing and opportunities to relocate.

(a). The existing residential tenant(s) are to be provided housing of a comparable size and quality at a rent level meeting the Washington State definition of affordable to their income level. Specifically, RCW 84.14.010 defines "affordable housing" as residential housing that is rented by a person or household whose monthly housing costs, including utilities other than telephone, do not exceed thirty (30) percent of the household's monthly income. The duration of this requirement will be the length of the tenant's current lease plus one year.

4. The Owner/Taxpayer intends to construct on the site, approximately **44** new multiple family residential housing units substantially as described in their application filed with and approved by the City. In no event shall such construction provide fewer than a total of four multiple family permanent residential housing units.

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

6. The Owner/Taxpayer agrees, upon completion of the improvements and upon issuance by the City of a temporary or permanent certificate of occupancy, to file an application for a Final Certificate of Tax Exemption with the City's Planning and Economic Development Department, which will require the following:

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

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

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

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

7. The City agrees, conditioned on the Owner/Taxpayer's successful completion of the improvements in accordance with the terms of this Conditional Agreement and on the

Owner/Taxpayer's filing of application for the Final Certificate of Exemption with the materials described in Paragraph 6 above, to file a Final Certificate of Tax Exemption with the Spokane County Assessor indicating that the Owner/Taxpayer is qualified for the limited tax exemption under Chapter 84.14 RCW.

8. The Owner/Taxpayer agrees, that once a Final Certificate of Tax Exemption is issued, to comply with all Annual Reporting requirements set forth in SMC 8.15.100 and contained in the annual report form provided by the City. Thirteen (13) months following the first year of the exemption beginning and every year thereafter, the Owner/Taxpayer will complete and file the appropriate Annual Report required by the terms of their Final Certificate of Tax Exemption with the City's Planning and Economic Development Department. The Annual Report is a declaration verifying upon oath and indicating the following:

(a) a statement of occupancy, use of the property/unit, income and rents for qualifying 12-year and 20-year and vacancy of the multi-family units during the previous year;

(b) a certification that the property has not changed to a commercial use or been used as a transient (short-term rental) basis and, if applicable, that the property has been in compliance with the affordable housing income and rent requirements as described in SMC 8.15.090 since the date of the filing of the Final Certificate of Tax Exemption, and continues to be in compliance with this Agreement and the requirements of SMC Chapter 8.15;

(c) for affordable multi-family housing units, information providing the household income, rent and utility cost, of each qualifying as low and moderate-income, which shall be reported on a form provided by the City and signed by the tenants; and

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

9. The parties acknowledge that the units, including any owner-occupied units are to be used and occupied for multifamily permanent residential occupancy and use. The parties further acknowledge that the certificate of occupancy issued by the City is for multifamily residential units. The Owner/Taxpayer acknowledges and agrees that the units shall be used primarily for multi-family housing for permanent residential occupancy as defined in SMC 8.15.020 and RCW 84.14.010 and any business activities shall only be incidental and ancillary to the residential occupancy. Any units that are converted from multi-family housing for permanent residential occupancy shall be reported to the City of Spokane's Planning and Economic Development Department and the Spokane County Assessor's Office and removed from eligibility for the tax exemption within 60 days. If the removal of the ineligible unit or units causes the number of units to drop below the number of units required for tax exemption eligibility, the remaining units shall be removed from eligibility pursuant to state law.

10. To qualify for the twelve-year tax exemption, the Owner/Taxpayer will be required to rent or sell at least **30%** of the multiple family housing units as affordable housing units to low and moderate-income households and will ensure that the units within the 12-yr program are dispersed throughout the building and distributed proportionally among the buildings; not be clustered in certain sections of the building or stacked; comparable to market-rate units in terms of unit size and leasing terms; and are comparable to market-rate units in terms of functionality and building amenities and access in addition to the other requirements set forth

in the Agreement. The Owner/Taxpayer is further required to comply with the rental relocation assistance requirements set forth in RCW 84.14.020 (7) and (8) and in SMC 8.15.090 (D).

11. The City agrees the Wastewater General Facilities Charges under SMC 13.03.0732 and the Water General Facilities Charges under SMC 13.04.2042 shall be deferred for the life of the property tax exemption issued under this agreement. If the Owner/Taxpayer maintains qualifying status for the entire exemption period, the wastewater and water general facilities charges set out above shall be waived at the end of the exemption period. If the Owner/Taxpayer fails to maintain qualifying status for the entire exemption period, the wastewater and water general facilities charges will have to be paid in the amounts set forth in SMC 13.03.0734 Appendix A and SMC 13.04.2044 Appendix A within three months of the Owner/Taxpayer receiving notice that the exemption has been terminated.

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

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

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

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

16. The parties agree that this Conditional Agreement, requires the applicant to file an application for the Final Certificate of Tax Exemption post the construction of the multiple family residential housing units referenced above and that the Final Certificate of Tax Exemption shall be subject to the applicable provisions of Chapter 84.14 RCW and Chapter 8.15 SMC that exist at the time this agreement is signed by the parties. The parties may agree to amend this Conditional Agreement requirements as set forth when the applicant applies for the Final Certificate of Tax Exemption based upon applicable amendments and additions to Chapter 84.14 RCW or Chapter 8.15 SMC if the requirements change between the issuance of the Conditional Agreement and the Application for Final Tax Exemption has been submitted.

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

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

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

CITY OF SPOKANE

GARLAND ACQUISITIONS LLC

By:

By:

\_\_\_\_\_

\_\_\_\_\_

Interim City Administrator, Garrett Jones

Its:

\_\_\_\_\_

\_\_\_\_\_

Attest:

Approved as to form:

\_\_\_\_\_

\_\_\_\_\_

City Clerk

Assistant City Attorney





**Agenda Sheet for City Council:**

**Committee:** **Date:** N/A

**Committee Agenda type:**

**Council Meeting Date:** 03/25/2024

<b>Date Rec'd</b>	3/20/2024
<b>Clerk's File #</b>	CPR 2024-0002
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	

<b>Submitting Dept</b>	ACCOUNTING
<b>Contact Name/Phone</b>	LEONARD 625-6028
<b>Contact E-Mail</b>	LDAVIS@SPOKANECITY.ORG
<b>Agenda Item Type</b>	Claim Item
<b>Council Sponsor(s)</b>	
<b>Agenda Item Name</b>	5600-CLAIMS-2024

**Agenda Wording**

Report of the Mayor of pending claims & payments of previously approved obligations through: 3/15/2024.Total:\$8,256,910.16 with Parks & Library claims being approved by their respective boards. Claims excluding Parks & Library Total:\$7,892,650.63

**Summary (Background)**

Pages 1-30 Check numbers: 601621 - 601794 ACH payment numbers: 127189 - 127465 On file for review in City Clerks Office: 30 Page listing of Claims Note:

Lease? NO Grant related? NO Public Works? NO

**Fiscal Impact**

Approved in Current Year Budget?

Total Cost	\$
Current Year Cost	\$
Subsequent Year(s) Cost	\$

**Narrative**

**Amount**

**Budget Account**

Expense	\$ 7,892,650.63	# Various
Select	\$	#
Select	\$	#
Select	\$	#
	\$	#
	\$	#



REPORT: PG3620  
SYSTEM: FMSAP  
USER: MANAGER  
RUN NO: 11

APPROVAL FUND SUMMARY

DATE: 03/18/24  
TIME: 07:36  
PAGE: 1

FUND	FUND NAME	AMOUNT
0100	GENERAL FUND	403,953.42
1100	STREET FUND	36,829.20
1200	CODE ENFORCEMENT FUND	2,930.98
1360	MISCELLANEOUS GRANTS FUND	0.00
1380	TRAFFIC CALMING MEASURES	852.85
1400	PARKS AND RECREATION FUND	5,370.16
1425	AMERICAN RESCUE PLAN	486.00
1460	PARKING METER REVENUE FUND	1,045.59
1540	HUMAN SERVICES GRANTS FUND	702.00
1560	FORFEITURES & CONTRIBUTION FND	22,120.00
1640	COMMUNICATIONS BLDG M&O FUND	1,254.08
1680	CD/HS OPERATIONS	378.00
1690	COMM DEVELOPMENT BLOCK GRANTS	0.00
1695	CDBG REVOLVING LOAN FUND	729.00
1710	HOME ENTITLEMENT PROGRAM	0.00
1910	CRIMINAL JUSTICE ASSISTANCE FD	494,221.02
1950	PARK CUMULATIVE RESERVE FUND	1,090.48
1970	FIRE/EMS FUND	653,695.55
3200	ARTERIAL STREET FUND	10,114.15
4100	WATER DIVISION	618,758.66
4250	INTEGRATED CAPITAL MANAGEMENT	91,836.80
4300	SEWER FUND	1,189,632.08
4480	SOLID WASTE FUND	1,454,198.88
4600	GOLF FUND	1,554.00
4700	DEVELOPMENT SVCS CENTER	2,560.88
5100	FLEET SERVICES FUND	215,217.10
5110	FLEET SVCS EQUIP REPL FUND	2,967.63
5200	PUBLIC WORKS AND UTILITIES	1,967.39
5300	IT FUND	40,408.33
5310	IT CAPITAL REPLACEMENT FUND	856.08
5400	REPROGRAPHICS FUND	6,779.73
5500	PURCHASING & STORES FUND	42.76
5600	ACCOUNTING SERVICES	17,987.08
5700	MY SPOKANE	3,325.83
5800	RISK MANAGEMENT FUND	119,539.29
5810	WORKERS' COMPENSATION FUND	300.00
5830	EMPLOYEES BENEFITS FUND	798,638.61
5900	FACILITIES MANAGEMENT FUND OPS	225,586.04
5901	ASSET MANAGEMENT FUND CAPITAL	1,893.11
5902	PROPERTY ACQUISITION POLICE	2,827.53
5903	PROPERTY ACQUISITION FIRE	102.70
6070	FIREFIGHTERS' PENSION FUND	80,242.56
6080	POLICE PENSION FUND	42,842.24
6730	PARKING & BUSINESS IMPROV DIST	4,364.75
	TOTAL:	6,560,202.54

REPORT: PG3640  
SYSTEM: FMSAP  
USER: MANAGER  
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CITY OF SPOKANE  
COUNCIL CHECK RANGE/TOTAL

DATE: 03/18/24  
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PAGE: 1

CHECK #	VENDOR	CITY	LIBRARY	PARKS
	USE TAX AMOUNTS	5,118.51		
00601621	CHRISTOPHER CASEY	406.00		
00601622	BRENDAN HAIGHT	324.00		
00601623	OVERLAND WEST INC	145.00		
00601624	MARUBENI AMERICA CORPORATION	7,389.33		
00601625	NICHOLAS MCKENZIE	180.00		
00601626	MARK HENDERSON	490.50		
00601627	JAMES OWEN	409.00		
00601628	PARAMOUNT SUPPLY CO	951.91		
00601629	UNITED RENTALS NW INC	1,796.04		
00601630	US POSTAL SERVICE	200.00		
00601631	WA STATE DEPT OF HEALTH	1,511.00		
00601632	WASTE MANAGEMENT OF WA DBA	939.39		
00601633	WASTEQUIP WASHINGTON	38,041.00		
00601634	CARRIER CORPORATION		570.07	
00601635	ENVISIONWARE INC		15,896.83	
00601636	MARY BISHOP		75.00	
00601637	CLEAR CHIROPRACTIC		75.00	
00601638	MICHAEL MIDKIFF		100.00	
00601639	ALBERT PECK		75.00	
00601640	LARISSA ZENS		150.00	
00601641	SPOKANE CITY TREASURER		7,170.31	
00601642	MT BALDY COMMUNICATIONS LLC	675.31		
00601643	SPOKANE CITY TREASURER OR	71,275.64		
00601644	THE RISK MANAGEMENT		1,560.00	
00601645	ABADAN REPROGRAPHICS	8,154.89		
00601646	AIRGAS SPECIALTY PRODUCTS IN	26,331.11		
00601647	BIG SKY INDUSTRIAL/DIV OF	1,237.15		
00601648	CENTURYLINK	2,009.22		
00601649	COMCAST	513.40		
00601650	WATERCO OF THE PACIFIC NORTH	303.43		
00601651	CUMMINS ALLISON CORP	1,312.36		
00601652	EVANS ENGINEERING AND	3,851.25		
00601653	PUMPTECH HOLDINGS LLC	2,912.94		
00601654	SCHWEITZER HAVEN	38.00		
00601655	BLIND BUCK LLC / CORY EHRGOT	171.00		
00601656	MISSION FOOD MART	151.00		
00601657	SPOKANE CONCRETE CUTTING INC	1,500.00		
00601658	DARCY KELLY	6,000.00		
00601659	AT QOZB III LLC	4,877.31		
00601660	ENVISION ELECTRIC & REMODEL	15.00		
00601661	HUFNAGEL LIVING TRUST	25.00		
00601662	MOHAMED E TRABELSI	865.97		
00601663	NORTH SPOKANE IRRIGATION	42.01		
00601664	SPOKANE CITY TREASURER	215.00		
00601665	SPOKANE CITY TREASURER	189,506.47		
00601666	SPOKANE POLICE DEPARTMENT	183.71		
00601667	CRAIG MEIDL OR JUSTIN LUNDGR	10,830.00		
00601668	CRAIG MEIDL OR JUSTIN LUNDGR	6,660.00		
00601669	CRAIG MEIDL OR JUSTIN LUNDGR	4,630.00		
00601670	T-MOBILE	6,834.77		
00601671	T-MOBILE	21.34		
00601672	WA STATE DEPT OF ECOLOGY	36,332.50		

REPORT: PG3640  
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CITY OF SPOKANE  
COUNCIL CHECK RANGE/TOTAL

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PAGE: 2

CHECK #	VENDOR	CITY	LIBRARY	PARKS
00601673	WA STATE EMPLOYMENT SECURITY	5.50		
00601674	WASTEQUIP WASHINGTON	49,653.86		
00601675	OVERHEAD DOOR CORPORATION	261.60		
00601676	ALLSEATED INC			4,303.32
00601677	WATERCO OF THE PACIFIC NORTH			9.82
00601678	EVANS ENGINEERING AND			8,700.00
00601679	O'REILLY AUTOMOTIVE STORES I			127.85
00601680	TORRE REFUSE & RECYCLING DBA			330.00
00601681	DORA HUNTER	400.00		
00601682	CARMEN PACHECO-JONES	300.00		
00601683	STEPHANIE SIJOHN	400.00		
00601684	SPOKANE CITY TREASURER	8,683.68		
00601723	COMCAST	180.90		
00601724	COMCAST	453.85		
00601725	WATERCO OF THE PACIFIC NORTH	301.73		
00601726	KAISER FOUNDATION HEALTH OF	29.43		
00601727	KAISER FOUNDATION HEALTH OF	1,896.00		
00601728	KAISER FOUNDATION HEALTH OF	96.00		
00601729	KENT D BRUCE COMPANY	31.85		
00601730	DAVID'S PIZZA	38.00		
00601731	ANTHONY & CATHERINE FAYANT	27.75		
00601732	HARLEY DOUGLASS INC	19.90		
00601733	DAVID & TRACY KELLY	849.20		
00601734	MAD ANTHONY'S INC	4,364.75		
00601735	PATRICK STRAND	329.05		
00601736	JHAB3 CO	4,508.61		
00601737	NORTH SPOKANE IRRIGATION	5.00		
00601738	SALT DISTRIBUTORS INC	26,436.78		
00601739	SPOKANE CITY TREASURER OR	408,938.58		
00601740	SPOKANE COUNTY CLERK	240.00		
00601741	SPOKANE COUNTY CLERK	246.00		
00601742	WA STATE DEPT/TRANSPORTATION	300.00		
00601743	WATER DEPARTMENT	109.16		
00601744	WHITWORTH WATER DISTRICT NO	29.49		
00601745	FIRST AMERICAN TITLE INS CO	487,687.00		
00601746	FIRST AMERICAN TITLE INS CO	225,502.00		
00601747	THE BABCOCK & WILCOX COMPANY	859.12		
00601748	CH2M HILL ENGINEERS INC	16,795.66		
00601749	CLEAN HARBORS ENVIRONMENTAL	1,822.35		
00601750	DGT ENTERPRISES LLC	9,840.00		
00601751	MADRONA PEAK LLC	882.72		
00601752	JESSE HERBOLDT	360.00		
00601753	KAISER FOUNDATION HEALTH OF	85.00		
00601754	CONAN PIPER	5.10		
00601755	BRETT E BURRIS	18.23		
00601756	DONALD OR TAMMY ELLINGSEN	1,235.68		
00601757	FRANKLIN PARK MEDICAL CENTER	1,793.85		
00601758	KIEMLE HAGOOD	1,188.66		
00601759	SHELLY HANSON	1,920.00		
00601760	RC SCHWARTZ	357.59		
00601761	RC SCHWARTZ	196.01		
00601762	RC SCHWARTZ	124.57		
00601763	RC SCHWARTZ	296.75		

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CITY OF SPOKANE  
COUNCIL CHECK RANGE/TOTAL

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CHECK #	VENDOR	CITY	LIBRARY	PARKS
00601764	RC SCHWARTZ	503.68		

00601765	RC SCHWARTZ	239.39		
00601766	RC SCHWARTZ	68.11		
00601767	TERA SHIMADA	395.67		
00601768	CHRISTOPHER C HALE	30.00		
00601769	DENNY LIVENGOOD	5,025.92		
00601770	HAROLD R MCBRIDE	1,720.00		
00601771	GALEN PETERSON	2,113.00		
00601772	ANDREW PILLE	62.68		
00601773	ROBERT REIDT	3,313.75		
00601774	RICHARD SCHUERMAN	145.27		
00601775	SPOKANE LIFELINE INC	54.50		
00601776	T-MOBILE	6.53		
00601777	T-MOBILE	319.60		
00601778	T-MOBILE	29.75		
00601779	T-MOBILE	96.55		
00601780	UNITED RENTALS NW INC	1,658.98		
00601781	ROBERT GRAY		150.00	
00601782	VANESSA C STRANGE		956.20	
00601783	WASHINGTON LIBRARY ASSN		235.00	
00601784	CMR OPS, LLC			342.00
00601785	J & H TOOLING			333.54
00601786	CENTURYLINK			1,179.71
00601787	COMCAST			214.91
00601788	COMCAST			697.35
00601789	WATERCO OF THE PACIFIC NORTH			109.12
00601790	FLASHPARKING, INC.			234.02
00601791	GENERAL STORE INC			19.21
00601792	CSWW INC			104.55
00601793	PARK DEPT IMPREST FUND			237.95
00601794	URM STORES INC			268.88
80127189	ANATEK LABS INC	228.00		
80127190	AVISTA UTILITIES		977.01	
80127191	CHEMSEARCH FE DIVISION		453.44	
80127192	CINTAS CORPORATION		38.15	
80127193	DELL MARKETING LP		4,441.52	
80127194	ELECTRIC CITY INC			1,439.51
80127195	EVERGREEN STATE TOWING LLC	2,553.87		
80127196	KENWORTH SALES COMPANY	5,948.33		
80127197	MCGARD LLC	10,876.39		
80127198	MCKINSTRY CO LLC	765.32	494.86	1,080.20
80127199	MEGA WASH LLC	4,080.90		
80127200	MIDLAND SCIENTIFIC INC	3,530.55		
80127201	MIMIRS WELL LLC	6,370.00		
80127202	MK SOLUTIONS INC		97,576.50	
80127203	MOUNTAIN DOG SIGN CO INC		5,617.91	
80127204	NB ENGINEERING LLC	35,473.50		
80127205	NEPTUNE TECHNOLOGY GROUP INC	89,999.12		
80127206	NORCO INC	696.05		
80127207	NOVUS AUTO GLASS	730.12		
80127208	PAPE MACHINERY INC	2,228.89		
80127209	PETE LIEN & SONS INC	10,392.76		
80127210	PHENOVA INC	1,506.90		

REPORT: PG3640  
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CITY OF SPOKANE  
COUNCIL CHECK RANGE/TOTAL

DATE: 03/18/24  
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CHECK #	VENDOR	CITY	LIBRARY	PARKS
80127211	PUMP INDUSTRIES INC	6,248.97		
80127212	QUADIENT LEASING USA INC		508.26	
80127213	ROGUE HEART MEDIA SPC	8,973.80		
80127214	SECURITAS SECURITY SERVICES		37,112.72	
80127215	SPOKANE COUNTY FIRE DIST 10	106,249.72		

80127216	COWLES PUBLISHING COMPANY	512.26		
80127217	ULINE INC		303.50	
80127218	VERIZON WIRELESS	686.42		
80127219	WASHINGTON EQUIPMENT	3,510.55		
80127220	ZAYO GROUP HOLDINGS INC	1,967.88		
80127221	CATHERINE G BAKKEN		77.39	
80127222	KIRA BARKER		28.14	
80127223	DEVIKA GATES		100.00	
80127224	NIKKI HANSHAW	54.87		
80127225	LAUREN HAYES		32.83	
80127226	DEREK E MORROW		508.63	
80127227	NEIL, MASON		77.05	
80127228	JONATHAN ROSARIO		37.39	
80127229	BETHIAH STREETER		151.91	
80127230	JOSEPH WHITEMAN	180.00		
80127231	BAKER & TAYLOR BOOKS		7,172.72	
80127232	CARASOFT TECHNOLOGY CORP	21,619.00		
80127233	CENGAGE LEARNING INC		26.91	
80127234	COMPUNET INC	11,567.42		
80127235	DEVRIES INFORMATION MANAGEME	278.00		
80127236	ENTERPRISE FM TRUST	10,158.35		
80127237	KANOPIY INC		3,534.00	
80127238	MIDWEST TAPE		10,051.90	
80127239	OFFICE OF STATE AUDITOR	17,861.50		
80127240	OVERDRIVE INC		4,725.35	
80127241	ABM JANITORIAL SERVICES SOUT	4,936.31		
80127242	ACTION MATERIALS	1,846.36		
80127243	ALS LABORATORY GROUP	130.00		
80127244	ALSCO DIVISION OF ALSCO INC	1,538.76		141.03
80127245	AM HARDWARE CO	508.37		
80127246	NORTHWEST INDUSTRIAL SERVICE	330.00		481.87
80127247	ARAMARK UNIFORM SERVICES	836.51		
80127248	ARROW CONCRETE & ASPHALT	230,530.97		
80127249	AVISTA UTILITIES	227,634.62		
80127250	BATTERY SYSTEMS INC	117.37		154.02
80127251	BUCK'S TIRE & AUTOMOTIVE	130.80		
80127252	BUDINGER & ASSOCIATES INC	3,692.78		
80127253	C & C YARD CARE	181.35		
80127254	CDW GOVERNMENT INC	4,269.70		
80127255	CPM DEVELOPMENT CORP DBA	1,770.31		
80127256	CINTAS CORPORATION	2,297.86		
80127257	CINTAS CORPORATION NO 2	139.71		
80127258	CLARY LONGVIEW LLC	67,471.81		
80127259	COLEMAN OIL COMPANY LLC	49,333.65		
80127260	COLUMBIA ELECTRIC SUPPLY/DIV	1,808.08		
80127261	CONNELL OIL INC	532.53		
80127262	CONSOLIDATED ELECTRICAL		258.33	
80127263	COPIERS NORTHWEST INC	7,242.25		496.52

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CHECK #	VENDOR	CITY	LIBRARY	PARKS
80127264	CORBIN SENIOR ACTIVITY CENTE			2,612.50
80127265	L N CURTIS & SONS	2,827.53		
80127266	DATA DIMENSIONS LLC	300.00		
80127267	DEVRIES INFORMATION MANAGEME	277.79		
80127268	DOPPELMAYER USA INC			55,903.57
80127269	ECOICHEM ANALYTICS INC	8,470.39		
80127270	ELJAY OIL CO INC	1,239.05		
80127271	ENDRESS+HAUSER INC	1,941.63		
80127272	FASTENAL CO	6,355.22		5.09

80127273	FOUR SEASONS SERVICES INC	1,667.70	
80127274	GALLS LLC		43.60
80127275	GOODWILL INDUSTRIES OF THE	298,652.55	
80127276	H D FOWLER COMPANY	4,820.96	
80127277	HERC RENTALS INC	1,727.65	
80127278	HORIZON DISTRIBUTORS		171.31
80127279	HURRICANE BUTTERFLY LAW	7,728.97	
80127280	INSIGHT DISTRIBUTING INC		1,414.17
80127281	INTERFAITH HOSPITALITY	138,162.82	
80127282	KERSHAW INC	2,521.59	
80127283	KNIGHT CONSTRUCTION &	2,417.99	
80127284	LOOMIS ARMORED US INC	643.07	
80127285	MALLORY PAINT STORE INC		82.14
80127286	MARTIN LUTHER KING JR FAMILY		6,966.66
80127287	NEPTUNE TECHNOLOGY GROUP INC	243,179.00	
80127288	NORCO INC		4.74
80127289	NORTHWEST LED LIGHTING LLC	1,987.15	
80127290	FAT KAT ENTERPRISES	1,571.67	
80127291	OXARC INC	2,746.20	
80127292	PAPE MACHINERY INC	3,815.00	
80127293	PIONEER HUMAN SERVICES	161.59	
80127294	PLANET TURF		379.32
80127295	PREMERA BLUE CROSS OR	647,813.93	
80127296	PROFESSIONAL TRAINING	9,250.00	
80127297	PS OPERATING COMPANY LLC	59,454.70	
80127298	BRANDSAFWAY SERVICES INC	10,513.12	
80127299	SAN DIEGO POLICE EQUIPMENT	13,992.05	
80127300	SHERWIN WILLIAMS CO		48.36
80127301	SIMPLIFILE LC	621.90	
80127302	SOUTHSIDE SENIOR & COMMUNITY		7,736.84
80127303	SPOKANE COUNTY TREASURER	490,549.10	
80127304	SPOKANE NORDIC SKI EDUCATION		660.00
80127305	SPOKANE POLICE CHAPLAINCY	2,704.13	
80127306	SPRAY CENTER ELECTRONICS INC		599.29
80127307	STONEWAY ELECTRIC SUPPLY		32.17
80127308	US BANK OR CITY TREASURER	119,325.49	
80127309	VERIZON WIRELESS	11,955.74	
80127310	WASHINGTON EQUIPMENT	4,591.36	
80127311	WEST CENTRAL COMMUNITY		6,056.25
80127312	WEST PLAINS AIRPORT AREA	12,409.36	
80127313	WESTERN STATES EQUIPMENT CO	314.79	
80127314	YWCA	32,782.19	
80127315	DEPARTMENTWARE INC	3,300.00	
80127316	ED HAIGHT SERVICE	208.41	

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80127317	TYLER P GUSTAFSON	1,650.00		
80127318	MELODE HALL			165.20
80127319	RUSLAN ZHUK	305.00		
80127320	ACRANET CBS BRANCH/DIV OF	1,522.75		
80127321	ANYTIME TOWING & RECOVERY	449.90		
80127322	ARAMARK UNIFORM SERVICES	126.18		
80127323	AVISTA UTILITIES	52,523.30		
80127324	BUCK'S TIRE & AUTOMOTIVE	141.70		
80127325	CAMTEK INC	395.67		
80127326	COFFMAN ENGINEERS INC	4,605.40		
80127327	COMMERCIAL TIRE INC	2,154.38		
80127328	COPIERS NORTHWEST INC	941.71		
80127329	CORWIN OF SPOKANE LLC	811.93		



80127330	CUES INC	475,606.24
80127331	L N CURTIS & SONS	2,909.21
80127332	DELL MARKETING LP	8,319.81
80127333	DEVRIES INFORMATION MANAGEME	17.10
80127334	DIVINES TOWING/DIV OF	380.68
80127335	EVERGREEN STATE TOWING LLC	138.30
80127336	FEDERAL EXPRESS CORP/DBA FED	7.02
80127337	GORLEY LOGISTICS LLC	83.17
80127338	FIREPOWER INC	904.72
80127339	FLEETCOR TECHNOLOGIES INC	25,639.03
80127340	GALLS LLC	3.43
80127341	GENE'S ALIGNMENTS LLC	217.80
80127342	GORDON TRUCK CENTERS INC DBA	5,983.36
80127343	HASKINS STEEL CO INC	2,920.95
80127344	THE HIDE OUT/ROYCE SHIELDS	70.85
80127345	HOTSY OF SPOKANE LLC	6,705.19
80127346	IIA LIFTING SERVICES INC	879.75
80127347	HOME DEPOT USA INC	376.28
80127348	JRM ENTERPRISES INC	3,061.00
80127349	KENWORTH SALES COMPANY	8,602.38
80127350	LAKESIDE INDUSTRIES	4,865.76
80127351	LEVY PREMIUM FOODSERVICE LP	618.48
80127352	LIFE ASSIST INC	389.20
80127353	MACKAY METERS INC	1,893.11
80127354	MANENE LANGUAGE SERVICES LLC	420.00
80127355	NATIONAL COLOR GRAPHICS INC	3,646.05
80127356	NELSON'S TOWING AND REPAIR/	415.29
80127357	NORCO INC	1,071.38
80127358	LAKEYLAND INC DBA	2,471.97
80127359	NORTHWEST MOBILE FLAGGING	1,120.00
80127360	OFFICE OF MINORITY & WOMEN'S	19,969.55
80127361	PACIFIC NW EMERGENCY EQUIPME	313.72
80127362	PACIFIC PETROLEUM & SUPPLY	2,257.61
80127363	PACWEST MACHINERY LLC	18,745.04
80127364	POMP'S TIRE SERVICE INC	24,357.45
80127365	ROB'S DEMOLITION INC	2,725.00
80127366	RWC INTERNATIONAL LTD	125,806.72
80127367	SAGEVIEW CONSULTING GROUP, L	5,356.00
80127368	SHERWIN WILLIAMS CO	755.37
80127369	SHI CORP	15,573.75

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80127370	SPOKANE INT'L AIRPORT	1,345.81		
80127371	SPOKANE PUBLIC FACILITIES	680.22		
80127372	COWLES PUBLISHING COMPANY	223.53		
80127373	STARPLEX CORP	1,462.05		
80127374	STELLAR INDUSTRIAL SUPPLY IN	1,639.45		
80127375	STERICYCLE INC	862.35		
80127376	TRACE ANALYTICS LLC	89.00		
80127377	PREMIER TRAILER SOLUTIONS IN	707.85		
80127378	TRANSPORT EQUIPMENT INC	16,674.12		
80127379	UNIV DIST PUBLIC DEV AUTHORI	172,440.38		
80127380	VENDNOVATION LLC	2,616.00		
80127381	VERIZON WIRELESS	5,707.83		
80127382	ABB INC	93,731.16		
80127383	ALS LABORATORY GROUP	2,560.00		
80127384	NORTHWEST INDUSTRIAL SERVICE			1,340.00
80127385	ANATEK LABS INC	20.00		
80127386	APPLIED INDUSTRIAL	2,186.29		

80127387	ARAMARK UNIFORM SERVICES	15.28		
80127388	APTEAN INC	41,455.90		
80127389	AVISTA UTILITIES	19,736.15	7,395.96	
80127390	BATTERY SYSTEMS INC			117.52
80127391	BEACON SERVICE INC	675.50		
80127392	BENEVATE INC	41,100.00		
80127393	CB PACIFIC INC	1,441.87		
80127394	CINTAS CORPORATION	492.93		
80127395	CLEAN ENERGY INC	13,120.67		
80127396	CLEARWATER SUMMIT GROUP INC		2,486.56	
80127397	STEVE CONNER			38.15
80127398	CONTRACT DESIGN ASSOCIATES I	32,589.41		
80127399	CONTROL SOLUTIONS NW INC	163.50		
80127400	COPIERS NORTHWEST INC	367.54		
80127401	COSTAR REALTY INFORMATION IN		6,077.98	
80127402	CREEK AT QUALCHAN GOLF COURS			1,756.19
80127403	DELTA DENTAL OF WASHINGTON	58,035.24		
80127404	HARWIN LLC	327.00		
80127405	DYKMAN ELECTRIC INC	15,433.14		
80127406	ECCOVIA INC	45,353.00		
80127407	ECO COUNTER INC	12,043.41		
80127408	ECOICHEM ANALYTICS INC	3,480.00		
80127409	ELJAY OIL CO INC	1,045.75		
80127410	ENTERPRISE FM TRUST			21,297.80
80127411	EVERGREEN STATE TOWING LLC	512.30		
80127412	FASTENAL CO			150.84
80127413	FEDERAL EXPRESS CORP/DBA FED	23.15		
80127414	GORLEY LOGISTICS LLC			232.88
80127415	FINLEY BUTTES LIMITED	64,396.08		
80127416	FIRE PROTECTION SPECIALISTS	1,068.20		
80127417	FIREPOWER INC	147.16		1,958.00
80127418	GALLS LLC	2,423.06		
80127419	BECKWITH & KUFFEL INC DBA	4,134.44		
80127420	HARRINGTON INDUSTRIAL PLASTI	1,615.48		
80127421	HASA INC	15,685.70		
80127422	HELFRICH BROTHERS BOILER WOR	565,792.48		

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80127423	HILL INTERNATIONAL INC		4,157.38	
80127424	HILARY NICKERSON	308.75		
80127425	IDEXX DISTRIBUTION GROUP	337.43		
80127426	INLAND ENVIRONMENTAL RESOURC	7,670.88		
80127427	INLAND POWER & LIGHT CO			111.36
80127428	JOHNSON CONTROLS FIRE	33,994.96		
80127429	KAISER FOUNDATION HEALTH PLA	202,556.40		
80127430	LANGUAGE LINE SERVICES	228.13		
80127431	MCCOY POWER CONSULTANTS INC	7,400.00		
80127432	NE COMMUNITY CENTER ASSN	19,209.68		
80127433	CHARLES H NEU			489.84
80127434	NORCO INC	1,335.24		
80127435	NORTHSTAR CHEMICAL INC	4,164.67		
80127436	NOVUS AUTO GLASS	1,033.85		
80127437	OTHRAM INC	499.00		
80127438	OXARC INC	939.01		
80127439	PATRIOT FIRE PROTECTION INC			313.92
80127440	PETE LIEN & SONS INC	30,930.39		
80127441	PRO MECHANICAL SERVICES INC	5,581.64		
80127442	PROFORMA	274.58		
80127443	RIPPLINGER ENGINEERING	905.79		



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PROCESSING OF VOUCHERS RESULTS IN CLAIMS AS FOLLOWS:

0020 - NONDEPARTMENTAL

BLIND BUCK LLC / CORY EHRGOTT 1915 S ROCKWOOD BLVD	OTHR BUS REGISTRATIONS/PERMITS CHECK NO. - 00601655	171.00
MISSION FOOD MART 1928 E MISSION AVE	OTHR BUS REGISTRATIONS/PERMITS CHECK NO. - 00601656	151.00
OFFICE OF MINORITY & WOMEN'S BUSINESS ENTERPRISES	CONTRACTUAL SERVICES ACH PMT NO. - 80127360	19,969.55
SAGEVIEW CONSULTING GROUP, LLC	SURVEYS/STUDIES ACH PMT NO. - 80127367	5,356.00
SPOKANE COUNTY FIRE DIST 10	CONTRACTUAL SERVICES ACH PMT NO. - 80127215	106,249.72
TOTAL FOR 0020 - NONDEPARTMENTAL		131,897.27

0100 - GENERAL FUND

ANTHONY & CATHERINE FAYANT 819 W NEBRASKA AVE	DEPOSIT-MISCELLANEOUS DEPOSITS CHECK NO. - 00601731	27.75
AT QOZB III LLC 12709 MIRABEAU PKWY, STE 10	PERMIT REFUNDS PAYABLE CHECK NO. - 00601659	4,877.31
DAVID & TRACY KELLY PO BOX 10792	DEPOSIT-MISCELLANEOUS DEPOSITS CHECK NO. - 00601733	849.20
HARLEY DOUGLASS INC 5520 N FLORIDA ST	DEPOSIT-MISCELLANEOUS DEPOSITS CHECK NO. - 00601732	19.90
PATRICK STRAND 1504 S COCHRAN ST	DEPOSIT-MISCELLANEOUS DEPOSITS CHECK NO. - 00601735	329.05
PIONEER HUMAN SERVICES	GRANT CASH PASS THRU ACCOUNT ACH PMT NO. - 80127293	161.59
SPOKANE INT'L AIRPORT AIRPORT PARKING TICKETS	DEPOSIT-AIRPORT PARK VIOLATION ACH PMT NO. - 80127370	1,345.81
WA STATE DEPT OF REVENUE	GRANT CASH PASS THRU ACCOUNT -	1,188.00
TOTAL FOR 0100 - GENERAL FUND		8,798.61

0230 - CIVIL SERVICE

COPIERS NORTHWEST INC	OPERATING RENTALS/LEASES ACH PMT NO. - 80127400	226.73
DEVRIES INFORMATION MANAGEMENT	MISC SERVICES/CHARGES ACH PMT NO. - 80127267	17.10

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PROCESSING OF VOUCHERS RESULTS IN CLAIMS AS FOLLOWS:

TOTAL FOR 0230 - CIVIL SERVICE	243.83
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0260 - CITY CLERK

US POSTAL SERVICE	POSTAGE	
C/O APS INC	CHECK NO. - 00601630	200.00

TOTAL FOR 0260 - CITY CLERK	200.00
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0300 - HUMAN SERVICES

VERIZON WIRELESS	CELL PHONE	
	ACH PMT NO. - 80127381	42.76

WA STATE DEPT OF REVENUE	SUBSCRIPTION BASED IT ARNGMTS	
	-	216.00

TOTAL FOR 0300 - HUMAN SERVICES	258.76
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0320 - COUNCIL

PROFORMA	OPERATING SUPPLIES	
	ACH PMT NO. - 80127442	274.58

TOTAL FOR 0320 - COUNCIL	274.58
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0330 - PUBLIC AFFAIRS/COMMUNICATIONS

VERIZON WIRELESS	CELL PHONE	
	ACH PMT NO. - 80127309	336.58

TOTAL FOR 0330 - PUBLIC AFFAIRS/COMMUNICATIONS	336.58
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0370 - ENGINEERING SERVICES

ARAMARK UNIFORM SERVICES	LAUNDRY/JANITORIAL SERVICES	
AUS WEST LOCKBOX	ACH PMT NO. - 80127247	19.49

ENTERPRISE FM TRUST	OPERATING RENTALS/LEASES	
ATTN: CUSTOMER BILLING	ACH PMT NO. - 80127236	2,231.63

T-MOBILE	CELL PHONE	
	CHECK NO. - 00601779	13.06

T-MOBILE	IT/DATA SERVICES	
	CHECK NO. - 00601779	83.49

VERIZON WIRELESS	CELL PHONE	
	ACH PMT NO. - 80127309	1,483.09

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PROCESSING OF VOUCHERS RESULTS IN CLAIMS AS FOLLOWS:

VERIZON WIRELESS	IT/DATA SERVICES	
	ACH PMT NO. - 80127309	586.76

WA STATE DEPT OF HEALTH	OTH DUES/SUBSCRIPTNS/MEMBERSHP	
	CHECK NO. - 00601631	1,511.00

WATERCO OF THE PACIFIC NORTH	OPERATING SUPPLIES	
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WEST, INC CHECK NO. - 00601650 42.35

TOTAL FOR 0370 - ENGINEERING SERVICES 5,970.87

0410 - FINANCE

VERIZON WIRELESS CELL PHONE ACH PMT NO. - 80127309 180.68

TOTAL FOR 0410 - FINANCE 180.68

0450 - NEIGHBHD HOUSING HUMAN SVCS

VERIZON WIRELESS CELL PHONE ACH PMT NO. - 80127458 128.28

TOTAL FOR 0450 - NEIGHBHD HOUSING HUMAN SVCS 128.28

0470 - HISTORIC PRESERVATION

VERIZON WIRELESS CELL PHONE ACH PMT NO. - 80127309 85.52

TOTAL FOR 0470 - HISTORIC PRESERVATION 85.52

0480 - OFFICE OF CIVIL RIGHTS

VERIZON WIRELESS CELL PHONE ACH PMT NO. - 80127458 42.76

TOTAL FOR 0480 - OFFICE OF CIVIL RIGHTS 42.76

0500 - LEGAL

ARAMARK UNIFORM SERVICES OPERATING SUPPLIES AUS WEST LOCKBOX ACH PMT NO. - 80127387 30.56

COPIERS NORTHWEST INC OPERATING RENTALS/LEASES ACH PMT NO. - 80127263 306.45

DEVRIES INFORMATION MANAGEMENT MISC SERVICES/CHARGES ACH PMT NO. - 80127267 8.55

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PROCESSING OF VOUCHERS RESULTS IN CLAIMS AS FOLLOWS:

GORLEY LOGISTICS LLC OPERATING SUPPLIES dba FIKES NORTHWEST ACH PMT NO. - 80127337 24.95

VERIZON WIRELESS CELL PHONE ACH PMT NO. - 80127458 85.52

TOTAL FOR 0500 - LEGAL 456.03

0520 - MAYOR

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ACRANET CBS BRANCH/DIV OF CBS REPORTING INC	BACKGROUND CHECKS ACH PMT NO. - 80127320	87.25
COPIERS NORTHWEST INC	OPERATING RENTALS/LEASES ACH PMT NO. - 80127400	140.81
DELL MARKETING LP %DELL USA LP	COMPUTERS ACH PMT NO. - 80127332	3,417.40
DELL MARKETING LP %DELL USA LP	MINOR EQUIPMENT ACH PMT NO. - 80127332	725.11
DEVRIES INFORMATION MANAGEMENT	CONTRACTUAL SERVICES ACH PMT NO. - 80127267	8.55
VERIZON WIRELESS	CELL PHONE ACH PMT NO. - 80127309	355.37
TOTAL FOR 0520 - MAYOR		4,734.49

0550 - NEIGHBORHOOD SERVICES

-----		
CARASOFT TECHNOLOGY CORP	SUBSCRIPTION BASED IT ARNGMTS ACH PMT NO. - 80127232	15,331.21
DELL MARKETING LP %DELL USA LP	OFFICE SUPPLIES ACH PMT NO. - 80127332	110.90
VERIZON WIRELESS	CELL PHONE ACH PMT NO. - 80127381	213.80
TOTAL FOR 0550 - NEIGHBORHOOD SERVICES		15,655.91

0560 - MUNICIPAL COURT

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SPOKANE COUNTY TREASURER	SPOKANE COUNTY ACH PMT NO. - 80127303	36.00
STARPLEX CORP	ALARM/SECURITY SERVICES ACH PMT NO. - 80127373	1,462.05
VERIZON WIRELESS	CELL PHONE ACH PMT NO. - 80127218	555.88

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PROCESSING OF VOUCHERS RESULTS IN CLAIMS AS FOLLOWS:

VERIZON WIRELESS	IT/DATA SERVICES ACH PMT NO. - 80127218	45.02
TOTAL FOR 0560 - MUNICIPAL COURT		2,098.95

0620 - HUMAN RESOURCES

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VERIZON WIRELESS	CELL PHONE ACH PMT NO. - 80127309	412.99
TOTAL FOR 0620 - HUMAN RESOURCES		412.99



0650 - PLANNING SERVICES

COWLES PUBLISHING COMPANY DBA THE SPOKESMAN-REVIEW	ADVERTISING ACH PMT NO. - 80127372	223.53
VERIZON WIRELESS	CELL PHONE ACH PMT NO. - 80127381	42.76
TOTAL FOR 0650 - PLANNING SERVICES		266.29

0680 - POLICE

ABM JANITORIAL SERVICES SOUTH SOUTH CENTRAL INC dba	LAUNDRY/JANITORIAL SERVICES ACH PMT NO. - 80127241	4,936.31
ANYTIME TOWING & RECOVERY	TOWING EXPENSE ACH PMT NO. - 80127321	449.90
ARAMARK UNIFORM SERVICES AUS WEST LOCKBOX	LAUNDRY/JANITORIAL SERVICES ACH PMT NO. - 80127247	741.18
BEACON SERVICE INC	LAUNDRY/JANITORIAL SERVICES ACH PMT NO. - 80127391	675.50
CENTURYLINK	ALARM/SECURITY SERVICES CHECK NO. - 00601648	314.54
CENTURYLINK	TELEPHONE CHECK NO. - 00601648	639.15
COMCAST	IT/DATA SERVICES CHECK NO. - 00601649	287.50
CUMMINS ALLISON CORP	EQUIPMENT REPAIRS/MAINTENANCE CHECK NO. - 00601651	1,196.73
CUMMINS ALLISON CORP	OPERATING SUPPLIES CHECK NO. - 00601651	115.63
DEPARTMENTWARE INC	SOFTWARE MAINTENANCE ACH PMT NO. - 80127315	3,300.00

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PROCESSING OF VOUCHERS RESULTS IN CLAIMS AS FOLLOWS:

DGT ENTERPRISES LLC DBA SPOKANE TESTING SOLUTIONS	MEDICAL SERVICES CHECK NO. - 00601750	100.00
DIVINES TOWING/DIV OF DIVINE CORP	TOWING EXPENSE ACH PMT NO. - 80127334	380.68
EVERGREEN STATE TOWING LLC DBA SPOKANE VALLEY TOWING	TOWING EXPENSE ACH PMT NO. - 80127335	138.30
FOUR SEASONS SERVICES INC DBA FOUR SEASONS LANDSCAPING	SNOW REMOVAL SERVICES ACH PMT NO. - 80127273	1,667.70
GALLS LLC	CLOTHING ACH PMT NO. - 80127418	2,423.06
HURRICANE BUTTERFLY LAW ENFORCEMENT LLC	AMMUNITION ACH PMT NO. - 80127279	7,728.97
KAISER FOUNDATION HEALTH OF	MEDICAL SERVICES	

WASHINGTON	CHECK NO. - 00601753	85.00
KERSHAW INC	OFFICE SUPPLIES ACH PMT NO. - 80127282	985.36
KERSHAW INC	OPERATING SUPPLIES ACH PMT NO. - 80127282	1,536.23
LANGUAGE LINE SERVICES LANGUAGE LINE LLC	INTERPRETER COSTS ACH PMT NO. - 80127430	228.13
NELSON'S TOWING AND REPAIR/ DIV OF NELCO SERVICES INC	TOWING EXPENSE ACH PMT NO. - 80127356	138.43
OTHRAM INC	CONTRACTUAL SERVICES ACH PMT NO. - 80127437	499.00
SAN DIEGO POLICE EQUIPMENT COMPANY INC	AMMUNITION ACH PMT NO. - 80127299	13,992.05
SPOKANE POLICE CHAPLAINCY BOARD	NON-TRAVEL MEALS/LGHT RFRSHMT ACH PMT NO. - 80127305	2,704.13
SPOKANE POLICE DEPARTMENT IMPREST FUND	OPERATING SUPPLIES CHECK NO. - 00601666	183.71
T-MOBILE	CELL PHONE CHECK NO. - 00601670	6,834.77
T-MOBILE	MOBILE BROADBAND CHECK NO. - 00601671	21.34
VERIZON WIRELESS	CELL PHONE ACH PMT NO. - 80127309	3,708.36
VERIZON WIRELESS	MOBILE BROADBAND ACH PMT NO. - 80127309	1,053.34
WA STATE DEPT OF REVENUE	SOFTWARE MAINTENANCE -	297.00

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PROCESSING OF VOUCHERS RESULTS IN CLAIMS AS FOLLOWS:

WA STATE EMPLOYMENT SECURITY DEPARTMENT	MISC SERVICES/CHARGES CHECK NO. - 00601673	5.50
WEST CENTRAL COMMUNITY DEVELOPMENT ASSOCIATION INC	OPERATING RENTALS/LEASES ACH PMT NO. - 80127461	491.99
-----		
TOTAL FOR 0680 - POLICE		57,859.49

0690 - COMMUNITY JUSTICE SERVICES

COMCAST	IT/DATA SERVICES CHECK NO. - 00601724	192.50
COMCAST	TELEPHONE CHECK NO. - 00601724	34.43
VERIZON WIRELESS	CELL PHONE ACH PMT NO. - 80127218	85.52
-----		
TOTAL FOR 0690 - COMMUNITY JUSTICE SERVICES		312.45

0750 - COMMUNITY/ECONOMIC DEV SVC

LEVY PREMIUM FOODSERVICE LP DBA LEVY SPOKANE CONVENTION CE	NON-TRAVEL MEALS/LGHT RFRSHMT ACH PMT NO. - 80127351	618.48
SPOKANE PUBLIC FACILITIES DISTRICT	OPERATING RENTALS/LEASES ACH PMT NO. - 80127371	680.22
UNIV DIST PUBLIC DEV AUTHORITY	CONTRACTUAL SERVICES ACH PMT NO. - 80127379	172,440.38
TOTAL FOR 0750 - COMMUNITY/ECONOMIC DEV SVC		173,739.08

1100 - STREET FUND

ARAMARK UNIFORM SERVICES AUS WEST LOCKBOX	LAUNDRY/JANITORIAL SERVICES ACH PMT NO. - 80127247	60.56
AVISTA UTILITIES	UTILITY LIGHT/POWER SERVICE ACH PMT NO. - 80127249	1,569.43
CENTURYLINK	TELEPHONE CHECK NO. - 00601648	235.62
DEVRIES INFORMATION MANAGEMENT	MISC SERVICES/CHARGES ACH PMT NO. - 80127267	226.49
DGT ENTERPRISES LLC DBA SPOKANE TESTING SOLUTIONS	MEDICAL SERVICES CHECK NO. - 00601750	850.00
FASTENAL CO	OPERATING SUPPLIES ACH PMT NO. - 80127272	339.14

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PROCESSING OF VOUCHERS RESULTS IN CLAIMS AS FOLLOWS:

KAISER FOUNDATION HEALTH OF WASHINGTON	MEDICAL SERVICES CHECK NO. - 00601727	1,896.00
LAKESIDE INDUSTRIES LOCKBOX 1086	REPAIR & MAINTENANCE SUPPLIES ACH PMT NO. - 80127350	4,865.76
NORCO INC	OPERATING SUPPLIES ACH PMT NO. - 80127357	9.48
NORTH SPOKANE IRRIGATION DIST #8	PUBLIC UTILITY SERVICE CHECK NO. - 00601737	5.00
NORTHWEST MOBILE FLAGGING ACADEMY	REGISTRATION/SCHOOLING ACH PMT NO. - 80127359	305.45
SALT DISTRIBUTORS INC	REPAIR & MAINTENANCE SUPPLIES CHECK NO. - 00601738	26,436.78
WHITWORTH WATER DISTRICT NO 2	PUBLIC UTILITY SERVICE CHECK NO. - 00601744	29.49
TOTAL FOR 1100 - STREET FUND		36,829.20

1200 - CODE ENFORCEMENT FUND

ENTERPRISE FM TRUST ATTN: CUSTOMER BILLING	OPERATING RENTALS/LEASES ACH PMT NO. - 80127236	1,302.70
SHERWIN WILLIAMS CO	OPERATING SUPPLIES ACH PMT NO. - 80127368	755.37
SIMPLIFILE LC	LEGAL SERVICES ACH PMT NO. - 80127301	311.95
SPOKANE COUNTY CLERK	LEGAL SERVICES CHECK NO. - 00601741	486.00
WATERCO OF THE PACIFIC NORTH WEST, INC	NON-TRAVEL MEALS/LGHT RFRSHMT CHECK NO. - 00601725	74.96
TOTAL FOR 1200 - CODE ENFORCEMENT FUND		----- 2,930.98

1360 - MISCELLANEOUS GRANTS FUND

PIONEER HUMAN SERVICES	GRANT CASH PASS THRU ACCOUNT ACH PMT NO. - 80127293	161.59-
PIONEER HUMAN SERVICES	PROFESSIONAL SERVICES ACH PMT NO. - 80127293	161.59
TOTAL FOR 1360 - MISCELLANEOUS GRANTS FUND		----- 0.00

1380 - TRAFFIC CALMING MEASURES

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PROCESSING OF VOUCHERS RESULTS IN CLAIMS AS FOLLOWS:

OVERLAND WEST INC PO BOS 590 MS 420	PHOTO RED FINES CHECK NO. - 00601623	145.00
PREMIER TRAILER SOLUTIONS INC DBA TRAILER STATION USA	MACHINERY/EQUIPMENT ACH PMT NO. - 80127377	707.85
TOTAL FOR 1380 - TRAFFIC CALMING MEASURES		----- 852.85

1400 - PARKS AND RECREATION FUND

ACRANET CBS BRANCH/DIV OF CBS REPORTING INC	BACKGROUND CHECKS ACH PMT NO. - 80127320	998.00
DGT ENTERPRISES LLC DBA SPOKANE TESTING SOLUTIONS	BACKGROUND CHECKS CHECK NO. - 00601750	2,355.00
DGT ENTERPRISES LLC DBA SPOKANE TESTING SOLUTIONS	REGISTRATION/SCHOOLING CHECK NO. - 00601750	1,275.00
KAISER FOUNDATION HEALTH OF WASHINGTON	BACKGROUND CHECKS CHECK NO. - 00601726	29.43
NORTHWEST MOBILE FLAGGING ACADEMY	REGISTRATION/SCHOOLING ACH PMT NO. - 80127359	712.73
TOTAL FOR 1400 - PARKS AND RECREATION FUND		----- 5,370.16

1425 - AMERICAN RESCUE PLAN

WA STATE DEPT OF REVENUE	SUBSCRIPTION BASED IT ARNGMTS	
	-	486.00
TOTAL FOR 1425 - AMERICAN RESCUE PLAN		486.00

1460 - PARKING METER REVENUE FUND

ACRANET CBS BRANCH/DIV OF CBS REPORTING INC	BACKGROUND CHECKS ACH PMT NO. - 80127320	33.50
CONAN PIPER 6004 N BUFFALO ST	PARKING CHECK NO. - 00601754	5.10
VERIZON WIRELESS	CELL PHONE ACH PMT NO. - 80127381	726.92
VERIZON WIRELESS	IT/DATA SERVICES ACH PMT NO. - 80127381	280.07
TOTAL FOR 1460 - PARKING METER REVENUE FUND		1,045.59

1540 - HUMAN SERVICES GRANTS FUND

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PROCESSING OF VOUCHERS RESULTS IN CLAIMS AS FOLLOWS:

WA STATE DEPT OF REVENUE	SUBSCRIPTION BASED IT ARNGMTS	
	-	702.00
TOTAL FOR 1540 - HUMAN SERVICES GRANTS FUND		702.00

1560 - FORFEITURES & CONTRIBUTION FND

CRAIG MEIDL OR JUSTIN LUNDGREN CRAIG MEIDL TRUSTEE	CONFIDENTIAL FUNDS CHECK NO. - 00601669	22,120.00
TOTAL FOR 1560 - FORFEITURES & CONTRIBUTION FND		22,120.00

1640 - COMMUNICATIONS BLDG M&O FUND

FASTENAL CO	OPERATING SUPPLIES ACH PMT NO. - 80127272	534.68
FIRE PROTECTION SPECIALISTS LLC	BUILDING REPAIRS/MAINTENANCE ACH PMT NO. - 80127416	719.40
TOTAL FOR 1640 - COMMUNICATIONS BLDG M&O FUND		1,254.08

1680 - CD/HS OPERATIONS

WA STATE DEPT OF REVENUE	SUBSCRIPTION BASED IT ARNGMTS	
	-	378.00
TOTAL FOR 1680 - CD/HS OPERATIONS		378.00

1690 - COMM DEVELOPMENT BLOCK GRANTS

WA STATE DEPT OF REVENUE	GRANT CASH PASS THRU ACCOUNT	
	-	702.00-
WA STATE DEPT OF REVENUE	SUBSCRIPTION BASED IT ARNGMTS	
	-	702.00
TOTAL FOR 1690 - COMM DEVELOPMENT BLOCK GRANTS		0.00

1695 - CDBG REVOLVING LOAN FUND

WA STATE DEPT OF REVENUE	SOFTWARE (NONCAPITALIZED)	
	-	81.00
WA STATE DEPT OF REVENUE	SUBSCRIPTION BASED IT ARNGMTS	
	-	648.00
TOTAL FOR 1695 - CDBG REVOLVING LOAN FUND		729.00

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PROCESSING OF VOUCHERS RESULTS IN CLAIMS AS FOLLOWS:

1710 - HOME ENTITLEMENT PROGRAM

WA STATE DEPT OF REVENUE	GRANT CASH PASS THRU ACCOUNT	
	-	486.00-
WA STATE DEPT OF REVENUE	SUBSCRIPTION BASED IT ARNGMTS	
	-	486.00
TOTAL FOR 1710 - HOME ENTITLEMENT PROGRAM		0.00

1910 - CRIMINAL JUSTICE ASSISTANCE FD

COMCAST	IT/DATA SERVICES	
	CHECK NO. - 00601724	192.50
COMCAST	TELEPHONE	
	CHECK NO. - 00601724	34.42
JRM ENTERPRISES INC	INTERPRETER COSTS	
DBA PROFESSIONAL LANGUAGE	ACH PMT NO. - 80127348	3,061.00
MANENE LANGUAGE SERVICES LLC	INTERPRETER COSTS	
	ACH PMT NO. - 80127354	420.00
SPOKANE COUNTY TREASURER	SPOKANE COUNTY	
	ACH PMT NO. - 80127303	490,513.10
TOTAL FOR 1910 - CRIMINAL JUSTICE ASSISTANCE FD		494,221.02

1950 - PARK CUMULATIVE RESERVE FUND

COFFMAN ENGINEERS INC	ARCHITECT AND ENGINEER SERV	
	ACH PMT NO. - 80127326	774.30
COFFMAN ENGINEERS INC	OTHER CAPITALIZED COSTS	

ACH PMT NO. - 80127326 316.18

TOTAL FOR 1950 - PARK CUMULATIVE RESERVE FUND 1,090.48

1970 - FIRE/EMS FUND

CAMTEK INC	ALARM/SECURITY SERVICES ACH PMT NO. - 80127325	395.67
COLEMAN OIL COMPANY LLC	MOTOR FUEL-OUTSIDE VENDOR ACH PMT NO. - 80127259	12,220.86
COMMERCIAL TIRE INC	VEHICLE REPAIR & MAINT SUPPLY ACH PMT NO. - 80127327	2,102.28
COMMERCIAL TIRE INC	VEHICLE REPAIRS/MAINT ACH PMT NO. - 80127327	52.10

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PROCESSING OF VOUCHERS RESULTS IN CLAIMS AS FOLLOWS:

CONTROL SOLUTIONS NW INC	BUILDING REPAIRS/MAINTENANCE ACH PMT NO. - 80127399	163.50
COPIERS NORTHWEST INC	OPERATING RENTALS/LEASES ACH PMT NO. - 80127328	941.71
DAVID'S PIZZA 803 W. MALLON AVE	PERMIT REFUNDS PAYABLE CHECK NO. - 00601730	38.00
DGT ENTERPRISES LLC DBA SPOKANE TESTING SOLUTIONS	MEDICAL SERVICES CHECK NO. - 00601750	100.00
FASTENAL CO	MINOR EQUIPMENT ACH PMT NO. - 80127272	164.40
FASTENAL CO	OPERATING SUPPLIES ACH PMT NO. - 80127272	3,138.05
FASTENAL CO	REPAIR & MAINTENANCE SUPPLIES ACH PMT NO. - 80127272	670.01
FASTENAL CO	VEHICLE REPAIR & MAINT SUPPLY ACH PMT NO. - 80127272	314.26
FIRE PROTECTION SPECIALISTS LLC	BUILDING REPAIRS/MAINTENANCE ACH PMT NO. - 80127416	348.80
GALLS LLC	CLOTHING ACH PMT NO. - 80127340	3.43
GORLEY LOGISTICS LLC dba FIKES NORTHWEST	OPERATING SUPPLIES ACH PMT NO. - 80127337	58.22
HARWIN LLC DBA THE DRAIN SPECIALISTS	BUILDING REPAIRS/MAINTENANCE ACH PMT NO. - 80127404	327.00
L N CURTIS & SONS	EQUIPMENT REPAIRS/MAINTENANCE ACH PMT NO. - 80127331	441.45
L N CURTIS & SONS	REPAIR & MAINTENANCE SUPPLIES ACH PMT NO. - 80127331	2,467.76
LAKEYLAND INC DBA	CLOTHING ALTERATIONS & REPAIRS	

NORTHWEST SAFETY CLEAN	ACH PMT NO. - 80127358	2,471.97
LIFE ASSIST INC	SAFETY SUPPLIES ACH PMT NO. - 80127352	389.20
NORCO INC	OPERATING SUPPLIES ACH PMT NO. - 80127357	876.79
NORCO INC	SAFETY SUPPLIES ACH PMT NO. - 80127357	113.88
NORTHWEST LED LIGHTING LLC	REPAIR & MAINTENANCE SUPPLIES ACH PMT NO. - 80127289	1,987.15
OVERHEAD DOOR CORPORATION DBA WAYNE DALTON SALES &	BUILDING REPAIRS/MAINTENANCE CHECK NO. - 00601675	261.60

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PROCESSING OF VOUCHERS RESULTS IN CLAIMS AS FOLLOWS:

PACIFIC NW EMERGENCY EQUIPMENT dba GENERAL FIRE APPARATUS	VEHICLE REPAIR & MAINT SUPPLY ACH PMT NO. - 80127361	313.72
PRO MECHANICAL SERVICES INC	BUILDING REPAIRS/MAINTENANCE ACH PMT NO. - 80127441	2,502.92
ROB'S DEMOLITION INC	MISC SERVICES/CHARGES ACH PMT NO. - 80127365	2,725.00
SCHWEITZER HAVEN PO BOX 2253	PERMIT REFUNDS PAYABLE CHECK NO. - 00601654	38.00
SPOKANE REGIONAL COMMUNICATION	CONTRACTUAL SERVICES ACH PMT NO. - 80127451	603,830.85
STERICYCLE INC DBA SHRED-IT	HAZARDOUS WASTE DISPOSAL ACH PMT NO. - 80127375	862.35
TRACE ANALYTICS LLC	EQUIPMENT REPAIRS/MAINTENANCE ACH PMT NO. - 80127376	89.00
TYLER P GUSTAFSON	REGISTRATION/SCHOOLING ACH PMT NO. - 80127317	1,650.00
VENDNOVATION LLC	SOFTWARE MAINTENANCE ACH PMT NO. - 80127380	2,616.00
WA STATE DEPT OF REVENUE	EQUIPMENT REPAIRS/MAINTENANCE -	8.01
WENDLE FORD NISSAN ISUZU	VEHICLES ACH PMT NO. - 80127460	9,011.61

TOTAL FOR 1970 - FIRE/EMS FUND

-----  
653,695.55

3200 - ARTERIAL STREET FUND

ABADAN REPROGRAPHICS BUSINESS EQUIPMENT CENTER	CONSTRUCTION OF FIXED ASSETS CHECK NO. - 00601645	8,154.89
COFFMAN ENGINEERS INC	CONSTRUCTION OF FIXED ASSETS ACH PMT NO. - 80127326	1,959.26

TOTAL FOR 3200 - ARTERIAL STREET FUND

-----  
10,114.15



## 4100 - WATER DIVISION

ACTION MATERIALS	REPAIR & MAINTENANCE SUPPLIES ACH PMT NO. - 80127242	1,350.53
ANATEK LABS INC	CONTRACTUAL SERVICES ACH PMT NO. - 80127385	248.00
BRETT E BURRIS PO BOX 473	REFUNDS CHECK NO. - 00601755	18.23

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## PROCESSING OF VOUCHERS RESULTS IN CLAIMS AS FOLLOWS:

CENTURYLINK	TELEPHONE CHECK NO. - 00601648	172.77
CHRISTOPHER C HALE 9206 N ROSEBURY LN	REFUNDS CHECK NO. - 00601768	30.00
CINTAS CORPORATION	LAUNDRY/JANITORIAL SERVICES ACH PMT NO. - 80127394	1,494.34
CLARY LONGVIEW LLC DBA BUD CLARY FORD/HYUNDAI	VEHICLES ACH PMT NO. - 80127258	67,471.81
DARCY KELLY 7219 E SOUTH RIVERWAY	REFUNDS CHECK NO. - 00601658	6,000.00
DGT ENTERPRISES LLC DBA SPOKANE TESTING SOLUTIONS	MEDICAL SERVICES CHECK NO. - 00601750	540.00
DONALD OR TAMMY ELLINGSEN 6432 S HELENA ST	REFUNDS CHECK NO. - 00601756	1,235.68
ENTERPRISE FM TRUST ATTN: CUSTOMER BILLING	OPERATING RENTALS/LEASES ACH PMT NO. - 80127236	1,173.01
FASTENAL CO	REPAIR & MAINTENANCE SUPPLIES ACH PMT NO. - 80127272	805.58
FRANKLIN PARK MEDICAL CENTER 6506 S WESTCHESTER DR	REFUNDS CHECK NO. - 00601757	1,793.85
H D FOWLER COMPANY	REPAIR & MAINTENANCE SUPPLIES ACH PMT NO. - 80127276	4,820.96
HASKINS STEEL CO INC	REPAIR & MAINTENANCE SUPPLIES ACH PMT NO. - 80127343	2,920.95
HILARY NICKERSON DBA HONEYSIDE BEE COOP LLC	CONTRACTUAL SERVICES ACH PMT NO. - 80127424	308.75
IDEXX DISTRIBUTION GROUP IDEXX LABORATORIES INC	CHEMICAL/LAB SUPPLIES ACH PMT NO. - 80127425	337.43
KIEMLE HAGOOD 601 W MAIN AVE	REFUNDS CHECK NO. - 00601758	1,188.66
MCGARD LLC	INVENTORY PURCHASES FOR WATER ACH PMT NO. - 80127197	8,424.72
MCGARD LLC	REPAIR & MAINTENANCE SUPPLIES ACH PMT NO. - 80127197	2,451.67

MIMIRS WELL LLC DBA MIMIR WATER	CONTRACTUAL SERVICES ACH PMT NO. - 80127201	6,370.00
MOHAMED E TRABELSI 2314 E MARSHALL AVE	REFUNDS CHECK NO. - 00601662	865.97
NATIONAL COLOR GRAPHICS INC	PRINTING/BINDING/REPRO ACH PMT NO. - 80127355	3,646.05

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PROCESSING OF VOUCHERS RESULTS IN CLAIMS AS FOLLOWS:

NEPTUNE TECHNOLOGY GROUP INC	MACHINERY/EQUIPMENT ACH PMT NO. - 80127287	333,178.12
NORCO INC	REPAIR & MAINTENANCE SUPPLIES ACH PMT NO. - 80127357	71.23
NORTHWEST MOBILE FLAGGING ACADEMY	REGISTRATION/SCHOOLING ACH PMT NO. - 80127359	101.82
OXARC INC	OPERATING SUPPLIES ACH PMT NO. - 80127438	3,685.21
RC SCHWARTZ 159 S COWLEY	REFUNDS CHECK NO. - 00601766	1,786.10
SHELLY HANSON 5209 N HOWARD ST	REFUNDS CHECK NO. - 00601759	1,920.00
SPOKANE CITY TREASURER	REFUNDS CHECK NO. - 00601664	215.00
SPOKANE CITY TREASURER OR WASH STATE DEPT OF REVENUE	WA DEPT OF REVENUE CHECK NO. - 00601739	144,453.14
SPOKANE CONCRETE CUTTING INC PO BOX 6227	REFUNDS CHECK NO. - 00601657	1,500.00
TERA SHIMADA 45327 SE TANNER RD	REFUNDS CHECK NO. - 00601767	395.67
VERIZON WIRELESS	CELL PHONE ACH PMT NO. - 80127381	4,286.01
WA STATE DEPT OF REVENUE	INVENTORY PURCHASES FOR WATER -	758.23
WA STATE DEPT OF REVENUE	REPAIR & MAINTENANCE SUPPLIES -	220.65
WATER DEPARTMENT IMPREST FUND	OTH DUES/SUBSCRIPTNS/MEMBERSHP CHECK NO. - 00601743	85.00
WATER DEPARTMENT IMPREST FUND	PARKING/TOLLS (LOCAL) CHECK NO. - 00601743	3.50
WATER DEPARTMENT IMPREST FUND	REPAIR & MAINTENANCE SUPPLIES CHECK NO. - 00601743	20.66
WEST PLAINS AIRPORT AREA PUBLIC DEVELOPMENT AUTHORITY	OTHER MISC CHARGES ACH PMT NO. - 80127312	12,409.36

TOTAL FOR 4100 - WATER DIVISION

-----  
618,758.66

4250 - INTEGRATED CAPITAL MANAGEMENT

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BUDINGER & ASSOCIATES INC	CONSTRUCTION OF FIXED ASSETS ACH PMT NO. - 80127252	3,692.78
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PROCESSING OF VOUCHERS RESULTS IN CLAIMS AS FOLLOWS:		
CH2M HILL ENGINEERS INC	CONSTRUCTION OF FIXED ASSETS CHECK NO. - 00601748	16,795.66
ECO COUNTER INC	CELL PHONE ACH PMT NO. - 80127407	5,150.25
ECO COUNTER INC	MINOR EQUIPMENT ACH PMT NO. - 80127407	6,893.16
SPOKANE CITY TREASURER OR WASH STATE DEPT OF REVENUE	WA DEPT OF REVENUE CHECK NO. - 00601739	58,922.18
VERIZON WIRELESS	CELL PHONE ACH PMT NO. - 80127309	82.77
WA STATE DEPT/TRANSPORTATION EASTERN REGION	CONSTRUCTION OF FIXED ASSETS CHECK NO. - 00601742	300.00
TOTAL FOR 4250 - INTEGRATED CAPITAL MANAGEMENT		----- 91,836.80

4310 - SEWER MAINTENANCE DIVISION

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ACTION MATERIALS	REPAIR & MAINTENANCE SUPPLIES ACH PMT NO. - 80127242	495.83
ALSCO DIVISION OF ALSCO INC	LAUNDRY/JANITORIAL SERVICES ACH PMT NO. - 80127244	769.40
AVISTA UTILITIES	UTILITY LIGHT/POWER SERVICE ACH PMT NO. - 80127249	100.38
AVISTA UTILITIES	UTILITY NATURAL GAS ACH PMT NO. - 80127249	530.51
COFFMAN ENGINEERS INC	CONTRACTUAL SERVICES ACH PMT NO. - 80127326	1,555.66
CPM DEVELOPMENT CORP DBA CENTRAL PRE-MIX CONCRETE CO	REPAIR & MAINTENANCE SUPPLIES ACH PMT NO. - 80127255	1,770.31
CUES INC	VEHICLES ACH PMT NO. - 80127330	475,606.24
DEVRIES INFORMATION MANAGEMENT	CONTRACTUAL SERVICES ACH PMT NO. - 80127267	17.10
DGT ENTERPRISES LLC DBA SPOKANE TESTING SOLUTIONS	MEDICAL SERVICES CHECK NO. - 00601750	370.00
EVANS ENGINEERING AND CONSULTING PLLC	CONSTRUCTION OF FIXED ASSETS CHECK NO. - 00601652	3,851.25
NORTHWEST INDUSTRIAL SERVICES DBA AMERICAN ON SITE SERVICES	OPERATING RENTALS/LEASES ACH PMT NO. - 80127246	330.00
PACIFIC PETROLEUM & SUPPLY PACIFIC PETROLEUM DIST INC	REPAIR & MAINTENANCE SUPPLIES ACH PMT NO. - 80127362	2,257.61

PROCESSING OF VOUCHERS RESULTS IN CLAIMS AS FOLLOWS:

RWC INTERNATIONAL LTD	VEHICLES ACH PMT NO. - 80127366	125,806.72
SPOKANE CITY TREASURER OR WASH STATE DEPT OF REVENUE	WA DEPT OF REVENUE CHECK NO. - 00601739	65,864.90
STELLAR INDUSTRIAL SUPPLY INC	SAFETY SUPPLIES ACH PMT NO. - 80127374	1,639.45
TOTAL FOR 4310 - SEWER MAINTENANCE DIVISION		----- 680,965.36

4320 - RIVERSIDE PARK RECLAMATION FAC

ALS LABORATORY GROUP	TESTING SERVICES ACH PMT NO. - 80127383	2,690.00
AVISTA UTILITIES	OPERATING RENTALS/LEASES ACH PMT NO. - 80127249	465.41
AVISTA UTILITIES	UTILITY LIGHT/POWER SERVICE ACH PMT NO. - 80127249	187,056.05
AVISTA UTILITIES	UTILITY NATURAL GAS ACH PMT NO. - 80127249	36,407.30
BATTERY SYSTEMS INC	OPERATING SUPPLIES ACH PMT NO. - 80127250	117.37
BECKWITH & KUFFEL INC DBA GRANICH ENGINEERED PRODUCTS	OPERATING SUPPLIES ACH PMT NO. - 80127419	4,134.44
CB PACIFIC INC	REPAIR & MAINTENANCE SUPPLIES ACH PMT NO. - 80127393	1,441.87
CDW GOVERNMENT INC	OPERATING SUPPLIES ACH PMT NO. - 80127254	4,269.70
CLEAN HARBORS ENVIRONMENTAL SERVICES INC	HAZARDOUS WASTE DISPOSAL CHECK NO. - 00601749	1,822.35
COLUMBIA ELECTRIC SUPPLY/DIV CONSOLIDATED ELECTRICAL	OPERATING SUPPLIES ACH PMT NO. - 80127260	1,808.08
COPIERS NORTHWEST INC	OPERATING RENTALS/LEASES ACH PMT NO. - 80127263	364.48
COWLES PUBLISHING COMPANY DBA THE SPOKESMAN-REVIEW	ADVERTISING ACH PMT NO. - 80127216	512.26
DGT ENTERPRISES LLC DBA SPOKANE TESTING SOLUTIONS	MEDICAL SERVICES CHECK NO. - 00601750	90.00
ENDRESS+HAUSER INC C/O FIELD INSTRUMENTS & CONTRO	REPAIR & MAINTENANCE SUPPLIES ACH PMT NO. - 80127271	1,941.63
ENTERPRISE FM TRUST ATTN: CUSTOMER BILLING	OPERATING RENTALS/LEASES ACH PMT NO. - 80127236	577.45

PROCESSING OF VOUCHERS RESULTS IN CLAIMS AS FOLLOWS:

FEDERAL EXPRESS CORP/DBA FEDEX	POSTAGE ACH PMT NO. - 80127413	30.17
HARRINGTON INDUSTRIAL PLASTICS INC	REPAIR & MAINTENANCE SUPPLIES ACH PMT NO. - 80127420	1,615.48
HASA INC	CHEMICAL/LAB SUPPLIES ACH PMT NO. - 80127421	15,685.70
INLAND ENVIRONMENTAL RESOURCES INC	CHEMICAL/LAB SUPPLIES ACH PMT NO. - 80127426	7,670.88
JESSE HERBOLDT	MINOR SAFETY EQUIPMENT CHECK NO. - 00601752	360.00
JOHNSON CONTROLS FIRE PROTECTION LP	EQUIPMENT REPAIRS/MAINTENANCE ACH PMT NO. - 80127428	33,994.96
KAISER FOUNDATION HEALTH OF WASHINGTON	MEDICAL SERVICES CHECK NO. - 00601728	96.00
MARUBENI AMERICA CORPORATION	CHEMICAL/LAB SUPPLIES CHECK NO. - 00601624	7,389.33
MCKINSTRY CO LLC LOCKBOX	EQUIPMENT REPAIRS/MAINTENANCE ACH PMT NO. - 80127198	765.32
MIDLAND SCIENTIFIC INC	OPERATING SUPPLIES ACH PMT NO. - 80127200	3,530.55
NICHOLAS MCKENZIE	MINOR SAFETY EQUIPMENT CHECK NO. - 00601625	180.00
NORCO INC	OPERATING SUPPLIES ACH PMT NO. - 80127206	128.97
PAPE MACHINERY INC	EQUIPMENT REPAIRS/MAINTENANCE ACH PMT NO. - 80127208	2,228.89
PHENOVA INC	OPERATING SUPPLIES ACH PMT NO. - 80127210	1,506.90
PROFESSIONAL TRAINING ASSOCIATION	REGISTRATION/SCHOOLING ACH PMT NO. - 80127296	9,250.00
PUMPTECH HOLDINGS LLC DBA K & N AN IMPEL COMPANY	EQUIPMENT REPAIRS/MAINTENANCE CHECK NO. - 00601653	2,912.94
SPOKANE CITY TREASURER OR WASH STATE DEPT OF REVENUE	WA DEPT OF REVENUE CHECK NO. - 00601739	93,520.92
T-MOBILE	CELL PHONE CHECK NO. - 00601777	326.13
VERIZON WIRELESS	TELEPHONE ACH PMT NO. - 80127309	843.79
WA STATE DEPT OF REVENUE	OPERATING SUPPLIES -	135.62

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PROCESSING OF VOUCHERS RESULTS IN CLAIMS AS FOLLOWS:

WASTE MANAGEMENT OF WA DBA	UTIL GARBAGE/WASTE REMOVAL
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GRAHAM ROAD LANDFILL CHECK NO. - 00601632 939.39

TOTAL FOR 4320 - RIVERSIDE PARK RECLAMATION FAC 426,810.33

4330 - STORMWATER

ALSCO DIVISION OF ALSCO INC LAUNDRY/JANITORIAL SERVICES  
ACH PMT NO. - 80127244 769.36

AVISTA UTILITIES UTILITY LIGHT/POWER SERVICE  
ACH PMT NO. - 80127249 155.22

DGT ENTERPRISES LLC MEDICAL SERVICES  
DBA SPOKANE TESTING SOLUTIONS CHECK NO. - 00601750 110.00

NB ENGINEERING LLC CONTRACTUAL SERVICES  
DBA EVERGREEN STORMH2O ACH PMT NO. - 80127204 35,473.50

NORTH SPOKANE IRRIGATION PUBLIC UTILITY SERVICE  
DIST #8 CHECK NO. - 00601663 42.01

ROGUE HEART MEDIA SPC CONTRACTUAL SERVICES  
ACH PMT NO. - 80127213 8,973.80

WA STATE DEPT OF ECOLOGY PERMITS/OTHER FEES  
CHECK NO. - 00601672 36,332.50

TOTAL FOR 4330 - STORMWATER 81,856.39

4480 - SOLID WASTE FUND

SPOKANE CITY TREASURER OR DEPOSIT-SALES TAX  
WASH STATE DEPT OF REVENUE CHECK NO. - 00601739 1,588.24

TOTAL FOR 4480 - SOLID WASTE FUND 1,588.24

4490 - SOLID WASTE DISPOSAL

ABB INC CONTRACTUAL SERVICES  
ACH PMT NO. - 80127382 93,731.16

AIRGAS SPECIALTY PRODUCTS INC CHEMICAL/LAB SUPPLIES  
CHECK NO. - 00601646 26,331.11

APPLIED INDUSTRIAL REPAIR & MAINTENANCE SUPPLIES  
TECHNOLOGIES ACH PMT NO. - 80127386 2,186.29

APTEAN INC CONTRACTUAL SERVICES  
DBA ASSETPOINT LLC ACH PMT NO. - 80127388 41,455.90

AVISTA UTILITIES UTILITY NATURAL GAS  
ACH PMT NO. - 80127389 19,736.15

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PROCESSING OF VOUCHERS RESULTS IN CLAIMS AS FOLLOWS:

BIG SKY INDUSTRIAL/DIV OF EQUIPMENT REPAIRS/MAINTENANCE  
ROCHELLE CONSTRUCTION SERVICES CHECK NO. - 00601647 1,237.15

BRANDSAFWAY SERVICES INC EQUIPMENT REPAIRS/MAINTENANCE  
ACH PMT NO. - 80127298 10,513.12

DGT ENTERPRISES LLC DBA SPOKANE TESTING SOLUTIONS	MEDICAL SERVICES CHECK NO. - 00601750	200.00
DYKMAN ELECTRIC INC	REPAIR & MAINTENANCE SUPPLIES ACH PMT NO. - 80127405	15,433.14
ECOICHEM ANALYTICS INC	CONTRACTUAL SERVICES ACH PMT NO. - 80127269	8,470.39
ECOICHEM ANALYTICS INC	PROFESSIONAL SERVICES ACH PMT NO. - 80127408	3,480.00
ELJAY OIL CO INC	MOTOR FUEL-OUTSIDE VENDOR ACH PMT NO. - 80127409	2,284.80
FINLEY BUTTES LIMITED PARTNERSHIP DBA FINLEY BUTTES	CONTRACTUAL SERVICES ACH PMT NO. - 80127415	64,396.08
HELFRICH BROTHERS BOILER WORKS	EQUIPMENT REPAIRS/MAINTENANCE ACH PMT NO. - 80127422	559,518.44
HELFRICH BROTHERS BOILER WORKS	REPAIR & MAINTENANCE SUPPLIES ACH PMT NO. - 80127422	6,274.04
HERC RENTALS INC	OPERATING RENTALS/LEASES ACH PMT NO. - 80127277	1,727.65
JOSEPH WHITEMAN	PERSONAL PROTECTIVE EQUIPMENT ACH PMT NO. - 80127230	180.00
KENWORTH SALES COMPANY	OPERATING RENTALS/LEASES ACH PMT NO. - 80127196	5,948.33
KNIGHT CONSTRUCTION & SUPPLY INC	EQUIPMENT REPAIRS/MAINTENANCE ACH PMT NO. - 80127283	2,417.99
LOOMIS ARMORED US INC	CONTRACTUAL SERVICES ACH PMT NO. - 80127284	643.07
MATT HOUSTON dba SKUNKWORKS	CONTRACTUAL SERVICES ACH PMT NO. - 80127447	275.00
MCCOY POWER CONSULTANTS INC	PROFESSIONAL SERVICES ACH PMT NO. - 80127431	7,400.00
NARWHAL MET LLC dba WEATHERNET LLC	CONTRACTUAL SERVICES ACH PMT NO. - 80127459	1,480.00
NORCO INC	CHEMICAL/LAB SUPPLIES ACH PMT NO. - 80127434	1,571.78
NORTHSTAR CHEMICAL INC	CHEMICAL/LAB SUPPLIES ACH PMT NO. - 80127435	4,164.67

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PROCESSING OF VOUCHERS RESULTS IN CLAIMS AS FOLLOWS:

PAPE MACHINERY INC	OPERATING RENTALS/LEASES ACH PMT NO. - 80127292	3,815.00
PARAMOUNT SUPPLY CO	REPAIR & MAINTENANCE SUPPLIES CHECK NO. - 00601628	951.91
PETE LIEN & SONS INC	CHEMICAL/LAB SUPPLIES ACH PMT NO. - 80127440	41,323.15

PUMP INDUSTRIES INC	REPAIR & MAINTENANCE SUPPLIES ACH PMT NO. - 80127211	6,248.97
RIPPLINGER ENGINEERING LABORATORIES	PROFESSIONAL SERVICES ACH PMT NO. - 80127443	905.79
SPOKANE CITY TREASURER OR WASH STATE DEPT OF REVENUE	WA DEPT OF REVENUE CHECK NO. - 00601739	23,137.69
TERRAFORMA CARBON LLC DBA TERRAFORMA	PROFESSIONAL SERVICES ACH PMT NO. - 80127454	5,000.00
THE BABCOCK & WILCOX COMPANY	REPAIR & MAINTENANCE SUPPLIES CHECK NO. - 00601747	859.12
UNITEC DORSH LLC C/O UNITEC CORPORATION	EQUIPMENT REPAIRS/MAINTENANCE ACH PMT NO. - 80127456	9,690.65
UNITED RENTALS NW INC	OPERATING RENTALS/LEASES CHECK NO. - 00601780	1,658.98
WASHINGTON EQUIPMENT MANUFACTURING CO INC	REPAIR & MAINTENANCE SUPPLIES ACH PMT NO. - 80127310	8,101.91
WATERCO OF THE PACIFIC NORTH WEST, INC	OPERATING SUPPLIES CHECK NO. - 00601650	261.08
TOTAL FOR 4490 - SOLID WASTE DISPOSAL		----- 983,010.51

4500 - SOLID WASTE COLLECTION

ACRANET CBS BRANCH/DIV OF CBS REPORTING INC	BACKGROUND CHECKS ACH PMT NO. - 80127320	20.00
ARROW CONCRETE & ASPHALT SPECIALTIES LLC	CONTRACTUAL SERVICES ACH PMT NO. - 80127248	18,498.39
AVISTA UTILITIES	UTILITY LIGHT/POWER SERVICE ACH PMT NO. - 80127323	2,351.65
AVISTA UTILITIES	UTILITY NATURAL GAS ACH PMT NO. - 80127323	5,791.41
BRENDAN HAIGHT	PERMITS/OTHER FEES CHECK NO. - 00601622	324.00
C & C YARD CARE	LANDSCAPE/GROUNDS MAINT ACH PMT NO. - 80127253	181.35

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PROCESSING OF VOUCHERS RESULTS IN CLAIMS AS FOLLOWS:

CENTURYLINK	TELEPHONE CHECK NO. - 00601648	417.73
CHRISTOPHER CASEY	PERMITS/OTHER FEES CHECK NO. - 00601621	406.00
CINTAS CORPORATION NO 2	OPERATING RENTALS/LEASES ACH PMT NO. - 80127257	139.71
DGT ENTERPRISES LLC DBA SPOKANE TESTING SOLUTIONS	MEDICAL SERVICES CHECK NO. - 00601750	2,050.00
FASTENAL CO	OPERATING SUPPLIES	



	ACH PMT NO. - 80127272	389.10
FAT KAT ENTERPRISES DBA OUTLAW KITCHEN & CATERING	NON-TRAVEL MEALS/LGHT RFRSHMT ACH PMT NO. - 80127290	1,571.67
HOTSY OF SPOKANE LLC	OPERATING SUPPLIES ACH PMT NO. - 80127345	6,705.19
JAMES OWEN	PERMITS/OTHER FEES CHECK NO. - 00601627	409.00
PS OPERATING COMPANY LLC DBA QC SUPPLY	MACHINERY/EQUIPMENT ACH PMT NO. - 80127297	59,454.70
SPOKANE CITY TREASURER	ADVISORY TECHNICAL SERVICE CHECK NO. - 00601665	189,506.47
SPOKANE CITY TREASURER OR WASH STATE DEPT OF REVENUE	WA DEPT OF REVENUE CHECK NO. - 00601739	91,080.52
WASTEQUIP WASHINGTON	MINOR EQUIPMENT CHECK NO. - 00601674	87,694.86
		-----
TOTAL FOR 4500 - SOLID WASTE COLLECTION		466,991.75

4530 - SOLID WASTE LANDFILLS

	-----	
CENTURYLINK	TELEPHONE CHECK NO. - 00601648	78.50
NORCO INC	CHEMICAL/LAB SUPPLIES ACH PMT NO. - 80127434	330.54
UNITEC DORSH LLC C/O UNITEC CORPORATION	EQUIPMENT REPAIRS/MAINTENANCE ACH PMT NO. - 80127456	403.30
UNITED RENTALS NW INC	OPERATING RENTALS/LEASES CHECK NO. - 00601629	1,796.04
		-----
TOTAL FOR 4530 - SOLID WASTE LANDFILLS		2,608.38

4600 - GOLF FUND

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PROCESSING OF VOUCHERS RESULTS IN CLAIMS AS FOLLOWS:

ACRANET CBS BRANCH/DIV OF CBS REPORTING INC	BACKGROUND CHECKS ACH PMT NO. - 80127320	384.00
DGT ENTERPRISES LLC DBA SPOKANE TESTING SOLUTIONS	BACKGROUND CHECKS CHECK NO. - 00601750	1,170.00
		-----
TOTAL FOR 4600 - GOLF FUND		1,554.00

4700 - DEVELOPMENT SVCS CENTER

	-----	
ENTERPRISE FM TRUST ATTN: CUSTOMER BILLING	OPERATING RENTALS/LEASES ACH PMT NO. - 80127236	1,905.93
ENVISION ELECTRIC & REMODEL 2806 W WELLESLEY AVE	PERMIT REFUNDS PAYABLE CHECK NO. - 00601660	15.00

HUFNAGEL LIVING TRUST LISA CHMYZ	PERMIT REFUNDS PAYABLE CHECK NO. - 00601661	25.00
RUSLAN ZHUK	OTH DUES/SUBSCRIPTNS/MEMBERSHP ACH PMT NO. - 80127319	305.00
SIMPLIFILE LC	LEGAL SERVICES ACH PMT NO. - 80127301	309.95
TOTAL FOR 4700 - DEVELOPMENT SVCS CENTER		----- 2,560.88

5100 - FLEET SERVICES FUND

AVISTA UTILITIES	COMPRESSED NATURAL GAS FUEL ACH PMT NO. - 80127323	37,308.34
AVISTA UTILITIES	UTILITY LIGHT/POWER SERVICE ACH PMT NO. - 80127323	6,298.65
AVISTA UTILITIES	UTILITY NATURAL GAS ACH PMT NO. - 80127323	773.25
BUCK'S TIRE & AUTOMOTIVE	EQUIPMENT REPAIRS/MAINTENANCE ACH PMT NO. - 80127324	272.50
CINTAS CORPORATION	LAUNDRY/JANITORIAL SERVICES ACH PMT NO. - 80127256	1,296.45
CLEAN ENERGY INC	CONTRACTUAL SERVICES ACH PMT NO. - 80127395	13,120.67
COLEMAN OIL COMPANY LLC	MOTOR FUEL-OUTSIDE VENDOR ACH PMT NO. - 80127259	37,112.79
COMCAST	WEB SERVICES CHECK NO. - 00601723	180.90
CONNELL OIL INC DBA CO-ENERGY	LUBRICANTS ACH PMT NO. - 80127261	532.53

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PROCESSING OF VOUCHERS RESULTS IN CLAIMS AS FOLLOWS:

CORWIN OF SPOKANE LLC CORWIN FORD SPOKANE	EQUIPMENT REPAIRS/MAINTENANCE ACH PMT NO. - 80127329	811.93
DGT ENTERPRISES LLC DBA SPOKANE TESTING SOLUTIONS	MEDICAL SERVICES CHECK NO. - 00601750	630.00
EVERGREEN STATE TOWING LLC DBA SPOKANE VALLEY TOWING	TOWING EXPENSE ACH PMT NO. - 80127411	3,066.17
FLEETCOR TECHNOLOGIES INC DBA FUELMAN	MOTOR FUEL-OUTSIDE VENDOR ACH PMT NO. - 80127339	25,639.03
GENE'S ALIGNMENTS LLC	EQUIPMENT REPAIRS/MAINTENANCE ACH PMT NO. - 80127341	217.80
GORDON TRUCK CENTERS INC DBA PACIFIC TRUCK CENTERS	EQUIPMENT REPAIRS/MAINTENANCE ACH PMT NO. - 80127342	5,983.36
HOME DEPOT USA INC HOME DEPOT PRO INSTITUTIONAL	OFFICE SUPPLIES ACH PMT NO. - 80127347	376.28

IIA LIFTING SERVICES INC	EQUIPMENT REPAIRS/MAINTENANCE ACH PMT NO. - 80127346	879.75
JHAB3 CO DBA MEINEKE CAR CARE CENTER	EQUIPMENT REPAIRS/MAINTENANCE CHECK NO. - 00601736	4,508.61
KENWORTH SALES COMPANY	EQUIPMENT REPAIRS/MAINTENANCE ACH PMT NO. - 80127349	8,602.38
MARK HENDERSON DBA ONSITE DASH REPAIR	EQUIPMENT REPAIRS/MAINTENANCE CHECK NO. - 00601626	490.50
MEGA WASH LLC	CONTRACTUAL SERVICES ACH PMT NO. - 80127199	4,080.90
MT BALDY COMMUNICATIONS LLC	OPERATING RENTALS/LEASES CHECK NO. - 00601642	675.31
NELSON'S TOWING AND REPAIR/ DIV OF NELCO SERVICES INC	TOWING EXPENSE ACH PMT NO. - 80127356	276.86
NOVUS AUTO GLASS	EQUIPMENT REPAIRS/MAINTENANCE ACH PMT NO. - 80127436	1,763.97
PACWEST MACHINERY LLC	EQUIPMENT REPAIRS/MAINTENANCE ACH PMT NO. - 80127363	18,745.04
POMP'S TIRE SERVICE INC	VEHICLE REPAIR & MAINT SUPPLY ACH PMT NO. - 80127364	24,357.45
TRANSPORT EQUIPMENT INC	EQUIPMENT REPAIRS/MAINTENANCE ACH PMT NO. - 80127378	16,674.12
WATERCO OF THE PACIFIC NORTH WEST, INC	OPERATING SUPPLIES CHECK NO. - 00601725	226.77
WESTERN STATES EQUIPMENT CO	EQUIPMENT REPAIRS/MAINTENANCE ACH PMT NO. - 80127313	314.79

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PROCESSING OF VOUCHERS RESULTS IN CLAIMS AS FOLLOWS:

TOTAL FOR 5100 - FLEET SERVICES FUND	-----	215,217.10
5110 - FLEET SVCS EQUIP REPL FUND		
-----		
ENTERPRISE FM TRUST ATTN: CUSTOMER BILLING	OPERATING RENTALS/LEASES ACH PMT NO. - 80127236	2,967.63
TOTAL FOR 5110 - FLEET SVCS EQUIP REPL FUND	-----	2,967.63
5200 - PUBLIC WORKS AND UTILITIES		
-----		
DEVRIES INFORMATION MANAGEMENT	CONTRACTUAL SERVICES ACH PMT NO. - 80127235	278.00
SPOKANE CITY TREASURER OR WASH STATE DEPT OF REVENUE	WA DEPT OF REVENUE CHECK NO. - 00601739	1,646.63
VERIZON WIRELESS	CELL PHONE ACH PMT NO. - 80127309	42.76
	-----	



TOTAL FOR 5500 - PURCHASING & STORES FUND

-----  
42.76

5600 - ACCOUNTING SERVICES

-----  
OFFICE OF STATE AUDITOR            STATE AUDIT CHARGES  
WASHINGTON STATE                ACH PMT NO. - 80127239            17,861.50  
  
VERIZON WIRELESS                    CELL PHONE  
    ACH PMT NO. - 80127309            85.57  
  
VERIZON WIRELESS                    IT/DATA SERVICES  
    ACH PMT NO. - 80127309            40.01

TOTAL FOR 5600 - ACCOUNTING SERVICES

-----  
17,987.08

5700 - MY SPOKANE

-----  
DELL MARKETING LP                    MINOR EQUIPMENT  
%DELL USA LP                        ACH PMT NO. - 80127332            3,210.32  
  
VERIZON WIRELESS                    CELL PHONE  
    ACH PMT NO. - 80127381            115.51

TOTAL FOR 5700 - MY SPOKANE

-----  
3,325.83

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PROCESSING OF VOUCHERS RESULTS IN CLAIMS AS FOLLOWS:

5800 - RISK MANAGEMENT FUND

-----  
US BANK OR CITY TREASURER            INSURANCE CLAIMS  
LIABILITY CLAIMS                    ACH PMT NO. - 80127308            119,325.49  
  
VERIZON WIRELESS                    CELL PHONE  
    ACH PMT NO. - 80127309            213.80

TOTAL FOR 5800 - RISK MANAGEMENT FUND

-----  
119,539.29

5810 - WORKERS' COMPENSATION FUND

-----  
DATA DIMENSIONS LLC                    INSURANCE ADMINISTRATION  
    ACH PMT NO. - 80127266            300.00

TOTAL FOR 5810 - WORKERS' COMPENSATION FUND

-----  
300.00

5830 - EMPLOYEES BENEFITS FUND

-----  
DELTA DENTAL OF WASHINGTON            INSURANCE CLAIMS  
    ACH PMT NO. - 80127403            48,032.24  
  
KAISER FOUNDATION HEALTH PLAN        INSURANCE CLAIMS  
OF WASHINGTON                        ACH PMT NO. - 80127429            202,556.40  
  
PREMERA BLUE CROSS OR                INSURANCE CLAIMS  
SPOKANE CITY TREASURER                ACH PMT NO. - 80127295            548,049.97

-----

TOTAL FOR 5830 - EMPLOYEES BENEFITS FUND 798,638.61

5900 - FACILITIES MANAGEMENT FUND OPS

-----  
AM HARDWARE CO BUILDING REPAIRS/MAINTENANCE  
ACH PMT NO. - 80127245 508.37  
  
ARAMARK UNIFORM SERVICES LAUNDRY/JANITORIAL SERVICES  
AUS WEST LOCKBOX ACH PMT NO. - 80127322 126.18  
  
ARROW CONCRETE & ASPHALT BUILDING REPAIRS/MAINTENANCE  
SPECIALTIES LLC ACH PMT NO. - 80127248 12,088.97  
  
ARROW CONCRETE & ASPHALT CONTRACTUAL SERVICES  
SPECIALTIES LLC ACH PMT NO. - 80127248 199,943.61  
  
FIREPOWER INC BUILDING REPAIRS/MAINTENANCE  
ACH PMT NO. - 80127338 904.72  
  
NIKKI HANSHAW LOCAL MILEAGE  
ACH PMT NO. - 80127224 54.87  
  
ROGERS MACHINERY COMPANY INC BUILDING REPAIRS/MAINTENANCE  
ACH PMT NO. - 80127445 11,237.88

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PROCESSING OF VOUCHERS RESULTS IN CLAIMS AS FOLLOWS:

VERIZON WIRELESS CELL PHONE  
ACH PMT NO. - 80127309 721.44

-----  
TOTAL FOR 5900 - FACILITIES MANAGEMENT FUND OPS 225,586.04

5901 - ASSET MANAGEMENT FUND CAPITAL

-----  
MACKAY METERS INC MACHINERY/EQUIPMENT  
ACH PMT NO. - 80127353 1,893.11

-----  
TOTAL FOR 5901 - ASSET MANAGEMENT FUND CAPITAL 1,893.11

5902 - PROPERTY ACQUISITION POLICE

-----  
L N CURTIS & SONS AMMUNITION  
ACH PMT NO. - 80127265 2,827.53

-----  
TOTAL FOR 5902 - PROPERTY ACQUISITION POLICE 2,827.53

5903 - PROPERTY ACQUISITION FIRE

-----  
KENT D BRUCE COMPANY VEHICLES  
KENT D BRUCE-OWNER CHECK NO. - 00601729 31.85  
  
THE HIDE OUT/ROYCE SHIELDS PERSONAL PROTECTIVE EQUIPMENT  
ACH PMT NO. - 80127344 70.85

-----  
TOTAL FOR 5903 - PROPERTY ACQUISITION FIRE 102.70

6200 - FIREFIGHTERS' PENSION FUND

ANDREW PILLE	SERVICE REIMBURSEMENT CHECK NO. - 00601772	62.68
DELTA DENTAL OF WASHINGTON	SERVICE REIMBURSEMENT ACH PMT NO. - 80127403	5,318.00
DENNY LIVENGOOD	SERVICE REIMBURSEMENT CHECK NO. - 00601769	5,025.92
GALEN PETERSON	SERVICE REIMBURSEMENT CHECK NO. - 00601771	2,113.00
HAROLD R MCBRIDE	SERVICE REIMBURSEMENT CHECK NO. - 00601770	1,720.00
MADRONA PEAK LLC GENERATIONS HOME CARE	SERVICE REIMBURSEMENT CHECK NO. - 00601751	882.72
PREMERA BLUE CROSS OR SPOKANE CITY TREASURER	SERVICE REIMBURSEMENT ACH PMT NO. - 80127295	61,606.72

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PROCESSING OF VOUCHERS RESULTS IN CLAIMS AS FOLLOWS:

RICHARD SCHUERMAN	SERVICE REIMBURSEMENT CHECK NO. - 00601774	145.27
ROBERT REIDT	SERVICE REIMBURSEMENT CHECK NO. - 00601773	3,313.75
SPOKANE LIFELINE INC	SERVICE REIMBURSEMENT CHECK NO. - 00601775	54.50

TOTAL FOR 6200 - FIREFIGHTERS' PENSION FUND	-----	80,242.56
---	-------	-----------

6300 - POLICE PENSION

DELTA DENTAL OF WASHINGTON	SERVICE REIMBURSEMENT ACH PMT NO. - 80127403	4,685.00
PREMERA BLUE CROSS OR SPOKANE CITY TREASURER	SERVICE REIMBURSEMENT ACH PMT NO. - 80127295	38,157.24

TOTAL FOR 6300 - POLICE PENSION	-----	42,842.24
---------------------------------	-------	-----------

6730 - PARKING & BUSINESS IMPROV DIST

MAD ANTHONY'S INC PO BOX 3805	SPECIAL ASSESSMENT PRIN (CURR) CHECK NO. - 00601734	4,364.75
----------------------------------	--	----------

TOTAL FOR 6730 - PARKING & BUSINESS IMPROV DIST	-----	4,364.75
---	-------	----------

TOTAL CLAIMS	-----	6,560,202.54
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**Agenda Sheet for City Council:**

**Committee: Date:** N/A

**Committee Agenda type:**

**Council Meeting Date:** 03/25/2024

<b>Date Rec'd</b>	3/20/2024
<b>Clerk's File #</b>	CPR 2024-0003
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	

<b>Submitting Dept</b>	ACCOUNTING
<b>Contact Name/Phone</b>	MICHELLE 6032
<b>Contact E-Mail</b>	MMURRAY@SPOKANECITY.ORG
<b>Agenda Item Type</b>	Claim Item
<b>Council Sponsor(s)</b>	
<b>Agenda Item Name</b>	5600-ACCOUNTING-PAYROLL

**Agenda Wording**

Report of the Mayor of pending payroll claims of previously approved obligations through: March 16, 2024.  
 Payroll check #571720 through check #571832 \$9,392,817.98

**Summary (Background)**

N/A

Lease? NO Grant related? NO Public Works? NO

**Fiscal Impact**

Approved in Current Year Budget?

Total Cost	\$
Current Year Cost	\$
Subsequent Year(s) Cost	\$

**Narrative**

<b>Amount</b>	<b>Budget Account</b>
---------------	-----------------------

Expense	\$ 9,392,817.98	# Various
Select	\$	#
Select	\$	#
Select	\$	#
	\$	#
	\$	#





**PAYROLL RECAP BY FUND**  
**PAY PERIOD ENDING MARCH 16, 2024**

FUND	FUND NAME	TOTAL
0100	GENERAL FUND	
0030	POLICE OMBUDSMAN	13,505.05
0230	CIVIL SERVICE	43,039.79
0260	CITY CLERK	23,229.63
0320	COUNCIL	54,435.00
0330	PUBLIC AFFAIRS / COMMUNICATIONS	35,379.19
0370	ENGINEERING SERVICES	201,594.52
0410	FINANCE	47,551.23
0450	CD/HS DIVISION	14,076.00
0470	HISTORIC PRESERVATION	8,064.80
0480	OFFICE OF CIVIL RIGHTS,EQUITY, & INCLUSION	4,610.40
0500	LEGAL	137,997.28
0520	MAYOR	36,282.60
0550	NEIGHBORHOOD SERVICES	19,191.20
05601	MUNICIPAL COURT	129,775.96
0570	OFFICE OF HEARING EXAMINER	6,786.40
0620	HUMAN RESOURCES	41,404.31
0650	PLANNING SERVICES	67,640.00
0680	POLICE	2,323,729.18
0690	PROBATION SERVICES	81,548.87
0700	PUBLIC DEFENDERS	96,547.32
0750	ECONOMIC DEVELOPMENT	9,857.60
0860	TREASURER	0.00
	TOTAL GENERAL FUND	3,396,246.33

FUND	FUND NAME	TOTAL
1100	STREET	291,831.54
1200	CODE ENFORCEMENT	72,076.36
1300	LIBRARY	269,997.26
1380	TRAFFIC CALMING MEASURES	3,104.80
1400	PARKS AND RECREATION	340,579.37
1425	AMERICAN RESCUE PLAN	1,035.00
1460	PARKING METER	33,682.42
1595	HOUSING SALES TAX	0.00
1620	PUBLIC SAFETY & JUDICIAL GRANT	17,625.84
1625	PUBLIC SAFETY PERSONNEL	208,553.01
1680	CD/HS	62,949.11
1910	CRIMINAL JUSTICE ASSISTANCES	2,247.20
1970	EMS FUND	1,839,107.05
4100	WATER	506,945.62
4250	INTEGRATED CAPITAL FUND	59,816.22
4300	SEWER	660,215.27
4480	REFUSE	688,907.93
4600	GOLF	44,534.21
4700	GENERAL SERVICES FUND	193,348.84
5100	FLEET SERVICE	120,016.27
5200	PUBLIC WORKS & UTILITY FUND	56,905.04
5300	MIS	200,800.56
5400	REPROGRAPHICS	5,190.40
5500	PURCHASING	28,416.80
5600	ACCOUNTING SERVICES	126,720.05
5700	MY SPOKANE	36,120.91
5750	PROJECT MANAGEMENT OFFICE	30,000.51
5800	RISK MANAGEMENT	17,421.60
5810	WORKER'S COMPENSATION	14,466.20
5830	SELF-FUNDED MEDICAL/DENTAL	8,212.50
5900	ASSET MANAGEMENT	45,656.56
6060	CITY RETIREMENT	10,087.20
	TOTAL	9,392,817.98

# MINUTES OF SPOKANE CITY COUNCIL

Monday, March 11, 2024

## BRIEFING SESSION

The Briefing Session of the Spokane City Council held on the above date was called to order at 3:34 p.m. in the Council Chambers in the Lower Level of the Municipal Building, 808 West Spokane Falls Boulevard, Spokane, Washington.

### Roll Call

On roll call, Council President Pro-tem Zappone and Council Members Bingle, Cathcart, Dillon, Klitzke, and Navarrete were present. Council President Wilkerson was absent.

Interim City Administrator Garrett Jones; Giacobbe Byrd, Director-City Council Office; City Council Policy Advisor Chris Wright; and City Clerk Terri Pfister were also present for the meeting.

### Candidate Interviews – Spokane Public Library Board of Trustees and Lodging Tax Advisory Committee (LTAC)

The City Council interviewed Mari Margil, a candidate for appointment to the Spokane Public Library Board of Trustees and Matt Jensen, a candidate for appointment to LTAC.

### Current Agenda Review

There were no adjustments made to the Current Agenda.

### Advance Agenda Review

The City Council received an overview from staff on the March 18, 2024, Advance Agenda items.

Resolution 2024-0028 (Council Sponsors: Council Members Cathcart, Zappone, and Dillon)

**Motion** by Council Member Cathcart, seconded by Council Member Bingle, **to defer Resolution 2024-0028** regarding the approval of year 2025 traffic calming applications and projects to be paid through the Traffic Calming Measures Fund for one week to March 18, 2024; **carried 6-0.**

### Action to Approve March 18, 2024, Advance Agenda, as amended

Following staff reports and Council inquiry and discussion regarding the March 18, 2024, Advance Agenda items, the City Council took the following action (pursuant to Council Rule 2.1.B):

**Motion** by Council Member Bingle, seconded by Council Member Cathcart, **to adopt** the March 18, 2024, Advance Agenda, as amended; **carried 6-0.**

## **Committee Updates**

Council Members provided updates on various boards, committees, and subcommittees.

## **Council Recess/Executive Session**

The City Council recessed at 3:54 p.m. and immediately reconvened into an Executive Session to discuss pending and potential litigation for half an hour. At 4:24 p.m., the meeting was extended for six minutes until 4:30 p.m. At 4:30 p.m., the meeting was extended 2 minutes. At 4:32 p.m., the meeting was extended for two minutes. At 4:34 p.m., the meeting was extended for one minute. At 4:35 p.m., the meeting was extended 2 minutes to 4:37 p.m., at which time the 3:30 p.m. Briefing Session also ended. City Attorney Michael Piccolo and Assistant City Attorneys Elizabeth Schoedel, Lynden Smithson, and James Richman were present for the Executive Session. The City Council reconvened at 6:00 p.m. for the Legislative Session.

## **LEGISLATIVE SESSION**

### **Pledge of Allegiance**

The Pledge of Allegiance was led by Council President Pro-tem Zappone.

### **Roll Call**

On roll call, Council President Pro-tem Zappone and Council Members Bingle, Cathcart, Dillon, Klitzke, and Navarrete were present. Council President Wilkerson was absent.

Giacobbe Byrd, Director-City Council Office; City Council Policy Advisor Chris Wright; and City Clerk Terri Pfister were also present for the meeting.

### **IRISH DANCERS**

A performance by the Kelly Irish Dancers was provided.

### **COUNCIL PROCLAMATION**

March 11-17, 2024            *Week of the Irish*

The proclamation was read by Council Member Dillon. The proclamation was accepted by a representative of the Sons of St. Patrick.

The proclamation is attached to these minutes for reference.

There were no **Reports from Community Organizations**.

## **BOARD AND COMMISSION APPOINTMENTS**

### **Appointments to Spokane Public Library Board (CPR 1981-0400) and Lodging Tax Advisory Committee (CPR 2000-0031)**

The following actions were taken:

**Upon 4-2 Voice Vote**, the City Council **approved** (and thereby confirmed) the appointment of Mari Margil to the Spokane Public Library Board of Trustees for a five-year term from April 1, 2024, through April 1, 2029.

**Upon 6-0 Voice Vote**, the City Council **approved** (and thereby confirmed) the appointment of Matt Jensen to the Lodging Tax Advisory Committee for a one-year term from March 4, 2024, through March 4, 2025.

## **CONSENT AGENDA**

After public testimony and Council commentary, the following action was taken:

**Upon 6-0 Voice Vote**, the City Council **approved** Staff Recommendations for the following items:

Purchase from Fly Fab, LLC (Rockford, WA) of air ejector system parts for use at the Waste to Energy Facility—\$73,801.11 (incl. tax). (OPR 2024-0174 / RFQ 6056-24) (Council Sponsors: Council President Wilkerson and Council Members Bingle and Klitzke)

Contract Amendment with Helfrich Brothers Boiler Works, Inc. (Lawrence, MA) for boilermaker services at the Waste to Energy Facility from April 1, 2023, through March 31, 2024—additional \$500,000. Total annual cost: \$2,351,000 (incl. tax). (OPR 2020-0341 / PW ITB 5238-20) (Council Sponsors: Council President Wilkerson and Council Members Bingle and Klitzke)

Contract Renewal 1 of 4 with McKinstry Co., LLC (Spokane) for HVAC services at the Waste to Energy Facility from March 1, 2024, through February 28, 2025—not to exceed \$90,000 (plus tax) annually. (OPR 2023-0026 / IPWQ 5678-22) (Council Sponsors: Council President Wilkerson and Council Members Bingle and Klitzke)

Contract Renewal 1 of 4 with Big Sky Industrial Services (Colbert, WA) for vacuum support services at the Waste to Energy Facility from April 1, 2024, through March 31, 2025—not to exceed \$175,000 (plus tax). (OPR 2023-0311 / IPWQ 5809-23) (Council Sponsors: Council President Wilkerson and Council Members Bingle and Klitzke)

Contract Renewal with BrandSafway Services, LLC (Spokane Valley, WA) for scaffolding services at the Waste to Energy Facility from April 1, 2024, through March 31, 2025—not to exceed \$750,000 (plus tax). (OPR 2022-0168 / PW ITB 5537-21) (Council Sponsors: Council President Wilkerson and Council Members Bingle and Klitzke)

Contract Renewal 4 of 4 with Mega Wash LLC (Spokane) for car wash services for the Fleet Services Department—\$65,000 (incl. tax). (OPR 2020-0344 / RFQ 5221-20) (Council Sponsors: Council President Wilkerson and Council Member Cathcart)

Contract Amendment with Pomp Tire Services (Spokane) for miscellaneous tire services for the Fleet Services Department through March 31, 2024—additional \$150,000 (plus tax, if applicable). (OPR 2022-0903) (Council Sponsors: Council President Wilkerson and Council Member Cathcart)

Contract Amendment with Toby's Body & Fender (Spokane) for additional funds for auto body repair services effective March 1, 2024, through December 31, 2026—additional \$75,000 annually. (OPR 2023-0249 / RFP 5800-23) (Council Sponsors: Council President Wilkerson and Council Member Cathcart)

Contract Amendment with Solid Waste Systems (Spokane Valley) for sole source repairs to specialized refuse truck bodies—additional \$800,000. (OPR 2020-0049) (Council Sponsors: Council President Wilkerson and Council Member Cathcart)

Public Works Agreement with River City Glass, Inc. (Spokane Valley, WA) for replacement of eleven double-pane, tinted-to-match exterior windows in various locations throughout City Hall—\$70,750.37 (plus tax). (OPR 2024-0176 / RFB 24-001) (Council Sponsors: Council President Wilkerson and Council Member Cathcart)

Special Counsel Contract Amendment No. 5 with Craig Trueblood of the Law Firm K&L Gates, LLP (Spokane) for outside counsel services regarding the appeal of the City's NPDES permit—additional \$100,000. Total contract amount: \$600,000. (OPR 2022-0644) (Council Sponsor: Council Member Bingle)

Personal Service Agreement with Rogue Heart Media, Inc. (Spokane) for water conservation education campaign services from February 14, 2024, through February 13, 2025—\$95,000 (plus tax, if applicable). (OPR 2024-0177 / IRFP 5941-23) (Council Sponsor: Council President Wilkerson)

Personal Service Agreement with Rogue Heart Media, Inc. (Spokane) for water stewardship education campaign services from February 14, 2024, through February 13, 2025—\$75,000 (plus tax, if applicable). (OPR 2024-0178 / IRFP 5941-23) (Council Sponsors: Council President Wilkerson and Council Members Bingle and Klitzke)

Memorandum of Understanding between Audubon-Downriver Neighborhood Council and the City of Spokane Public Works Division for access to right-of-way space and establishing a community garden providing education on urban ecology. (OPR 2024-0179) (Council Sponsors: Council President Wilkerson and Council Member Bingle)

No-Cost Amendment to Assignment Assumption Agreement with Proclaim Liberty West, LLC, for the Liberty Park Terrace Project, to include an amendment from the U.S.

Department of Housing and Urban Development. (OPR 2022-0581) (Council Sponsors: Council President Wilkerson and Council Members Bingle and Klitzke)

Grant Agreements with the Washington State Department of Ecology for:

- a. Design of the Five Mile Regional Infiltration Facility Rehabilitation—\$170,000 Revenue. (OPR 2024-0180 / ENG 2024053) (Council Sponsors: Council President Wilkerson and Council Members Bingle and Klitzke)
- b. Drywell Rehabilitation in Wellhead Protection Zones—\$262,500 Revenue. (OPR 2024-0181 / ENG 2024054) (Council Sponsors: Council President Wilkerson and Council Member Cathcart)
- c. Implementation or management of stormwater programs—\$130,000 Revenue. (OPR 2024-0182) (Council Sponsors: Council President Wilkerson and Council Members Bingle and Klitzke)

No-cost Contract Amendment with HIP of Spokane County dba Community-Minded Enterprises (Spokane) regarding the ARPA Childcare Program Grant to allow for greater distribution of funds and to remove barriers to qualify for staffing and childcare subsidy. (OPR 2022-0852) (Council Sponsors: Council President Wilkerson and Council Member Cathcart)

Grant Agreement Amendment with Innovia Foundation (Spokane) de-obligating \$104,899.31 of funding and allowing the funds to be utilized for other City initiatives. (OPR 2022-0870) (Council Sponsors: Council President Wilkerson and Council Member Cathcart)

Contract Renewal with Rezatec Global, Inc. (Wilmington, DE) to provide dam monitoring products and services at Upriver Dam from April 1, 2024, through March 31, 2027—\$55,000. (OPR 2022-0237) (Council Sponsors: Council President Wilkerson and Council Members Bingle and Klitzke)

Contract Amendment and Extension No. 2 with GeoEngineers, Inc. (Spokane) for the Part 12D Comprehensive Assessment and Report for Upriver Dam Hydroelectric Project - Phase 1 from February 1, 2024, through June 30, 2025—\$1,568,000 (plus tax, if applicable). (OPR 2023-0426) (Council Sponsors: Council President Wilkerson and Council Members Bingle and Klitzke)

Tentative Agreement with AFSCME Local 270-Prosecuting Attorneys for wages and benefits from January 1, 2024, through December 31, 2025. (Relates to Special Budget Ordinance C36499) (OPR 2024-0183) (Council Sponsors: Council President Wilkerson and Council Member Cathcart)

Sole Source Contract Renewal with Azteca Systems, LLC (Sandy, UT) for annual support and maintenance of CityWorks Asset Maintenance Management System from April 1,



2024, through March 31, 2024—\$135,408 (plus tax). (OPR 2016-0235) (Council Sponsors: Council President Wilkerson and Council Member Cathcart)

Contract Renewal 1 of 4 with Compunet, Inc. (Grangeville, ID) for Cisco Smartnet support and maintenance from March 1, 2024, through February 28, 2025—\$386,015.76 (plus tax, if applicable). (OPR 2023-0315) (Council Sponsors: Council President Wilkerson and Council Member Cathcart)

Contract Renewal 1 of 4 with DLT Solutions, LLC (Herndon, VA) for AutoDesk software licensing and support from March 12, 2024, through March 25, 2025—\$80,091.82. (plus tax, if applicable). (OPR 2023-0313) (Council Sponsors: Council President Wilkerson and Council Member Cathcart)

Final Contract Renewal with Hyland Software, Inc. (Westlake, OH) for annual software maintenance and support for the OnBase document imaging system from April 1, 2024, through March 31, 2025—\$70,182.52 (plus tax). (OPR 2020-0723) (Council Sponsors: Council President Wilkerson and Council Member Cathcart)

Sole Source Contract Renewal 1 of 4 with Journal Technologies, Inc. (JTI) (Logan, UT) for annual eSeries Legal Case Management System licensing, support, and maintenance from March 1, 2024, through March 7, 2025—\$169,213.51 (incl. tax). (OPR 2023-0470) (Council Sponsors: Council President Wilkerson and Council Member Cathcart)

Contract Renewal 2 of 4 with Truepoint Solutions, LLC (Incline Village, NV) for Accela software professional services and support from March 1, 2024, through February 28, 2025—not to exceed \$100,000 (plus tax, if applicable). (OPR 2022-0199) (Council Sponsor: Council Member Cathcart)

Master Consultant Agreement Renewal 1 of 3 with Infinite Innovations (Hayden, ID) for technical services in support of Information Technology Division and Project Management Office projects in the areas of project management, business analysis, software development and infrastructure support from February 1, 2024, through January 31, 2025—\$150,000 per year (plus tax, if applicable). (OPR 2022-0147 / RFP 5435-21) (Council Sponsor: Council Member Bingle)

Sole Source Contract Renewal with Oracle America, Inc. (Los Angeles, CA) for Oracle license software maintenance and support from April 21, 2024, through April 20, 2025—\$197,250.51 (plus tax). (OPR 2019-0314) (Council Sponsors: Council President Wilkerson and Council Member Cathcart)

Contract Renewal with PMWeb, Inc. (Aventura, FL) for continued annual support and maintenance of the capitol project management software and implementation from February 1, 2024, through January 31, 2025—\$107,100 (plus tax, if applicable). (OPR 2017-0005 / RFP 4196-16) (Council Sponsor: Council Member Cathcart)

Contract Renewal with Questica LTD (Pasadena, CA) to provide city budget software subscription services from March 22, 2024, through March 21, 2025—\$186,780.25 (incl. tax). (OPR 2021-0202) (Council Sponsors: Council President Wilkerson and Council Member Cathcart)

Contract Renewal 1 of 3 with Volt Management Corporation (Orange, CA) for technical resources in support of the Project Management Office and the Information Technology Division from May 1, 2024, through April 30, 2025—\$150,000 (plus tax). (OPR 2022-0412 / RFP 5435-21) (Council Sponsors: Council President Wilkerson and Council Member Cathcart)

Report of the Mayor of pending:

- a. Claims and payments of previously approved obligations, including those of Parks and Library, through March 1, 2024, total \$5,874,389.20 (Check Nos.: 601295-601426; ACH Nos.: 126722-126940), with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$5,506,533.92. (CPR 2024-0002)
- b. Payroll claims of previously approved obligations through March 2, 2024: \$9,423,866.69 (Check Nos.: 571619-571719). (CPR 2024-0003)

City Council Meeting Minutes: February 26 and March 7, 2024. (CPR 2024-0013)

## LEGISLATIVE AGENDA

### SPECIAL BUDGET ORDINANCES

**Special Budget Ordinance C36499 (Relates to OPR 2024-0183) (Council Sponsors: Council President Wilkerson and Council Member Cathcart)**

After an opportunity for public testimony, with no individuals speaking, and Council commentary, the following action was taken:

**Upon 6-0 Roll Call Vote**, the City Council **passed Special Budget Ordinance C36499** amending Ordinance No. C36467 passed by the City Council November 27, 2023, and entitled, "An Ordinance adopting the Annual Budget of the City of Spokane for 2024, making appropriations to the various funds of the City of Spokane government for the fiscal year ending December 31, 2024, and providing it shall take effect immediately upon passage," and declaring an emergency and appropriating funds in:

General Fund

- 1) Decrease appropriation by \$80,000.

A) Of the decreased appropriation, \$80,000 is removed solely from contractual services in the Mayor's Office for the emergency preparedness interlocal agreement with Spokane County.

2) Increase appropriation by \$80,000.

A) Of the increased appropriation, \$80,000 is provided solely for wages and benefits in the Legal Department due to the tentative agreement between the City of Spokane and the Local 270 Prosecuting Attorneys bargaining unit.

B) There is no change to the overall appropriation level in the General Fund.

(This action arises from the need to change the wages of personnel impacted by the 270 Prosecutors' collective bargaining agreement.)

**Ayes:** Bingle, Cathcart, Dillon, Klitzke, Navarrete, and Zappone  
**Nos:** None  
**Abstain:** None  
**Absent:** Wilkerson

There were no **Emergency Ordinances**.

## **RESOLUTIONS**

**Resolution 2024-0027 (Relates to First Reading Ordinance C36502) (Council Sponsors: Council President Wilkerson and Council Members Bingle and Klitzke)**

After an opportunity for public testimony, with no individuals speaking, and Council commentary, the following action was taken:

**Upon 6-0 Roll Call Vote**, the City Council **adopted Resolution 2024-0027**, regarding an update to Appendix "A" of the Public Rule for the City of Spokane Riverside Park Water Reclamation Facility & Industrial Pretreatment Program & Lab Analysis Fees.

**Ayes:** Bingle, Cathcart, Dillon, Klitzke, Navarrete, and Zappone  
**Nos:** None  
**Abstain:** None  
**Absent:** Wilkerson

There were no **Final Reading Ordinances**.

## **FIRST READING ORDINANCES**

The following Ordinances were read for the first time, with further action deferred. Public testimony was received on the First Reading Ordinances.

- ORD C36500** Granting a non-exclusive franchise to use the public right-of-way to provide noncable telecommunications service to the public to Ziplly Fiber, LLC, subject to certain conditions and duties as further provided. (Council Sponsors: Council President Wilkerson and Council Members Bingle and Klitzke)
- ORD C36501** Relating to the executive and administrative organization of the City, and amending SMC section 3.01A.315. (Removes reference to federal and state funding under Contracts and Purchasing Department.) (Council Sponsors: Council President Wilkerson and Council Member Cathcart)
- ORD C36502** Relating to Pretreatment; amending SMC section 13.03A.0301; 13.03A.0408; 13.03A.0801; and 13.03A.1201; chapter 13.03A of the Spokane Municipal Code and setting an effective date. (Relates to Resolution 2024-0027) (Council Sponsors: Council President Wilkerson and Council Members Bingle and Klitzke)

There were no **Special Considerations**.

There were no **Hearings**.

### **Council Recess**

The City Council recessed at 6:26 p.m. and reconvened at 6:31 p.m. The City Clerk left the meeting at this time (pursuant to Council Rule 2.2.A). Open Forum speaker information and motion of adjournment and adjournment time were provided by Council Director Giacobbe Byrd for the minutes.

### **OPEN FORUM**

The following individual(s) spoke during the Open Forum:

- Alexandra Kronstrom
- Justin Haller
- Rick Bocook
- Tim Kinley
- Andrew Cowley
- Ron MacInerney
- Oscar Sanchez
- War Bear
- Lukas Yanni
- Zach McGuckin

- Eugene Knowles
- Ka'din Rahman

**ADJOURNMENT**

**Motion** by Council Member Bingle, seconded by Council Member Cathcart, to adjourn; **carried 6-0.**

There being no further business to come before the City Council, the meeting adjourned at 7:00 p.m.

Minutes prepared and submitted for publication in the March 27, 2024, issue of the *Official Gazette*.

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Terri Pfister  
City Clerk

Approved by Spokane City Council on March 25, 2024.

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Betsy Wilkerson  
City Council President



**Agenda Sheet for City Council:**

**Committee:** Urban Experience **Date:** 03/11/2024

**Committee Agenda type:** Discussion

**Date Rec'd**

2/28/2024

**Clerk's File #**

ORD C36503

**Renews #**

**Cross Ref #**

**Council Meeting Date:** 03/25/2024

**Submitting Dept**

PARKS & RECREATION

**Project #**

**Contact Name/Phone**

RICH LENTZ & X6544 &

**Bid #**

**Contact E-Mail**

RLENTZ@SPOKANECITY.ORG &

**Requisition #**

**Agenda Item Type**

Special Budget Ordinance

**Council Sponsor(s)**

JBINGLE ZZAPPONE KKLITZKE

**Agenda Item Name**

1400-US DEPT OF AGRICULTURE - URBAN FORESTRY GRANT SBO

**Agenda Wording**

This is a \$6,000,000 no-match, fully reimbursable USDA federally funded grant with disbursements direct from the US Forest Service. The City has a 5 year window to use the funds. Urban Forestry is requesting the approval of the attached SBO.

**Summary (Background)**

The Urban Forestry Department of the Parks and Recreation Division was awarded a \$6 million federal grant to plant and maintain trees in economically disadvantaged areas of the city including the lower South Hill, downtown, most of Northeast Spokane and many other northern corners of the city. The grant is provided by the U.S Department of Agriculture through the Inflation Reduction Act, and the funds will be disbursed via the United States Forest Service (USFS).

Lease? NO

Grant related? YES

Public Works? NO

**Fiscal Impact**

Approved in Current Year Budget? NO

Total Cost \$ 6,000,000

Current Year Cost \$ 2,000,000

Subsequent Year(s) Cost \$ 4,000,000

**Narrative**

Net \$0 impact. This is a \$6,000,000 no-match, fully reimbursable USDA federally funded grant with disbursements direct from the US Forest Service. The city has a 5 year window to use the funds. Urban Forestry is requesting the approval of the SBO.

**Amount**

**Budget Account**

Revenue \$ 2,000,000

# 1390-95855-76903-33310-99999

Expense \$ 2,000,000

# 1390-95855-76903-54201-99999

Select \$

#

Select \$

#

\$

#

\$

#



## Committee Agenda Sheet

### Urban Experience Committee

<b>Committee Date</b>	Monday, March 11, 2024
<b>Submitting Department</b>	Parks and Recreation – Urban Forestry
<b>Contact Name</b>	Rich Lentz / Katie Kosanke
<b>Contact Email &amp; Phone</b>	<a href="mailto:rlentz@spokanecity.org">rlentz@spokanecity.org</a> , x6544, <a href="mailto:kkosanke@spokanecity.org">kkosanke@spokanecity.org</a> , 509-363-5496
<b>Council Sponsor(s)</b>	<u>Councilmember Bingle, Councilmember Zappone, Councilmember Klitzke</u>
<b>Select Agenda Item Type</b>	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion    Time Requested: 5:00
<b>Agenda Item Name</b>	U.S. Department of Agriculture - Urban Forestry Grant SBO
<b>Proposed Council Action</b>	<input checked="" type="checkbox"/> Approval to proceed to Legislative Agenda <input type="checkbox"/> Information Only
<b>Summary (Background)</b>	<p>The Urban Forestry Department of the Parks and Recreation Division was awarded a \$6 million federal grant to plant and maintain trees in economically disadvantaged areas of the city including the lower South Hill, downtown, most of Northeast Spokane and many other northern corners of the city. The grant is provided by the U.S Department of Agriculture through the Inflation Reduction Act, and the funds will be disbursed via the United States Forest Service (USFS). This grant is a no-match, fully reimbursable grant with a 5 year timeline to use the funds. Apart from one FTE to manage the program, the primary use of the funds will be to create an up-to-date inventory of street trees, the removal of dead trees, pruning of trees in need of care, and the planting and education for the care of new trees.</p> <p>Urban Forestry is requesting the approval of the attached SBO for the USDA (USFS) Grant which creates budget capacity to accept and distribute those funds. Any unused revenue and expense authority in 2024 will carryover as an encumbrance in future years.</p>

**Fiscal Impact**

**Approved in current year budget?**     Yes     No     N/A

Total Cost: \$6,000,000 (net \$0 impact)

    Current year cost: Approx. \$2,000,000

    Subsequent year(s) cost: \$4,000,000

**Narrative:** This is a \$6,000,000 no-match, fully reimbursable USDA federally funded grant with disbursements direct from the United States Forest Service. The city has a 5 year window to use the funds. Urban Forestry is requesting the approval of the attached SBO for the USDA (USFS) Grant which creates budget capacity to accept and distribute those funds.

**Funding Source**     One-time     Recurring     N/A

Specify funding source: Grant

Is this funding source sustainable for future years, months, etc? 5 Year Grant

**Expense Occurrence**     One-time     Recurring     N/A

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?

All tree planting and maintenance work must be performed in disadvantaged communities that are marginalized, underserved, and overburdened by pollution and underinvestment, as identified on the CEJST Federal Map.

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 and reports will be generated as a part of the grant program to outline work and show progress of work completed. Tree inventory software also integrates in Census information which can be extracted to show positive impacts of tree work in disadvantaged areas.

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

Data and reports will be generated as a part of the grant program to outline work and show progress of work completed. Future tree benefits can also be equated to show positive impact of added tree canopy for environmental, economic, social and human health benefits.

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?

City of Spokane Sustainability Action Plan (2021) The project contributes to:

- a. Natural Environment (NE) goal 1 to “establish partnerships with community organizations and agencies to leverage funding and invite community input”; strategy 2 to “establish funding for management of City lands”; priority action to “partner with community organizations and agencies that will leverage City funding budget and capacity and maximize partner funding opportunities.”
- b. Natural Environment (NE) goal 3 to “increase urban tree canopy and climate-adapted plant landscapes within the built environment”; strategy 6 to “expand urban tree canopy to capture more carbon and moderate neighborhood microclimate”; priority action 6.1 to “increase City’s urban canopy from the current level of 23% to 40% cover by 2030 and use an equity framework to prioritize low-canopy and low-income neighborhoods.”
- c. Transportation and Land Use (TL) goal 4 to “integrate Sustainability Action Plan goals, strategies, and actions into City planning”; strategy 8 to “update comprehensive plan to incorporate climate action and updated sustainability goals”; priority action 8.5 to “review and update City code to preserve urban forest and mitigate urban heat island impacts.”
- d. Water Resources (WR) goal 1 to “protect the Spokane River and natural aquatic ecosystems (wetlands, shorelines, aquatic ecosystems biodiversity, stream, floodplains, aquifer recharge areas); strategy 5 to “improve stormwater and wastewater management”; priority action 5.1 to “continue to invest in stormwater management

strategies and wastewater treatment upgrades and innovations to reduce pollutants entering Spokane River and the SVRP Aquifer.”

City of Spokane Comprehensive Plan (2017) The project contributes to:

- a. Transportation (TR) goal E to “protect natural, community, and neighborhood assets to create and connect places where people live their daily lives in a safe and healthy environment.”
- b. Urban Design and Historic Preservation (DP) goal 2.15 to “maintain, improve, and increase the number of street trees and planted areas in the urban environment.”
- c. Natural Environment (NE) goal 5 to “work consistently for cleaner air that nurtures the health of current residents, children and future generations”; policy 5.5 to “plant and preserve vegetation that benefits local air quality.”
- d. Natural Environment (NE) goal 12 to “maintain and enhance the urban forest to provide good air quality, reduce urban warming, and increase habitat”; policy 12.1 to “plant trees along all streets.”
- e. Parks, Recreation, and Open Space (PRS) policy 2.4 to “support a comprehensive urban forestry program.”

Spokane Parks and Natural Lands Master Plan (2022) The project aligns with:

- a. Areas of Spokane identified with significant factors of socioeconomic vulnerability – CDC social vulnerability index, asthma, mental health, and physical inactivity – and the overall equity priority zones.

The project contributes to:

- a. Goal A to “serving the under-resourced”; objective 2 to “invest in equity priority zones to ensure proper street tree maintenance does not adversely burden community members and/or result in inadequate urban tree canopy coverage.”
- b. Goal C to “preserve our wild”; objective 5 to “enhance our natural lands with projects to restore ecologies and build resilience to natural disasters by growing the urban forest to take in carbon and filter particulate matter from the air, provide shade and mitigate the urban heat island effect of hot summers, and provide critical wildlife habitat for feeding, nesting and migration.”

Spokane Municipal Code The project contributes to:

- a. Section 12.02.905(A), “It is the goal of the City of Spokane that thirty percent (30%) of the total land area within the City of Spokane has a healthy and functioning tree canopy coverage by 2030.”
- b. Section 12.02.905(B), “It is a goal of the City of Spokane to create and maintain active re-forestation programs in Spokane.”

Examples of local technical resources and research that will be used to inform the project’s approach are:

- Spokane Beat the Heat: Correlations of Urban Heat with Race and Income in Spokane, Washington (Gonzaga University, 2023)
- i-Tree Neighborhood Urban Tree Canopy Cover Analysis (Gonzaga University, 2021)
- Urban Tree Analysis Report 2020 (Gonzaga University, The Lands Council, City of Spokane, 2020)
- Spokane Master Planting Plan (City of Spokane, pending completion in 2023)
- Social Equity of Street Trees in the Pedestrian Realm (Eastern Washington University, 2016)

- City of Spokane Street Tree Resource Analysis (City of Spokane, 2013)
- Washington Environmental Health Disparities Map (University of Washington, Washington State Department of Health, Front and Centered, Washington State Department of Ecology, and Puget Sound Clean Air Agency, 2019)

ORDINANCE NO C36503

An ordinance amending Ordinance No. C36467, passed by the City Council November 27, 2023, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2024, making appropriations to the various funds of the City of Spokane government for the fiscal year ending December 31, 2024, and providing it shall take effect immediately upon passage," and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2024 budget Ordinance No. C36467, as above entitled, and which passed the City Council November 27, 2023, it is necessary to make changes in the appropriations of the Urban Forestry 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 Urban Forestry Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase revenue by \$2,000,000
  - A) Of the increased revenue, \$2,000,000 is provided by the United States Department of Agriculture (USDA) and disbursed by the United States Forest Service (USFS) as part of the United States Federal Government's Inflation Reduction Act.
- 2) Increase appropriation by \$2,000,000
  - A) Of the increased appropriation, \$2,000,000 is provided solely for contractual services procured to plant and maintain trees in economically disadvantaged areas of the City of Spokane.

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 and budget for grant funding from the USDA to plant and maintain trees in economically disadvantaged areas of the City of Spokane, 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 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:**

**Committee:** PIES **Date:** 02/26/2024

**Committee Agenda type:** Discussion

**Date Rec'd** 2/14/2024

**Clerk's File #** RES 2024-0028

**Renews #**

**Cross Ref #**

**Council Meeting Date:** 03/18/2024

<b>Submitting Dept</b>	CITY COUNCIL	<b>Project #</b>	
------------------------	--------------	------------------	--

<b>Contact Name/Phone</b>	ABIGAIL 6426	<b>Bid #</b>	
---------------------------	--------------	--------------	--

<b>Contact E-Mail</b>	AMMARTIN@SPOKANECITY.ORG	<b>Requisition #</b>	
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<b>Agenda Item Type</b>	Resolutions		
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<b>Council Sponsor(s)</b>	MCATHCART ZZAPPONE PDILLON		
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<b>Agenda Item Name</b>	0320 - NEIGHBORHOOD TRAFFIC CALMING PROJECTS FOR 2025 (CYCLE 12)		
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**Agenda Wording**

A resolution regarding the approval of year 2025 traffic calming applications and projects to be paid through the Traffic Calming Measures Fund.

**Summary (Background)**

In the new four year project cycle, the City Council is asked to approve projects on a year by year basis from the approved project list of neighborhood approved solutions. These projects would be for 2025 construction. Additionally, the project list is created via several lenses, accounting for funding/project history, safety, new developments in neighborhoods, etc.

Lease? NO Grant related? NO Public Works? YES

**Fiscal Impact**

Approved in Current Year Budget? N/A

Total Cost \$

Current Year Cost \$

Subsequent Year(s) Cost \$

**Narrative**

**Amount**

**Budget Account**

Expense	\$ approximately \$5M	# traffic calming fund
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Select	\$	#
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Select	\$	#
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Select	\$	#
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	\$	#
--	----	---

	\$	#
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**Continuation of Wording, Summary, Approvals, and Distribution**

**Agenda Wording**

**Summary (Background)**

**Approvals**

**Dept Head**

**Division Director**

**Accounting Manager**

ORLOB, KIMBERLY

**Legal**

SCHOEDEL, ELIZABETH

**For the Mayor**

**Additional Approvals**

**Distribution List**

nzollinger@spokanecity.org

korlob@spokanecity.org

## Committee Agenda Sheet

### Public Infrastructure, Environment & Sustainability Committee

<b>Committee Date</b>	02/26/2024
<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> 509.625.6426
<b>Council Sponsor(s)</b>	Cathcart, Zappone, Dillon
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion     Time Requested: 5 minutes
<b>Agenda Item Name</b>	Neighborhood Traffic Calming Projects for 2025 (Cycle 12)
<b>Proposed Council Action</b>	<input checked="" type="checkbox"/> Approval to proceed to Legislative Agenda <input type="checkbox"/> Information Only
<b>Summary (Background)</b>	In the new four-year project cycle, the City Council is asked to approve projects on a year by year basis from the approved project list of neighborhood approved solutions. These projects would be for 2025 construction. Additionally, the project list is created via several lenses, accounting for funding/project history, safety, new developments in neighborhoods, etc.
<p><b>*use the Fiscal Impact box below for relevant financial information</b></p>	
<p><b>Fiscal Impact</b></p> <p><b>Approved in current year budget?</b>     <input type="checkbox"/> Yes     <input type="checkbox"/> No     <input checked="" type="checkbox"/> N/A</p> <p>Total Cost: <u>Click or tap here to enter text.</u></p> <p>Current year cost:</p> <p>Subsequent year(s) cost:</p> <p><b>Narrative:</b> We're working to get the budget in order for projects for the next few years. This item will deal with projects and budget for 2025.</p> <p><b>Funding Source</b>     <input type="checkbox"/> One-time     <input type="checkbox"/> Recurring     <input checked="" type="checkbox"/> N/A</p> <p>Specify funding source: Program revenue</p> <p>Is this funding source sustainable for future years, months, etc? Yes, per the Traffic Calming fund.</p> <p><b>Expense Occurrence</b>     <input type="checkbox"/> One-time     <input type="checkbox"/> Recurring     <input checked="" type="checkbox"/> N/A</p> <p>Other budget impacts: (revenue generating, match requirements, etc.)</p> <p>Where possible projects are selected and funded in conjunction with grants and other strategic alignment.</p> <p><b>Operations Impacts</b> (If N/A, please give a brief description as to why)</p> <ul style="list-style-type: none"> <li>• What impacts would the proposal have on historically excluded communities?</li> </ul> <p>The Traffic Calming fund creates project lists based on several lenses, accounting for funding/project history, safety, new developments in neighborhoods, etc.</p> <ul style="list-style-type: none"> <li>• 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?</li> </ul> <p>Accidents and before/after data can be collected, and we are working with the Spokane Police Department and various other departments receiving Traffic Calming funds to report out data and usage quarterly.</p> <ul style="list-style-type: none"> <li>• How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution?</li> </ul>	

Pre and post data, collision data, pedestrian/bike safety data all are part of the collection of information to support projects.

- 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 Traffic Calming work group includes many City departments and staff- Integrated Capital Management; Engineering Services; Streets; Planning; Neighborhood Services; City Council and Mayoral staff. This inclusion and broad group is meant to support efforts across the City.

### **Council Subcommittee Review**

- Please provide a summary of council subcommittee review. If not reviewed by a council subcommittee, please explain why not.

Traffic Calming Subcommittee: Council Members Cathcart, Zappone, and Dillon.



## RESOLUTION NO. 2024-XXXX

A resolution regarding the approval of year 2025 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 2023-0063 for the "Cycle 11" 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 continuation of projects in 2025 to be as set forth in the resolution.

**NOW, THEREFORE, BE IT RESOLVED** that, consistent with Resolution 2023-0057; Resolution 2023-0063, and this resolution, the total cost of all projects approved for commencement in 2025 and charged to the Traffic Calming Fund shall not exceed \$2,000,000, and shall be selected from among those projects identified on the attached Exhibit "A" which is incorporated herein by reference, and

**AND IT IS FURTHER RESOLVED**, that additional traffic calming projects for the years 2026-2027 shall be by separate resolution; 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 11" projects in

Resolution 2023- 0063 or to otherwise affect projects already underway as of the date of this resolution.

Passed by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2024.

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

Approved as to form:

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

DRAFT

## **EXHIBIT A**

### **District 1**

Hillyard- Haven/Rockwell crosswalk  
Logan- Marietta sidewalk  
Minnehaha- Freya (Euclid to Bridgeport)

### **District 2**

Cliff/Cannon- Walnut/Maple/Cedar  
Cliff/Cannon + Rockwood- partial  
East Central (9<sup>th</sup>- Altamont to Perry)  
Lincoln Heights (17<sup>th</sup>- Havana to Rockwood)  
Rockwood (Rockwood @ Sumner)  
West Hills (Rosamund @ F)

### **District 3**

Browne's Addition (2<sup>nd</sup> @ Elm)  
Emerson-Garfield- Buckeye @ Washington  
Five Mile- Strong Rd (Elm to Cedar)  
West Central- Summit, Broadway, Boone

**RESOLUTION NO. 2024-0028**

A resolution regarding the approval of year 2025 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 2023-0063 for the "Cycle 11" 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 continuation of projects in 2025 to be as set forth in the resolution.

**NOW, THEREFORE, BE IT RESOLVED** that, consistent with Resolution 2023-0057; Resolution 2023-0063, and this resolution, the total cost of all projects approved for commencement in 2025 and charged to the Traffic Calming Fund shall not exceed \$3,108,000 and shall be for those projects identified on the attached Exhibit "A" which is incorporated herein by reference, and

**AND IT IS FURTHER RESOLVED**, that additional traffic calming projects for the years 2026-2027 shall be by separate resolution; 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 11" projects in

RES 2024-0028 DILLON CATHCART ZAPPONE AMENDMENT (v1)

Resolution 2023-0063 or to otherwise affect projects already underway as of the date of this resolution.

Passed by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2024.

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

Approved as to form:

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

**EXHIBIT A**  
**Resolution 2024-0028**  
**2025 Traffic Calming Projects**

<b>District</b>	<b>Neighborhood</b>	<b>Project</b>	<b>Amount</b>
D1	Hillyard	Haven/Rockwell / Crosswalk	408,000
D1	Minnehaha	Freya (Euclid to Bridgeport)	376,000
D2	Cliff / Cannon	Walnut/Maple/Cedar- Restripe	548,000
D2	Cliff / Cannon + Rockwood	13 <sup>th</sup> & Grand – Rapid flash	150,000
D2	Rockwood	Rockwood @ Sumner – Intersection visibility	693,000
D3	Five Mile	Strong Rd (Elm to Cedar) – Crosswalk	136,000
D3	Wet Central	Boone – Multiple pedestrian safety items	565,000
D3	Brown’s Addition	Second and Elm	232,000
<b>Total</b>			<b>\$3,108,000</b>



**Agenda Sheet for City Council:**

**Committee:** Urban Experience **Date:** 03/11/2024

**Committee Agenda type:** Discussion

**Date Rec'd**

2/28/2024

**Clerk's File #**

RES 2024-0029

**Renews #**

**Cross Ref #**

**Council Meeting Date:** 03/25/2024

**Submitting Dept**

PLANNING & ECONOMIC

**Project #**

**Contact Name/Phone**

KEVIN X6184

**Bid #**

**Contact E-Mail**

KFREIBOTT@SPOKANECITY.ORG

**Requisition #**

**Agenda Item Type**

Resolutions

**Council Sponsor(s)**

JBINGLE KKLITZKE ZZAPPONE

**Agenda Item Name**

0650 - 2024 COMPREHENSIVE PLAN AMENDMENTS WORK PROGRAM

**Agenda Wording**

A resolution approving the 2024 Comprehensive Plan Amendment work program, identifying which proposals will be accepted for full processing during 2024.

**Summary (Background)**

The City of Spokane accepts applications to amend the Comprehensive Plan between September 1 and October 31 each year, per SMC 17G.020. In Fall 2023, six private applications were received by Staff and found to be complete. Application File Nos. Z23-474COMP, Z23-475COMP, Z23-476COMP, Z23-477COMP, Z23-478COMP, and Z23-479COMP are private applications for various amendments to the Land Use Plan Map of the Comprehensive Plan.

Lease? NO

Grant related? NO

Public Works? NO

**Fiscal Impact**

Approved in Current Year Budget? N/A

Total Cost \$ 0

Current Year Cost \$ 0

Subsequent Year(s) Cost \$ 0

**Narrative**

**Amount**

**Budget Account**

Neutral \$

#

Select \$

#

Select \$

#

Select \$

#

\$

#

\$

#



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

### Agenda Wording

### Summary (Background)

#### **Approvals**

##### Dept Head

GARDNER, SPENCER

##### Division Director

BLACK, TIRRELL

##### Accounting Manager

ALBIN-MOORE, ANGELA

##### Legal

RICHMAN, JAMES

##### For the Mayor

PICCOLO, MIKE

#### **Additional Approvals**

#### **Distribution List**

kfreibott@spokanecity.org

bwhitmarsh@spokanecity.org

smacdonald@spokanecity.org

sgardner@spokanecity.org

rbenzie@spokanecity.org

tblack@spokanecity.org

amccall@spokanecity.org



## Committee Agenda Sheet

### Urban Experience Committee

<b>Committee Date</b>	March 11, 2024
<b>Submitting Department</b>	Planning & Economic Development
<b>Contact Name</b>	Kevin Freibott
<b>Contact Email &amp; Phone</b>	<a href="mailto:kfreibott@spokanecity.org">kfreibott@spokanecity.org</a> , (509) 625 - 6184
<b>Council Sponsor(s)</b>	Council Member Bingle, Council Member Zappone, and Council Member Klitzke
<b>Select Agenda Item Type</b>	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion    Time Requested: 15 minutes
<b>Agenda Item Name</b>	A Resolution establishing the 2024 Comprehensive Plan Amendment work program, selecting which of the proposed amendments will move forward for full processing, as required by Spokane Municipal Code 17G.020.
<b>Proposed Council Action</b>	<input checked="" type="checkbox"/> Approval to proceed to Legislative Agenda <input type="checkbox"/> Information Only
<b>Summary (Background)</b>  *use the Fiscal Impact box below for relevant financial information	<p>The City of Spokane accepts applications to amend the Comprehensive Plan between September 1 and October 31 each year, per SMC 17G.020. In Fall 2023, six private applications were received by Staff and found to be complete.</p> <p>Application File Nos. Z23-474COMP, Z23-475COMP, Z23-476COMP, Z23-477COMP, Z23-478COMP, and Z23-479COMP are private applications for various amendments to the Land Use Plan Map of the Comprehensive Plan.</p> <p>On February 9, 2024, an ad hoc docketing committee, consisting of three members of the City Council and three members of Plan Commission, voted to recommend the addition of all six private applications to the work program, with geographic expansions recommended for four of them. See the attached findings from the Docketing Committee for more details.</p> <p>In addition to the private applications, a group of City-sponsored changes are proposed to implement the South Logan TOD Plan completed and adopted by City Council early this year (Res 2024-0015). The Comprehensive Plan Amendments necessary to implement this study is identified as File Z24-105COMP.</p> <p>Staff requests that the City Council consider and adopt a Resolution (attached) adding all seven proposals to the work plan for 2024, allowing Staff to initiate full processing of these applications. Once these are added to the work program by Council, a further seven- or eight-months' work will be required before they can be brought back for final approval by the Council (October or November 2024). This additional work includes substantial opportunities for the public to provide input into the proposals.</p> <p>Following a request by one Councilmember, the attached draft resolution includes a stipulation that applications Z23-474COMP (Mission &amp; Sinto) and Z23-475COMP (Lacey Street) be processed as city-sponsored applications, with any fees already paid by these entities to be refunded. In the case that this change is satisfactory to Council, Staff requests that City Council commit to providing sufficient funding for the noticing, signage, and any technical studies that may be required of these proposals.</p>

**Fiscal Impact**

**Approved in current year budget?**      Yes    No    N/A

Total Cost: Varies—if proposals are expanded there may be additional costs for noticing and signage borne by the City.

Current year cost: Dependent on expanded proposals—maximum of approximately \$15,000

Subsequent year(s) cost: None. These are completed in a single year.

**Narrative:** Processing of these applications is done using existing staff time and resources.

**Funding Source**             One-time     Recurring     N/A

Specify funding source: Program revenue

Is this funding source sustainable for future years, months, etc? Costs incurred as a result of expanded proposals is a function of Council’s discretion and cannot be estimated in advance. As such, the impact of any future proposals (not this year) is unknown and this question cannot be answered.

**Expense Occurrence**     One-time     Recurring     N/A

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? **Please see the South Logan TOD Plan for information on how that proposal would affect these communities. As for the private proposals, they concern land use and zoning changes to private land, initiated by private landowners.**
- 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 proposals are simple map changes with no physical changes to the City. Future development/redevelopment is neither certain nor required. However, we do generally track whether these applications do redevelop in the future but do not receive demographic/social reports on these factors from developers (nor are such reports required by code or policy).**
- How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution? **See the answer above. The program is generally annual and City staff study past amendments to see if they redevelop, how they redevelop, and if any refinements are necessary to the Comp Plan Amendment 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?  
**The private proposals were reviewed for general consistency by Staff. The proposals were additionally reviewed by the Ad Hoc Docketing Committee for adoption into the 2024 work program, which included reviewing the applications against the criteria outlined in SMC 17G.020.026, including criterion E. The docketing committee voted that the applications met this criterion. The city sponsored application is intended to implement the vision adopted by City Council in Resolution 2024-0015.**

**Council Subcommittee Review**

- Please provide a summary of council subcommittee review. If not reviewed by a council subcommittee, please explain why not. **The findings of the Docketing Committee are attached as an exhibit to the draft Resolution (Exhibit A).**

## RESOLUTION NO. 2024-0029

### **A RESOLUTION REGARDING APPLICATIONS TO AMEND THE CITY'S COMPREHENSIVE PLAN AND SETTING THE ANNUAL COMPREHENSIVE PLAN WORK PROGRAM FOR 2024.**

WHEREAS, In Chapter 17G.020 of the Spokane Municipal Code, the City Council has established a threshold review process for private applications to amend the Comprehensive Plan, to be undertaken by an ad hoc committee comprised on members of the City Council and Plan Commission (the "Committee"); and,

WHEREAS, the Committee reviews threshold applications per the criteria set forth in SMC 17G.020.026 and forwards a recommendation to the City Council as to which of the amendment proposals should be included in the City's 2024 Annual Comprehensive Plan Amendment Work Program (the "Work Program") ; and,

WHEREAS, the Committee met on February 9, 2024 at 11:00 a.m. and reviewed the following applications (the "Applications"):

- File Z23-474COMP (Mission & Sinto)
- File Z23-475COMP (Lacey Street)
- File Z23-476COMP (Eighth Avenue)
- File Z23-477COMP (Bemis & Sunset)
- File Z23-478COMP (Assembly & Bemis)
- File Z23-479COMP (Indian Trail); and,

WHEREAS, the Committee forwarded its Findings, Conclusions, and Recommendations, attached to this resolution as Exhibit A, to the City Council for their consideration, recommending the inclusion of all the Applications in the Work Program as well as various parcels for expansion; and,

WHEREAS, the applicant for File Z23-475COMP (Lacey Street) notified City Staff on March 5, 2024 that they would like to withdraw their application; and,

WHEREAS, the City has complied with RCW 36.70A.370 by completing the threshold review of the Applications; and,

WHEREAS, except as may be indicated below, the City Council adopts the Ad Hoc Committee's Findings, Conclusions and Recommendations regarding the applications and incorporates said findings into this resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL, that the following Applications shall be included in the 2024 Annual Comprehensive Plan Amendment Work Program:

1. File Z23-474COMP (Mission & Sinto), concerning the following parcels:
  - a. 2002 E Mission Ave (Parcel 35162.0121);
  - b. 2012 E Mission Ave (Parcel 35162.0122);
  - c. 2018 E Mission Ave (Parcel 35162.0111);
  - d. 2028 E Mission Ave (Parcel 35162.0105)
  - e. 2007 E Sinto Ave (Parcel 35162.0110);
2. File Z23-476COMP (Eighth Avenue), concerning the following parcels:
  - a. 2610 W 8<sup>th</sup> Ave (Parcel 25243.1308);
  - b. 2613 W 8<sup>th</sup> Ave (Parcel 25243.1502);
  - c. 2614 W 8<sup>th</sup> Ave (Parcel 25243.1307);
  - d. 2618 W 8<sup>th</sup> Ave (Parcel 25243.1306);
  - e. 2624 W 8<sup>th</sup> Ave (Parcel 25243.1305);
  - f. 2628 W 8<sup>th</sup> Ave (Parcel 25243.1304);
  - g. Unassigned Address (Parcel 25243.1309);
  - h. ROW to the east of the listed parcels, consistent with the depiction in Exhibit B, with costs of signage and notification for that additional area to be borne by the applicant;
3. File Z23-477COMP (Bemis & Sunset), concerning the following parcels:
  - a. 1603 S Bemis St (Parcel 25262.0505);
  - b. 4302 W Sunset Blvd (Parcel 25262.0108);
4. File Z23-478COMP (Assembly & Bemis), concerning the following parcels:
  - a. 1622 S Bemis St (Parcel 25262.0403);
  - b. 1616 S Bemis St (Parcel 25262.0402);
  - c. 1604 S Bemis St (Parcel 25262.0401);
  - d. 1603 S Assembly Rd (Parcel 25262.0405);
  - e. 1606 S Assembly Rd (Parcel 25271.0504);
  - f. Unassigned Address (Parcel 25271.0501);
  - g. Unassigned Address (Parcel 25271.0502);
  - h. Unassigned Address (Parcel 25271.0408);
  - i. 1527 S Assembly Rd (Parcel 25262.0305);
  - j. 1403 S Assembly Rd (Parcel 25236.0057 in part)
  - k. 1434 S Bemis St (Parcel 25262.0312);
  - l. 1432 S Bemis St (Parcel 25262.0311);
5. File Z23-479COMP (Indian Trail), concerning the following parcels:
  - a. Unassigned Address (Parcel 26262.0018);
  - b. 4110 W Indian Trail Rd (Parcel 26262.0010);
  - c. 3910 W Indian Trail Rd (Parcel 26262.0054);

- d. 3754 W Indian Trial Rd (Parcel 26262.0055);
  - e. Unassigned Address (Parcel 26265.0048);
  - f. Unassigned Address (Parcel 26261.3401, in part, see Exhibit C);
  - g. 3925 W Osage Way (Parcel 26262.2620, in part, see Exhibit C);
  - h. 4041 W Osage Way (Parcel 26262.2621, in part, see Exhibit C);
6. File Z24-105COMP—land use plan map and zoning map amendments for parcels in the study area shown in Exhibit C, commensurate with the recommendations of the “South Logan TOD Study,” adopted by Council Resolution RES-2024-0015; and

BE IT ALSO RESOLVED that the application known as File Z23-474COMP will be processed at the City’s expense and considered a “city-sponsored” application moving forward, with the Threshold fees paid by the applicant to be refunded. The City Council will provide sufficient funding to issue required notices and post signs on the associated site, pursuant to the noticing requirements of the Spokane Municipal Code, Title 17G, and for any technical studies required of these proposals.

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

\_\_\_\_\_

City Clerk

Approved as to form:

\_\_\_\_\_

Assistant City Attorney

**Spokane City Council Docketing Committee – February 9, 2024**

**FINDINGS, CONCLUSIONS, and RECOMMENDATION**

**Comprehensive Plan Amendment Application File Nos. Z23-474COMP, Z23-475COMP, Z23-476COMP, Z23-477COMP, Z23-478COMP, and Z23-479COMP.**

**FINDINGS:**

- A. The Washington State Legislature passed the Growth Management Act ("GMA") in 1990, requiring among other things, the development of a Comprehensive Plan (RCW 36.70A).
- B. The City of Spokane adopted a Comprehensive Plan in May of 2001, and substantially amended it in 2017, in compliance with the requirements of the GMA, and has provided for periodic updates and annual amendments, as allowed under GMA.
- C. Under GMA, comprehensive plans generally may be amended no more frequently than once per year. All amendment proposals must be considered concurrently to be evaluated for their cumulative effect. Also, the amendment period should be timed to coordinate with budget deliberations.
- D. SMC 17G.020 provides the process by which applications to amend the Comprehensive Plan should be processed, wherein SMC 17G.020.025 establishes a threshold review process to be undertaken by an ad hoc City Council committee known as the "docketing committee."
- E. Notice of the ad hoc committee meeting was provided via email to all neighborhood council leadership in the City on January 31, 2024.
- F. The docketing committee reviews comprehensive plan amendment applications from the public at the threshold review stage for compliance with seven specific criteria, codified in SMC 17G.020.026.
- G. The docketing committee met on February 9, 2024 at 11:00 am in person, in the Council Briefing Center, and online, via Teams, and reviewed applications Z23-474COMP, Z23-475COMP, Z23-476COMP, Z23-477COMP, Z23-478COMP, and Z23-479COMP (the "Applications").
- H. Staff provided an overview of the decision criteria for threshold review of a Comprehensive Plan amendment application as prescribed by SMC 17G.020.026, Threshold Review Decision Criteria.
- I. Written public comments received as of February 8, 2024 at 5:00 p.m. were forwarded to the committee.

## **CONCLUSIONS:**

Based upon the application materials, staff, and public comments received, the docketing committee concludes that all proposed amendments to the Comprehensive Plan satisfy the threshold review criteria, as detailed in SMC 17G.020.026, and recommend to the City Council that the proposals should be included in the Annual Comprehensive Plan Amendment Work Program for 2024, subject to the following.


1. The docketing committee finds, regarding applications Z23-474COMP (Mission & Sinto), Z23-475COMP (Lacey Street), Z23-476COMP (Eighth Avenue), Z23-477COMP (Bemis & Sunset), Z23-478COMP (Assembly & Bemis), and Z23-479COMP (Indian Trail):
  - a) The proposed amendments present matters appropriately addressed through the comprehensive plan.
  - b) The proposed amendments do not raise policy or land use issues that are more appropriately addressed by an ongoing work program approved by the City Council or by a neighborhood or subarea planning process.
  - c) The proposed amendments can be reasonably reviewed within the resources and time frame of the Annual Comprehensive Plan Amendment Work Program.
  - d) When expansion of the geographic scope of an amendment proposal is being considered, shared characteristics with nearby, similarly situated property have been identified and the expansion is the minimum necessary to include properties with those shared characteristics.
  - e) The proposed amendments are generally consistent with current policies in the comprehensive plan for site-specific amendment proposals. The proposed amendments are also consistent with policy implementation in the Countywide Planning Policies, the GMA, or other state or federal law, and the Washington Administrative Code.
  - f) The proposed amendments are not the same as or substantially similar to a proposal that was considered in the previous year's threshold review process but was not included in the Annual Comprehensive Plan Amendment Work Program.
  - g) State law does not require, nor has a decision of a court or administrative agency directed, such changes.

## **RECOMMENDATION:**

Based on the foregoing findings and conclusions, the docketing committee voted unanimously to recommend the following:



- Application **Z23-474COMP (Mission & Sinto)** is recommended to be included in the work program, with the inclusion of nearby similarly situated parcel 35162.0105 (2028 E Mission Ave).
- Application **Z23-475COMP (Lacey Street)** is recommended to be included in the work program as proposed.
- Application **Z23-476COMP (Eighth Avenue)** is recommended to be included in the work program with the addition of nearby similarly situated parcels 25243.1304 through 25243.1307.
  - A portion of the right-of-way (ROW) east of the application, not to include any steep slopes down to the river, is also recommended to be included in the work program, with the costs associated with noticing that expansion borne by the applicant (e.g., signage, mailing). See **Exhibit A** for a general depiction of the area recommended by the docketing committee.
- Application **Z23-477COMP (Bemis & Sunset)** is recommended to be included in the work program as proposed.
- Application **Z23-478COMP (Assembly & Bemis)** is recommended to be included in the work program, with the inclusion of nearby similarly situated parcels 25262.0312 (1434 S Bemis St), 25262.0311 (1432 S Bemis St), and the small portion of parcel 25236.0057 (1403 S Assembly Rd) that is currently designated “Residential Low”.
- Application **Z23-479COMP (Indian Trail)** is recommended to be included in the work program, with the inclusion of portions of nearby similarly situated parcels 26262.2621, 26262.2620, and 26261.3401. See **Exhibit B** for a general depiction of the area recommended by the docketing committee.

  
 Jonathan Bingle (Feb 15, 2024 21:05 PST)

Councilmember Jonathan Bingle, Chair

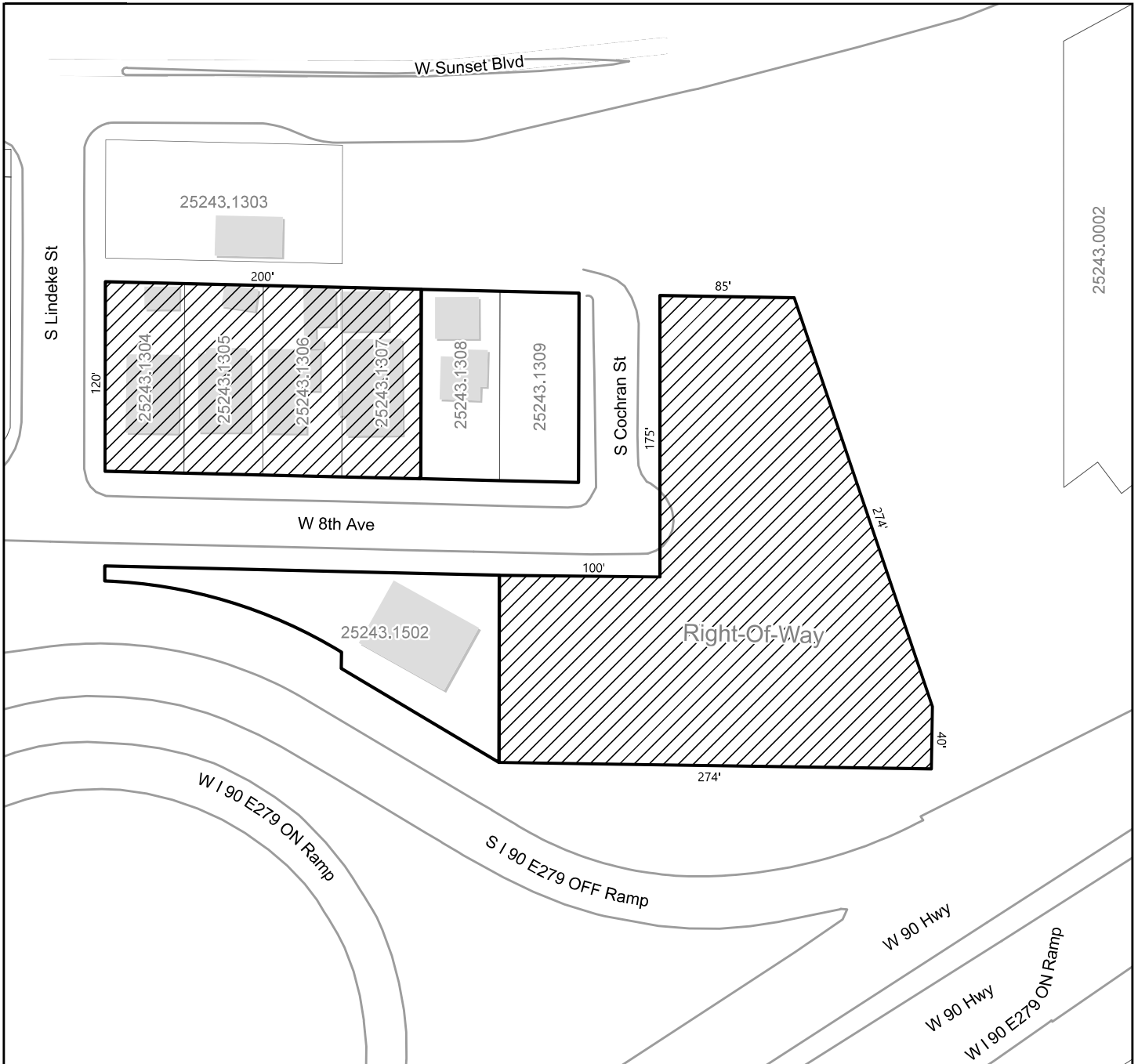
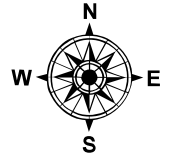
Feb 15, 2024

Date







# EXHIBIT A Recommended Expansion Areas

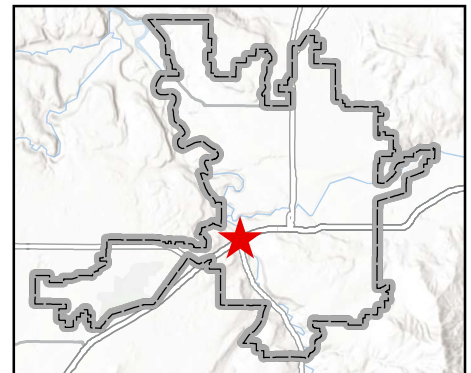
Department of Planning & Economic Development



**File Number: Z23-476COMP (Eighth Ave)**  
**Neighborhood: West Hills**

-  Project Area
-  Possible Expansion Area
-  Building
-  Parcel

Area shown was recommended by the Docketing Committee on February 9, 2024.  
 Approximate dimensions of expanded area shown in map above.

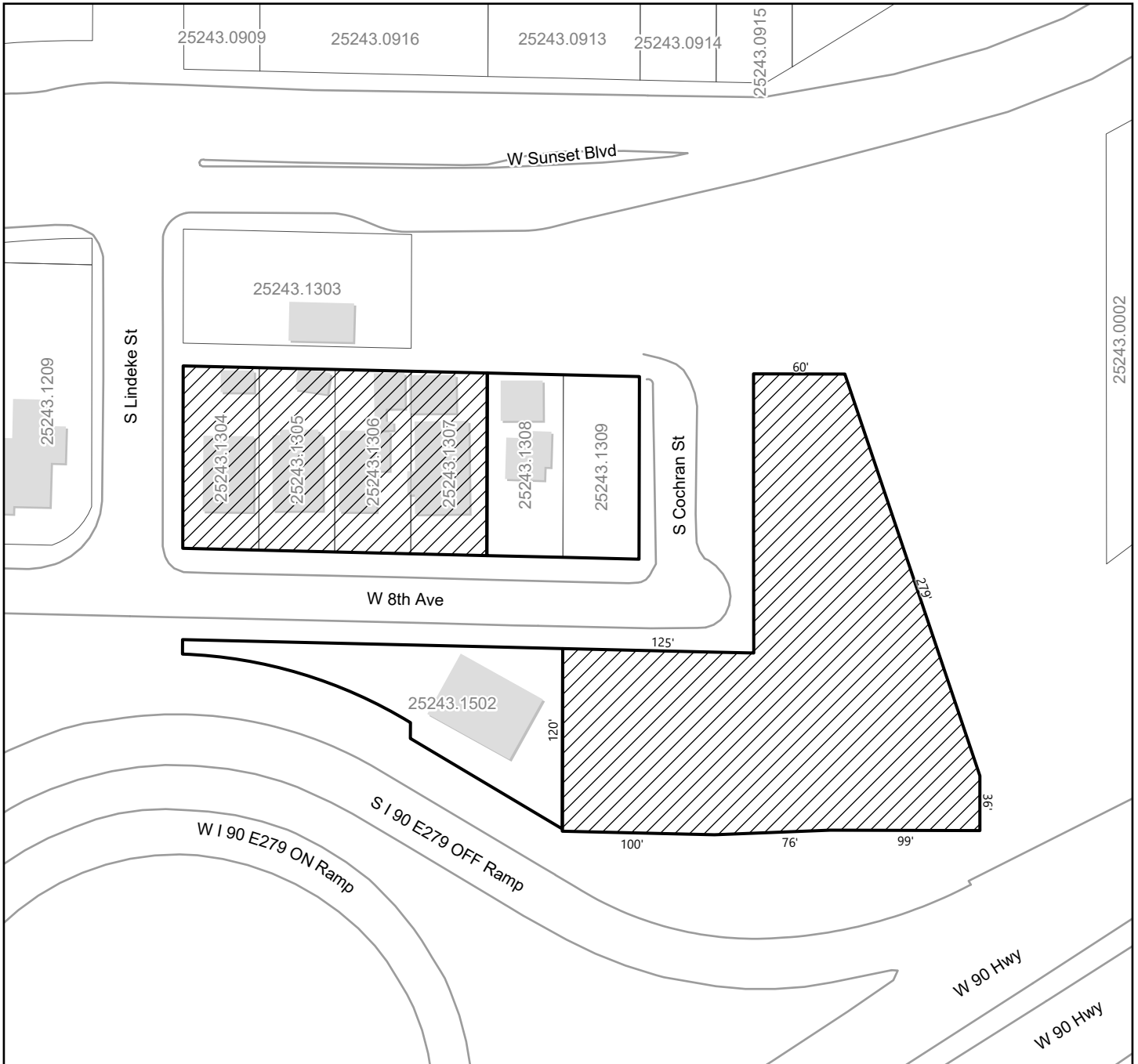
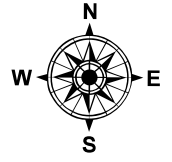










# EXHIBIT B - FILE Z23-476COMP Recommended Expansion Areas

Department of Planning & Economic Development

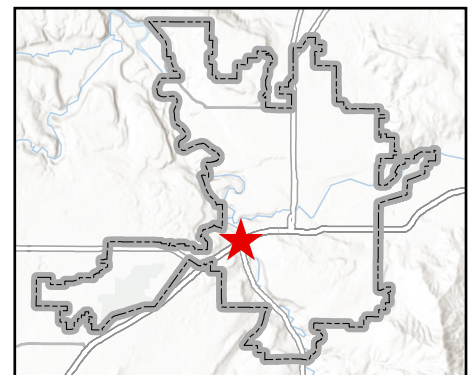


**File Number: Z23-476COMP (8th Avenue)**

**Neighborhood: West Hills**

-  Project Area
-  Possible Expansion Area
-  Building
-  Parcel

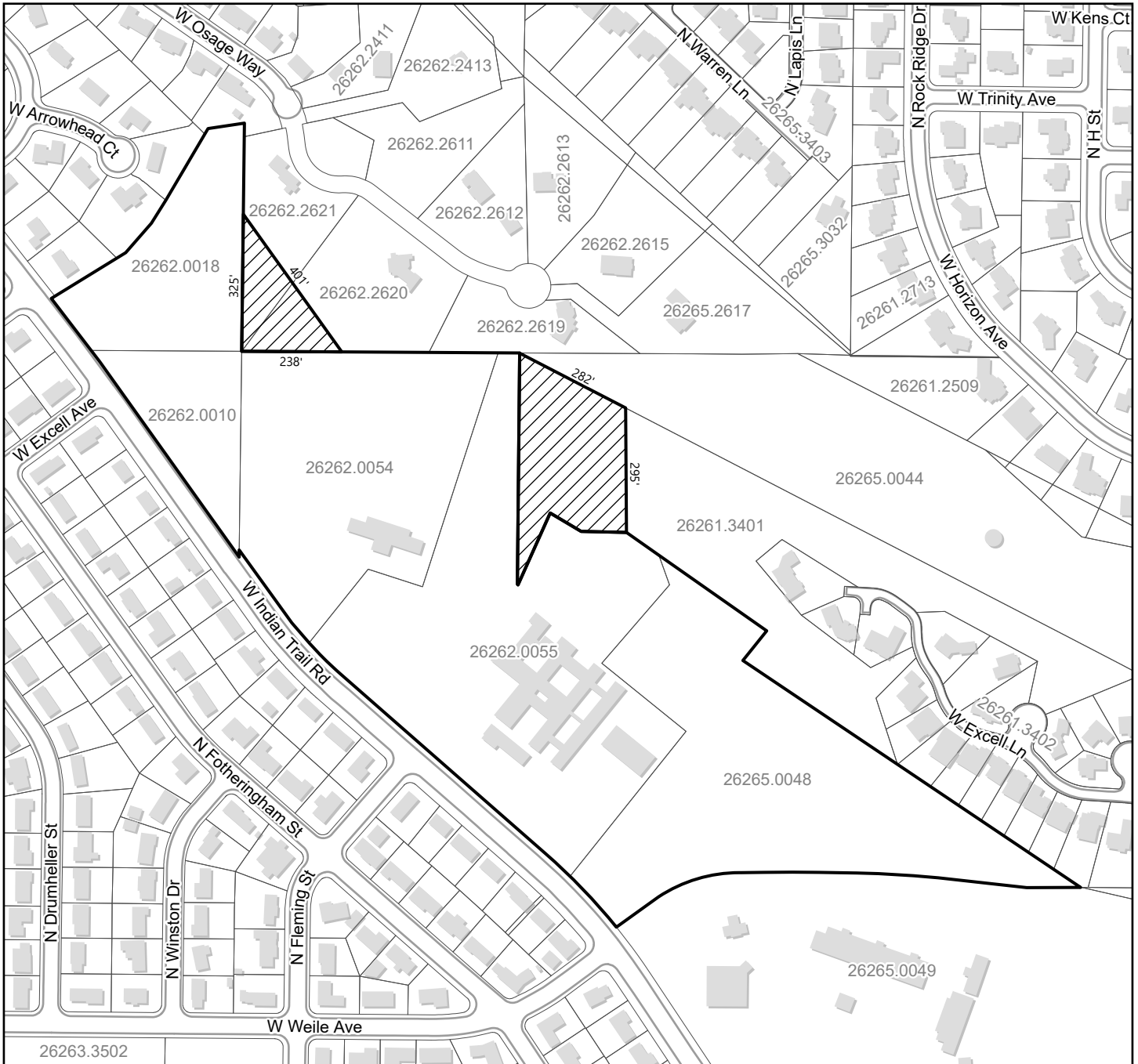
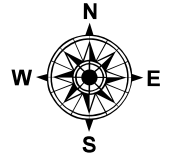
Area shown was recommended by the Docketing Committee on February 9, 2024.  
Approximate dimensions of expanded area shown in map above.









# EXHIBIT C - FILE Z23-479COMP Recommended Expansion Areas

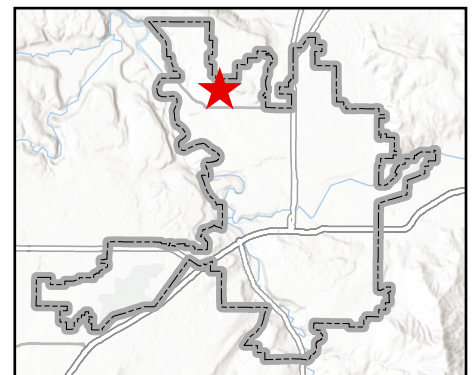
Department of Planning & Economic Development



**File Number: Z23-479COMP (Indian Trail)**  
**Neighborhood: Balboa / South Indian Trail**

-  Project Area
-  Possible Expansion Area
-  Building
-  Parcel

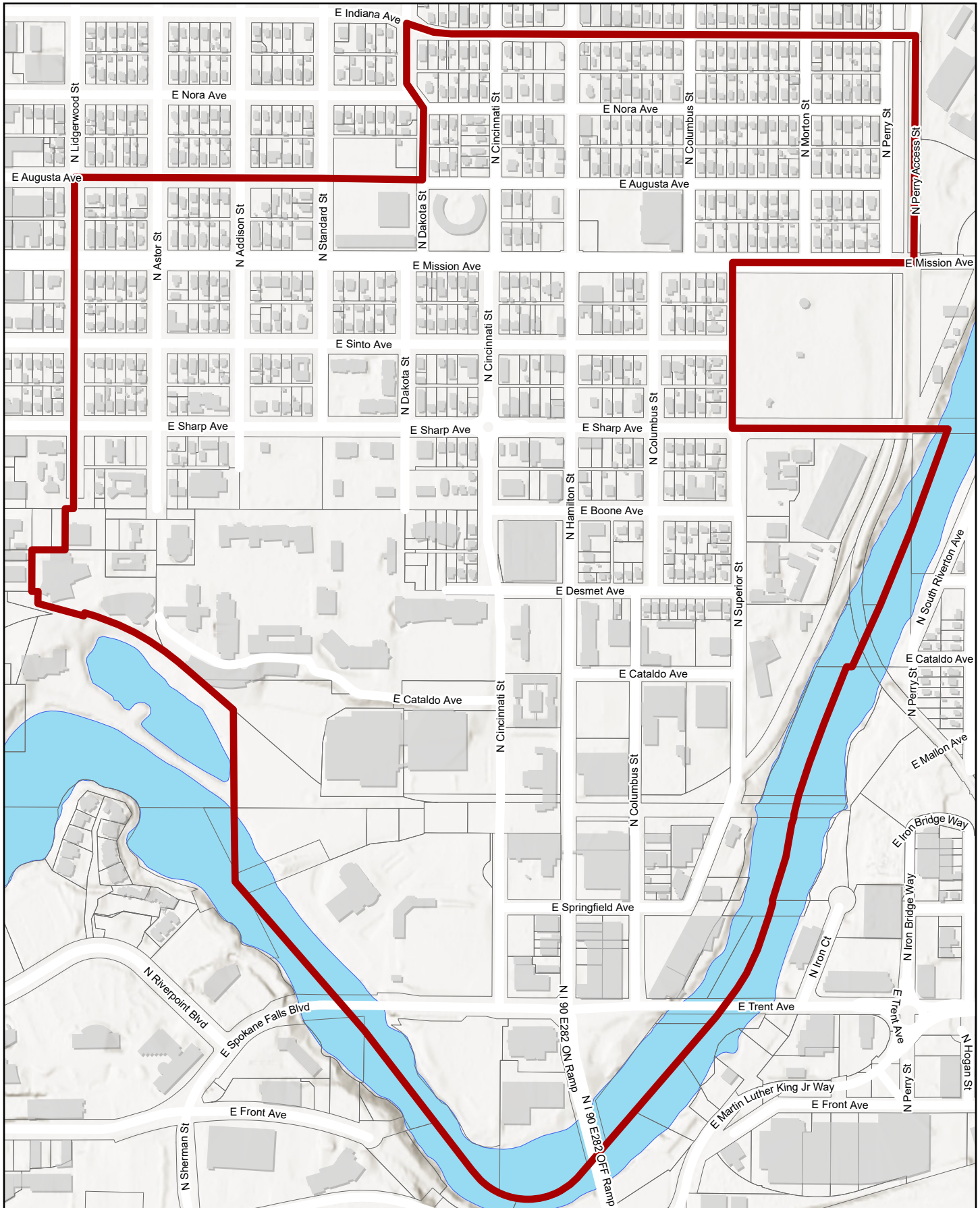
Area shown was recommended by the Docketing Committee on February 9, 2024.  
Approximate dimensions of expanded area shown in map above.





# Exhibit D - South Logan TOD Project Area

Department of Planning & Economic Development, File Z24-105COMP





# Application Overview

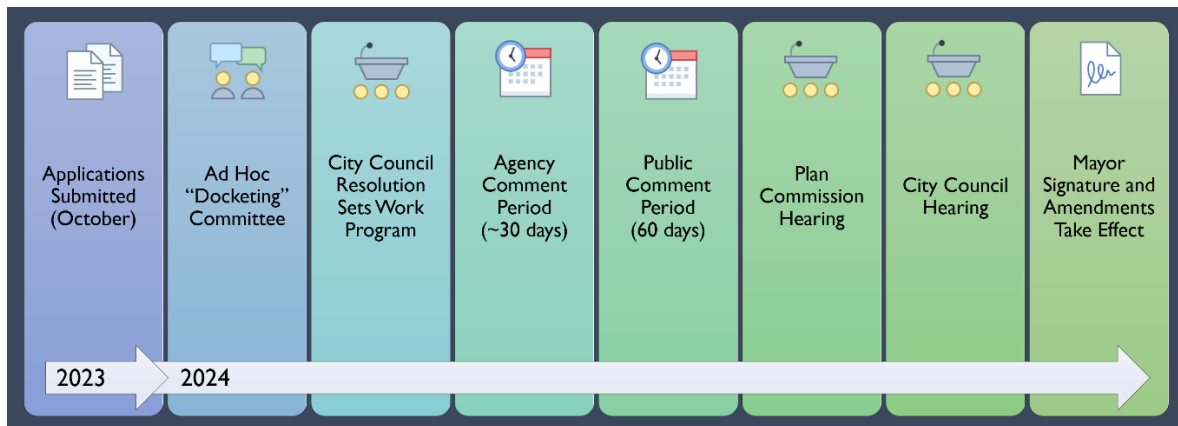
SHAPING SPOKANE – THE CITY OF SPOKANE COMPREHENSIVE PLAN

Document Date: January 30, 2024

The City opened an application intake period for the 2024 Comprehensive Plan Amendment (CPA) program from September 1, 2023 until October 31, 2023. By the close of the application period, six applications were received and determined to be Counter Complete.

## The Annual Program in Summary

The process for each year’s consideration of amendments is laid out in the Municipal Code under [SMC 17G.020](#). For your reference, the following graphic provides a rough outline of the process, which generally takes 12-14 months to complete.



## Threshold Criteria

SMC 17G.020.026 states that any application to be included in the annual work program should meet the following criteria:

- A. The proposed amendment presents a matter appropriately addressed through the comprehensive plan; and
- B. The proposed amendment does not raise policy or land use issues that are more appropriately addressed by an ongoing work program approved by the City Council or by a neighborhood or subarea planning process; and
- C. The proposed amendment can be reasonably reviewed within the resources and time frame of the Annual Comprehensive Plan Amendment Work Program; and
- D. When expansion of the geographic scope of an amendment proposal is being considered, shared characteristics with nearby, similarly situated property have been identified and the expansion is the minimum necessary to include properties with those shared characteristics; and

- E. The proposed amendment is consistent with current general policies in the comprehensive plan for site-specific amendment proposals. The proposed amendment must also be consistent with policy implementation in the Countywide Planning Policies, the GMA, or other state or federal law, and the Washington Administrative Code; and
- F. The proposed amendment is not the same as or substantially similar to a proposal that was considered in the previous year’s threshold review process, but was not included in the Annual Comprehensive Plan Amendment Work Program, unless additional supporting information has been generated; or
- G. State law requires, or a decision of a court or administrative agency has directed such a change.

**Applications to Review**

All six private applications propose changes to the [Land Use Plan Map, LU – 1](#), with attendant changes to the Zoning Map. Each application would, if approved, change the land use plan map designation and zoning of between one and nine parcels of varying size. The following table provides some detail of those proposals and provides the page in this overview where additional information can be found.

File #	General Location	Neighborhood	Proposed Change	Page #
<b>Z23-474COMP</b>	Mission & Sinto	Chief Garry Park	Mini Center and Residential Low to Mini Center and Office	p. 3
<b>Z23-475COMP</b>	Lacey Street	Bemiss	Light Industrial to Residential Plus	p. 6
<b>Z23-476COMP</b>	Eighth Avenue	West Hills	Office and Residential Low to General Commercial	p. 9
<b>Z23-477COMP</b>	Bemis & Sunset	West Hills	Residential Low to General Commercial	p. 12
<b>Z23-478COMP</b>	Assembly & Bemis	West Hills	Residential Low to General Commercial	p. 15
<b>Z23-479COMP</b>	Indian Trail	Balboa/South Indian Trail	Residential Low to Residential Low, Residential Moderate, General Commercial, and Open Space	p. 18



**File Z23-474COMP – “Mission & Sinto”**

Applicant: Family Promise of Spokane  
Agent: none  
Parcels: 35162.0110, 35162.0111, 35162.0121, 35162.0122  
Acres: 1.3  
Existing Land Use Designation: Mini Center & Residential Low  
Proposed Land Use Designation: Mini Center & Office  
Existing Zoning: NR-35 & R1  
Proposed Zoning: NR-40 & OR-40

This application, if approved, would amend the existing parcel within the Mini Center to allow five more feet of building height (35 feet to 40 feet). For the other three parcels, the use would change to office retail, also with a height of 40 feet. This would bring the Family Promise parking lot on the southern parcel into compliance with its zoning. The current parking lot is a legal non-conforming use under a Conditional Use Permit.

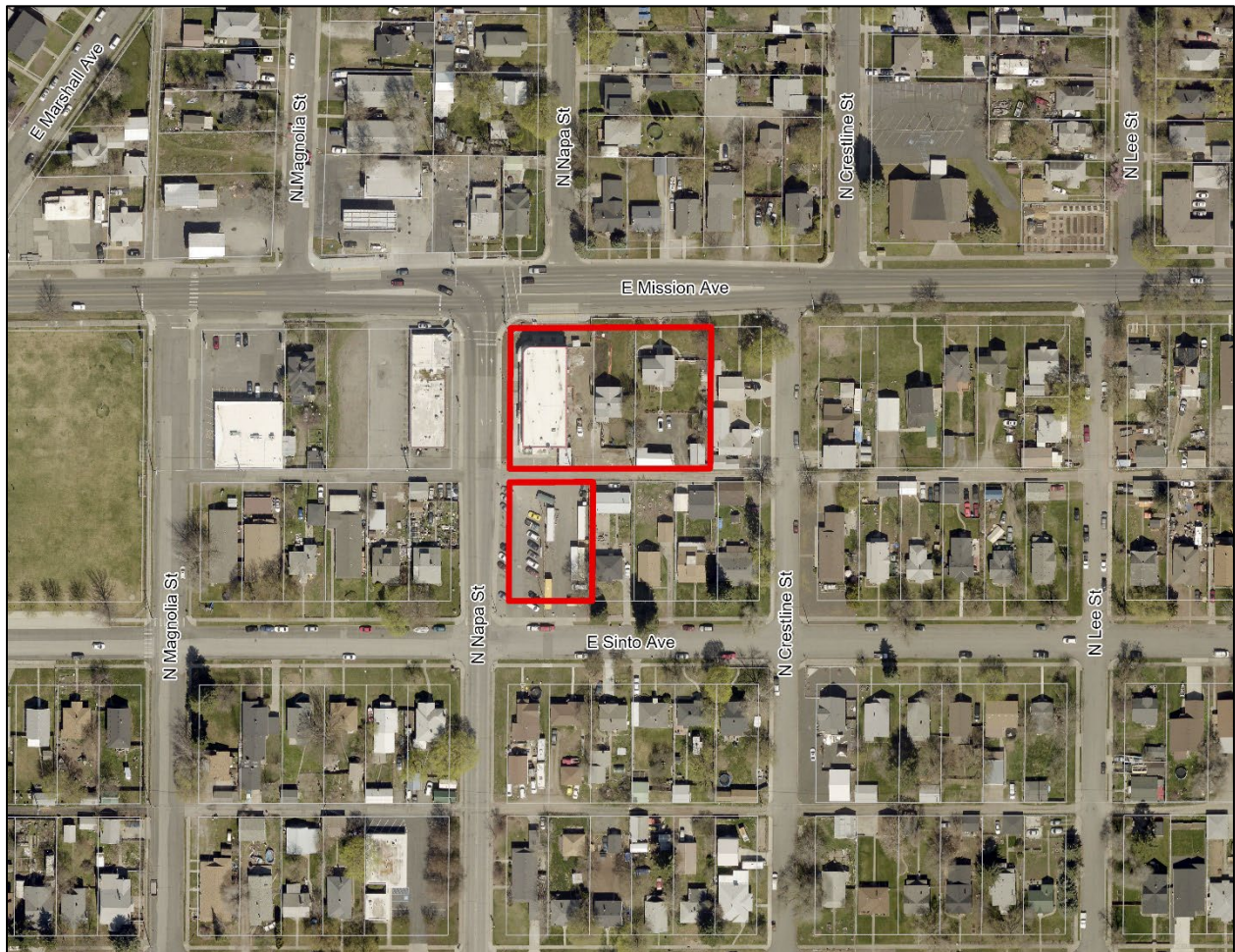


Figure 1: Aerial Overview, File Z23-474COMP

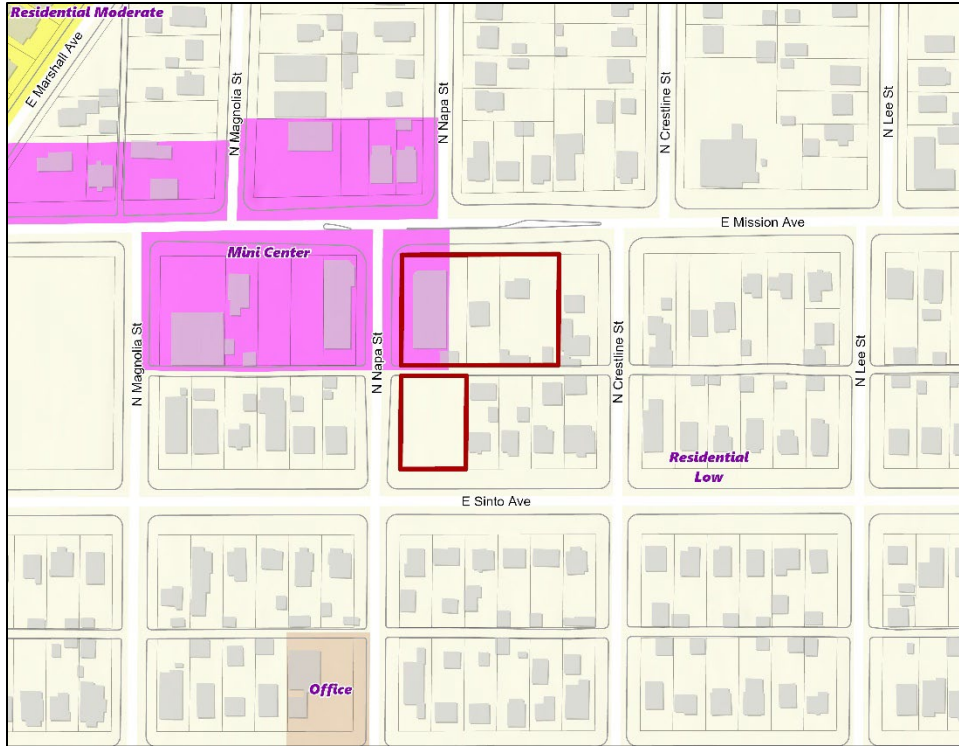


Figure 2: Existing Land Use Plan Map Designation, File Z23-474COMP

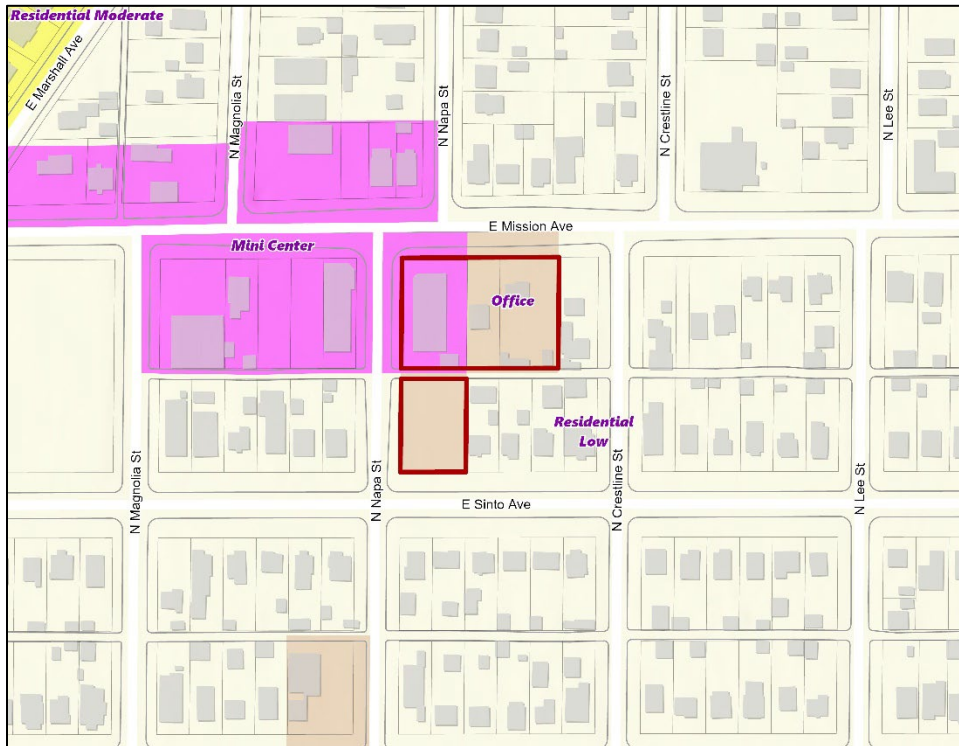


Figure 3: Proposed Land Use Plan Map Designation, File Z23-474COMP

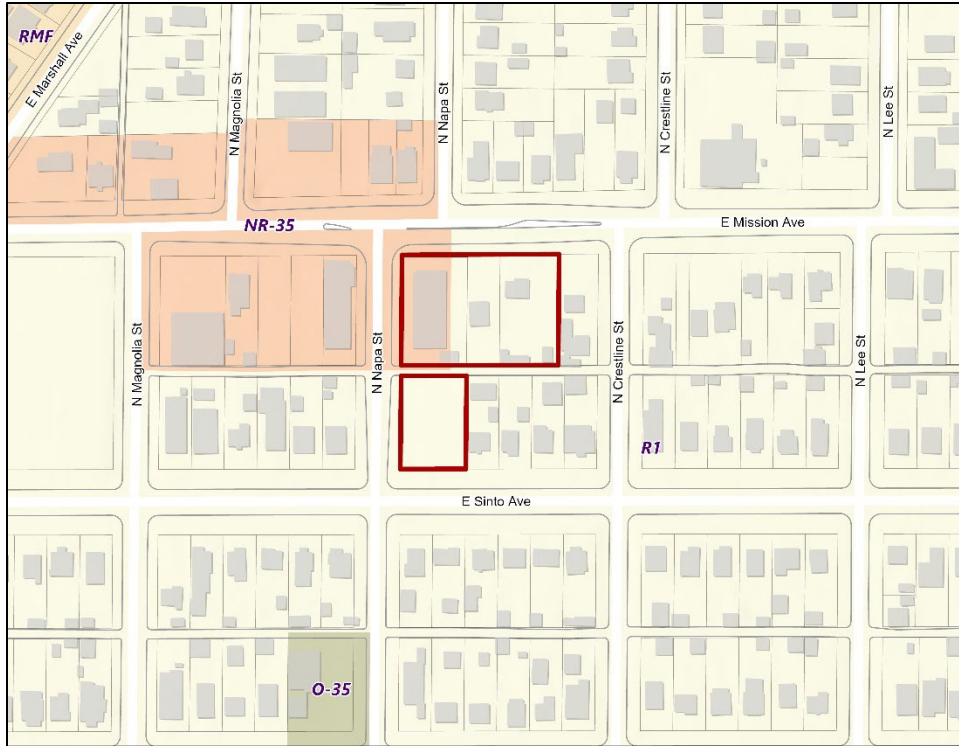


Figure 4: Existing Zoning, File Z23-474COMP

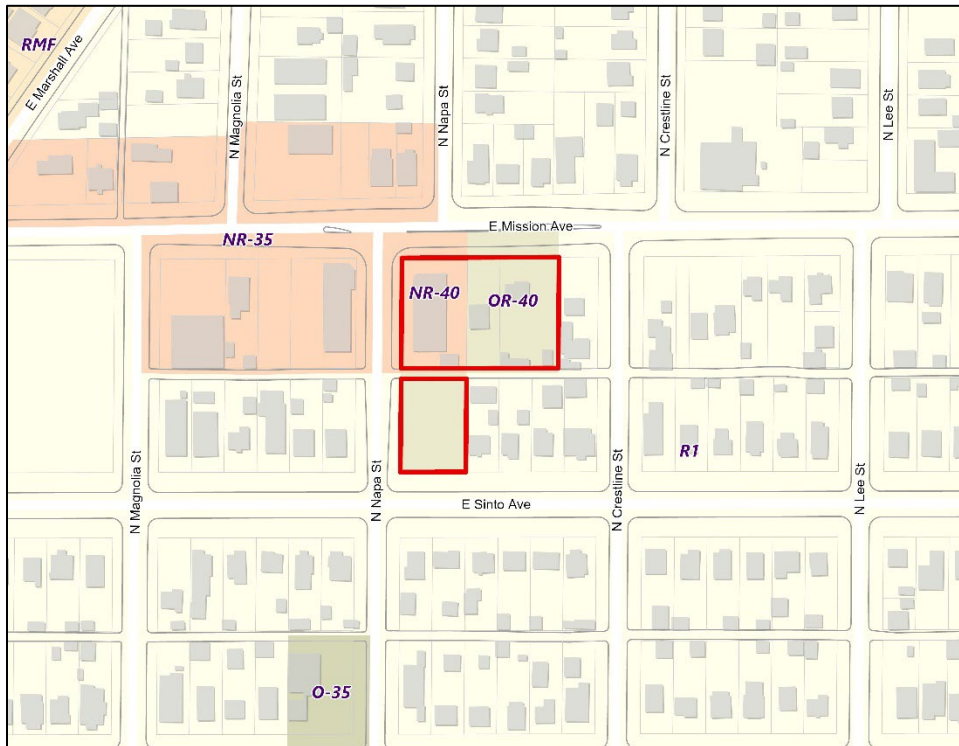


Figure 5: Proposed Zoning, File Z23-474COMP

**File Z23-475COMP – “Lacey Street”**

Applicant: Mujeres in Action  
Agent: none  
Parcels: 35044.0925  
Acres: 1.0  
Existing Land Use Designation: Industrial  
Proposed Land Use Designation: Residential Plus  
Existing Zoning: LI  
Proposed Zoning: R2

The parcel involved currently contains a community garden owned and managed by the Northeast Community Center (NECCA). NECCA’s representative signed the application, indicating that the applicant (Mujeres in Action) has their permission to act as their representative for this proposal. NECCA has also communicated to the City that the Spokane Youth Soccer Association (SYSA), which operates the adjacent Andrew Rypien field, has a “right of first refusal” on the purchase of the subject property. While future ownership of this parcel is not yet assured, the current owner of the parcel has accepted the proposal by Mujeres in Action and the proposed amendment can continue processing.



Figure 6: Aerial Overview, File Z23-475COMP

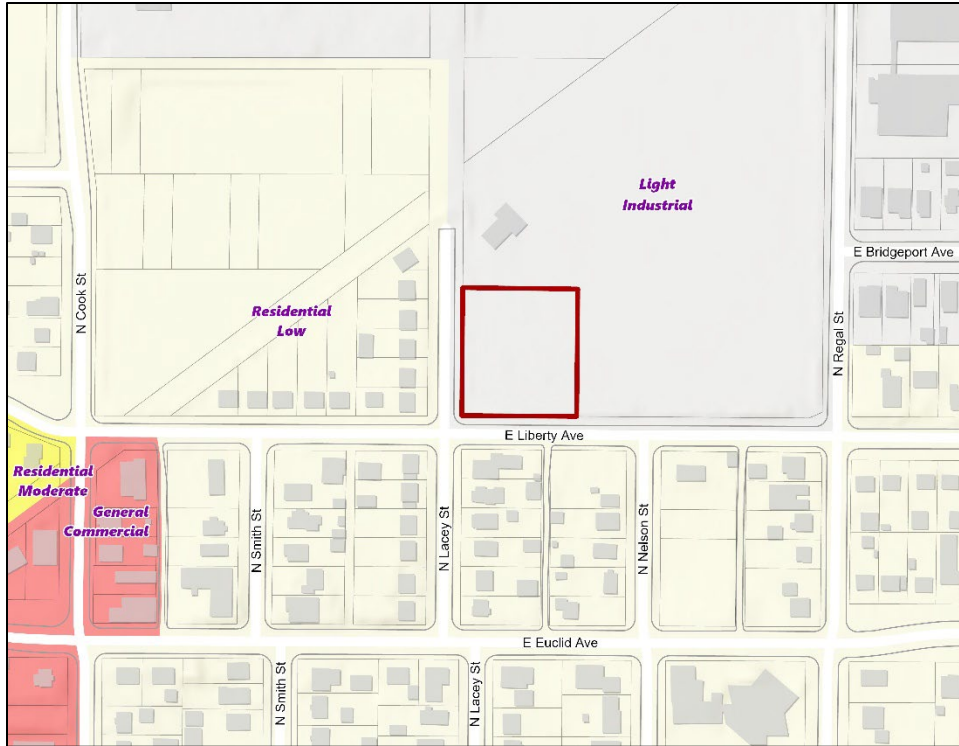


Figure 7: Existing Land Use Plan Map Designation, File Z23-475COMP

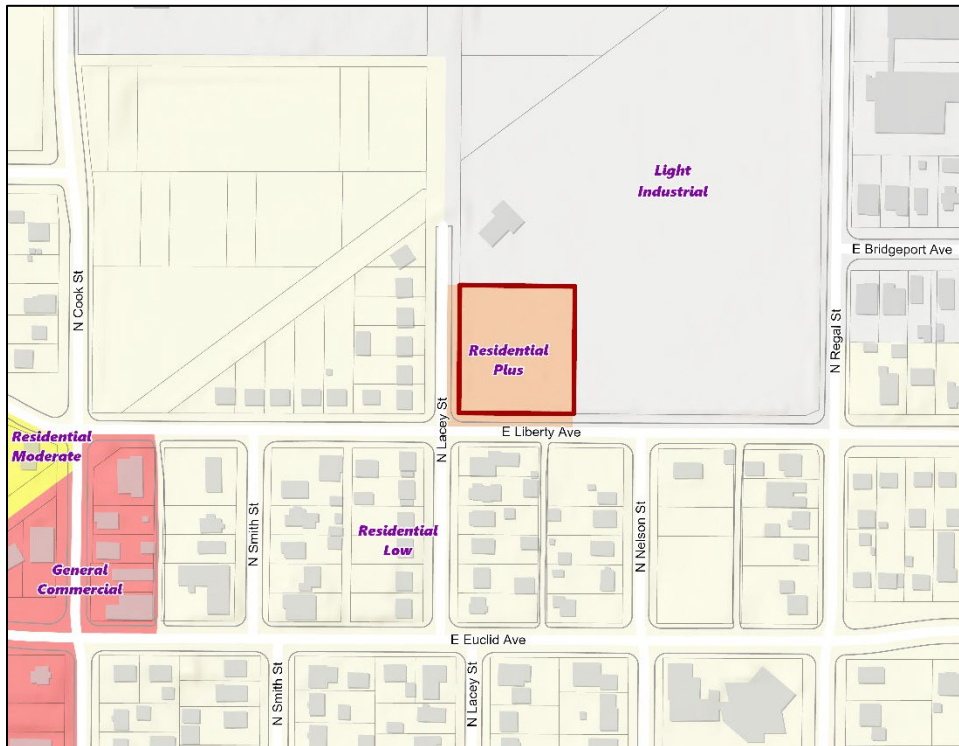


Figure 8: Proposed Land Use Plan Map Designation, File Z23-475COMP

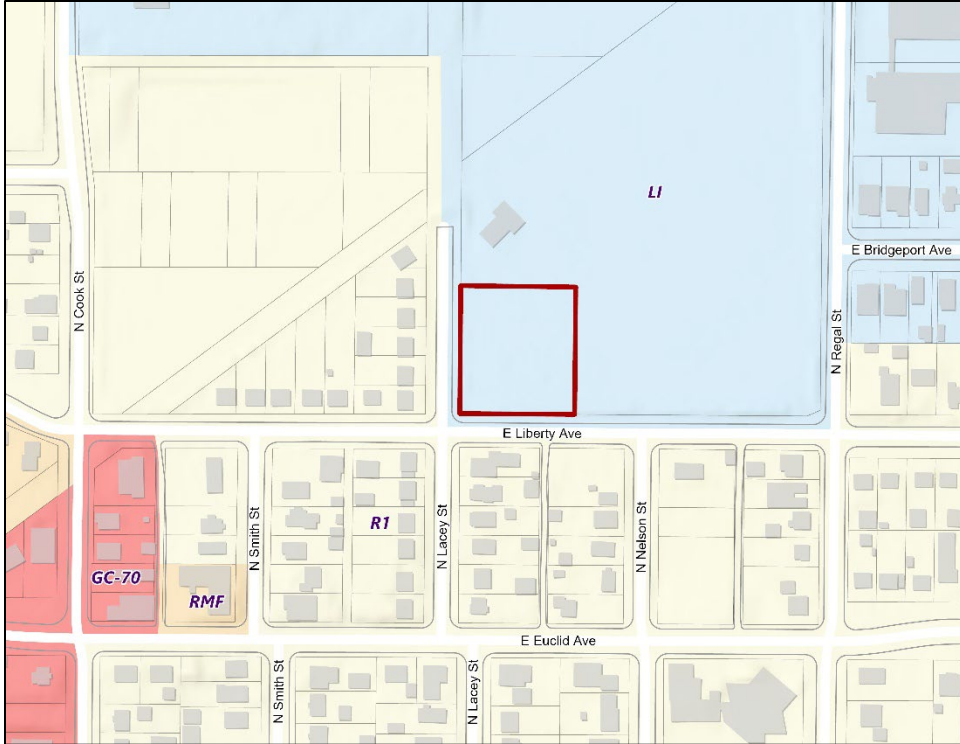


Figure 9: Existing Zoning, File Z23-475COMP

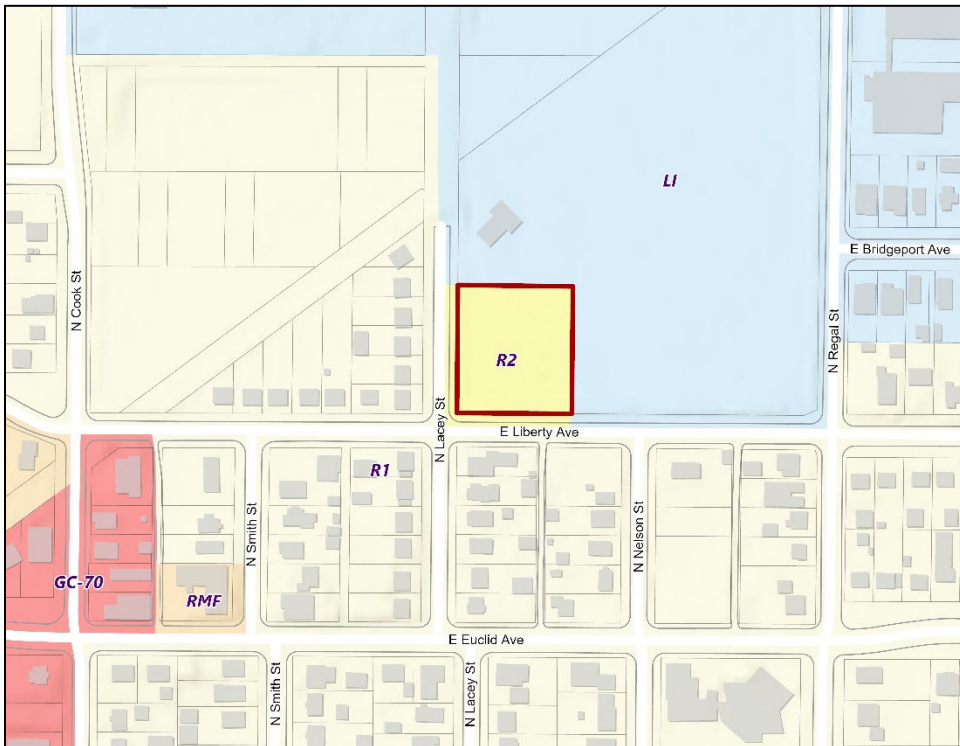


Figure 10: Proposed Zoning, File Z23-475COMP

**File Z23-476COMP – “Eighth Avenue”**

Applicant: Northwest Renewables  
Agent: Storhaug Engineering (Clifton Trimble)  
Parcels: 35243.1502, 25243.1308, 25243.1309  
Acres: 0.6  
Existing Land Use Designation: Office & Residential Low  
Proposed Land Use Designation: General Commercial  
Existing Zoning: O-35 & R1  
Proposed Zoning: CB-55

This proposal would amend the use of the applicant’s own parcels between the Mini Center at Government Way and Sunset Highway and the I-90 corridor. The applicant has indicated that the commercial use on the southern parcel would most likely remain, though the disposition of the home and empty lot to the north is currently not known. The two homes to the west of the subject parcels are neither owned by the applicant nor are they a part of the proposal. While the pre-submittal meetings indicated that this proposal would include part of the adjacent right-of-way, presumed to be held by the railroad, ultimately the applicant did not include that area in their proposal.



Figure 11: Aerial Overview, File Z23-476COMP

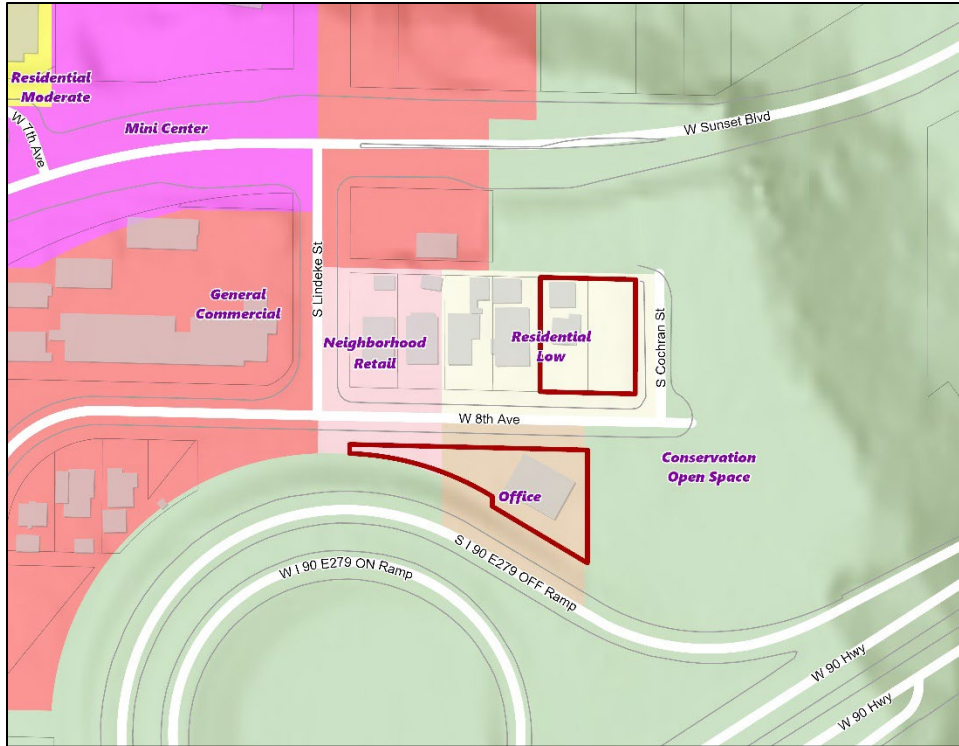


Figure 12: Existing Land Use Plan Map Designation, File Z23-476COMP

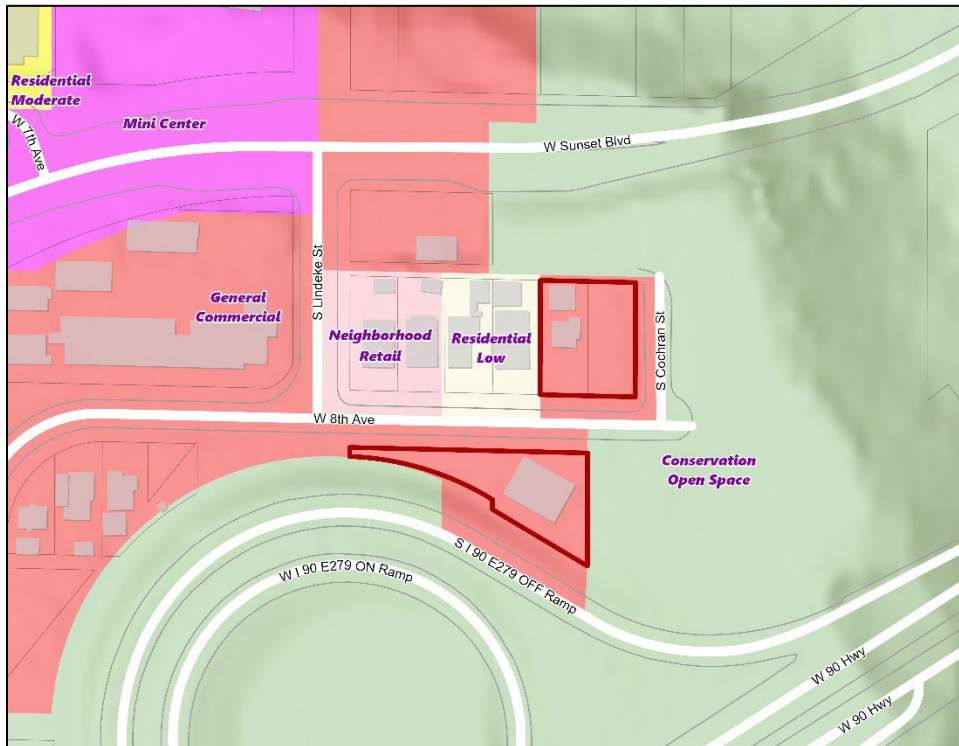


Figure 13: Proposed Land Use Plan Map Designation, File Z23-476COMP



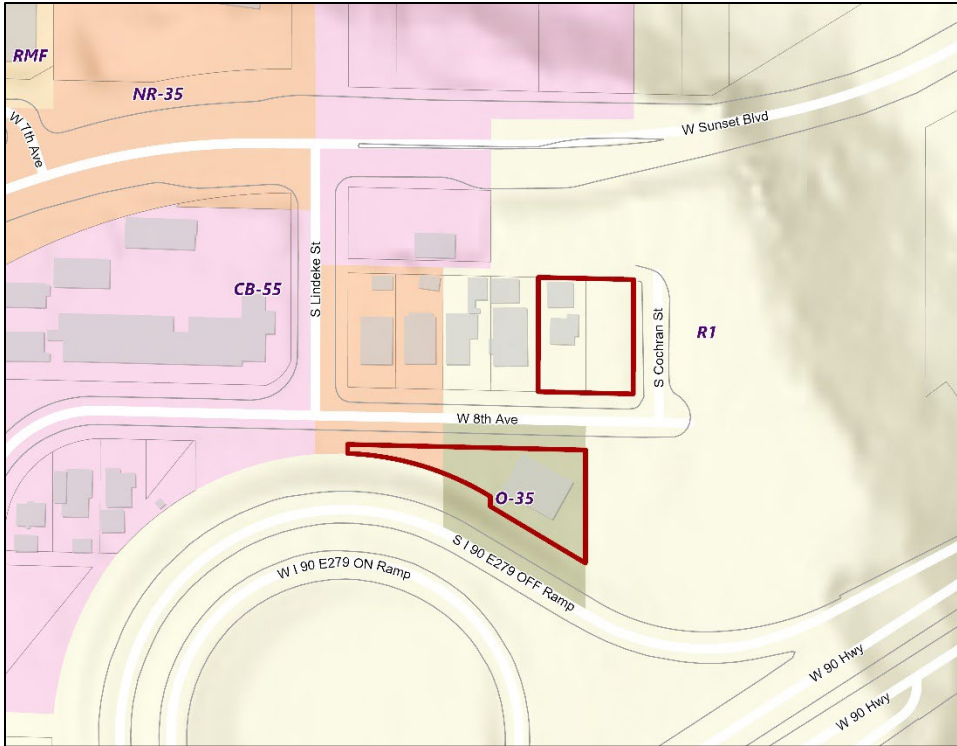


Figure 14: Existing Zoning, File Z23-476COMP

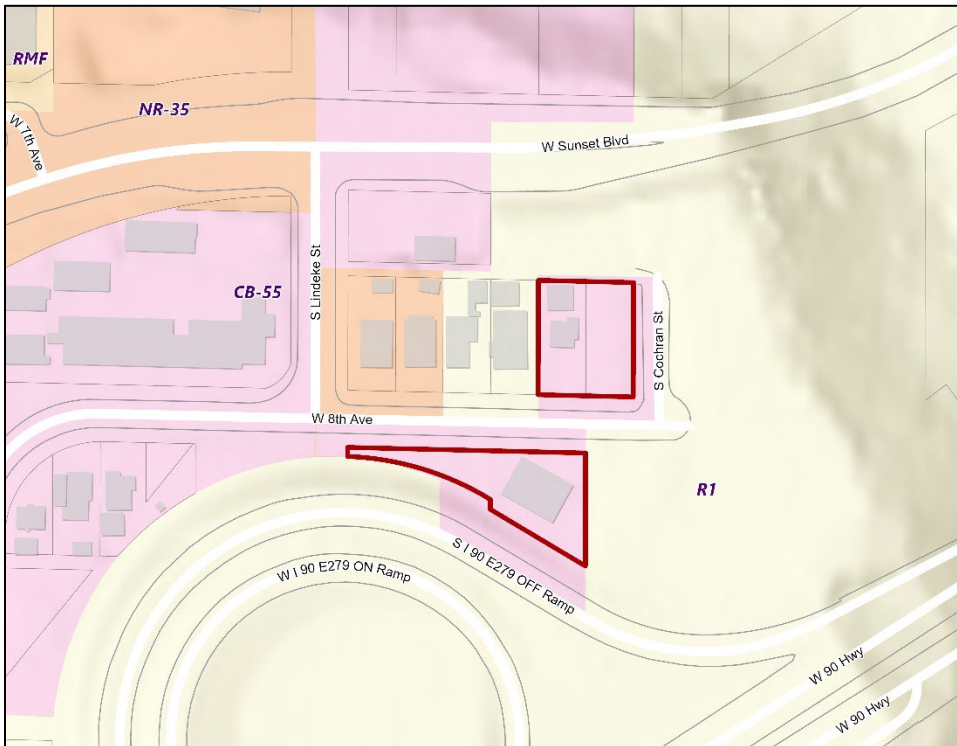


Figure 15: Proposed Zoning, File Z23-476COMP

**File Z23-477COMP – “Bemis & Sunset”**

Applicant: CV the James, LLC  
Agent: Storhaug Engineering (Clifton Trimble)  
Parcels: 25262.0505, 25262.0108  
Acres: 0.8  
Existing Land Use Designation: Residential Low  
Proposed Land Use Designation: General Commercial  
Existing Zoning: R1  
Proposed Zoning: GC-70

While this proposal is sited immediately adjacent to the next (see File Z23-478COMP), the two proposals are unrelated with different owners and agents. This general location includes a large right-of-way for Sunset Boulevard due to terrain that exists between Sunset and the subject parcels. Property to the south of Sunset Blvd was the subject of a past Comprehensive Plan Amendment (Ref. File Z17-624COMP, Ord C35689), but is not related to these two proposals in any way.

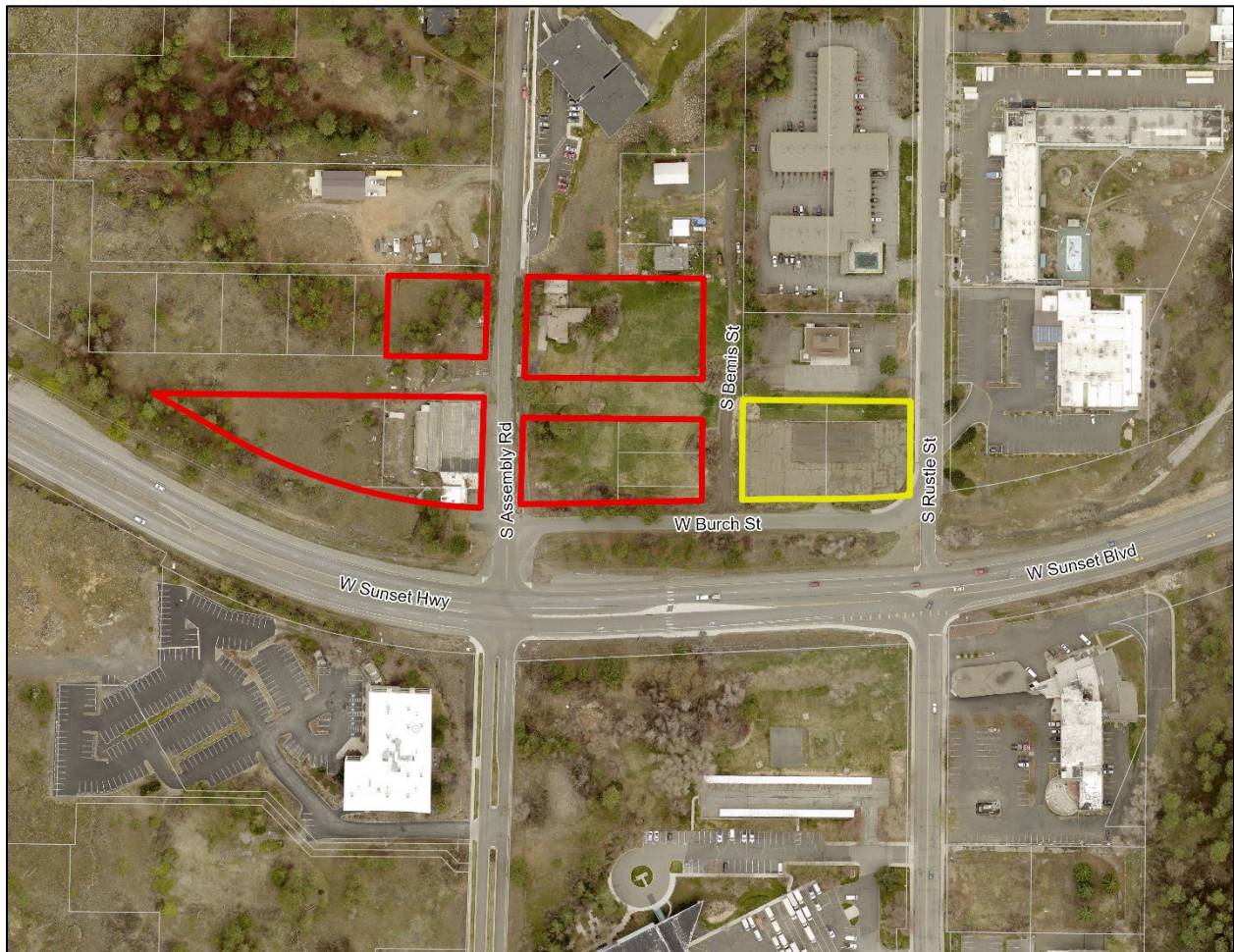


Figure 16: Aerial Overview, File Z23-477COMP – Project shown in yellow.

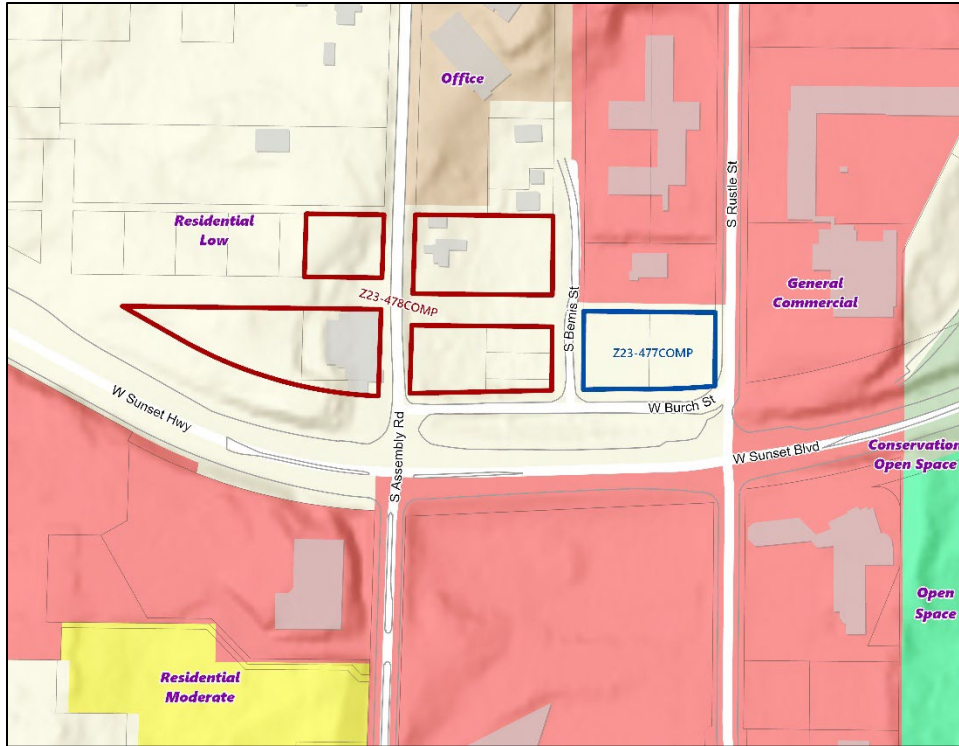


Figure 17: Existing Land Use Plan Map Designation, File Z23-477COMP (Shown in Blue)

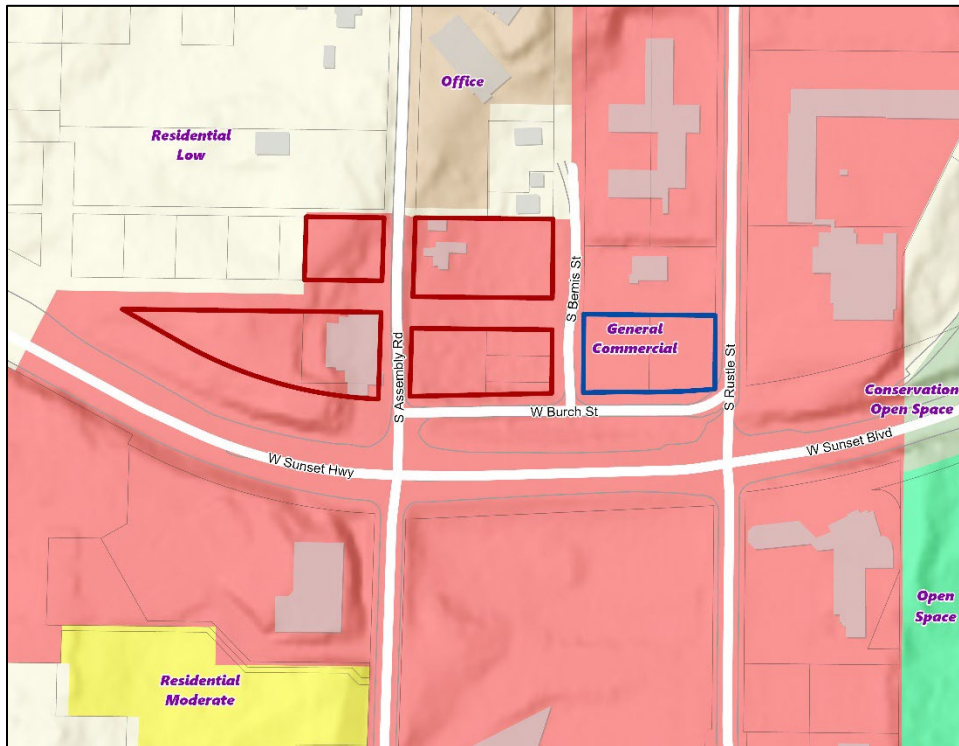


Figure 18: Proposed Land Use Plan Map Designation, File Z23-477COMP (Shown in Blue)

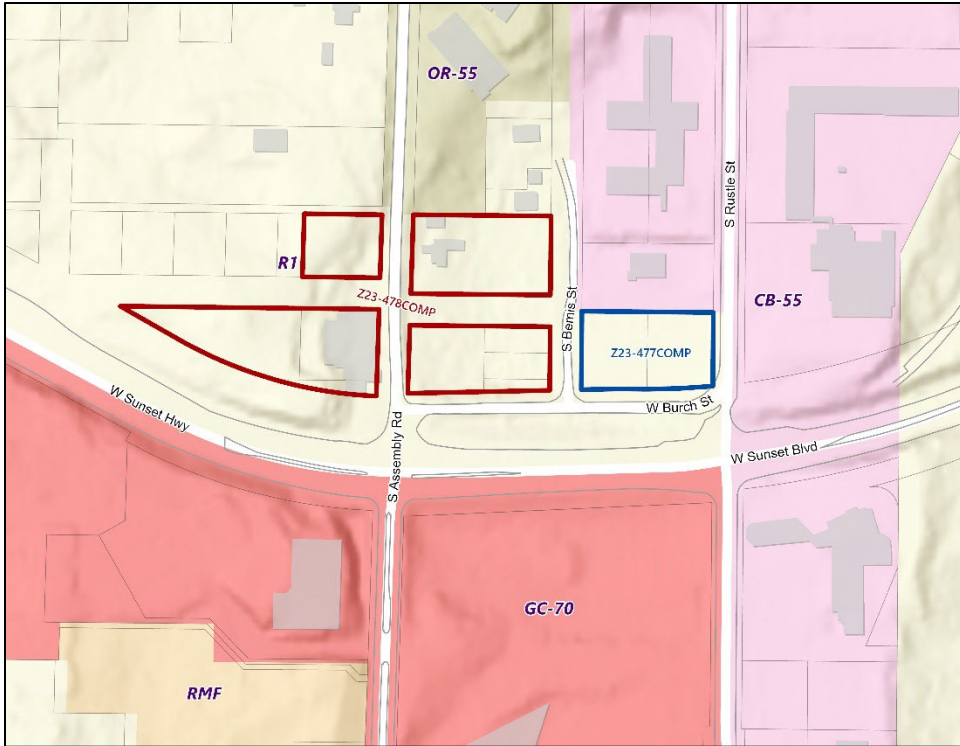


Figure 19: Existing Zoning, File Z23-477COMP (Shown in Blue)

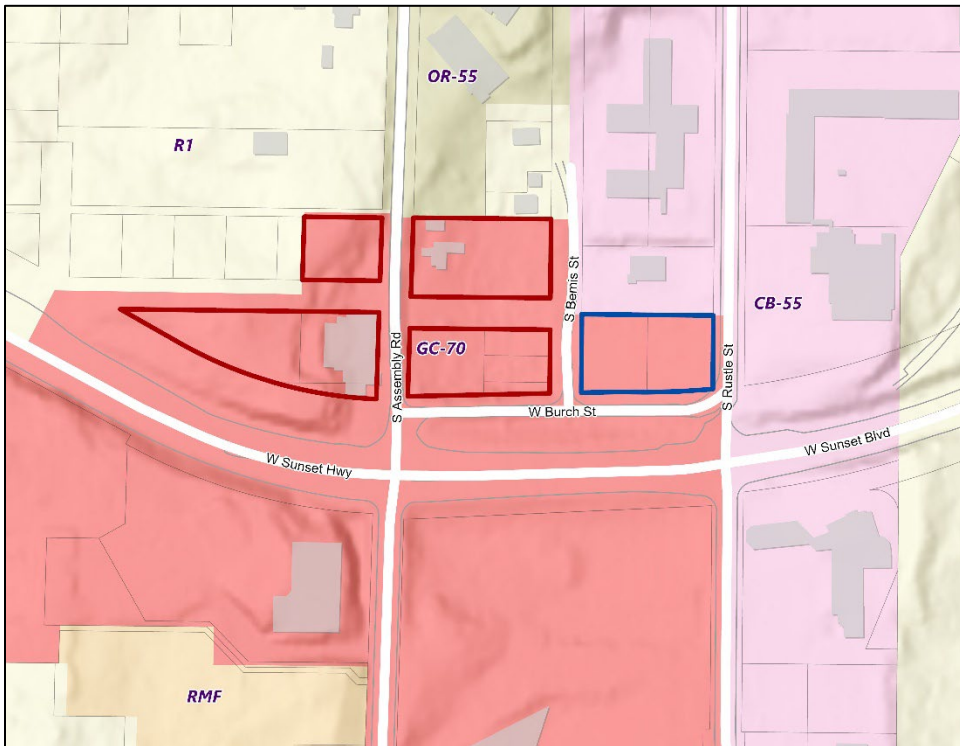


Figure 20: Proposed Zoning, File Z23-477COMP (Shown in Blue)

**File Z23-478COMP – “Assembly & Bemis”**

Applicant: WJL, LLC  
Agent: Land Use Solutions & Entitlement (Dwight Hume)  
Parcels: 25262.0401, 25262.0402, 25262.0403, 25262.0405, 25262.0305,  
25271.0408, 25271.0501, 25271.0502, 25271.0504  
Acres: 3.3  
Existing Land Use Designation: Residential Low  
Proposed Land Use Designation: General Commercial  
Existing Zoning: R1  
Proposed Zoning: GC-70

While this proposal is sited immediately adjacent to the previous (see File Z23-477COMP), the two proposals are unrelated with different owners and agents. This general location includes a large right-of-way for Sunset Boulevard due to terrain that exists between Sunset and the subject parcels. Furthermore, the subject parcels for this proposal are divided by city rights-of-way that have not yet been improved (see map below). Property to the south of Sunset Blvd was the subject of a past Comprehensive Plan Amendment (Ref. File Z17-624COMP, Ord C35689), but is not related to these two proposals in any way.

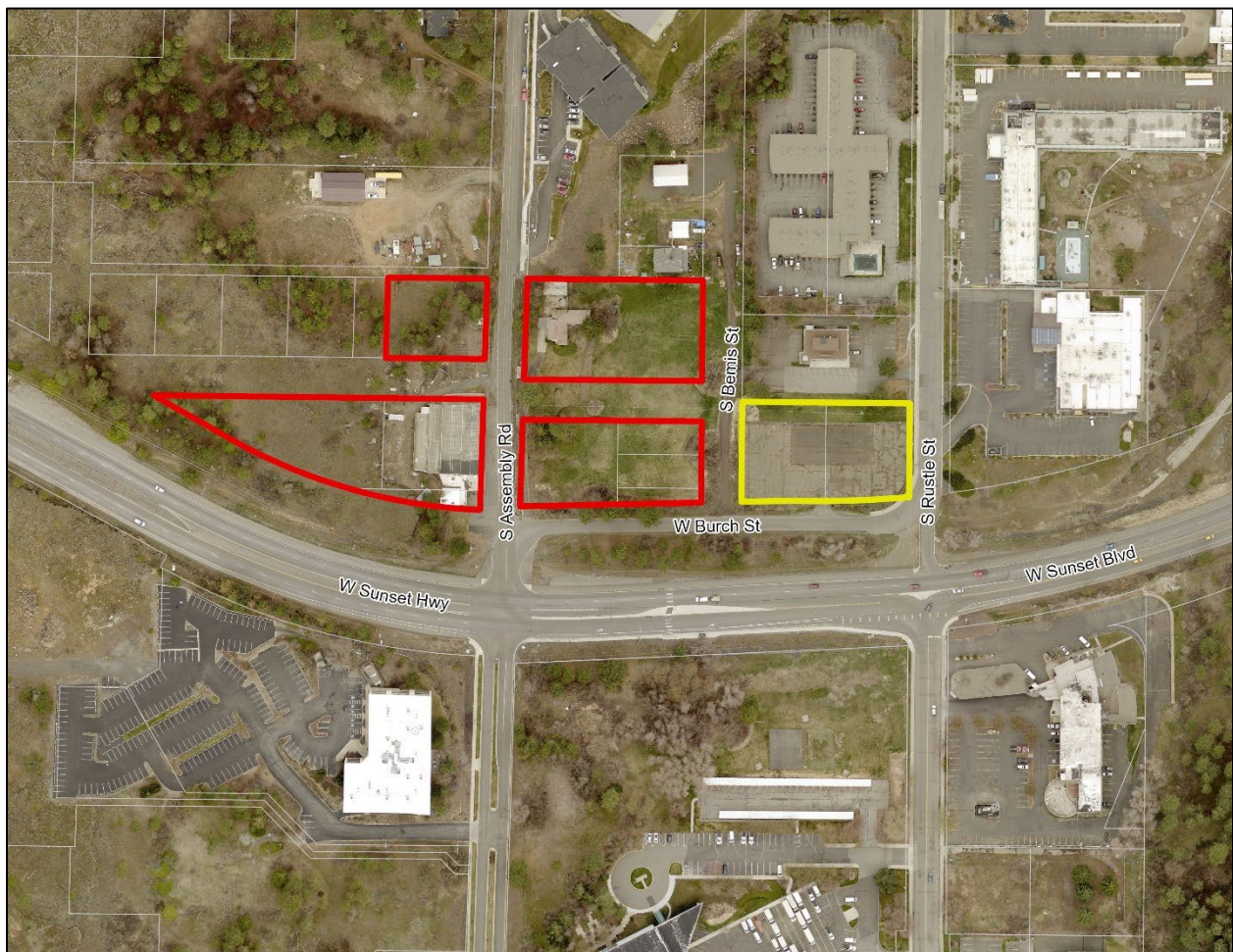


Figure 21: Aerial Overview, File Z23-478COMP – Project shown in red.

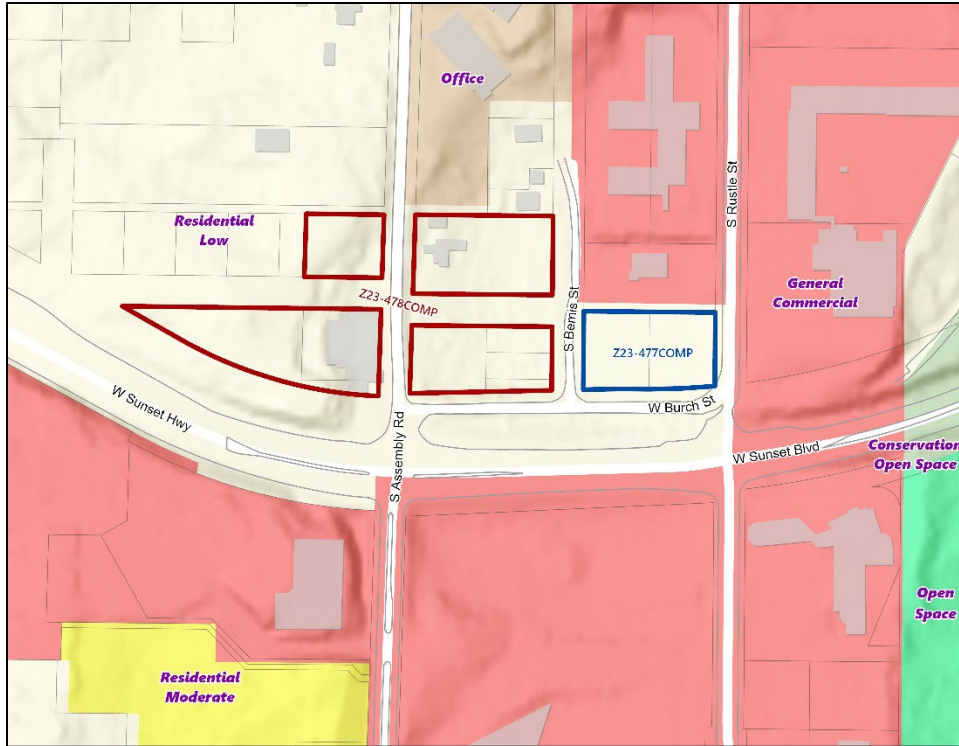


Figure 22: Existing Land Use Plan Map Designation, File Z23-478COMP (Shown in Red)

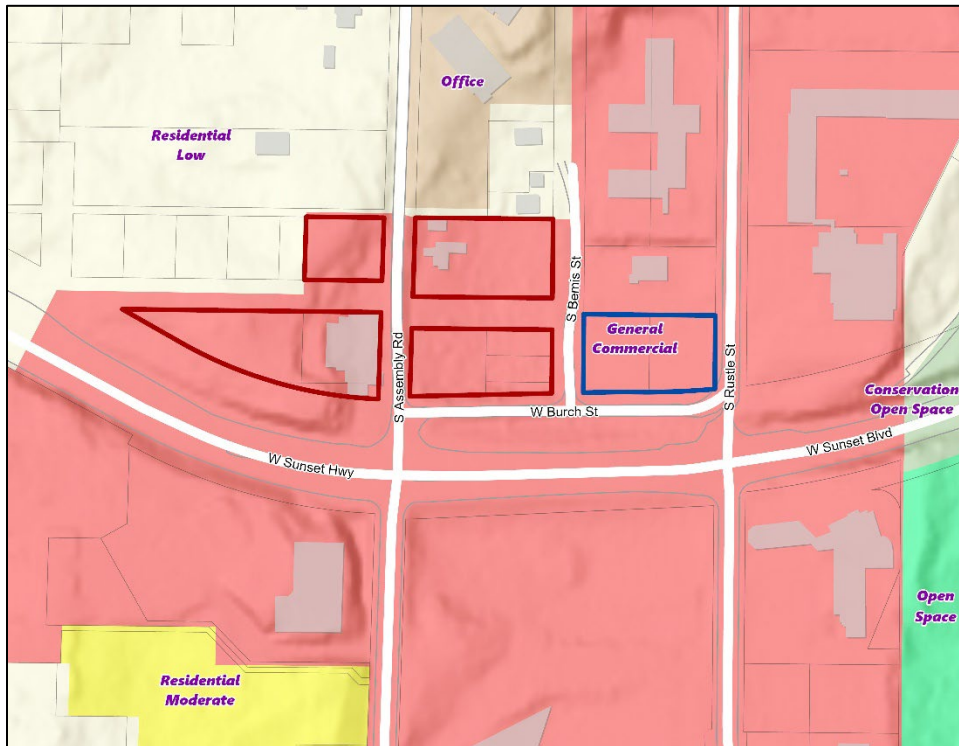


Figure 23: Proposed Land Use Plan Map Designation, File Z23-478COMP (Shown in Red)

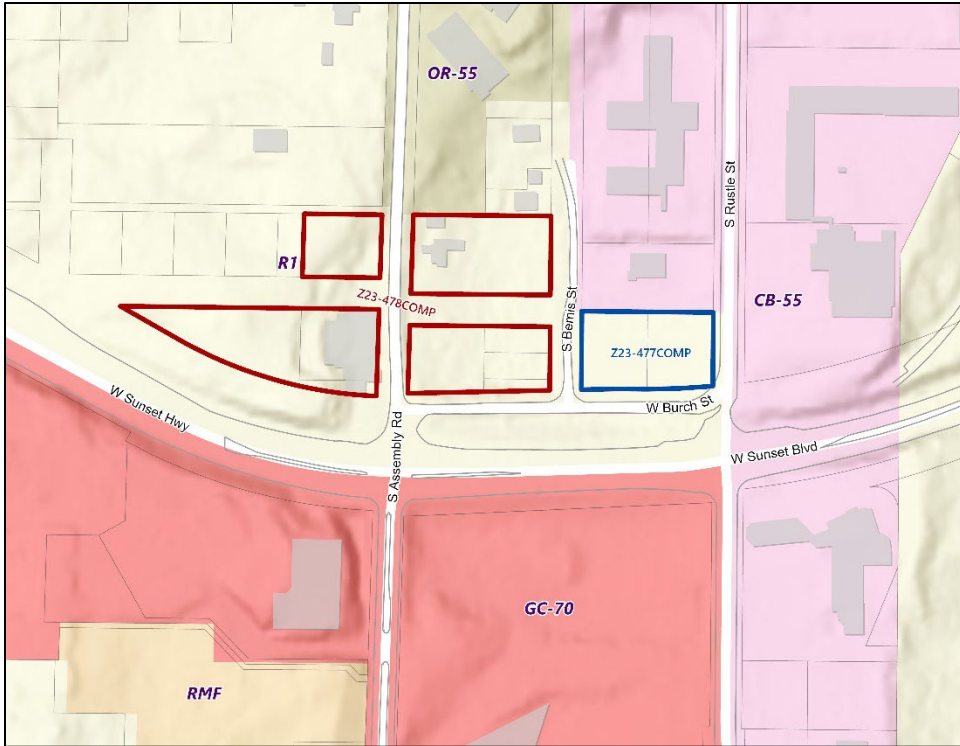


Figure 24: Existing Zoning, File Z23-478COMP (Shown in Red)

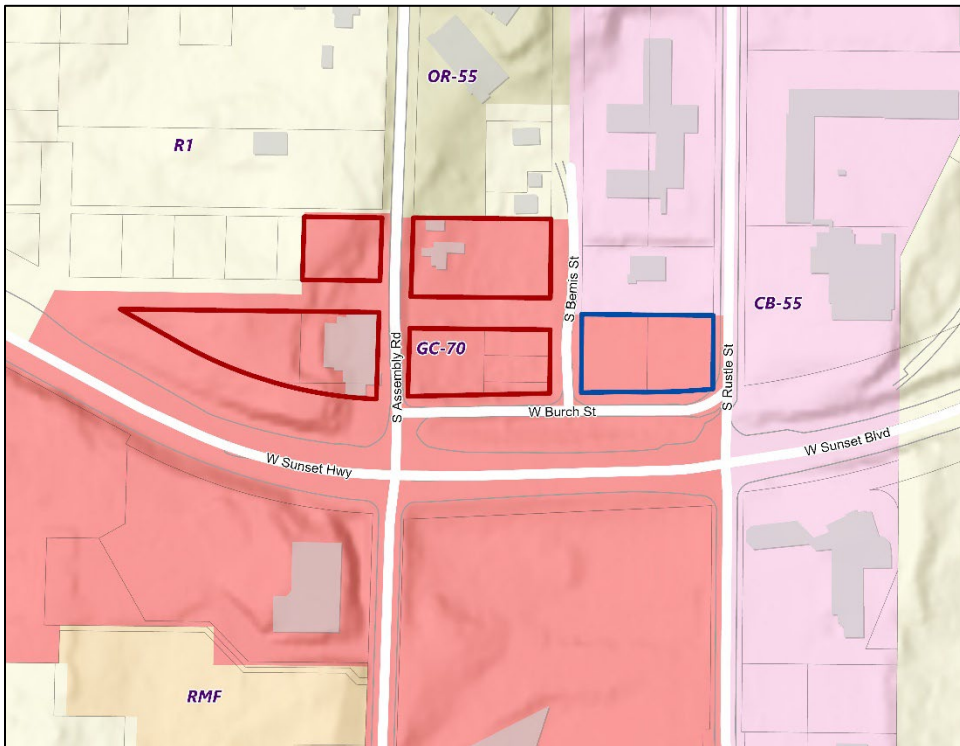


Figure 25: Proposed Zoning, File Z23-478COMP (Shown in Red)

**File Z23-479COMP – “Indian Trail”**

Applicant: Excelsior Wellness  
Agent: Land Use Solutions & Entitlement (Dwight Hume)  
Parcels: 25262.0010, 25262.0018, 25262.0054, 25262.0055, 25262.0046  
Acres: 32.0  
Existing Land Use Designation: Residential Low  
Proposed Land Use Designation: General Commercial, Open Space, Residential Moderate, Residential Low  
Existing Zoning: R1  
Proposed Zoning: CB-55, R1, and RMF

Excelsior Wellness is developing a master plan for the various parcels of this proposal, with various proposed land use plan map designations and zoning. Note that the current proposal is only for a modification of the land use plan map and zoning designation of the site—no master plan is yet proposed nor is any other land use or permit approval under consideration.



Figure 26: Aerial Overview, File Z23-479COMP





Figure 27: Existing Land Use Plan Map Designation, File Z23-479COMP

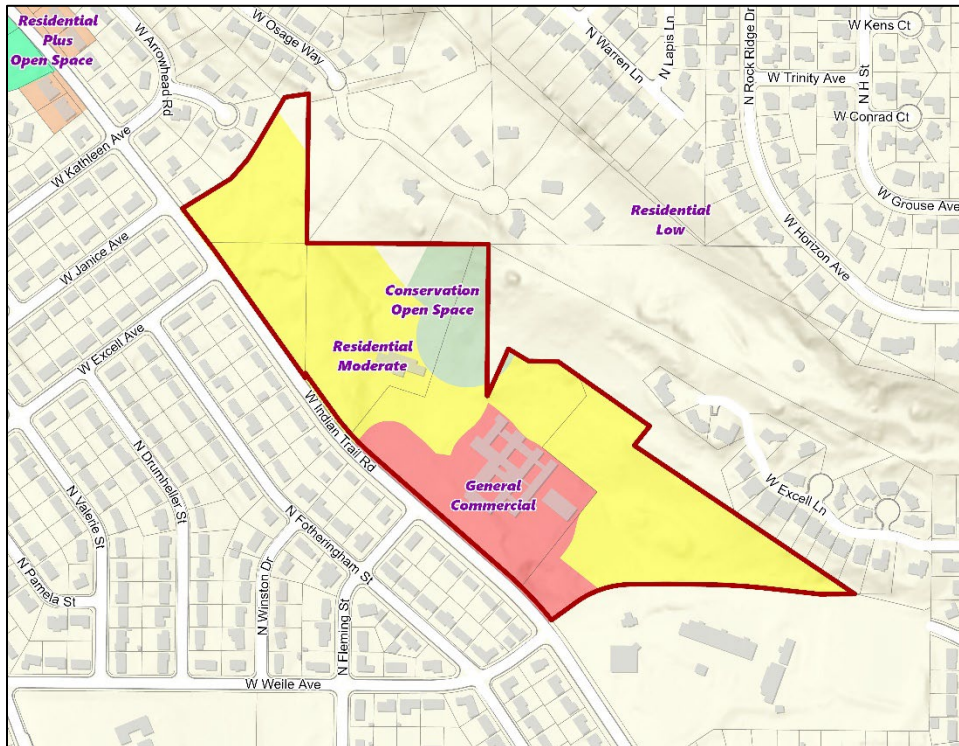


Figure 28: Proposed Land Use Plan Map Designation, File Z23-479COMP



Figure 29: Existing Zoning, File Z23-479COMP

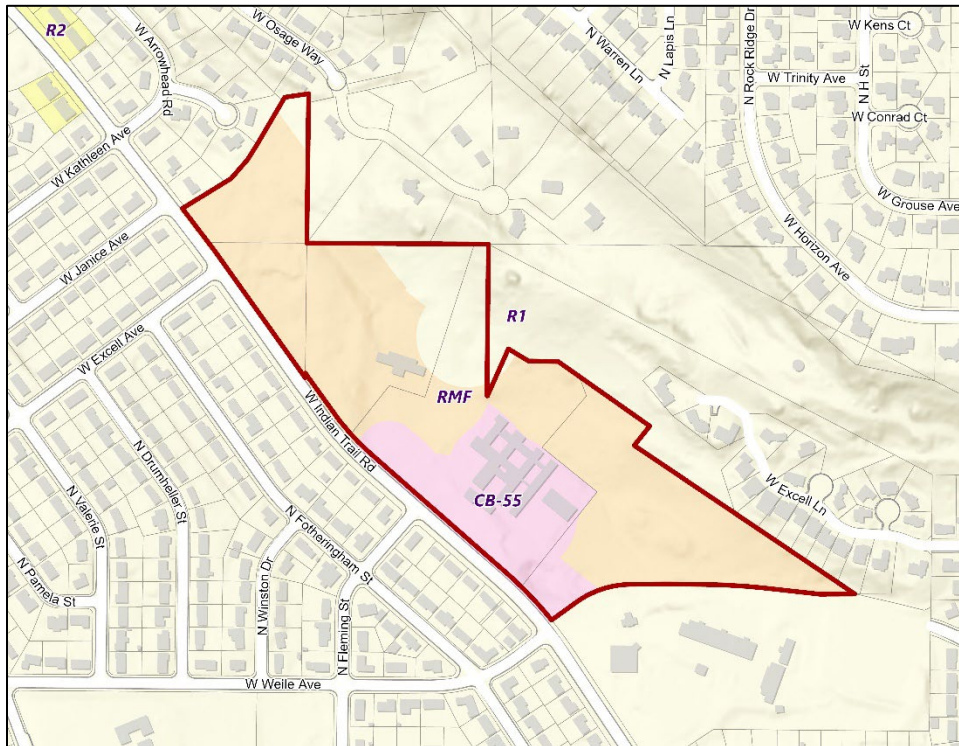


Figure 30: Proposed Zoning, File Z23-479COMP

**Agenda Sheet for City Council:****Committee:** PIES **Date:** 03/18/2024**Committee Agenda type:** Consent**Date Rec'd**

3/6/2024

**Clerk's File #**

RES 2024-0030

**Renews #****Cross Ref #****Council Meeting Date:** 03/25/2024**Submitting Dept**

CITY ATTORNEY

**Project #****Contact Name/Phone**

MICHAEL 6237

**Bid #****Contact E-Mail**

MPICCOLO@SPOKANECITY.ORG

**Requisition #**

PAID THRU

**Agenda Item Type**

Resolutions

**Council Sponsor(s)**

BWILKERSON JBINGLE KKLITZKE

**Agenda Item Name**

5800 SETTLEMENT RESOLUTION (PRESNELL)

**Agenda Wording**

Approving settlement of claim of Tatyanna Presnell for \$300,000.00.

**Summary (Background)**

Ms. Presnell filed a matter in Spokane County Superior Court alleging she was assaulted by former Spokane Police Department Officer Nash in October of 2019.

Lease? NO

Grant related? NO

Public Works? NO

**Fiscal Impact**

Approved in Current Year Budget? YES

Total Cost \$ 300,000.00

Current Year Cost \$

Subsequent Year(s) Cost \$

**Narrative****Amount****Budget Account**

Expense \$ 300,000.00

# 5800-78100-18680-54601

Select \$

#

Select \$

#

Select \$

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\$

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

### Agenda Wording

### Summary (Background)

#### **Approvals**

<b><u>Dept Head</u></b>	PICCOLO, MIKE
-------------------------	---------------

<b><u>Division Director</u></b>	
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<b><u>Accounting Manager</u></b>	BUSTOS, KIM
----------------------------------	-------------

<b><u>Legal</u></b>	PICCOLO, MIKE
---------------------	---------------

<b><u>For the Mayor</u></b>	PICCOLO, MIKE
-----------------------------	---------------

#### **Additional Approvals**

#### **Distribution List**

lsmithson@spokanecity.org	James.Scott@davies-group.com
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ahaile@spokanecity.org	shenry@spokanecity.org
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ddaniels@spokanecity.org	dturin@spokanecity.org
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## Committee Agenda Sheet

### Public Infrastructure, Environment & Sustainability Committee

<b>Committee Date</b>	March 18, 2024
<b>Submitting Department</b>	Legal
<b>Contact Name</b>	Mike Piccolo
<b>Contact Email &amp; Phone</b>	<a href="mailto:mpiccolo@spokanecity.org">mpiccolo@spokanecity.org</a> ; 625-6237
<b>Council Sponsor(s)</b>	CP President Betsy Wilkerson, CM Jonathan Bingle and CM Kitty Klitzke
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion    Time Requested:
<b>Agenda Item Name</b>	Settlement Resolution
<b>Proposed Council Action</b>	<input checked="" type="checkbox"/> Approval to proceed to Legislative Agenda <input type="checkbox"/> Information Only
<b>Summary (Background)</b>	Approving settlement of claims of Tatyanna Presnell. Ms. Presnell filed a matter in Spokane County Superior Court alleging she was sexually assaulted by former Spokane Police Department Officer Nash in October of 2019. Plaintiff claimed injuries in the form of post traumatic stress disorder resulting in lost wages and happiness. Council has been previously briefed on the matter.
<b>Summary (Background)</b>  *use the Fiscal Impact box below for relevant financial information	
<b>Fiscal Impact</b> <b>Approved in current year budget?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Total Cost: <u>300,000</u> Current year cost: Subsequent year(s) cost:	
<b>Narrative:</b> <u>N/a</u>	
<b>Funding Source</b> <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring <input type="checkbox"/> N/A Specify funding source: Select Funding Source* Is this funding source sustainable for future years, months, etc? <a href="#">Click or tap here to enter text.</a>	
<b>Expense Occurrence</b> <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring <input type="checkbox"/> N/A  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?  
N/A

RESOLUTION RE: SETTLEMENT OF  
CLAIMS AGAINST CITY OF SPOKANE

WHEREAS, Tatyanna Presnell, (hereinafter "Plaintiff"), filed a complaint for personal injuries on December 6, 2022, in Spokane County Superior Court, arising out of a sexual assault that occurred on or about October 23, 2019; and

WHEREAS, Plaintiff alleges injury as a result of the actions of the City of Spokane and its employees and asserts financial damages from medical bills, loss of earnings, impairment of earning capacity, other out-of-pocket expenses and other special damages; and

WHEREAS, the City has determined to resolve all differences with Plaintiff and any third parties who may claim a subrogated interest against the City, its officers, agents, employees and contractors, for a payment of THREE HUNDRED THOUSAND DOLLARS (\$300, 000.00).

WHEREAS, Plaintiff has agreed to accept said payment and the terms outlined above, and in return to provide a release of all claims to the City in her underlying lawsuit entitled *Tatyanna Presnell v. City of Spokane*, Cause No. 22-2-04285-32, dismissing her lawsuit as to the City of Spokane with prejudice.

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

That the City of Spokane authorizes that the payment in the amount of THREE HUNDRED THOUSAND DOLLARS (\$300,000.00) be paid to Plaintiff through her counsel. In return the Plaintiff will provide a signed release to the City fully extinguishing all claims in connection with the claim and lawsuit entitled *Tatyanna Presnell v. City of Spokane*, Cause No. 22-2-04285-32, pledging to fully protect and indemnify the City of Spokane, its officers, agents, employees and contractors, against all loss or liability in connection with said claim, and dismissing the lawsuit with prejudice.

PASSED the City Council this \_\_\_\_\_ day of April, 2024.

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

Approved as to form:

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



**Agenda Sheet for City Council:**

**Committee:** Urban Experience **Date:** 03/11/2024

**Committee Agenda type:** Discussion

**Date Rec'd**

3/6/2024

**Clerk's File #**

RES 2024-0031

**Renews #**

**Cross Ref #**

**Council Meeting Date:** 03/25/2024

**Submitting Dept**

CITY COUNCIL

**Project #**

**Contact Name/Phone**

PAUL DILLON 6254

**Bid #**

**Contact E-Mail**

PDILLON@SPOKANECITY.ORG

**Requisition #**

**Agenda Item Type**

Resolutions

**Council Sponsor(s)**

PDILLON ZZAPPONE JBINGLE

**Agenda Item Name**

0320 - ADDRESSING SPOKANE OVERDOSES

**Agenda Wording**

A Resolution adopting a plan to address the fentanyl and opiate overdose crisis in the City of Spokane and declaring that exigent circumstances exist that demand coordination of resources available between the City of Spokane and the State of WA.

**Summary (Background)**

Overdoses in Spokane have increased over the last few years, especially with increased use of fentanyl. This resolution addresses some steps the City can take to work toward a more extensive plan on applying data driven approaches to overdoses, and substance abuse, in the City of Spokane.

Lease? NO

Grant related? NO

Public Works? NO

**Fiscal Impact**

Approved in Current Year Budget? N/A

Total Cost \$

Current Year Cost \$

Subsequent Year(s) Cost \$

**Narrative**

**Amount**

**Budget Account**

Neutral \$

#

Select \$

#

Select \$

#

Select \$

#

\$

#

\$

#





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

**Agenda Wording**

**Summary (Background)**

**Approvals**

**Dept Head**

**Division Director**

**Accounting Manager**

**Legal**

**For the Mayor**

BUSTOS, KIM

PICCOLO, MIKE

**Additional Approvals**

**Distribution List**

amcdaniel@spokanecity.org

cwright@spokanecity.org

## Committee Agenda Sheet

### Urban Experience Committee

<b>Submitting Department</b>	City Council
<b>Contact Name</b>	Paul Dillon
<b>Contact Email &amp; Phone</b>	pdillon@spokanecity.org
<b>Council Sponsor(s)</b>	CM's Dillon, Zappone, and Bingle
<b>Select Agenda Item Type</b>	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion    Time Requested: 5
<b>Agenda Item Name</b>	Resolution Addressing Spokane Overdoses
<b>Summary (Background)</b>  *use the Fiscal Impact box below for relevant financial information	A resolution adopting a plan to address the fentanyl and opiate overdose crisis in the City of Spokane. Overdoses in Spokane have increased over the last few years, especially with increased use of fentanyl. This resolution addresses some steps the City can take to work toward a more extensive plan on applying data driven approaches to overdoses, and substance abuse, in the City of Spokane.
<b>Proposed Council Action</b>	Move resolution to legislative meeting
<b>Fiscal Impact</b>	
Total Cost:	
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: Department's Operating Budget	
Expense Occurrence <input type="checkbox"/> One-time <input type="checkbox"/> Recurring	
Other budget impacts: (revenue generating, match requirements, etc.) N/A	
<b>Operations Impacts (If N/A, please give a brief description as to why)</b>	
Because this is a resolution, no operations impacts. Potentially, could affect data collection/reporting by City Fire and City Police Departments.	
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?	
Could affect data collection/reporting by City Fire and City Police Departments. Currently, data does not contain demographic information, but discussion on that type of reporting is ongoing.	
How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution?	
Data is being requested from several sources: shelters, SPD and SFD. Will also look to the Spokane Regional Health District and request information.	
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? Ultimately, the objective is to decrease the use of illegal and deadly	

substances. This will improve the health and safety of all city residents. In addition, data is helpful for planning social infrastructure planning for the future.

## RESOLUTION NO. 2024-0031

**A Resolution adopting a plan to address the fentanyl and opiate overdose crisis in the City of Spokane and declaring that exigent circumstances exist that demand coordination of resources available between the City of Spokane and the State of Washington, in partnership with community organizations.**

**WHEREAS**, the United States, the State of Washington, and the City of Spokane are facing a drug crisis, with resulting tragedies decimating families and individuals and contributing to extraordinary levels of despair in Spokane communities; and

**WHEREAS**, the U.S. Department of Drug Enforcement (DEA) identifies fentanyl as a potent synthetic opioid drug approximately 100 times more potent than morphine and 50 times more potent than heroin, and these opiate derived substances, categorized as schedule II-controlled substances under RCW 69.50.206, have exacerbated the opioid epidemic; and

**WHEREAS**, the City of Spokane recognizes that drug addiction is a disease, reflecting a commitment to a health-centered approach to this issue; and

**WHEREAS**, the City of Spokane affirms that the circumstances created by the opioid/fentanyl crisis pose a significant risk to public health, safety, and the continuity of essential services by community organizations, supported by the City of Spokane; and

**WHEREAS**, in the City of Spokane, overdose calls have gone up 30% since last year, amounting to 249 overdose calls from January 1 to February 7, an average of 6.4 overdose calls per day, compared to 4.4 in 2023, and 3.3 in 2022; and

**WHEREAS**, seven out of ten Drug Enforcement Administration (DEA) tested pills were found to contain fentanyl, and potentially deadly, making it likely that 'one pill can kill', and in 2023 the DEA seized over 360 million deadly doses of fentanyl; and

**WHEREAS**, in 2023 the Spokane Police Department, with assistance from the FBI Violent Crimes Task Force and the DEA, seized 193,307 illicit fentanyl pills as well as 81 grams of fentanyl powder (which could produce an additional 54,482 pills) making the total approximately 247,789 illicit fentanyl pills seized; and

**WHEREAS**, there exists a substantial likelihood of risk to persons and property unless further efforts are taken to reduce the threat from opiates and fentanyl; and

**WHEREAS**, the use of fentanyl and other opiates continue to spread throughout our city within the housed and unhoused communities, and new and immediate avenues to enhance capabilities, coordination, and collaboration across local, state, tribal, and federal agencies are needed to promote public health and safety; and

**WHEREAS**, in King County, and Snohomish County, Washington, officials provide an overdose dashboard, summarizing fatal drug overdoses, including trends over time, data on decedent characteristics, and geography; (see Overdose deaths data dashboard - King County, Washington; EDAP | Snohomish County, WA - Official Website ([snohomishcountywa.gov](http://snohomishcountywa.gov))) and this model would be instrumental in providing real-time data to Spokane County government entities throughout the region, as well as non-profit organizations and community groups working with affected people; and

**WHEREAS**, the City of Spokane received a letter from Experience Matters, containing the signatures of almost 400 community members, service providers and community organizations, requesting that the City of Spokane declare an emergency due to the alarming increase in fentanyl use, and the effect that use has on the escalating public health crisis, the overwhelmed healthcare system, the toll on emergency responders, and the profound impact fentanyl has on the entire community; and

**WHEREAS**, declarations of emergency at the federal, state, county and city levels can open up additional resources, funding, and assistance to address the fentanyl emergency; and

**WHEREAS**, on Thursday, October 26, 2017, the U.S. President officially declared the opioid crisis a “public health emergency,” adding that the “epidemic is a public health emergency”; and

**WHEREAS**, on October 26, 2017, and after consultation with public health officials as necessary, Eric D. Hargan, Acting Secretary of Health and Human Services, pursuant to the authority under section 319 of the Public Health Service Act, determined that a public health emergency (PHE) exists nationwide; and

**WHEREAS**, the governor of the state of Washington is authorized under RCW 43.06.010 and RCW 43.06.220 to proclaim a State of Emergency after finding that a public disorder, disaster, energy emergency, or riot exists within the state or any part thereof that affects life, health, property, or the public peace.

**NOW, THEREFORE, BE IT RESOLVED**, the Spokane City Council respectively requests that the Governor of the State of Washington declare a state of emergency for the opioid and fentanyl crisis, and open additional resources and authorities to address

the crisis, including increased funding to peer support programs, unfettered access to Naloxone, and education around prevention, education, intervention and treatment; and

**BE IT FURTHER RESOLVED**, that the Spokane City Council respectfully requests that the Washington State Legislature partner with the Governor of Washington to rapidly reassess a response to this crisis; and

**BE IT FURTHER RESOLVED**, the Spokane City Council respectfully requests that the Washington Department of Health add fentanyl overdoses to the list of notifiable conditions in order to improve the public's health through data collection, which will assist with gathering broader health-related patterns, including historical trends, geographic clustering and risk factors; and

**BE IT FURTHER RESOLVED**, the Spokane City Council respectfully requests that the Spokane County Regional Health District endeavor to provide more real-time overdose data, on a dashboard format similar to the sites used by both King and Snohomish Counties; and

**BE IT FURTHER RESOLVED**, the Spokane City Council requests the Mayor direct the Spokane Fire Department and the Spokane Police Department to report on overdose calls, as well as resulting deaths from overdose; and

**BE IT FURTHER RESOLVED**, the Spokane City Council further requests a voluntary monthly report from all shelters serving the unhoused population setting forth the number of demonstrated uses of naloxone in their facilities; and

**BE IT FURTHER RESOLVED**, any monthly data the Spokane City Council receives will be made publicly available during the City Council Public Safety Committee Meeting; and

**BE IT FURTHER RESOLVED**, the Spokane City Council will schedule and coordinate an Opioid and Overdose Town Hall meeting to engage community members, providers, and local leaders to encourage and facilitate a meaningful conversation on ways to decrease the number of fentanyl and opioid overdoses in the City of Spokane.

Passed by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2024.

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City Clerk

Approved as to form:

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Assistant City Attorney

**On page 3, insert four additional recitals to read as follows:**

**WHEREAS**, in 2016 the Washington State Legislature enacted House Bill 1713, later codified in Chapter 71.05 of the Revised Code of Washington and popularly known as “Ricky’s Law,” which provides for the involuntary commitment and treatment of individuals with substance abuse addictions whose addiction constitutes a threat to their individual safety or that of others; and

**WHEREAS**, the intent behind Ricky’s Law is ensure chemical dependency treatment for individuals who are addicted to opioids like fentanyl; and

**WHEREAS**, the generic drug Naloxone, marketed under the name “Narcan,” is a life-saving treatment for fentanyl overdoses that can be easily and readily applied by lay persons who encounter someone experiencing a fentanyl or other opioid overdose; and

**WHEREAS**, the administration of Naloxone is indicative that the individual experiencing a fentanyl or other opioid overdose has an addiction to opioids and has a substance abuse condition that represents a danger to himself or herself.

**On page 3, the following resolution statement be inserted following the third resolution statement:**

**BE IT FURTHER RESOLVED**, that the Spokane City Council respectfully requests that the Washington State Legislature amend RCW 71.05, also known as Ricky’s Law, to provide that the documented administration of Naloxone (also known as Narcan) constitutes a presumption that an individual has a substance abuse addiction that is a danger to himself or herself, and





**Agenda Sheet for City Council:**

**Committee:** Urban Experience **Date:** 03/11/2024

**Committee Agenda type:** Discussion

**Date Rec'd**

2/28/2024

**Clerk's File #**

ORD C36504

**Renews #**

**Cross Ref #**

**Council Meeting Date:** 03/25/2024

**Submitting Dept**

MAYOR

**Project #**

**Contact Name/Phone**

ADAM 509.625.6779

**Bid #**

**Contact E-Mail**

AMCDANIEL@SPOKANECITY.ORG

**Requisition #**

**Agenda Item Type**

First Reading Ordinance

**Council Sponsor(s)**

ZZAPPONE PDILLON KKLITZKE

**Agenda Item Name**

0520-MAYOR'S OFFICE - COMMITTEE UPDATE - LODGING TAX ADVISORY

**Agenda Wording**

This ordinance updates the Lodging Tax Advisory Committee to reflect state law, establish grant frequency, and lists grant evaluation criteria. This committee has not met in over two years.

**Summary (Background)**

The City levies lodging taxes, also known as "hotel/motel taxes," on lodging at hotels, motels, and short-term rentals bed and breakfasts (B&Bs), RV parks, and other housing and lodging accommodations, for periods less than 30 days. The tax is collected as a sales tax and paid by the customer at the time of the transaction, and state law requires revenues from this tax to be used for tourism promotion activities or tourism-related facilities.

Lease? NO Grant related? NO Public Works?

**Fiscal Impact**

Approved in Current Year Budget? YES

Total Cost \$ 112,462

Current Year Cost \$ 112,462

Subsequent Year(s) Cost \$

**Narrative**

While there is no fiscal impact to this ordinance, there is a little over \$400,000 in the Hotel/Motel Lodging Tax Fund to be utilized for lodging tax grants.

**Amount**

**Budget Account**

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



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

**Agenda Wording**

**Summary (Background)**

**Approvals**

Dept Head

Division Director

Accounting Manager

Legal

For the Mayor

**Additional Approvals**

**Distribution List**

amcdaniel@spokanecity.org

jgunn@spokanecity.org

zzappone@spokanecity.org

## Committee Agenda Sheet

### Urban Experience Committee

<b>Committee Date</b>	3/22/2024
<b>Submitting Department</b>	City Council
<b>Contact Name</b>	Adam McDaniel
<b>Contact Email &amp; Phone</b>	<a href="mailto:amcdaniel@spokanecity.org">amcdaniel@spokanecity.org</a>
<b>Council Sponsor(s)</b>	<u>Zappone, Dillon, and Klitzke</u>
<b>Select Agenda Item Type</b>	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion    Time Requested: 5 minutes
<b>Agenda Item Name</b>	Lodging Tax Advisory Committee Update
<b>Proposed Council Action</b>	<input checked="" type="checkbox"/> Approval to proceed to Legislative Agenda <input type="checkbox"/> Information Only
<b>Summary (Background)</b>  *use the Fiscal Impact box below for relevant financial information	<p><b><u>Lodging Tax (Hotel/Motel Tax)</u></b>            The City levies lodging taxes, also known as “hotel/motel taxes,” on lodging at hotels, motels, and short-term rentals bed and breakfasts (B&amp;Bs), RV parks, and other housing and lodging accommodations, for periods less than 30 days. The tax is collected as a sales tax and paid by the customer at the time of the transaction, and <a href="#">state law</a> requires revenues from this tax to be used for tourism promotion activities or tourism-related facilities.</p> <p><b><u>Proposed Ordinance</u></b>            This ordinance updates the Lodging Tax Advisory Committee to reflect state law, establish grant frequency, and lists grant evaluation criteria. This committee has not met in over two years. <b>The Committee members were appointed by the Council on March 4<sup>th</sup>, March 11<sup>th</sup>, and March 18<sup>th</sup>.</b></p> <p><b><u>Section 1 - Establishment</u></b>            Updates the Lodging Tax Advisory Committee to reflect current state law language regarding purpose and scope of the committee.</p> <p><b><u>Section 2 - Membership</u></b></p> <ul style="list-style-type: none"> <li>• Codifies that this committee is appointed annually per state law.</li> <li>• Provides the ability of the Council to add non-voting members to create a larger committee focused on special events. The City of Bellingham has a similar board that includes City employees who help navigate challenges with special events.</li> </ul> <p><b><u>Section 3 – Lodging Tax Advisory Program</u></b></p> <ul style="list-style-type: none"> <li>• Adds evaluative criteria and application requirements per state law.</li> <li>• Establishes that the grants are made biannually. Provides the Council the ability to change award frequency by resolution.</li> </ul>
<b>Fiscal Impact</b> <b>Approved in current year budget?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Total Cost: <u>\$112,462</u> Current year cost: \$112,462 Subsequent year(s) cost:	

**Narrative:** While there is no fiscal impact to this ordinance, there is a little over \$400,000 in the Hotel/Motel Lodging Tax Fund to be utilized for lodging tax grants.

**Funding Source**       One-time       Recurring       N/A

Specify funding source: Taxes

Is this funding source sustainable for future years, months, etc? Yes. The Lodging Tax is levied upon the sale of lodging from hotels, motels, short-term rentals etc.

**Expense Occurrence**       One-time       Recurring       N/A

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

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

What impacts would the proposal have on historically excluded communities?

This ordinance codifies the process for recommending funding to cultural events.

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?

This ordinance does not create specific reporting requirements. Overall lodging tax reporting requirements are governed by [RCW 67.28.1816](#). Internally, the City's program report could include information regarding funding recommendations to cultural events hosted by organizations representing historically excluded communities.

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

Lodging tax reporting requirements are governed by [RCW 67.28.1816](#).

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?

Mayor Brown's Transition Report - ***Make it possible for neighborhood and cultural activities and events to thrive.***

Comprehensive Plan: Social Health – Arts and Cultural Enrichment

ORDINANCE NO C36504

An ordinance altering the Lodging Tax Advisory Committee, creating the Lodging Tax Advisory Program; amending sections 04.30.010 and 04.030.020 of the Spokane Municipal Code, and adding a new section to Chapter 04.30 of the Spokane Municipal Code.

**WHEREAS**, pursuant to RCW 67.28.1816, the City Council established the Lodging Tax Advisory Committee (“LTAC”) to make recommendations for funding of tourism and marketing activities from the lodging excise tax authorized by RCW 67.28.180;

**WHEREAS**, the enabling provisions of the Spokane Municipal Code relating to the lodging excise tax and the Lodging Tax Advisory Committee require updating to reflect state law, and further to establish frequency of grants funded by the lodging excise tax, and to provide grant evaluation criteria.

**NOW, THEREFORE**, the City of Spokane does ordain:

**Section 1.** Section 04.30.010 of the Spokane Municipal Code is amended to read as follows:

**04.30.010 Establishment**

Pursuant to RCW 67.28.1817 there is established a Lodging Tax Advisory Committee. ~~((to review and comment to the city council on any proposal to:~~

- ~~A. increase the rate of,~~  
-
- ~~B. repeal an exemption from, or~~  
-
- ~~C. change the use of revenue received from~~

~~the special excise tax upon the furnishing of lodging authorized by RCW 67.28.180 (the hotel/motel tax).)~~

- A. The Lodging Tax Advisory Committee shall review, comment, and make recommendations to the city council on any proposal to increase the rate of the lodging tax, repeal an exemption from the lodging tax, or change the use of revenue received from the lodging tax as required as in RCW 67.28.1817.
- B. The Committee shall make program recommendations to the city council. The city council shall make the final decision on all lodging tax grants and may adjust recipients and funding levels from the recommendations of the Committee provided the council satisfies the requirements of RCW 67.28.1817.

- C. The Committee may make recommendations to the mayor and city council regarding policies, programs, and projects to enhance tourism and support cultural activities and events throughout the city.

**Section 2.** That Section 04.30.020 of Chapter 04.30 of the Spokane Municipal Code is amended to read as follows:

**04.30.020 Membership**

~~((The))~~ Consistent with RCW 67.28.1817, the Committee consists of seven voting members nominated by the mayor and appointed by the city council annually. The membership is comprised of:

- A. ~~((three))~~ Three representatives of businesses required to collect the tax levied by SMC 08.08.010; and
- B. ~~((three))~~ Three persons involved in activities authorized to be funded by the revenue from the tax levied by SMC 08.08.010; and
- C. ~~((one))~~ One member of the city council, who shall chair the Committee.
- D. The city council may appoint additional members to the Committee who are involved in tourism and cultural activities, including representatives from the City of Spokane. Additional members shall be considered nonvoting members for purposes of any Committee recommendations.
- E. City residence shall not be required for appointment of members appointed pursuant to 04.30.020.A nor for members appointed in nonvoting status.

**Section 4.** There is enacted a new section 04.30.030 to Chapter 04.30 of the Spokane Municipal Code to read as follows:

**04.30.030 Lodging Tax Grant Program**

- A. The Lodging Tax Grant Program is funded by the lodging tax authorized by RCW 67.28 and levied pursuant to SMC 08.08.010.
- B. Lodging tax grants shall be used to support projects that encourage eligible tourist-attracting special events, festivals, and cultural activities or to support tourism facilities in the city of Spokane. Applications for Lodging Tax Grant Program funding must include the following:
  - 1. The total amount of grant funds requested;
  - 2. The budget for the project; and
  - 3. Tourism estimates required by RCW 67.28.1816.

- C. Lodging tax grants are awarded on a biannual basis. The city council may change the frequency of Lodging tax grants by resolution.
- D. Lodging tax grants shall be made on a reimbursement basis, and no funds shall be advanced in support of a project.

**Section 5. 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 6. Clerical Errors.** 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

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

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

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