

CITY OF SPOKANE



REGARDING CITY COUNCIL MEETINGS

City Council's standing committee meetings, Agenda Review Sessions, and Legislative 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 February 3, 2025, 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 February 3, 2025:

3:30 p.m. Agenda Review Session: 1-408-418-9388; access code: 248 249 50291; password: 0320

6:00 p.m. Legislative Session: 1-408-418-9388; access code: 2493 299 6975; password: 0320

To participate in public comment (including Open Forum):

Testimony sign-up is open beginning at 5:00 p.m. on Friday, January 31, 2024, and ending at 6:00 p.m. on Monday, February 3, 2025, 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 February 3, 2025. 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).

THE CITY OF SPOKANE



DRAFT COUNCIL AGENDA

MEETING OF MONDAY, FEBRUARY 3, 2025

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**

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

AGENDA REVIEW AND LEGISLATIVE SESSIONS

Council meetings consist of two parts: The Agenda Review Session (starting at 3:30 P.M.) and the Legislative Session (starting at 6:00 P.M.). The Agenda Review Session is open to the public, but participation is limited to Council Members and appropriate staff. The Legislative Session also is open to the public, and public comment is taken on legislative items (except those that are adjudicatory or solely administrative in nature). Following the conclusion of the Legislative portion of the meeting, an Open Forum is 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 AGENDA REVIEW 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

- Public participation in Council meetings is governed by Council Rules 2.15 and 2.16. A complete copy of the council rules can be found here: [City Council Rules](#).
- 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 name and city of residence as a condition of recognition.
- Persons speaking at the podium shall verbally identify themselves by name, city of residency and, if appropriate, representative capacity.
- Speakers may be provided additional written or verbal instructions to ensure that verbal remarks are electronically recorded. Documents submitted for the record are identified and marked by the Clerk. (If you are submitting paper copies of 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.)
- To ensure that evidence and expressions of opinion are included in the record, and to ensure that decorum befitting a deliberative process is maintained, no modes of expression including but not limited to demonstrations, banners, signs, applause, profanity, vulgar language, or personal insults are 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 testify at Council meetings, including open forum, providing the testimony is in compliance with the City of Spokane Code of Ethics and the staff follow the steps outlined in the City Council Rules of Procedure.

SPEAKING TIME LIMITS: Each person addressing the Council is limited to two minutes of speaking time, except during hearings and items under final consideration by the Council, for which three minutes will be allowed. The chair may allow additional time if the speaker is asked to respond to questions from the Council. Public testimony and consideration of an item may be extended to a subsequent meeting by a majority vote of the Council. Note: No public testimony shall be taken on amendments to consent or legislative agenda items, or solely procedural, parliamentary, or administrative matters of the Council.

CITY COUNCIL AGENDA: The City Council agendas may be obtained prior to Council Meetings by accessing the City's website at <https://my.spokanecity.org/citycouncil/documents/>.

AGENDA REVIEW 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

DRAFT AGENDAS REVIEW (Staff or Council Member briefings and discussion)

APPROVAL BY MOTION OF THE DRAFT AGENDA

CONSIDERATION OF ANY REQUESTS FOR DEFERRAL OF ITEMS ON THE FINAL AGENDA

EXECUTIVE SESSION

(Closed Session of Council)

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

LEGISLATIVE SESSION

(6:00 P.M.)

(Council Reconvenes in Council Chamber)

LAND ACKNOWLEDGEMENT

PLEDGE OF ALLEGIANCE

POETRY AT THE PODIUM, 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)

BOARDS AND COMMISSIONS APPOINTMENTS

(Includes Announcements of Boards and Commissions Vacancies)

APPOINTMENTS

RECOMMENDATION

Arts Commission: Five Reappointments – Kelly Baker, Michael Bethely, Chris Maccini, Audrey Overstreet, and Eva Silverstone	Confirm	CPR 1981-0043
--	---------	---------------

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. Multiple Family Housing Property Tax Exemption Conditional Agreement with No-Jeff Project for the future construction of approximately 38 units at Parcel Numbers 35192.1201 and 35192.1202, commonly known as 115 S. Jefferson Street. The Conditional Agreement will ultimately result in the issuance of a final certificate of tax exemption to be filed with the Spokane County Assessor's Office post construction. (Council Sponsors: Council Members Bingle, Zappone, and Klitzke)
Amanda Beck | Approve | OPR 2025-0039 |
| 2. Report of the Mayor of pending: | Approve & Authorize | |
| a. Claims and payments of previously approved obligations, including those of Parks and Library, through _____, 2025, total \$ _____, with Parks and Library claims | Payments | CPR 2025-0002 |

approved by their respective boards. Warrants excluding Parks and Library total \$_____.

b. Payroll claims of previously approved obligations through _____, 2025: \$_____ CPR 2025-0003

3. a. City Council Meeting Minutes: _____, 2025. Approve All CPR 2025-0013

b. City Council Standing Committee Meeting Minutes: _____, 2025.

LEGISLATIVE AGENDA

SPECIAL BUDGET ORDINANCES

(Require Five Affirmative, Recorded Roll Call Votes)

Ordinance C36638 amending Ordinance No. C36626 passed by the City Council December 9, 2024, and entitled in part "An Ordinance adopting a Biennial Budget for the City of Spokane," making appropriation adjustments for year 2025, and declaring and emergency.

(This action carries over budget authority for 2024 obligated budget items that were not completed at year-end and appropriates various outstanding grants and capital expenditures, thereby amending Ordinance C36638, passed December 9, 2024.)
(Council Sponsors: Council Members Klitzke and Bingle)

Jessica Stratton

NO EMERGENCY ORDINANCES

NO RESOLUTIONS

FINAL READING ORDINANCES

(Require Four Affirmative, Recorded Roll Call Votes)

ORD C36632 (To be considered under Hearings Item H.1.)

ORD C36634 Relating to creating an Alcohol Impact Area within specific boundaries of the City of Spokane; adopting a new Chapter 10.82 of the Spokane Municipal Code. (Council Sponsors: Council President Wilkerson and Council Members Zappone and Dillon) **Maggie Yates / Adam McDaniel**

ORD C36635 Implementing a Community Health Impact Area and public health measures to mitigate the impacts of addiction; adopting a new Division VII and Chapter 10.81 to the Spokane Municipal Code. (Council Sponsors: Council President Wilkerson and Council Members Zappone and Dillon)
Maggie Yates / Adam McDaniel

FIRST READING ORDINANCES

ORD C36636 Amending Ordinance C22382 that vacated Calispel Street from the north line of Cora Avenue to the south line of Glass Avenue, City and County of Spokane, Washington. (Council Sponsors: Council Members Bingle and Navarrete)
Eldon Brown

FURTHER ACTION DEFERRED

NO SPECIAL CONSIDERATIONS

HEARINGS

RECOMMENDATION

<p>H1. Hearing on Final Reading Ordinance C36632 providing for the acquisition by eminent domain of certain lands necessary for water booster pump station in the vicinity of N. Wieber Drive and W. Shawnee Lane, located in the City and County of Spokane, State of Washington. (First Reading deferred to January 27, 2025, Agenda, from the January 13, 2025, Agenda, during the January 13, 2025, 3:30 p.m. Agenda Review Session) (Council Sponsors: Council President Wilkerson and Council Members Bingle and Klitzke) Dan Buller</p>	<p>Hold Hearing/ Then Close/ Pass Upon Roll Call Vote</p>	<p>ORD C36632</p>
---	---	-------------------

OPEN FORUM

At the conclusion of legislative business, the Council may recess briefly and then convene an open public comment period for up to twenty (20) speakers, unless a majority of council members vote otherwise. If more than twenty (20) people sign up for open forum, 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 the calendar month. Each speaker is limited to no more than two (2) 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. 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 final or draft 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.

Motion to Approve Draft Agenda for February 3, 2025 (per Council Rule 2.1.B)

ADJOURNMENT

The February 3, 2025, Regular Legislative Session of the City Council is adjourned to February 10, 2025.

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

NOTES



Agenda Sheet for City Council:

Committee: Date: N/A

Committee Agenda type:

Council Meeting Date: 02/03/2025

Date Rec'd	1/10/2025
Clerk's File #	CPR 1981-0043
Cross Ref #	
Project #	

Submitting Dept	MAYOR
Contact Name/Phone	ADAM 6779
Contact E-Mail	AMCDANIEL@SPOKANECITY.ORG
Agenda Item Type	Boards and Commissions

Bid #	
Requisition #	

Council Sponsor(s)

Sponsoring at Administrators Request NO

Lease? NO **Grant Related?** NO **Public Works?** NO

Agenda Item Name REAPPOINTMENT OF KELLY BAKER TO THE ARTS COMMISSION

Agenda Wording

Mayor Brown has reappointed Kelly Baker to the Arts Commission for a term of February 3, 2025 - February 3, 2028.

Summary (Background)

The Spokane Arts Commission is a 16-member, all-volunteer board that promotes and enhances the quality, accessibility and presence of arts and culture. The Arts Commission serves a dual role as an advisory board to Spokane Arts (which is a 501(c)(3) nonprofit) while also advising the city of Spokane on arts policy. The activities of art commissioners vary widely but include serving on public art juries alongside community members, planning the annual Arts Awards, developing new events or programs to engage the wider community in the arts, and advocating for the arts at the city or state level.

What impacts would the proposal have on historically excluded communities?

N/A

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

N/A

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

N/A

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

This appointment aligns with the requirements of SMC 04.05.020.

Council Subcommittee Review

Fiscal Impact	
Approved in Current Year Budget? N/A	
Total Cost	\$
Current Year Cost	\$
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
Amount	Budget Account
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source	
Funding Source Type Select	
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	
Dept Head	SCOTT, ALEXANDER
Division Director	
Accounting Manager	
Legal	
For the Mayor	SCOTT, ALEXANDER
Distribution List	
	amcdaniel@spokanecity.org

**Agenda Sheet for City Council:****Committee:** **Date:** N/A**Committee Agenda type:****Council Meeting Date:** 02/03/2025

Date Rec'd		1/10/2025
Clerk's File #		CPR 1981-0043
Cross Ref #		
Project #		
Submitting Dept	MAYOR	Bid #
Contact Name/Phone	ADAM 6779	Requisition #
Contact E-Mail	AMCDANIEL@SPOKANECITY.ORG	
Agenda Item Type	Boards and Commissions	
Council Sponsor(s)		
Sponsoring at Administrators Request		NO
Lease? NO	Grant Related? NO	Public Works? NO
Agenda Item Name	REAPPOINTMENT OF MICHAEL BETHELY TO THE ARTS COMMISSION	

Agenda Wording

Mayor Brown has reappointed Michael Bethely to the Arts Commission for a term of February 3, 2025 - February 3, 2028.

Summary (Background)

The Spokane Arts Commission is a 16-member, all-volunteer board that promotes and enhances the quality, accessibility and presence of arts and culture. The Arts Commission serves a dual role as an advisory board to Spokane Arts (which is a 501(c)(3) nonprofit) while also advising the city of Spokane on arts policy. The activities of art commissioners vary widely but include serving on public art juries alongside community members, planning the annual Arts Awards, developing new events or programs to engage the wider community in the arts, and advocating for the arts at the city or state level.

What impacts would the proposal have on historically excluded communities?

N/A

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

N/A

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

N/A

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

This appointment aligns with the requirements of SMC 04.05.020.

Council Subcommittee Review

Fiscal Impact	
Approved in Current Year Budget?	
Total Cost	\$
Current Year Cost	\$
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
Amount	Budget Account
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source	
Funding Source Type	Select
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	Additional Approvals
<u>Dept Head</u>	SCOTT, ALEXANDER
<u>Division Director</u>	
<u>Accounting Manager</u>	
<u>Legal</u>	
<u>For the Mayor</u>	SCOTT, ALEXANDER
Distribution List	
	amcdaniel@spokanecity.org



Agenda Sheet for City Council:

Committee: **Date:** N/A

Committee Agenda type:

Council Meeting Date: 02/03/2025

Date Rec'd	1/10/2025
Clerk's File #	CPR 1981-0043
Cross Ref #	
Project #	

Submitting Dept	MAYOR	Bid #	
Contact Name/Phone	ADAM 6779	Requisition #	
Contact E-Mail	AMCDANIEL@SPOKANECITY.ORG		
Agenda Item Type	Boards and Commissions		

Council Sponsor(s)

Sponsoring at Administrators Request NO

Lease? NO **Grant Related?** NO **Public Works?** NO

Agenda Item Name REAPPOINTMENT OF CHRIS MACCINI TO THE ARTS COMMISSION

Agenda Wording

Mayor Brown has reappointed Chris Maccini to the Arts Commission for a term of February 3, 2025 - February 3, 2028.

Summary (Background)

The Spokane Arts Commission is a 16-member, all-volunteer board that promotes and enhances the quality, accessibility and presence of arts and culture. The Arts Commission serves a dual role as an advisory board to Spokane Arts (which is a 501(c)(3) nonprofit) while also advising the city of Spokane on arts policy. The activities of art commissioners vary widely but include serving on public art juries alongside community members, planning the annual Arts Awards, developing new events or programs to engage the wider community in the arts, and advocating for the arts at the city or state level.

What impacts would the proposal have on historically excluded communities?

N/A

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

N/A

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

N/A

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

This appointment aligns with the requirements of SMC 04.05.020.

Council Subcommittee Review

Fiscal Impact	
Approved in Current Year Budget? N/A	
Total Cost	\$
Current Year Cost	\$
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
Amount	Budget Account
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source	
Funding Source Type Select	
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	
Dept Head	SCOTT, ALEXANDER
Division Director	
Accounting Manager	
Legal	
For the Mayor	SCOTT, ALEXANDER
Distribution List	
	amcdaniel@spokanecity.org



Agenda Sheet for City Council:

Committee: **Date:** N/A

Committee Agenda type:

Council Meeting Date: 02/03/2025

Date Rec'd	1/10/2025
Clerk's File #	CPR 1981-0043
Cross Ref #	
Project #	
Bid #	
Requisition #	

Submitting Dept	MAYOR
Contact Name/Phone	ADAM 6779
Contact E-Mail	AMCDANIEL@SPOKANECITY.ORG
Agenda Item Type	Boards and Commissions

Council Sponsor(s)

Sponsoring at Administrators Request NO

Lease? NO **Grant Related?** NO **Public Works?** NO

Agenda Item Name REAPPOINTMENT OF AUDREY OVERSTREET TO THE ARTS COMMISSION

Agenda Wording

Mayor Brown has reappointed Audrey Overstreet to the Arts Commission for a term of February 3, 2025 - February 3, 2028.

Summary (Background)

The Spokane Arts Commission is a 16-member, all-volunteer board that promotes and enhances the quality, accessibility and presence of arts and culture. The Arts Commission serves a dual role as an advisory board to Spokane Arts (which is a 501(c)(3) nonprofit) while also advising the city of Spokane on arts policy. The activities of art commissioners vary widely but include serving on public art juries alongside community members, planning the annual Arts Awards, developing new events or programs to engage the wider community in the arts, and advocating for the arts at the city or state level.

What impacts would the proposal have on historically excluded communities?

N/A

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

N/A

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

N/A

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

This appointment aligns with the requirements of SMC 04.05.020.

Council Subcommittee Review

Fiscal Impact	
Approved in Current Year Budget?	
Total Cost	\$
Current Year Cost	\$
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
Amount	Budget Account
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source	
Funding Source Type	Select
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	Additional Approvals
<u>Dept Head</u>	SCOTT, ALEXANDER
<u>Division Director</u>	
<u>Accounting Manager</u>	
<u>Legal</u>	
<u>For the Mayor</u>	SCOTT, ALEXANDER
Distribution List	



Agenda Sheet for City Council:

Committee: **Date:** N/A

Committee Agenda type:

Council Meeting Date: 02/03/2025

Date Rec'd	1/10/2025
Clerk's File #	CPR 1981-0043
Cross Ref #	
Project #	

Submitting Dept	MAYOR
Contact Name/Phone	ADAM 6779
Contact E-Mail	AMCDANIEL@SPOKANECITY.ORG
Agenda Item Type	Boards and Commissions

Bid #	
Requisition #	

Council Sponsor(s)

Sponsoring at Administrators Request NO

Lease? NO **Grant Related?** NO **Public Works?** NO

Agenda Item Name REAPPOINTMENT OF EVA SILVERSTONE TO THE ARTS COMMISSION

Agenda Wording

Mayor Brown has reappointed Eva Silverstone to the Arts Commission for a term of February 3, 2025 - February 3, 2028.

Summary (Background)

The Spokane Arts Commission is a 16-member, all-volunteer board that promotes and enhances the quality, accessibility and presence of arts and culture. The Arts Commission serves a dual role as an advisory board to Spokane Arts (which is a 501(c)(3) nonprofit) while also advising the city of Spokane on arts policy. The activities of art commissioners vary widely but include serving on public art juries alongside community members, planning the annual Arts Awards, developing new events or programs to engage the wider community in the arts, and advocating for the arts at the city or state level.

What impacts would the proposal have on historically excluded communities?

N/A

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

N/A

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

N/A

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

This appointment aligns with the requirements of SMC 04.05.020.

Council Subcommittee Review

Fiscal Impact	
Approved in Current Year Budget? N/A	
Total Cost	\$
Current Year Cost	\$
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
Amount	Budget Account
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source	
Funding Source Type Select	
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	
Dept Head	SCOTT, ALEXANDER
Division Director	
Accounting Manager	
Legal	
For the Mayor	SCOTT, ALEXANDER
Distribution List	
	amcdaniel@spokanecity.org

**Agenda Sheet for City Council:****Committee:** Urban Experience **Date:** 01/13/2025**Committee Agenda type:** Consent**Date Rec'd**

12/18/2024

Clerk's File #

OPR 2025-0039

Cross Ref #**Project #****Council Meeting Date:** 02/03/2025**Submitting Dept**

PLANNING & ECONOMIC

Bid #**Contact Name/Phone**

AMANDA BECK 6414

Requisition #**Contact E-Mail**

ABECK@SPOKANECITY.ORG

Agenda Item Type

Contract Item

Council Sponsor(s)

JBINGLE ZZAPPONE KKLITZKE

Sponsoring at Administrators Request

NO

Lease? NO**Grant Related?** NO**Public Works?** NO**Agenda Item Name**

0650 - MULTI-FAMILY TAX EXEMPTION (MFTE) CONDITIONAL AGREEMENT

Agenda Wording

Multiple Family Housing Property Tax Exemption Conditional Agreement with No-Jeff Project, for the future construction of approximately 38 units, at Parcel Number(s) 35192.1201 and 35192.1202 commonly known as 115 S JEFFERSON ST SPOKANE, WA

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.

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;

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

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

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

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

Fiscal Impact	
Approved in Current Year Budget? N/A	
Total Cost	\$
Current Year Cost	\$
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
The Mutli-Family Tax Exemption program has no direct impact on City revenues or expenses.	
Amount	
Select	\$
Select	\$
Select	\$
Select	\$
Select	\$
Select	\$
Budget Account	
	#
	#
	#
	#
	#
	#
Funding Source N/A	
Funding Source Type Select	
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence N/A	
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	
<u>Dept Head</u>	GARDNER, SPENCER
<u>Division Director</u>	MACDONALD, STEVEN
<u>Accounting Manager</u>	ZOLLINGER, NICHOLAS
<u>Legal</u>	HARRINGTON,
<u>For the Mayor</u>	PICCOLO, MIKE
Distribution List	
Chris Batten - chris@rencorprealty.com	eraedc@spokanecity.org
tstripes@spokanecity.org	abeck@spokanecity.org
ekingspokanecity.org	



PLANNING & ECONOMIC DEVELOPMENT

MFTE Committee Briefing Paper

Urban Experience

Submitting Department	Planning and Economic Development
Contact Name & Phone	Amanda Beck, 509-625-6414
Contact Email	abeck@spokanecity.org
Council Sponsor(s)	
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested: _____
Agenda Item Name	0650 – Multi-Family Tax Exemption (MFTE) Conditional Agreement
Summary (Background)	<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 08.15 Multiple-family Housing Property Tax Exemption outlines the City of Spokane MFTE Program and project eligibility.</p> <p>Staff has determined that the No-Jeff project Conditional application meets the Project Eligibility defined in SMC 08.15.040 and is located in a previously adopted Residential Target Areas identified in SMC 08.15.030.</p> <p>Once the project is constructed, the applicant intends to finalize as a .</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>
Proposed Council Action & Date:	<p>Approve the MFTE Conditional Agreement for the <u>No-Jeff project</u> at _____ City Council Meeting.</p> <p>Project Details: The applicant applied for a Conditional MFTE Agreement for 0 units, at <u>115 S JEFFERSON ST SPOKANE, WA</u></p> <ul style="list-style-type: none"> Property is zoned DTG and the proposed use is allowed. Estimated Construction Costs: 800000 Located in the Riverside neighborhood.
Fiscal Impact:	
Approved in current year budget?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Total Cost: \$0	
Current year cost:	
Subsequent year(s) cost:	
Narrative:	<u>The Mutli-Family Tax Exemption program has no direct impact on City revenues or expenses.</u>
Funding Source	<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
--------------------	-----------------------------------	------------------------------------	---

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 No-Jeff LLC, as “Owner/Taxpayer” whose business address is 827 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:

RAILROAD ADD L1 B19 and RAILROAD ADD L2 B19.

Assessor’s Parcel Number(s) **35192.1201 and 35192.1202**, commonly known as **115 S JEFFERSON ST and 1121 W 1ST AVE, SPOKANE, WA.**

WHEREAS, this property is located in the **Spokane Target Investment Area**, and is eligible to seek a Final Certificate of Tax Exemption post construction under the **12-yr Affordable Rentals (requires 30% of units to be income and rent restricted)** 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 **38** 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 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 _____ 2024

CITY OF SPOKANE

By:

Interim City Administrator, Garrett Jones

Attest:

City Clerk

No-Jeff LLC

By:

Its:

Approved as to form:

Assistant City Attorney

**Agenda Sheet for City Council:****Committee:** Finance & Administration **Date:** 01/27/2025**Committee Agenda type:** Discussion**Date Rec'd**

1/14/2025

Clerk's File #

ORD C36638

Cross Ref #**Project #****Council Meeting Date:** 02/03/2025**Submitting Dept**

FINANCE, TREASURY & ADMIN

Bid #**Contact Name/Phone**

JESSICA 625-6369

Requisition #**Contact E-Mail**

JSTRATTON@SPOKANECITY.ORG

Agenda Item Type

Special Budget Ordinance

Council Sponsor(s)

KKLITZKE JBINGLE

Sponsoring at Administrators Request

NO

Lease? NO**Grant Related?** NO**Public Works?** YES**Agenda Item Name**

0410 - SPECIAL BUDGET ORDINANCE – ANNUAL ENCUMBRANCE CARRYOVER

Agenda Wording

The result of the process is a Special Budget Ordinance (SBO) for City Council action at the February 3, 2025 meeting. The review of the encumbrances will begin January 17, 2025 and the preparation of the SBO is anticipated to take approximately two weeks.

Summary (Background)

Following the close of Accounting's Period 13 for 2024, Finance staff will review all 2024 encumbrances citywide and identify valid encumbrances that will need budget authority carried forward into the 2025 budget. For some funds, including ARPA, this means nothing can be spent until this process is completed. Amount will be identified near January 30, 2025 after a hurried two week process shared between Accounting and Finance. Once identified, a memo will be prepared for review. For context, the five year average for the encumbrance carryover SBO has averaged approximately \$141.4 million across all City funds. The City's General Fund portion has averaged approximately \$3.3 million over the same period.

What impacts would the proposal have on historically excluded communities?

N/A - Recurring annual budget process

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 - Recurring annual budget process

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

N/A - Recurring annual budget process

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?

It allows all processes that hinge on funding to continue unimpeded.

Council Subcommittee Review

Fiscal Impact			
Approved in Current Year Budget? NO			
Total Cost		\$ To be determined	
Current Year Cost		\$	
Subsequent Year(s) Cost		\$	
<u>Narrative</u>			
Amount will be identified near January 30, 2025 after a hurried two week process shared between Accounting and Finance.			
Amount		Budget Account	
Select	\$	#	
Select	\$	#	
Select	\$	#	
Select	\$	#	
Select	\$	#	
Select	\$	#	
Funding Source One-Time			
Funding Source Type Reserves			
Is this funding source sustainable for future years, months, etc?			
Expense Occurrence		One-Time	
Other budget impacts (revenue generating, match requirements, etc.)			
Approvals		Additional Approvals	
Dept Head	STRATTON, JESSICA	MANAGEMENT &	STRATTON, JESSICA
Division Director	STRATTON, JESSICA		
Accounting Manager	BAIRD, CHRISTI		
Legal	SCHOEDEL, ELIZABETH		
For the Mayor	PICCOLO, MIKE		
Distribution List			
jstratton@spokanecity.org		mboston@spokanecity.org	
cbaird@spokanecity.org		ehaugen@spokanecity.org	

Council Briefing Paper

Public Infrastructure, Environment & Sustainability Committee

Committee Date	1/23/2025
Submitting Department	0410-Finance
Contact Name	Jessica Stratton
Contact Email & Phone	jstratton@spokanecity.org , x6369
Council Sponsor(s)	Klitzke & Bingle
Select Agenda Item Type	<input checked="" type="checkbox"/> Discussion Time Requested: 5min
Agenda Item Name	Special Budget Ordinance – Annual Encumbrance Carryover
Grant Item	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Proposed Council Action	<input checked="" type="checkbox"/> Approval to proceed to Legislative Agenda
<p>Summary</p> <p>What is the specific purpose or need for the budget adjustment?</p> <p>What changes or developments have triggered this request?</p>	<p><u>Background</u></p> <p>The annual encumbrance carryover process moves expenditure authority for goods or services, encumbered but unspent in the prior fiscal year, into the current fiscal year and is covered under RCW 35.33.151. Additionally, during this annual process if it is discovered that funds were unable to be properly encumbered for various reasons, including a bid window still being open at year’s end, items will be selected for re-budget.</p> <p>The carryover process applies to any good or service ordered prior to December 31 of the most recent fiscal year which has not had final payment and needs budget authority carried forward into the current fiscal year to complete the transaction. Contracts, grants, and capital projects can also be encumbered through an executed contract signed by all parties involved and received by the City Clerk’s Office prior to December 31.</p> <p><u>Summary</u></p> <p>Following the close of Accounting’s Period 13 for 2024, Finance staff will review all 2024 encumbrances citywide and identify valid encumbrances that will need budget authority carried forward into the 2025 budget. The result of the process is a Special Budget Ordinance (SBO) for City Council action at the February 3, 2025 meeting. The review of the encumbrances will begin January 17, 2025 and the preparation of the SBO is anticipated to take approximately two weeks. For some funds, including ARPA, this means nothing can be spent until this process is completed.</p> <p>Amount will be identified near January 30, 2025 after a hurried two week process shared between Accounting and Finance. Once identified, a memo will be prepared for review. For context, the five year average for the encumbrance carryover SBO has averaged approximately \$141.4 million across all City funds. The City’s General Fund portion has averaged approximately \$3.3 million over the same period.</p>
<p>Fiscal Impact</p> <p>Approved in current year budget? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A</p>	

Total Cost: To Be Determined

Current year cost:

Subsequent year(s) cost:

Funding Source One-time Recurring N/A

Specify funding source: Reserves

Is this funding source sustainable for future years, months, etc? [Click or tap here to enter text.](#)

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 are the net impacts this adjustment will have on the specifically affected line items?
With carried over budget authority, unexpended appropriations will be able to be settled without eating into the 2025 budget.
- What operational changes will occur because of this adjustment?
With carried over budget authority, operations should be able to carry on unimpeded.
- What are the potential risks or consequences of not approving the budget adjustment?
Grants, capital projects and other unexpended appropriations would eat into the 2025 budget which could dramatically impede operations and associated outcomes.
- 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?
It allows all processes that hinge on funding to continue unimpeded.

What current racial and other inequities might this special budget ordinance address?

n/a – recurring annual budget process

ORDINANCE NO C36638

AN ORDINANCE AMENDING ORDINANCE NO. C36626, PASSED BY THE CITY COUNCIL ON DECEMBER 9, 2024, AND ENTITLED IN PART "AN ORDINANCE ADOPTING A BIENNIAL BUDGET FOR THE CITY OF SPOKANE," MAKING APPROPRIATION ADJUSTMENTS FOR YEAR 2025, AND DECLARING AN EMERGENCY.

WHEREAS, at the end of the 2024 fiscal year there were various unexpended appropriations for uncompleted programs, improvements in progress, unfilled orders for material, equipment & supplies and unfulfilled contracts for personnel services, properly budgeted and contracted for, or pending contract, and various outstanding grants, bond projects, and capital projects; and

WHEREAS, in order to complete such programs and pay such claims it is necessary that the various funds be re-appropriated in the 2025 budget; and

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

NOW, THEREFORE, the City Council of Spokane does ordain:

Section 1. That in the budgets of the various funds the following encumbrance carryover changes be made:

TBD

Section 2. That in the budgets of the various funds the following re-budget changes be made:

TBD

Passed by the City Council on _____

Council President

Attest:

Approved as to form:

City Clerk

City Attorney

Mayor

Date

Effective Date

**Agenda Sheet for City Council:****Committee:** Public Safety **Date:** 01/06/2025**Committee Agenda type:** Discussion**Date Rec'd** 12/26/2024**Clerk's File #** ORD C36634**Cross Ref #****Project #****Council Meeting Date:** 01/27/2025**Submitting Dept** MAYOR**Bid #****Contact Name/Phone** MAGGIE 6753/6779**Requisition #****Contact E-Mail** MYATES@SPOKANECITY.ORG/AMCD**Agenda Item Type** First Reading Ordinance**Council Sponsor(s)** ZZAPPONE BWILKERSON PDILLON**Sponsoring at Administrators Request** NO**Lease?** NO **Grant Related?** NO **Public Works?** NO**Agenda Item Name** ORDINANCE RELATING TO CREATING AN ALCOHOL IMPACT AREA**Agenda Wording**

An ordinance relating to creating an Alcohol Impact Area within specific boundaries of the City of Spokane; adopting a new Chapter 10.82 of the Spokane Municipal Code.

Summary (Background)

Due to internal and external regulatory gaps this administration recommends an alcohol impact area within the downtown police precinct area as a public safety policy with a documented track record of reducing violent crime, shrinking narcotics violations, and lessening waste and litter on streets and right of ways in the city of Spokane

What impacts would the proposal have on historically excluded communities?

See legislative findings.

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 City of Spokane intends to use emergency medical services data, crime statistics, and public health information to establish a geographical area in the City of Spokane as a Community Health Impact Area to target policy and programmatic resources that mitigate the disproportionate public health and secondary neighborhood impacts of the addiction crisis.

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

The City shall publish on the City website quarterly data from the community health impact area. Data shall include but is not limited to likely overdose calls for service, crime statistics, and other relevant data.

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 ordinance aligns with WAC 314-12.

Council Subcommittee Review

Fiscal Impact	
Approved in Current Year Budget? N/A	
Total Cost	\$
Current Year Cost	\$
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
Amount	Budget Account
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source	
Funding Source Type Select	
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	Additional Approvals
Dept Head	SCOTT, ALEXANDER
Division Director	
Accounting Manager	BUSTOS, KIM
Legal	SCHOEDEL, ELIZABETH
For the Mayor	PICCOLO, MIKE
Distribution List	
	amcdaniel@spokanecity.org
myates@spokanecity.org	

ORDINANCE NO. C36634

An ordinance relating to creating an Alcohol Impact Area within specific boundaries of the City of Spokane; adopting a new Chapter 10.82 of the Spokane Municipal Code.

WHEREAS, the Washington Administrative Code (WAC) Section 314-12- 215 provides that, as a condition precedent to the City requesting that the Washington State Liquor Control Board enact additional restrictions on off premises alcohol sales within an area of the City adversely affected by chronic public inebriation or illegal activity associated with alcohol sales or consumption, an ordinance must designate such an area as an Alcohol Impact Area (AIA); and

WHEREAS, the City seeks to establish a downtown AIA within the boundaries of the downtown police precinct area; and

WHEREAS, illegal activity associated with alcohol sales and consumption within the AIA is contributing to the deterioration of the general quality of life within the AIA and threatens the welfare, health, peace, or safety of the area's residents and visitors; and

WHEREAS, there is a pervasive pattern of alcohol-related incidents within the AIA and within 1,000 feet of licensed off-premises alcohol outlets documented in crime statistics, police reports, emergency medical response data, code enforcement reports, and other similar records maintained by law enforcement and public health agencies; and

WHEREAS, alcohol-related incidents within the proposed AIA are up more than 60% over the last three years; and

WHEREAS, the City's previous AIAs in downtown and in East Central were found by public health researchers to reduce crime including narcotic drug violations and assaults; and

WHEREAS, over 30% of alcohol-related incidents between December 15, 2021, and December 15, 2024 took place between 12:00am and 2:00am; and

WHEREAS, the City is spending hundreds of thousands of dollars addressing the litter and solid waste issues within the AIA where single-serve alcohol containers are a significant source of the litter; and

WHEREAS, the City has met with neighborhood leaders, public health professionals, non-profit providers, and business organizations located within the proposed AIA for the purpose of developing solutions to the illegal activity associated with off-premises alcohol sales and consumption within the AIA; and

WHEREAS, the Downtown Spokane Partnership, representing the downtown business improvement district, requests the [re]establishment of an alcohol impact area downtown to address illegal activity associated with off-premises alcohol sales; and

WHEREAS, the rationale for the City to establish an AIA is to reduce the illegal activities associated with alcohol sales and consumption within the proposed AIA in order to protect the public safety, health and welfare; and

WHEREAS, the City intends to make good faith efforts for at least six months to mitigate the effects of chronic public inebriation and illegal activity associated with alcohol sales and consumption within the AIA through voluntary efforts that include coordinated and cooperative efforts with business, community and neighborhood associations to promote business practices that reduce chronic public inebriation and promote public welfare, health, peace, and safety; and

WHEREAS, notification has been given to all Washington State Liquor and Cannabis Board off-premises liquor licensees selling single-serve containers and/or selling liquor between the hours of 12:00am and 2:00am about the proposed alcohol impact area and about the negative effects off-premises alcohol sales are having on residents and visitors in downtown Spokane; and

WHEREAS, additional notification will be given to all Washington State Liquor and Cannabis Board off-premises liquor licensees within the AIA of voluntary remedies available to them to resolve the problem; and

WHEREAS, the City may meet with the off-premises sale licensees located within the AIA, as well with other interested parties, to develop and promote voluntary efforts to reduce chronic public inebriation and illegal activity associated with off-premises alcohol sales and consumption; and

WHEREAS, should the voluntary remedies fail to significantly reduce the impact of chronic public inebriation and illegal activity associated with alcohol sales and consumption within the AIA, the City will petition the Liquor and Cannabis Board to recognize the alcohol impact area.

NOW, THEREFORE, the City of Spokane does ordain:

Section 1. That a new Chapter 10.82 of the Spokane Municipal Code is created to read as follows:

Chapter 10.82 Alcohol Impact Areas

Section 10.82.010 Purpose

The purpose of an Alcohol Impact Area is for local authorities to have a process to mitigate problems with chronic public inebriation or illegal activities linked to the sale or consumption of alcohol within a geographic area of their city, town or county, but not the

entire jurisdiction. An Alcohol Impact Area is designated by geographical boundaries as defined in Washington Administrative Code Chapter 314-12-015.

Section 10.82.020 Establishment of Alcohol Impact Areas

Upon the identification of problems related to chronic public inebriation or illegal activities linked to the sale or consumption of alcohol within a geographic area, the City may establish an alcohol impact area by first attempting a voluntary Alcohol Impact Area. If the voluntary Alcohol Impact Area does not reduce problems in that area, the City may then petition the Liquor and Cannabis Board to request that the Board adopt a resolution creating a state-recognized Alcohol Impact Area which is mandatory.

Section 10.82.030 Alcohol Impact Area in Spokane’s Downtown Police Precinct

The geographical area encompassing the Spokane Police Department’s Downtown Precinct is declared to be alcohol impact area as defined by WAC 314.12.215. This geographical area is shown in Exhibit A. The boundaries shall include properties located on both sides of the public right-of-way that constitute the boundaries of the alcohol impact area as further depicted on the attached map.

PASSED by the City Council on _____

Council President

Attest:

Approved as to form:

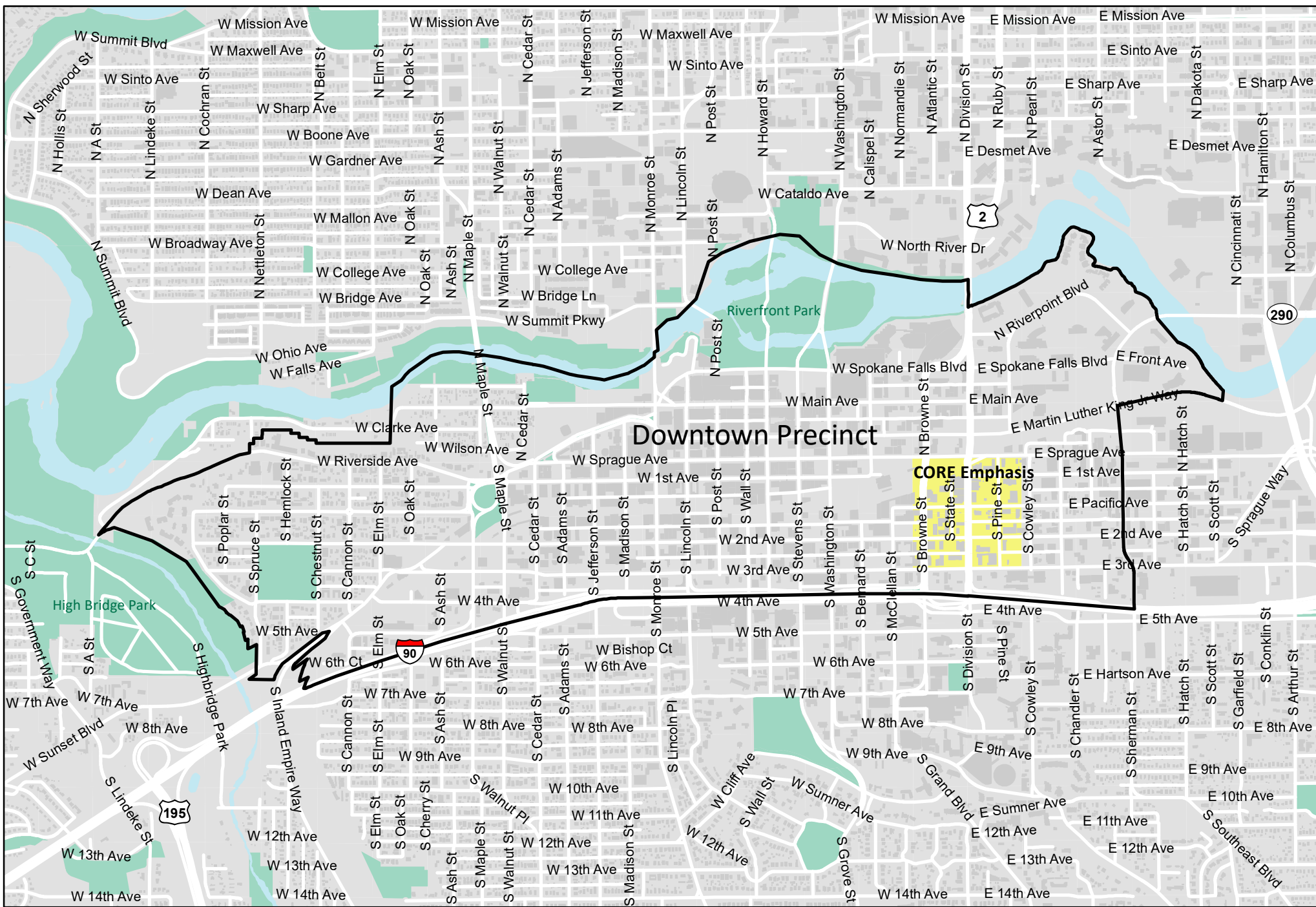
City Clerk

City Attorney

Mayor

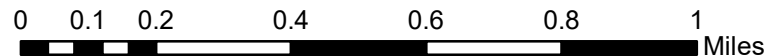
Date

Effective Date



City of Spokane

Downtown Precinct with CORE Emphasis Area



1:18,000





Memorandum

Office of the Mayor

DATE: December 26, 2024

FROM: Adam McDaniel – Policy Advisor, Office of the Mayor

TO: Councilmember Paul Dillon – Chair, Public Safety and Community Health Committee

RE: Alcohol Impact Area | Community Health Impact Area

This memo recommends potential public health and crime reduction strategies to address the secondary impacts of addiction. This memo identifies both internal and external regulatory gaps and ultimately recommends an alcohol impact area within the downtown police precinct area as a public safety policy with a documented track record of reducing violent crime, shrinking narcotics violations, and lessening waste and litter on streets and right of ways in the city of Spokane. This memo also recommends a policy for expanding naloxone distribution to address the overdose crisis impacting the downtown police precinct area.

Executive Summary – Alcohol Impact Area

I. **Background:** The previous administration inadvertently repealed a pre-existing alcohol impact area, which regulated the sale of certain single use alcohol products for off-premises consumption.

II. **Issue:** The sale of single serve alcohol products for off-premises consumption creates dangerous public health and public safety outcomes, disproportionately impacting poor communities and communities of color.

III. Policy Recommendations

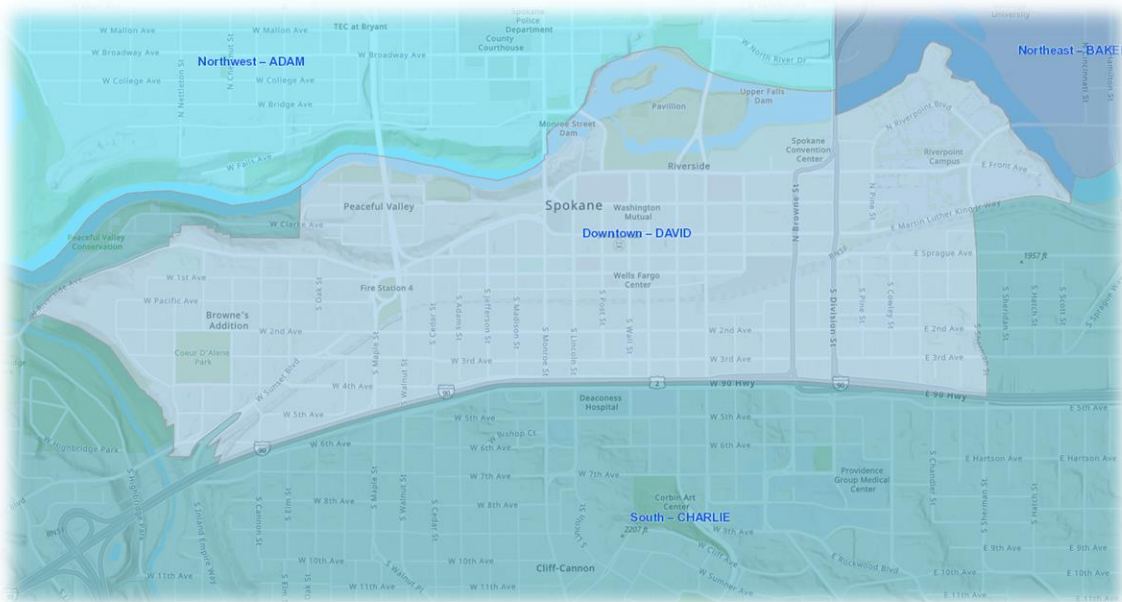
Reestablish an alcohol impact area for downtown Spokane to match the boundaries on the Spokane Police Department's downtown precinct.



2nd Avenue and Maple Street – October 23, 2024

Downtown Police Precinct Area

Census Tract 35, Census Tract 36.01, Census Tract 36.02, and a small part of Census Tract 145 fall within the Spokane Police Department’s downtown precinct area. The downtown precinct borders I-90 to the south, the Spokane River to the north, Latah Creek/High Bridge Park to the west, and Sherman Avenue to the east.



Census Tracts 35, 36.01 and 36.02 encompass the Riverside, Peaceful Valley, and Browne’s Addition neighborhoods, respectively. Over 9,000 Spokane residents live in these three census



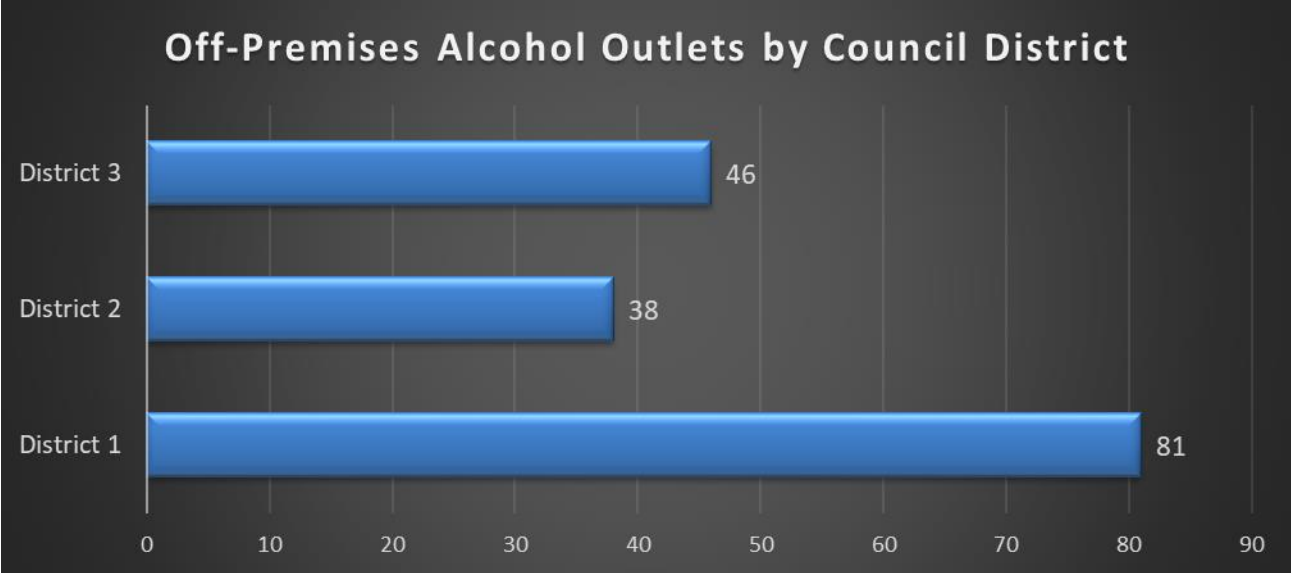
tracts – a population larger than the city of Medical Lake. These neighborhoods are racially more diverse than most other neighborhoods and have high Social Vulnerability Index (SVI) scores as measured by the Centers for Disease Control and Prevention (Agency for Toxic Substances and Disease Registry, 2024). Half of residents in the Riverside Neighborhood (Census Tract 35) live below the federal poverty line. Census Tract 35 has the lowest median household income of any census tract in the city, and all three neighborhoods have unemployment rates higher than the citywide rates.

Nearly 95% of Census Tract 35 residents are renters, and more than a quarter of residents in both Riverside and Browne’s Addition neighborhoods lack access to a vehicle (U.S. Census Bureau, 2024). Most of the downtown area is considered a food desert (Spokane Food Policy Council, 2016). Some residents formerly utilized the Rite Aid along Howard Street for basic food and grocery items but the store’s closure in 2023 necessitates many residents to depend on other off-premises alcohol outlets for basic food items. If Main Market Co-op closes, dependence on off-premises alcohol outlets for necessities will grow even greater (Billingham, 2024). Currently, nine of the fourteen SNAP retailers within the downtown police precinct area are convenience stores (U.S. Department of Agriculture, 2024).

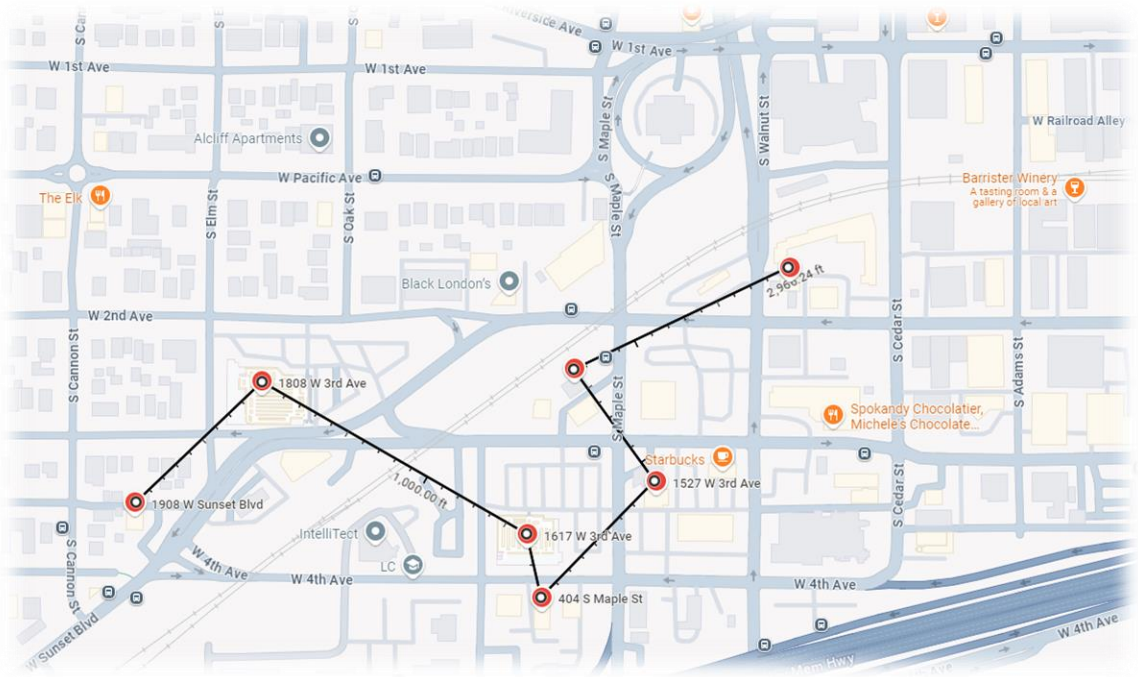
Historically, the Riverside Neighborhood suffered from the highest violent crime rate of any area in Spokane County while Browne’s Addition had the fourth highest violent crime rate in the county (Spokane Regional Health District, 2017). Current crime statistics show a reduction in violent crime year-to-date within the downtown police precinct area, however downtown Spokane is perceived as being “unsafe” (Greater Spokane Inc., 2024). The perception that downtown Spokane is “unsafe” has compounding social capital impacts on the residents living in these neighborhoods (Theall, Scribner, Cohen, Schonlau, & Farley, 2009). This perception may slow the physical property investments critical to improving public safety and enhancing public health within the neighborhood (Walter, Acolin, & Marie, 2024).

Off-Premises Alcohol Outlets (Liquor Stores/Convenience Stores)

Off-premises alcohol outlets include liquor stores and convenience stores selling liquor and high-octane alcohol products where patrons buy the alcohol to be consumed off-premises. As of early October 2024, there were 145 off-premises alcohol outlets licensed by the Washington State Liquor and Cannabis Board (LCB) or going through the licensing process in the city of Spokane. More than half of all off-premises alcohol outlets were in City Council District 1.



Multiple studies show that off-premises alcohol outlets are disproportionately located in communities with lower incomes and in neighborhoods with a higher percentage of non-white residents (Romley, Cohen, Ringel, & Sturm, 2007). The Riverside and Browne’s Addition neighborhoods have nearly three off-premises alcohol outlets for every 1,000 residents. Contrast this with the Southgate neighborhood, which boasts only 0.38 off-premises alcohol outlets for every 1,000 residents and Indian Trail which has 0.50 off-premises alcohol outlets for every 1,000 residents.



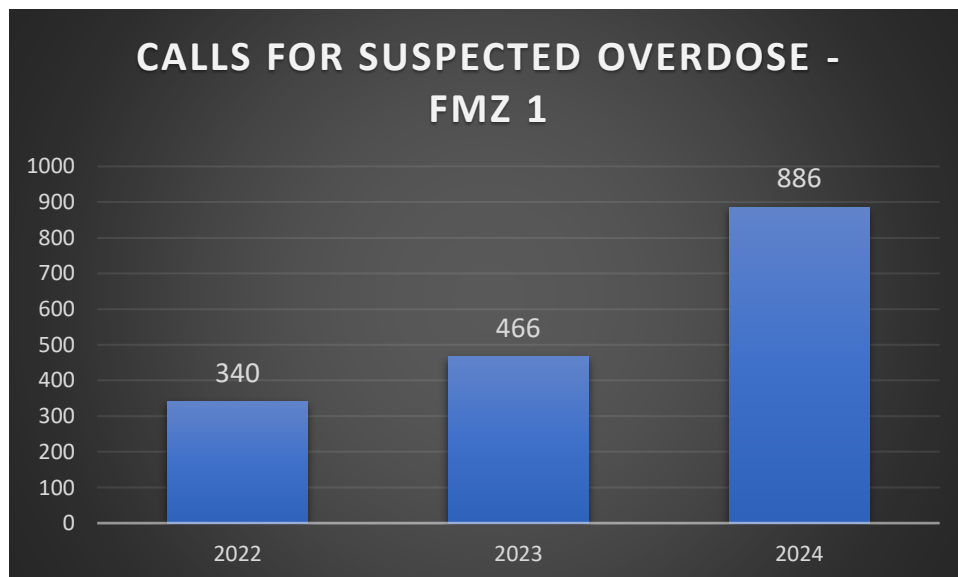
Seven Off-Premises Alcohol Outlets within 0.5 miles in downtown Spokane



Census Tract 145 has nearly four off-premises alcohol outlets for every 1,000 residents. Like the Riverside neighborhood, nearly half of residents in Census Tract 145 (East Central) live below the federal poverty line.

Alcohol and drug-related deaths continue to rise in Spokane County (Starks, Sharkova, Leibenguth, & Huber, 2024) Off-premises alcohol outlets have a significant effect on crime and the quality of life in neighborhoods (Fitterer, Nelson, & Stockwell, 2015). Off-premises alcohol outlets are associated with shootings (Osborne, Duggan, Shulman, & Cabeza, 2024), assaults (Miller, 2024), and robberies (Frint, 2024). There is even a strong association between off-premises alcohol outlets and the rate of pedestrian injuries (Nesoff, et al., 2018). The density of off-premises alcohol outlets in neighborhoods is a risk factor for youth and young adult substance use (U.S. Department of Health & Human Services, 2016).

Off-premises alcohol outlets in downtown Spokane are also places where drug activities take place (Sanford, We spent a weekend at Spokane's most notorious intersection. Here's what we saw., 2023). Unsurprisingly, public health research finds the proliferation of off-premises alcohol outlets is associated with higher rates of drug overdose. A study of the city of Baltimore published in the International Journal of Drug Policy found “each additional off-premises alcohol outlet was associated with a 16.6% increase in neighborhood overdose rate” (Nesoff, et al., 2021). The City of Spokane’s Fire Management Zone 1 serves the downtown police precinct area east of Lincoln Street to I-90 to the south and the Spokane River to the north. There are eight off-premises alcohol outlets within Fire Management Zone 1. Fire Management Zone 1 has seen an alarming increase in overdose calls over the last 3 years.



Spokane Fire Department Data - October 31, 2024

Off-Premises Alcohol Outlets in Downtown Spokane

There are seventeen active and licensed off-premises alcohol outlets in the downtown police precinct area and one licensee pending approval from the Washington State Liquor and Cannabis Board. Most of these off-premises alcohol outlets are traditional convenience retailers except for four supermarkets (Rosauers Supermarket, Downtown Grocery Outlet, Main Market Co-op, and PM Jacoy’s), a specialty wine shop (Vino! A Wine Shop), and a hotel (Best Western Plus City Center).

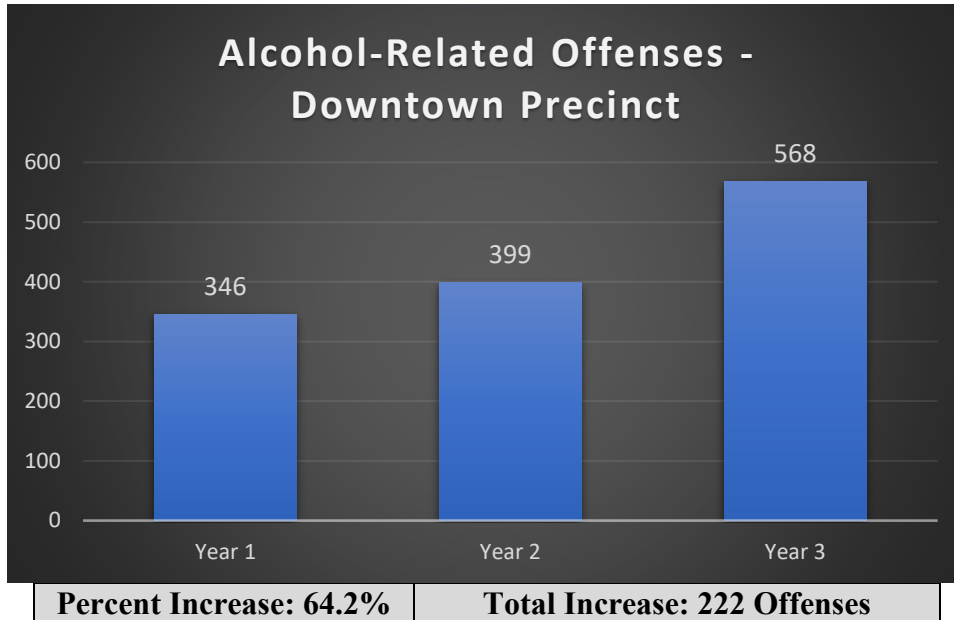
Off-Premises Licensee (Tradenname)	Address	Hours
7-ELEVEN STORE #32703B	177 S DIVISION ST	24 Hours
BAINS LIQUOR MART MAPLE	404 S MAPLE ST	24 Hours
BAINS MART 2ND AVE	1428 W 2ND AVE	24 Hours
BEST WESTERN PLUS CITY CENTER	33 W SPOKANE FALLS BLVD	N/A
CITY FUEL	1527 W 3RD AVE	6:00am – 10:00pm
CONOCO FOOD MART	1602 W 3RD AVE	24 Hours
DIVINE 11 MIDCITY	822 W 2ND AVE	6:00am – 1:00am
DIVISION EXPRESS	3 EAST 3RD AVE	6:00am – 12:30am
DOWNTOWN QUICK STOP	10 N POST ST STE 102	6:00am – 12:00am
DOWNTOWN QUICK STOP 2	10 N POST ST STE 16	6:00am – 12:00am
DOWNTOWN QUICK STOP III ¹	501 W SPRAGUE AVE	
DOWNTOWN SPOKANE GROCERY OUTLET	1617 W 3RD AVE	8:00am – 9:00pm
MAIN MARKET CO-OP	44 W MAIN AVE	8:00am – 8:00pm
P M JACOY’S	402 W SPRAGUE AVE	7:00am – 7:00pm
ROSAUERS SUPERMARKETS #2	1808 W 3RD AVE	6:00am – 10:00pm
SUNSET GROCERY	1908 W SUNSET BLVD	24 Hours
THE PIGGY MART	932 W 3RD AVE	5:00am – 2:00am
VINO! A WINE SHOP	222 S WASHINGTON ST	10:00am – 7:00pm

Although crime is down year-to-date in the downtown police precinct area overall, alcohol-related incidents in the area have grown 64% over the last three years.²³

¹ Off-Premises liquor license is currently pending.

² Ernst, Spokane Police Department; **Method:** All police report offenses were reviewed using the FBI NIBRS flag “Offender suspected of using Alcohol”. Any offenses where that flag was set to Yes were included. Additionally, all statutes in the system were reviewed for key terms like “alcohol”, “liquor”, “open container”, and “DUI”. If the statute reflected alcohol use but the “Offender suspected of using Alcohol” flag was set to No or Unknown, the offense was counted anyway.

³ Year 1 is 10/1/2021 to 9/30/2022. Year 2 is 10/1/2022 to 9/30/2023. Year 3 is 10/1/2023 to 9/30/2024



Specifically, alcohol-related offenses within 1,000 feet of ten off-premises alcohol outlets within the downtown police precinct area are up over the same 3-year period.

<u>Licensee</u>	<u>Percent Increase – 3 Year Period</u>
7-ELEVEN STORE #32703B	108%
BAINS LIQUOR MART MAPLE	4%
CONOCO FOOD MART	30%
DIVINE 11 MIDCITY	44%
DIVISION EXPRESS	154%
DOWNTOWN QUICK STOP 1 & 2	106%
DOWNTOWN SPOKANE GROCERY OUTLET	23%
P M JACOY'S	114%
THE PIGGY MART	39%

Alcohol Impact Areas (AIA)

The purpose of an alcohol impact area is for local governments to mitigate illegal activities linked with the sale or public consumption of alcohol within a geographic area of their jurisdiction (Washington State Liquor and Cannabis Board, 2024). Certain conditions and

restrictions may be implemented on off-premises alcohol outlets including the limitation of hours of operation for off-premises sales, banning of certain alcohol items, and a prohibition on the sale of single-serve containers (Washington State Liquor and Cannabis Board, 2019).

As of October 2024, most of the off-premises alcohol outlets within the downtown police precinct area were selling high-octane alcohol products that were previously restricted less than two years ago within the downtown alcohol impact area.

Importantly, the petitioning local government is responsible for suggesting the conditions and restrictions for consideration of the Washington Liquor and Cannabis Board per Washington Administrative Code 314-12-215. In addition to LCB-adopted conditions and restrictions, local governments are given sixty days to register objections under RCW 66.24.010 to new liquor license applications within alcohol impact areas versus only twenty days for licenses outside of an alcohol impact area. Implementation of an alcohol impact area requires adoption of an ordinance by the Spokane City Council executing a six-month voluntary compliance period. The City will communicate to all off-premises alcohol outlet licensees in the area with a request to voluntarily comply with the conditions and restrictions. The LCB may formalize the conditions and restrictions if the licensees fail to comply with the conditions and restrictions placed by the voluntary alcohol impact area.

There are mandatory alcohol impact areas in large cities across Washington. All four cities with current alcohol impact areas have alcohol impact areas in their downtown core.

City	# of AIAs	Year Established
Seattle	2	1999
Tacoma	3	2008
Olympia	1	2014
Everett	1	2016

The first alcohol impact area was approved in Seattle’s Pioneer Square. In addition to certain product bans, the Pioneer Square alcohol impact area restricted the sale of off-premises alcohol between 6:00am and 9:00am and prohibited the sale of single serve containers (Nguyen, n.d.).

There is also a voluntary alcohol impact area in the city of Vancouver (City of Vancouver Washington, 2008). These large Washington cities have had multiple opportunities to end their alcohol impact area designations and have chosen not to repeal them. Reports published by law enforcement from these cities are clear: alcohol impact areas reduce crime. A report from the City of Seattle reviewing a five-year period from 2017-2022 found alcohol impact areas continue to have, “significant and positive effects on curbing the problems associated with chronic inebriation and public safety”. An external study of the City of Seattle’s alcohol impact areas supports the City of Seattle’s Department of Neighborhoods findings (Tarnai, 2009). Community organizations such as the Downtown Seattle Association and Chinatown-International District Business Improvement Area strongly advocated for the renewal of Seattle’s alcohol impact areas in 2022 (City of Seattle - Seattle Department of Neighborhoods, 2022). Similarly, the City of Everett also saw a decrease in alcohol-related incidents after the implementation of their alcohol impact area (Templeman, 2022).



The City of Spokane previously had two mandatory alcohol impact areas: Downtown, East Central, and one voluntary area: West Central. The downtown alcohol impact area’s previous perimeter was from Cannon Street as the west boundary to Scott Street to the east and Spokane Falls Boulevard as the north boundary to Fifth Avenue as the south boundary. The downtown alcohol impact area was officially adopted by the Washington Liquor and Cannabis Board in 2010. The West Central voluntary alcohol impact area was created in 2011 and subsequently repealed by the City Council in 2012 after neighborhood pushback (Brunt, Alcohol impact area dropped, 2012). The Downtown and East Central alcohol impact areas existed until 2022, when they were inadvertently repealed by the previous administration and City Council in Emergency Ordinance C36289.

A year before the downtown and East Central alcohol impact areas were repealed, researchers from the University of Minnesota School of Public Health published a study on the crime reduction success of alcohol impact areas in Tacoma as well as downtown and East Central in Spokane. Crucially, one of the most significant reductions of crime within the alcohol impact areas were narcotic drug violations. Other crimes, including assaults, also decreased significantly (Jones-Webb, et al., 2021). This study matches Washington State University research published in 2009 that established the efficacy of the City of Seattle’s alcohol impact areas. The WSU study found the rate of drug-related EMS incidents declined after implementing the alcohol impact area (Tarnai, 2009).

A five-year analysis of the downtown alcohol impact area completed and published by the Spokane Police Department showed the downtown alcohol impact area to have a “consistent and lower rate of increase in calls for service than the City [sic] of Spokane as a whole (Meidl, 2020)”.



Downtown AIA - City of Spokane

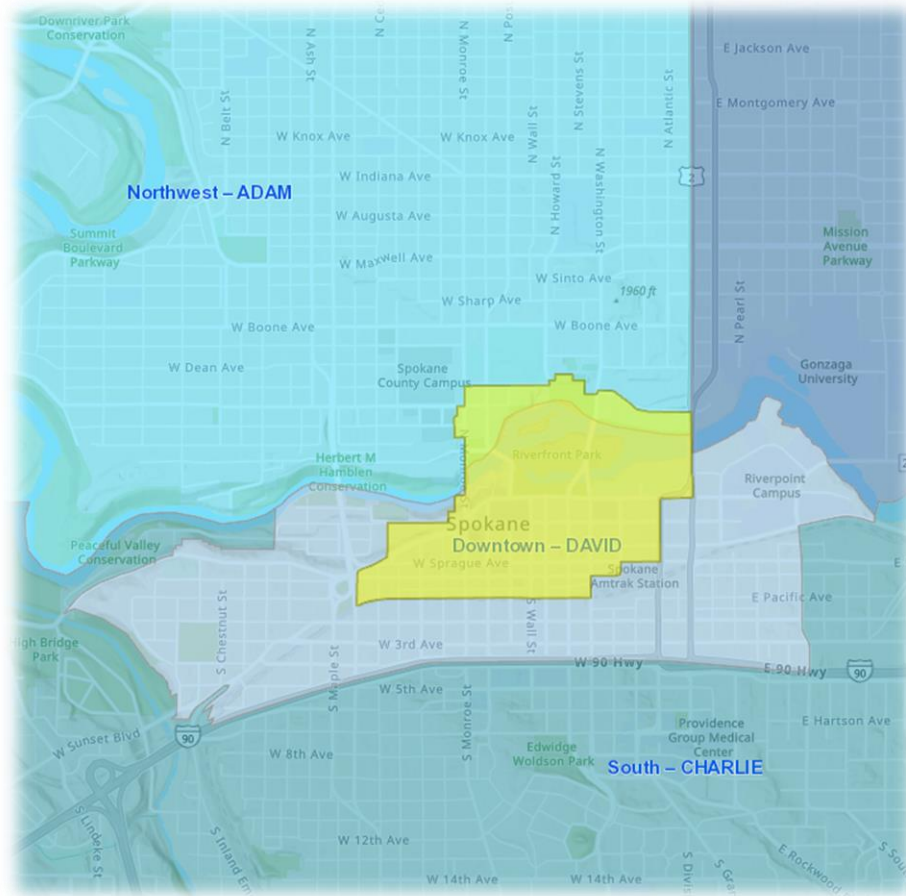
The East Central alcohol impact area drew praise from the East Spokane Business Association as having an almost immediate impact (Hewitt, 2012 Annual Report - East Central AIA, 2013):

“The East Central Alcohol Impact Area (AIA) has made a significant impact in the very short time it has been in effect. The East Central Neighborhood, Spokane International District and South Perry Street District have seen decreases in public intoxication, littering, loitering and disorderly conduct. The East Spokane Business Association is pleased with the immediate and positive impact the AIA has made in this neighborhood” - Jack-Daniyel Strong, Former ESBA President

Opponents of alcohol impact areas see the implementation of an alcohol impact area as designating that neighborhood a ‘problem’ zone (Brunt, Restrictions on alcohol sales get fresh look, 2012). Critics of alcohol impact areas also argue the criminal and nuisance activities reduced by an alcohol impact area simply get pushed to other neighborhoods (Hewitt, Retired Neighborhood Resource Officer - Spokane Police Officer, 2024). There is no evidence that supports the alcohol impact areas in East Central or downtown shifted chronic inebriation and other alcohol-related illegal activities to other neighborhoods. The Washington State University study of the City of Seattle alcohol impact areas found no evidence of dispersion of alcohol-related incidents to other neighborhoods. Furthermore, the study found no evidence of decline in retail sales for the retailers with liquor licenses within the alcohol impact area. In fact, retailers saw stable growth during the study period after the alcohol impact area was implemented (Tarnai, 2009).

Mitigating the data collection and reporting requirements of the alcohol impact area is an important consideration as the resources necessary to implement and maintain the designation could outweigh potential benefits (Anderson, 2024). To maximize crime reduction and public health benefits and to streamline data collection, a restored downtown alcohol impact area should match the boundaries of the downtown police precinct area (Census Tract 35, Census Tract 36.02, and western portion of Census Tract 145). This area is slightly smaller than the previous downtown alcohol impact area.

The Downtown Spokane Partnership recently added the restoration of the downtown alcohol impact area to their 2025 local legislative priorities. The downtown police precinct area covers most of the downtown business improvement district (BID) boundary.



Downtown BID Boundary overlaid on the Downtown Police Precinct Area

Off-premises Alcohol Retail Sales Hours

Washington state law prohibits the sale of alcohol from 2:00am to 6:00am unless restricted by local government (State of Washington, 2001). Local governments must restrict *all* operating hours within the jurisdiction equally unless the licensees are within a Washington Liquor and Cannabis Board-recognized alcohol impact area.

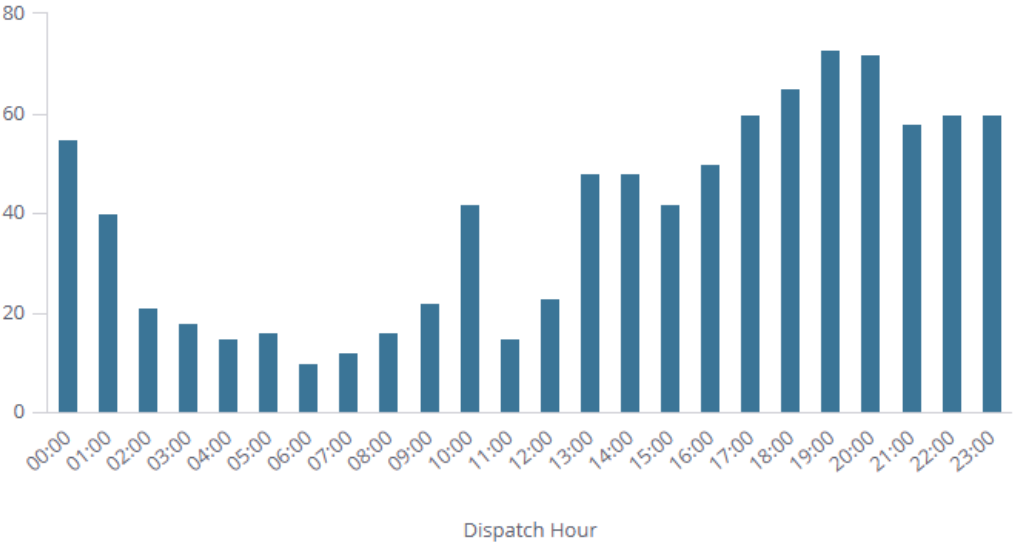
Spokane Police Department data over the last three years show more than 30% of all alcohol-related incidents⁴ downtown take place between midnight and 2:00am.⁵

⁴ NIBRS “Offender Suspected of Using Alcohol” value set to “Yes”.

⁵ Data pulled by Shawna Ernst from December 15th, 2021, through December 15th, 2024.



Likewise, the Spokane Fire Department responded to nearly 1500 calls for service and transported 363 individuals to the emergency department between 2022 and 2024 for alcohol-related incidents just within Fire Management Zone 1.



Calls for service related to alcohol peak between 7:00pm and 8:00pm within Fire Management Zone 1, however, many EMS calls also come between 12:00am and 2:00am.⁶ Calls for service drop significantly between 2:00am and 6:00am when alcohol sales are prohibited.

⁶ It is likely that this data is underreported. Based on information provided by the Spokane Fire Department, it is possible that many additional calls have an alcohol component but were documented as a trauma. For example,



Limiting hours when alcohol can be sold and served is a proven public health intervention and public safety strategy (Jernigan, Sparks, Yang, & Schwartz, 2013). This public health and safety strategy is endorsed by the World Health Organization (World Health Organization, 2017) and the Substance Abuse and Mental Health Services Administration (Substance Abuse and Mental Health Services Administration (SAMHSA), 2022). A recent study from Baltimore found that shortening overnight sales of alcohol reduced violent crime in the immediate and surrounding areas and saved the City of Baltimore millions of dollars in annual costs (McKoy, 2024).

Off-Premises Licensee (Tradename)	Weekday Hours	Weekend Hours
7-ELEVEN STORE #32703B	24 Hours	24 Hours
BAINS LIQUOR MART MAPLE	24 Hours	24 Hours
BAINS MART 2ND AVE	24 Hours	24 Hours
BEST WESTERN PLUS CITY CENTER	N/A	N/A
CITY FUEL	6:00am – 10:00pm	6:00am – 10:00pm
CONOCO FOOD MART	24 Hours	24 Hours
DIVINE 11 MIDCITY	6:00am – 11:00pm	6:00am – 1:00am
DIVISION EXPRESS	6:00am – 10:00pm	6:00am – 12:30am
DOWNTOWN QUICK STOP	6:00am – 12:00am	6:00am – 12:00am
DOWNTOWN QUICK STOP 2	6:00am – 12:00am	6:00am – 12:00am
DOWNTOWN SPOKANE GROCERY OUTLET	8:00am – 9:00pm	8:00am – 9:00pm
MAIN MARKET CO-OP	8:00am – 8:00pm	8:00am – 8:00pm
P M JACOY'S	7:00am – 7:00pm	7:00am – 7:00pm
ROSAUERS SUPERMARKETS #2	6:00am – 10:00pm	6:00am – 10:00pm
SUNSET GROCERY	24 Hours	24 Hours
THE PIGGY MART	5:00am – 2:00am	5:00am – 2:00am
VINO! A WINE SHOP	10:00am – 7:00pm	10:00am – 7:00pm

Extending the prohibition of overnight off-premises retail sales of alcohol from 2:00am to 12:00am would reduce the current alcohol sales periods for eight off-premises alcohol outlets in the downtown police precinct area. Extending the overnight sales prohibition by two hours would reduce the five twenty-four-hour stores daily alcohol sale period by two hours each day. Division Express would reduce its alcohol sale period by 30 minutes on weekends. Divine 11 MIDCITY would reduce its alcohol sale period by 1 hour on weekends. The Piggy Mart would reduce its alcohol sale period a total of two hours each day.

when a patient falls from intoxication and 911 is activated, that call could get recorded as a trauma. Also, if the Fire Department arrives on a scene and a person is intoxicated and is requesting detox services the call could be recorded as a public assist.

Off-Premises Licensee (Tradename)	Weekday Alcohol Retail Hours Reduced	Weekend Alcohol Retail Hours Reduced
7-ELEVEN STORE #32703B	2 Hours	2 Hours
BAINS LIQUOR MART MAPLE	2 Hours	2 Hours
BAINS MART 2ND AVE	2 Hours	2 Hours
CONOCO FOOD MART	2 Hours	2 Hours
DIVINE 11 MIDCITY	0 Hours	1 Hour
DIVISION EXPRESS	0 Hours	30 minutes
SUNSET GROCERY	2 Hours	2 Hours
THE PIGGY MART	2 Hours	2 Hours

Importantly, this condition would not require businesses to change their retail hours. This condition would simply prohibit the sale of alcohol during the overnight hours.

Single-Serve Alcohol Containers

Single-serve/ready-to-drink alcohol beverages have grown in popularity over the last several years. Nationally, flavored malt beverage products such as Twisted Tea⁷, Mike’s Harder Lemonade, and Smirnoff products are second only to regular beer in beer-based beverage sales at convenience stores. Flavored malt beverages also have the largest gross profit margins among beer-based beverages at off-premises alcohol outlets such as convenience stores (Conway, 2024). Collectively, these multi-billion-dollar beverage companies engage in marketing that public health professionals contend target youth and vulnerable communities (O’Brien, Mathieu, Bikomeye, Busalacchi, & Borisy-Rudin, 2023).

Single-serve alcohol bottles, ready-to-drink (alcopops), tall boy cans, and miniatures (also known as ‘nips’) are also a significant source of litter and trash in the downtown core. Elected leaders in cities such as Boston (Jonas, 2023) have sought to prohibit the outright sale of miniatures and single-serve alcohol containers because of the detrimental waste impacts (Thys, 2023). The City of Spokane is currently spending hundreds of thousands of taxpayer dollars addressing litter and trash in the downtown core where single-serve alcohol containers are a significant source of litter⁸.

The following photos are a snapshot informal trash survey of single-serve containers found within the downtown police precinct area along 2nd Avenue and 3rd Avenue on October 26, 2024.

⁷ Owned by the Boston Beer Company

⁸ Special Budget Ordinance C36520











The single-serve containers seen above are inexpensive and have a higher alcohol by volume than traditional beer. Earthquake High Gravity Lager was the product most noticeable during the October 26, 2024, informal trash survey. Earthquake High Gravity Lager is also the product with the highest alcohol by volume content at the lowest price identified during the survey. Earthquake High Gravity Lager was previously restricted for purchase downtown under the downtown alcohol impact area.

Product	Purchase Price in \$	Alcohol/Volume	Number of U.S. standard drinks⁹
Earthquake High Gravity Lager	\$1.99	10%	4.0 Drinks
Hurricane High Gravity	\$2.39	8.1%	3.4 Drinks
Mike’s Harder (Mango)	\$4.35	8%	3.2 Drinks
Smirnoff Ice Smash	\$3.69	8.1%	3.2 Drinks
Fireball Miniature	\$1.19	16.5%	0.5 Drinks
99 Brand Peaches	\$1.19	15%	0.4 Drinks

⁹ <https://rethinkingdrinking.niaaa.nih.gov/tools/calculators/drink-size-calculator>

Alcohol Impact Area Process



The Alcohol Impact Area process is lengthy and will require commitment from multiple departments including the Spokane Police Department, Code Enforcement, and City Attorney's Office. The City will be required to conduct multiple litter/trash surveys, obtain letters of support from neighborhood councils and business organizations, and provide evidence of the City's good faith efforts to address the problems voluntarily. If the petition to the LCB is successful, the City will publish a Year One Report on the effectiveness of the alcohol impact area followed by an assessment every five years.



Executive Summary – Naloxone Distribution and Smoking Paraphernalia

I. **Background:** The State of Washington preempts the field of drug paraphernalia except for ordinances regulating harm reduction practices.

II. **Issue:** Downtown Spokane is suffering from its highest overdose rate on record. Data suggests that people who use drugs and/or witness overdoses do not have adequate access to naloxone to reverse an opioid overdose. There are multiple businesses in downtown Spokane selling products such as pipes and foils used to consume illicit substances creating negative externalities for taxpayers and residents in the Riverside and surrounding neighborhoods.

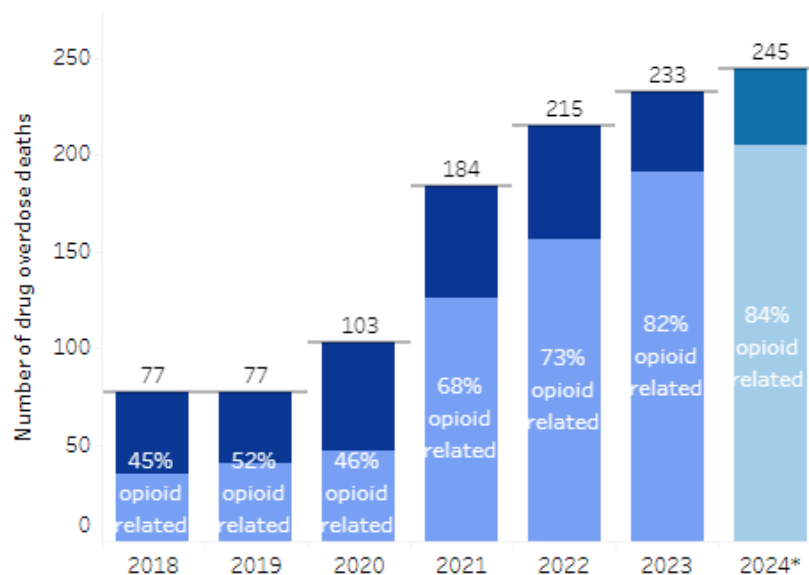
III. Policy Recommendation

Prohibit the sale of smoking paraphernalia within the downtown police precinct area unless providing naloxone for free during every transaction involving smoking paraphernalia.

Downtown Spokane Overdose Crisis

Preliminary numbers from Spokane County death certificate data indicate 245 people have died from drug overdose in 2024 in Spokane County. Spokane continues to see an alarming increase in drug overdose deaths with most of those deaths caused by opioids.

Overdose Deaths Over Time, Spokane County



The 2024 death data are preliminary and are expected to change.

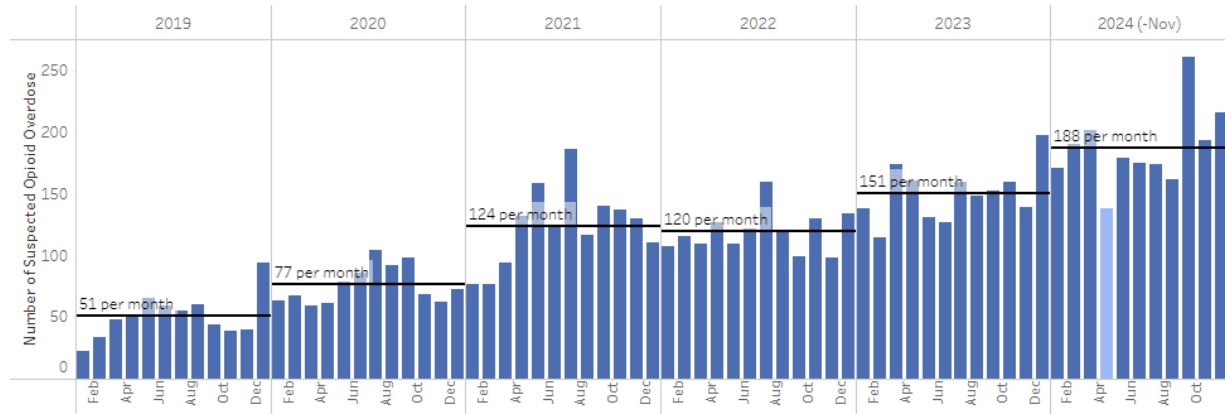
*Data were updated as of 12/16/2024.

Source: Death Certificate Data

Spokane County Opioid Dashboard

In September, Spokane County saw its highest number of Emergency Medical Services (EMS) calls for suspected overdose on record. Spokane County’s non-fatal overdose emergency department visits also outpace the state rate.

Suspected opioid overdose

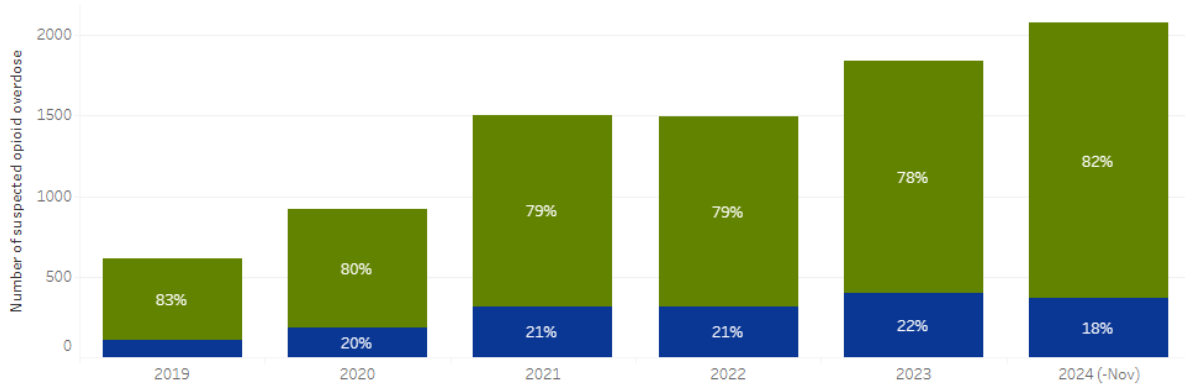


Source: Washington Emergency Medical Services Information System (WEMSIS) (As of 12/05/2024)
 Note: The April 2024 EMS Opioid Overdose report data are incomplete. Interpret with caution. The reporting issues are due to the transition between ePCR vendors and to the NEMSIS V3.5 data standard. The estimated % of EMS responses reported to WEMSIS in Spokane County in April 2024 was 39% as compared to nearly 100% in other months.

Paradoxically, the percentage of people experiencing opioid overdoses in Spokane who were administered naloxone prior to EMS arrival is also the lowest it has been since 2019.

- Indicators
 - Improved Naloxone response
 - Opioid impression
 - Suspected opioid overdose
 - % of suspected overdose with improved Naloxone respon...
 - Incident by age overtime (Spokane only)
 - Naloxone administered prior to EMS arrival (Spokane only)
- Geography
 - Spokane County
 - Washington State

Naloxone administered prior to EMS arrival (Spokane only)



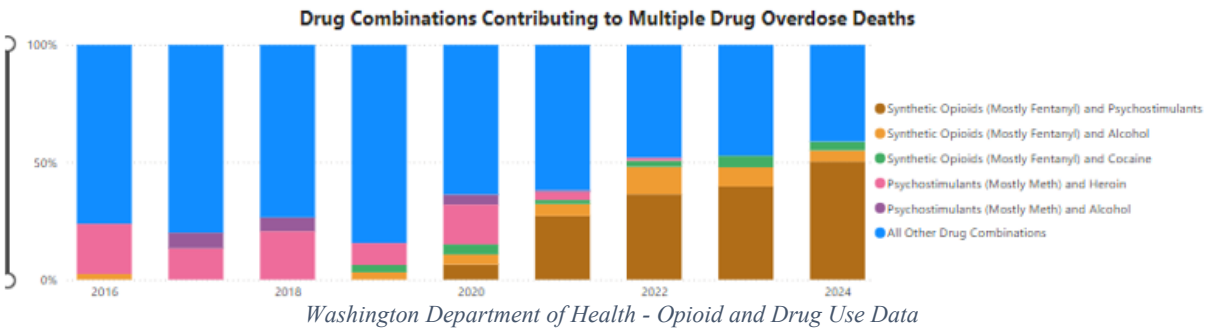
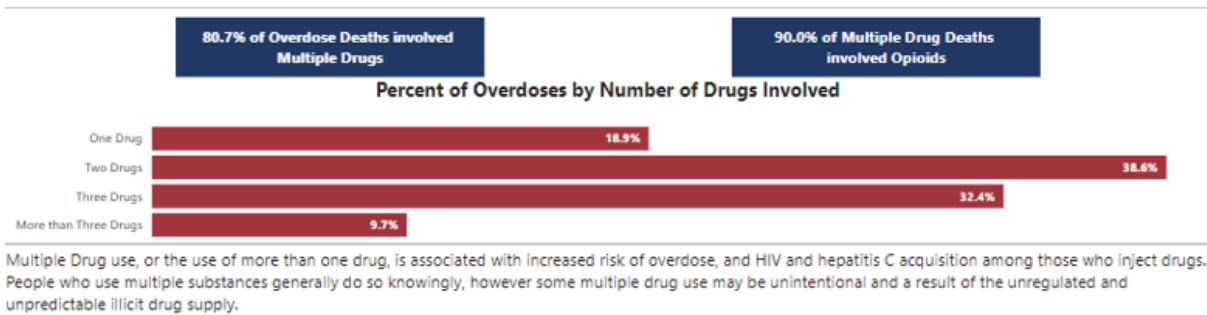
Source: Washington Emergency Medical Services Information System (WEMSIS) (As of 12/05/2024)
 Note: The April 2024 EMS Opioid Overdose report data are incomplete. Interpret with caution. The reporting issues are due to the transition between ePCR vendors and to the NEMSIS V3.5 data standard. The estimated % of EMS responses reported to WEMSIS in Spokane County in April 2024 was 39% as compared to nearly 100% in other months.



Smoking Supplies/Drug Paraphernalia

Smoking is the most common way individuals consume both fentanyl and methamphetamine (Singh, Banta-Green, & Kingston, 2022). Foil is the most used smoking equipment for fentanyl followed by glassware such as pipes. A report published by the Centers for Disease Control and Prevention in February 2024 found that smoking was the predominant method of consumption that resulted in overdose deaths in the Western United States. In fact, almost 80% of overdose deaths showed no signs of injection/intravenous use (Tanz, et al., 2024).

The Spokane Regional Opioid Task Force (SROTF) reports synthetic opioids like fentanyl and carfentanil are showing up in other drugs including methamphetamine, cocaine, MDMA, and molly (Spokane Regional Opioid Task Force (SROTF), n.d.). A combination of fentanyl and psychostimulants, such as methamphetamine, are responsible for more than half of all overdose deaths in Spokane County.



There are multiple retail outlets in the city of Spokane that sell smoking paraphernalia such as butane torches, pipes, and foils. These businesses are primarily off-premises alcohol outlets, marijuana outlets, or smoke shops. There are five off-premises alcohol outlets selling torches, pipes, and foils within the downtown police precinct area (not including marijuana retailers). While marijuana retailers selling pipes and smoking paraphernalia are regulated by the Washington State Liquor and Cannabis Board and are age restricted to minors¹⁰, off-premises alcohol outlets selling the same smoking paraphernalia are not age restricted.

¹⁰ RCW 69.50.357

Foils are also sold at many off-premises alcohol outlets downtown. New studies suggest that the re-use of foil for smoking may increase the risk of overdose (Ciccarone, et al., 2024). Burned foil is also a significant source of litter in downtown Spokane. Littered foils with drug residue are dangerous for animals and have led to multiple incidents involving pets who required overdose reversal medication after consuming littered foils (Sanford, It's not just humans — dogs in Spokane are also overdosing on drugs, 2024).



It is a Class 1 civil infraction under Washington state law to sell drug paraphernalia.¹¹ Washington’s drug paraphernalia law provides that “[In determining whether an object is drug paraphernalia under this section, a court or other authority should consider, in addition to all other logically relevant factors, the following:] (6)[(f)] *Direct or circumstantial evidence of the intent of an owner, or of anyone in control of the object, to deliver it to persons whom he or she knows, or should reasonably know, intend to use the object to facilitate a violation of this chapter; the innocence of an owner, or of anyone in control of the object, as to a direct violation of this chapter shall not prevent a finding that the object is intended or designed for use as drug paraphernalia.*” Simply, these outlets are either breaking state law and subject to a Class 1 civil infraction, or they are selling products that may be subject to regulation by local governments utilizing their policing power (Spitzer, 2000).

The outlets selling pipes, torches, foils, and other smoking supplies market the paraphernalia for legal use only despite common sense and acknowledgement by local (Lawrence-Turner, 2008) and federal law enforcement (Drug Enforcement Agency, 2023) that these products are generally used for consuming illicit substances. Historically, some major gas companies have ended their

¹¹ RCW 69.50.4121



relationship with Washington state convenience stores over the sale of drug paraphernalia (Schiffner, 2008).



Downtown Quick Stop 2 Window Display (Riverside Avenue – Riverside Neighborhood)

Although the State of Washington has preempted the entire field of drug paraphernalia, cities may enact ordinances relating to the establishment or regulation of harm reduction services concerning drug paraphernalia.¹² Tobacco products¹³ and vapor products¹⁴ are regulated exclusively by the Washington State Liquor and Cannabis Board. Cities like Vancouver have attempted to tackle the prevalence of smoking paraphernalia by prohibiting its display to minors (City of Vancouver Washington, 2014) – an ordinance that was modeled after the City of Spokane’s Ordinance C34213 adopted in 2008 and subsequently repealed by the Council in 2022 through the adoption of RCW criminal statutes by reference in Ordinance C36289. Other communities like Boise (Idaho Press, 2024) and Philadelphia (City of Philadelphia Licenses and Inspections, 2023) have used a mix of law enforcement and zoning to address the proliferation of stores selling smoking paraphernalia.

Naloxone Distribution

Public health leaders advocate “saturating” a community with naloxone. The goal of saturation is to eliminate lack of access to naloxone as a reason for overdose deaths (Bennett & Elliott, 2021).

¹² RCW 69.50.612

¹³ RCW 82.26.010(21)

¹⁴ RCW 70.345.010.

Naloxone, also commonly known as NARCAN, is a medication that saves lives by reversing the effects of an opioid overdose. The Washington State Department of Health recommends that people who use drugs, friends and family of people who use drugs, and those who interact with people who use drugs carry naloxone (Washington State Department of Health, n.d.). The City of Spokane's first responders carry naloxone.



Despite some access to naloxone within the city of Spokane, it is clear from the local EMS data that we are nowhere near naloxone saturation. Stigma and an inability to reach those most at risk are barriers to naloxone distribution. The reduction in injection/intravenous drug use also creates a gap in harm reduction distribution in Spokane, which has traditionally been carried out by syringe service programs (Wohlfeil, 2022). Spokane Regional Health District's syringe service program currently does not provide injective alternatives such as glass, pipes, and foils.

Naloxone is available for free at the Spokane Regional Health District Syringe Service Program and a handful of community-based organizations¹⁵ within in the city of Spokane (stopoverdose.org, n.d.). Naloxone is covered by Medicaid and may be dispensed in Washington state with or without a prescription due to a statewide standing order (Washington State Department of Health, 2024). There is no certification or training required to use naloxone and individuals are generally protected under Washington's Good Samaritan Law from civil liabilities as well as charge and prosecution for possession of a controlled substance (stopoverdose.org, 2024). Stopoverdose.org has free materials such as posters and wallet cards that could be used to distribute information about the Good Samaritan Law.

NARCAN (naloxone) can be bought online through Amazon.com, NACARAN.com, and other online retailers. The City maintains an online list of NARCAN providers on the Emergency Management webpage on the City of Spokane website along with training videos (City of Spokane, n.d.). NARCAN also available for purchase at retailers within the city of Spokane (Emergent Devices Inc. , n.d.).

¹⁵ Peer Spokane; Compassionate Addiction Treatment; M.H.A. Speakout Speakup; West Spokane Wellness Partnership



Online NARCAN (naloxone) Retailers
CVS.com
Instacart.com
Kroger.com
Riteaid.com
Target.com
Walgreens.com
Walmart.com
Wegmans.com

NARCAN (naloxone) Retailers	Address	Phone	Neighborhood
CVS Pharmacy	4915 S Regal Street	509-822-3275	Southgate
CVS Pharmacy	9770 N Newport Highway	509-466-7226	Shiloh Hills
Rite Aid	810 E 29 th Avenue	509-838-3508	Comstock
Rite Aid	2215A W Wellesley Avenue	509-328-7887	Audubon/Downriver
Rite Aid	2929 E 29 th Avenue	509-535-9056	Lincoln Heights
Target	4915 S Regal Street	509-822-3290	Southgate
Target	9770 N Newport Highway	509-466-3006	Shiloh Hills
The Medicine Shoppe Pharmacy	902 W Indiana Avenue	509-327-1504	Emerson/Garfield
Walgreens	1708 W Northwest Boulevard	509-323-0309	Emerson/Garfield
Walgreens	2830 S Grand Boulevard	509-455-3736	Manito/Cannon Hill
Walgreens	327 W 3 rd Avenue	509-838-0175	Riverside
Walmart	2301 W Wellesley Avenue	509-327-0404	Audubon/Downriver
Walmart	9212 N Colton Street	509-464-2173	Shiloh Hills

References

- Agency for Toxic Substances and Disease Registry. (2024, July 22). *Place and Health - Geospatial Research, Analysis, and Services Program (GRASP)*. Retrieved from Social Vulnerability Index: <https://www.atsdr.cdc.gov/place-health/php/svi/>
- Anderson, C. (2024, October 23). Spokane Police Officer, Civil Enforcement Unit. (A. McDaniel, Interviewer)
- Bennett, A. S., & Elliott, L. (2021). Naloxone's role in the national opioid crisis— past struggles, current efforts, and future opportunities. *Translational Research*, 43-57.
- Billingham, E. (2024, May 9). Downtown Spokane's Main Market is at risk of closing, increasing food insecurity in the city's lowest income ZIP code. *Inlander*.
- Brunt, J. (2012, October 9). Alcohol impact area dropped. *The Spokesman-Review*.
- Brunt, J. (2012, March 18). Restrictions on alcohol sales get fresh look. *The Spokesman-Review*.

- Ciccarone, D., Holm, N., Ondocsin, J., Schlosser, A., Fessel, J., Cowan, A., & Mars, S. G. (2024, May 22). Innovation and adaptation: The rise of a fentanyl smoking culture in San Francisco. *PLoS ONE*.
- City of Philadelphia Licenses and Inspections. (2023, February). *Drug Paraphernalia Store FAQs*. Retrieved from City of Philadelphia Licenses and Inspections: https://www.phila.gov/media/20230214101514/PZ_018_FAQ_Paraphanelia-Sales-FAQ-Sheet-Rev-2.2023.pdf
- City of Seattle - Seattle Department of Neighborhoods. (2022). *Seattle Alcohol Impact Areas*. Seattle: City of Seattle.
- City of Spokane. (n.d.). *Emergency Management*. Retrieved from Naloxone (a.k.a. Narcan): <https://my.spokanecity.org/emergencymanagement/naloxone/>
- City of Spokane Washington. (2015, July 16). *Regulations for State-Licensed Marijuana Producers, Processors and Retailers - SMC 17C.347.030*. Retrieved from Spokane Municipal Code: <https://my.spokanecity.org/smc/?Section=17C.347.030>
- City of Vancouver Washington. (2008). *Alcohol Impact Area - Chapter 8.50*. Retrieved from Vancouver Municipal Code: <https://vancouver.municipal.codes/VMC/8.50>
- City of Vancouver Washington. (2014). *Vancouver Municipal Code*. Retrieved from Display of Drug Paraphernalia - Chapter 5.20: <https://vancouver.municipal.codes/VMC/5.20.010>
- Conway, J. (2024, October 7). *Dollar sales of the leading flavored malt beverages in the United States in 2024, by brand*. Retrieved from statista: <https://www.statista.com/statistics/427090/us-sales-of-the-leading-progressive-adult-beverage-brands/>
- Culver, N. (2023, January 31). *Redemption Church Looks for New Church Property, Cites High Crime Downtown*. Retrieved from FAVS News: <https://favs.news/redemption-church-looks-for-new-church-property-cites-high-crime-downtown/>
- Drug Enforcement Agency. (2023, March 6). *Drug Paraphernalia Q&A*. Retrieved from Get Smart About Drugs: <https://www.getsmartaboutdrugs.gov/content/drug-paraphernalia-qa>
- Emergent Devices Inc. . (n.d.). *NARCAN.com*. Retrieved from NARCAN.com: <https://narcan.com/en/buy>
- Fitterer, J. L., Nelson, T. A., & Stockwell, T. (2015). A Review of Existing Studies Reporting the Negative Effects of Alcohol Access and Positive Effects of Alcohol Control Policies on Interpersonal Violence. *Frontiers in Public Health*.
- Frint, E. (2024, January 1). *Man in custody after robbery in downtown Spokane, second suspect on the run*. Retrieved from KHQ.com: https://www.khq.com/news/man-in-custody-after-robbery-in-downtown-spokane-second-suspect-on-the-run/article_265625a4-a90c-11ee-ad85-873acf35f3f7.html
- Greater Spokane Inc. (2024, October 23). *Greater Spokane Inc. Launches The Pulse to Measure Voter Sentiment on Spokane's Most Pressing Issues*. Retrieved from Greater Spokane Inc.: <https://greaterspokane.org/public-policy/greater-spokane-inc-to-release-voter-poll-results-in-virtual-press-conference/>
- Hewitt, M. (2013). *2012 Annual Report - East Central AIA*. Spokane: City of Spokane.
- Hewitt, M. (2024, October 31). Retired Neighborhood Resource Officer - Spokane Police Officer. (A. McDaniel, Interviewer)
- Idaho Press. (2024, November 8). *Owner of convenience store near Boise State campus accused of selling drug paraphernalia*. Retrieved from Idaho Press: https://www.idahopress.com/news/crime_courts/owner-of-convenience-store-near-boise-



- state-campus-accused-of-selling-drug-paraphernalia/article_efe3c1a0-9dfe-11ef-9d75-83e187d8f51f.html
- Jernigan, D. H., Sparks, M., Yang, E., & Schwartz, R. (2013). *Using Public Health and Community Partnerships to*. Atlanta: Centers for Disease Control and Prevention.
- Jonas, M. (2023, March 20). *Arroyo wants to ban sale of 'nips' in Boston*. Retrieved from Commonwealth Beacon: <https://commonwealthbeacon.org/government/arroyo-wants-to-ban-sale-of-nips-in-boston/>
- Jones-Webb, R., Joshi, S., Erickson, D., McKee, P., Nelson, T., & Toomey, T. (2021). The Effectiveness of Alcohol Impact Areas in Reducing Crime in Washington Neighborhoods. *Alcohol, Clinical and Experimental Research*, 234-241.
- Jones-Webb, R., McKee, P., Joshi, S., Erickson, D., Toomey, T., & Nelson, T. (2018). *Is Restricting Sales of Malt Liquor Beverages Effective in Reducing Crime in Urban Areas?* Minneapolis: School of Public Health, Division of Epidemiology and Community Health, University of Minnesota.
- Lawrence-Turner, J. (2008, January 18). Man says novelty Love Roses feed drug problem. *The Spokesman-Review*.
- McKoy, J. (2024, April 1). *Reducing Late-Night Alcohol Sales Curbed Violent Crimes by 23% Per Year in a Baltimore Neighborhood*. Retrieved from Boston University School of Public Health: <https://www.bu.edu/sph/news/articles/2024/reducing-late-night-alcohol-sales-curbed-violent-crimes-by-23-per-year-in-a-baltimore-neighborhood/>
- Meidl, C. N. (2020). *2020 5-Year Review: Downtown AIA*. Spokane: City of Spokane.
- Miller, J. (2024, August 11). *Spokane Police Department searching for downtown gas station assault suspect*. Retrieved from KHQ.com: https://www.khq.com/news/spokane-police-department-searching-for-downtown-gas-station-assault-suspect/article_78989070-5845-11ef-813b-4bd2e2d4444e.html
- Nesoff, E. D., Milam, A. J., Branas, C. C., Martins, S. S., Knowlton, A. R., & Furr-holder, D. M. (2018). Alcohol Outlets, Neighborhood Retail Environments, and. *Alcohol, Clinical and Experimental Research*, 1979-1987.
- Nesoff, E. D., Milam, A. J., Morrison, C. W., Branas, C. C., Furr- Holden, D. M., Knowlton, A. R., & Martins, S. S. (2021). Alcohol outlets, drug paraphernalia sales, and neighborhood drug overdose. *International Journal of Drug Policy*.
- Nguyen, S. (n.d.). *Alcohol Impact Area Information and Updates*. Retrieved from Seattle Department of Neighborhoods: <https://www.seattle.gov/neighborhoods/about-seattle/neighborhoods-and-council-districts/alcohol-impact-area-information-and-updates>
- O'Brien, B., Mathieu, N. M., Bikomeye, J. C., Busalacchi, M., & Borisy-Rudin, F. (2023). *Alcopops: Easy to Drink and Difficult to Avoid*. Wisconsin Alcohol Policy Project.
- Osborne, A., Duggan, A., Shulman, A., & Cabeza, G. (2024, June 8). Tensions boil over with shooting at troubled intersection of Second and Division. *The Spokesman-Review*.
- Romley, J. A., Cohen, D., Ringel, J., & Sturm, R. (2007). *Alcohol and Environmental Justice: The Density of Liquor*. Santa Monica: RAND Corporation.

- Ruffing, J. (2024, October 18). Enforcement Supervisor - City of Spokane Code Enforcement. (A. McDaniel, Interviewer)
- Sanford, N. (2023, August 17). We spent a weekend at Spokane's most notorious intersection. Here's what we saw. *Inlander*.
- Sanford, N. (2024, July 4). It's not just humans — dogs in Spokane are also overdosing on drugs. *Inlander*.
- Schiffner, K. (2008, February 21). *Shell drops stations over alleged paraphernalia sales*. Retrieved from HeraldNet: <https://www.heraldnet.com/uncategorized/shell-drops-stations-over-alleged-paraphernalia-sales/>
- Singh, S., Banta-Green, C., & Kingston, S. (2022). *Distribution of Safer Drug Smoking Supplies as a Public Health Strategy*. Seattle: University of Washington Addictions, Drugs & Alcohol Institute.
- Smith, M. (2024, December 6). Health Equity Circle. (A. McDaniel, Interviewer)
- Spitzer, H. D. (2000). Municipal Police Power in Washington State. *Washington Law Review*, 495-518.
- Spokane Food Policy Council. (2016). *Spokane Regional Food System Inventory*. Spokane.
- Spokane Regional Health District. (2017). *Confronting Violence*. Spokane: Spokane Regional Health District.
- Spokane Regional Opioid Task Force (SROTF). (n.d.). *Opioid Dashboard*. Retrieved from Opioid Dashboard: <https://countyhealthinsights.org/county/spokane/dashboard/opioid-dashboard/>
- Starks, A., Sharkova, I., Leibenguth, S., & Huber, A. (2024). *Risk and Protection Profile for Substance Abuse Prevention in Spokane County*. Olympia: Washington State Department of Social & Health Services.
- State of Washington. (2001, March 29). *WAC 314-11-070*. Retrieved from Washington Administrative Code: <https://app.leg.wa.gov/wac/default.aspx?cite=314-11-070>
- stopoverdose.org. (2024, November 17). *Good Samaritan Law*. Retrieved from stopoverdose.org: <https://stopoverdose.org/basics/good-samaritan-law/>
- stopoverdose.org. (n.d.). *Washington State Naloxone Finder*. Retrieved from stopoverdose.org: <https://stopoverdose.org/find-naloxone-near-me-washington-state/>
- Substance Abuse and Mental Health Services Administration (SAMHSA). (2022). *Implementing CommunityLevel Policies to Prevent Alcohol Misuse*. . Rockville, MD: Substance Abuse and Mental Health Services Administration .
- Tanz, L. J., Gladden, M., Dinwiddie, A. T., Miller, K. D., Broz, D., Spector, E., & O'Donnell, J. (2024, February 15). *80% of overdose deaths showed no signs of injection/intravenous use (Tanz, et al., 2024)*. Retrieved from Centers for Disease Control and Prevention: <https://www.cdc.gov/mmwr/volumes/73/wr/mm7306a2.htm>
- Tarnai, J. (2009). *Post-Assessment | Seattle Washington | Alcohol Impact Areas*. Seattle: Washington State Liquor Control Board | City of Seattle.
- Templeman, D. (2022). *Alcohol Impact Area Five Year Report September 1, 2017 - August 31, 2022*. Olympia: Washington State Liquor and Cannabis Board.
- Theall, K. P., Scribner, R., Cohen, D. B., Schonlau, M., & Farley, T. A. (2009). Social Capital and the Neighborhood Alcohol Environment. *Health Place*, 323-332.
- Thys, F. (2023, December 27). *As nip ban vote nears, it's litter reduction versus convenient consumption*. Retrieved from Plymouth Independent:



- <https://www.plymouthindependent.org/as-nip-ban-vote-nears-its-litter-reduction-versus-convenient-consumption/>
- U.S. Census Bureau. (2024, October 22). Retrieved from U.S. Census Bureau.
- U.S. Department of Agriculture. (2024, November 20). *SNAP Retailer Locator*. Retrieved from SNAP Retailer Locator: <https://usda-fns.maps.arcgis.com/apps/webappviewer/index.html?id=15e1c457b56c4a729861d015cd626a23>
- U.S. Department of Health & Human Services. (2016). *Facing Addiction in America*. Washington, D.C.: Office of the Surgeon General.
- Walter, R. J., Acolin, A., & Marie, T. S. (2024). Association between property investments and crime on commercial and residential streets: Implications for maximizing public safety benefits. *SSM - Population Health*.
- Washington Health Care Authority, Washington Department of Health; Washington Office of Superintendent of Public Instruction; Washington Liquor and Cannabis Board. (2024, October 19). *Healthy Youth Survey Data Dashboard*. Retrieved from Washington State Healthy Youth Survey: <https://www.askhys.net/SurveyResults/DataDashboard>
- Washington State Department of Health. (2024, April 22). *Washington State Department of Health*. Retrieved from Washington State Standing Order to Dispense Naloxone HCl: <https://doh.wa.gov/sites/default/files/legacy/Documents/Pubs/150-127-StatewideStandingOrderToDispenseNaloxone.pdf?uid=6298fda55b362>
- Washington State Department of Health. (n.d.). *Overdose Education and Naloxone Distribution*. Retrieved from Washington State Department of Health: <https://doh.wa.gov/you-and-your-family/drug-user-health/overdose-education-naloxone-distribution>
- Washington State Liquor and Cannabis Board. (2019). *Alcohol Impact Areas - Local Authority Handbook*. Olympia: Washington State Liquor and Cannabis Board.
- Washington State Liquor and Cannabis Board. (2024, October 18). *Alcohol Impact Areas*. Retrieved from Washington State Liquor and Cannabis Board: <https://lcb.wa.gov/licensing/alcohol-impact-areas>
- Wohlfeil, S. (2022, March 17). Experts say safe smoking supplies could reduce harm of fentanyl. *Inlander*.
- World Health Organization. (2017). *Tackling NCDs*. World Health Organization.

**Agenda Sheet for City Council:****Committee:** Public Safety **Date:** 01/06/2025**Committee Agenda type:** Discussion**Date Rec'd** 12/26/2024**Clerk's File #** ORD C36635**Cross Ref #****Project #****Council Meeting Date:** 01/27/2025**Submitting Dept** MAYOR**Bid #****Contact Name/Phone** MAGGIE 6753/6779**Requisition #****Contact E-Mail** MYATES@SPOKANECITY.ORG/AMCD**Agenda Item Type** First Reading Ordinance**Council Sponsor(s)** ZZAPPONE BWILKERSON PDILLON**Sponsoring at Administrators Request** NO**Lease?** NO **Grant Related?** NO **Public Works?** NO**Agenda Item Name** ORDINANCE IMPLEMENTING A COMMUNITY HEALTH IMPACT AREA**Agenda Wording**

An ordinance implementing a Community Health Impact Area and public health measures to mitigate the impacts of addiction; adopting a new Division VII and Chapter 10.81 to the Spokane Municipal Code.

Summary (Background)

The City of Spokane recognizes the opioid crisis as a national public health epidemic and community safety issue. Due to record numbers of opioid overdoses in Spokane and the effectiveness of naloxone in reducing deaths from these overdoses, the City of Spokane seeks to prohibit any person or business selling or distributing smoking paraphernalia in downtown Spokane unless also providing overdose risk reduction supplies (naloxone) at no cost upon a transaction that includes smoking supplies.

What impacts would the proposal have on historically excluded communities?

See legislative findings.

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 City of Spokane intends to use emergency medical services data, crime statistics, and public health information to establish a geographical area in the City of Spokane as a Community Health Impact Area to target policy and programmatic resources that mitigate the disproportionate public health and secondary neighborhood impacts of the addiction crisis.

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

The City shall publish on the City website quarterly data from the community health impact area. Data shall include but is not limited to likely overdose calls for service, crime statistics, and other relevant data.

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 ordinance aligns with Executive Order 2024-0006.

Council Subcommittee Review

Fiscal Impact	
Approved in Current Year Budget? N/A	
Total Cost	\$
Current Year Cost	\$
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
Amount	Budget Account
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source	
Funding Source Type	Select
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	Additional Approvals
<u>Dept Head</u>	SCOTT, ALEXANDER
<u>Division Director</u>	
<u>Accounting Manager</u>	BUSTOS, KIM
<u>Legal</u>	SCHOEDEL, ELIZABETH
<u>For the Mayor</u>	PICCOLO, MIKE
Distribution List	
	amcdaniel@spokanecity.org
myates@spokanecity.org	

ORDINANCE NO. C36635

An ordinance implementing a Community Health Impact Area and public health measures to mitigate the impacts of addiction; adopting a new Division VII and Chapter 10.81 to the Spokane Municipal Code.

WHEREAS, the City of Spokane recognizes the opioid crisis as a national public health epidemic and community safety issue requiring an integrated response that includes overdose prevention, access to additional behavioral health and treatment resources, law enforcement action against illegal drug traffickers and dealers, and the revitalization of neighborhoods decimated by this crisis; and

WHEREAS, Death Certificate Data compiled by the Spokane Regional Opioid Task Force (SROTF) found that opioids accounted for 46% of overdose deaths in 2020, 68% in 2021, 73% in 2022, 82% in 2023, and 84% in 2024 (preliminary data); and

WHEREAS, preliminary data through December 16th, 2024, suggests 205 people in Spokane County have already died from opioid overdose in Spokane County this year; and

WHEREAS, In September 2024, Spokane County saw its highest number of Emergency Medical Services (EMS) calls for suspected overdose on record and its emergency department visit rate for non-fatal overdoses continues to outpace the state rate; and

WHEREAS, the percentage of people experiencing opioid overdoses in Spokane who were administered naloxone prior to EMS arrival is the lowest it has been since 2019; and

WHEREAS, smoking foil and pipes is the most common way individuals consume both fentanyl and methamphetamine; and

WHEREAS, and the Centers for Disease Control and Prevention in February 2024 found that smoking was the predominant method of consumption that resulted in overdose deaths in the Western United States; and

WHEREAS, there are multiple retail outlets in downtown Spokane that sell smoking supplies such as pipes, and foils marketed for legal use only despite acknowledgement by law enforcement that these products are generally being used for consuming illicit substances including synthetic opioids; and

WHEREAS, the City of Spokane seeks to prohibit any person or business selling or distributing smoking paraphernalia in downtown Spokane unless also providing

overdose risk reduction supplies (naloxone) at no cost upon a transaction that includes smoking supplies.

The City of Spokane does ordain:

Section 1. There is enacted a new chapter 10.81 to Title 10 of the Spokane Municipal Code to read as follows:

Division VII	City of Spokane Community Health Programs
Chapter 10.81	Community Health Impact Areas
SMC 10.81.010	Scope and Purpose
SMC 10.81.020	Community Health Impact Area in Spokane’s Downtown Police Precinct Area
SMC 10.81.030	Definitions
SMC 10.81.040	Overdose Risk Reduction Products Required
SMC 10.81.050	Violation and Penalties

Chapter 10.81 Community Health Impact Areas

Section 10.81.010 Scope and Purpose

A. The City of Spokane recognizes the addiction crisis as a public health and community safety issue requiring an integrated crisis response that includes overdose prevention, access to additional behavioral health and treatment resources, law enforcement action against illegal drug traffickers and dealers, and the revitalization of neighborhoods decimated by the addiction crisis. The City of Spokane finds that residents within some neighborhoods suffer disproportionately from the impacts of the addiction crisis and seeks to implement public health programs and strategies to mitigate these impacts.

B. The City of Spokane intends to use emergency medical services data, crime statistics, and public health information to establish a geographical area in the city of Spokane as a Community Health Impact Area to target policy and programmatic resources that mitigate the disproportionate public health and secondary neighborhood impacts of the addiction crisis.

Section 10.81.020 Community Health Impact Area in Spokane’s Downtown Police Precinct Area

A. The geographical area encompassing the Spokane Police Department’s Downtown Precinct is declared to be a community health impact area. This geographical area is shown in Exhibit A. The boundaries shall include properties located on both sides of the public right of-way that constitute the boundaries of the community health impact area as further depicted on the attached map.

B. The City shall publish on the City website quarterly data from the community health impact area. Data shall include but is not limited to likely overdose calls for service, crime statistics, and other relevant data.

Section 10.81.030 Definitions

A. "Agency" means the state of Washington, a county, municipal corporation, health district, school district, special taxing authority, postsecondary institutions, or federally-recognized Indian tribe.

B. "Distribute" or "Distribution" means to furnish, give away, exchange, transfer, deliver or supply, whether or not for monetary gain

C. "Foil" also known as aluminum foil or tinfoil includes aluminum sheeting or leaves used for smoking tobacco, to cover or wrap food, or to line cooking equipment.

D. "Health care provider" means a person who is licensed, certified, registered, or otherwise authorized by the State of Washington to provide health care in the ordinary course of business or practice of a profession.

E. "Nonprofit Corporation" or "Nonprofit Organization" means a corporation, organization or limited liability corporation:

1. Formed and organized under chapter 24.03 RCW, and
2. In accordance with Internal Revenue Code sections 501(c)(3) or 501(c)(4), and as hereafter amended.
3. Where the term nonprofit organization is used, it is meant to include a nonprofit corporation or nonprofit limited liability corporation.

F. "Overdose risk reduction supplies" means at least one unopened box or package of Naloxone HCl Nasal Spray containing at least two single-dose nasal spray devices. Instructions for use shall be included in each unopened box.

G. "Person" means an individual, corporation, business trust, estate, trust, partnership, association, joint venture, government, governmental subdivision or agency, or any other legal or commercial entity.

H. "Pharmacy" means every place properly licensed by the Pharmacy Quality Assurance Commission where the practice of pharmacy is conducted as defined by RCW 18.64.011(32).

I. "Smoking supplies" means any equipment, product, or material of any kind which is used, intended for use, designed for use, to package, repackage, store, contain, conceal,

ingest, inhale, or otherwise introduce tobacco of any form into the human body including, but not limited to:

1. Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls;
2. Water pipes;
3. Carburetion tubes and devices;
4. Smoking and carburetion masks;
5. Roach clips, meaning objects used to hold burning material, such as a cigarette, that has become too small or short to be held in the hand;
6. Chamber pipes;
7. Carburetor pipes;
8. Electric pipes;
9. Air-driven pipes;
10. Chillums;
11. Bongs;
12. Ice pipes or chillers; and
13. Foils

“Smoking supplies” does not include cigarettes, cigars, matches, lighters, tobacco products as defined by RCW 82.26.010(21) or vapor products as defined by RCW 70.345.010.

J. “Supermarket”, as designated by the North American Industry Classification System, means a business where the primary business activity is retailing a general line of food, such as canned and frozen foods; fresh fruits and vegetables; and fresh and prepared meats, fish, and poultry. It does not include Convenience Retailers or Gasoline Stations with Convenience Stores as defined by the North American Industry Classification System.

K. “Transaction” means a purchase, sale, loan, gift, transfer, transmission, delivery, trade, exchange, extension of credit, or any other method of acquisition or disposition of smoking supplies.

Section 10.81.040 Overdose Risk Reduction Products Required

A. A person shall not distribute, sell or permit to be sold smoking supplies within a community health impact area unless the person also provides overdose risk reduction supplies at no cost upon a transaction that includes smoking supplies.

B. This section shall not apply to any agency, health care provider, pharmacy, supermarket, retail outlet regulated by RCW 69.50.357, or any nonprofit providing addiction treatment, harm reduction services, or distributing overdose risk reduction supplies.

10.81.050 Violation and Penalties

Any person violating this chapter shall be guilty of a Class 1 Civil Infraction. It shall not be a defense to an alleged violation that overdose risk reduction supplies were unavailable to the person distributing, selling or permitting the distribution or sale of smoking supplies.

PASSED by the City Council on _____

Council President

Attest:

Approved as to form:

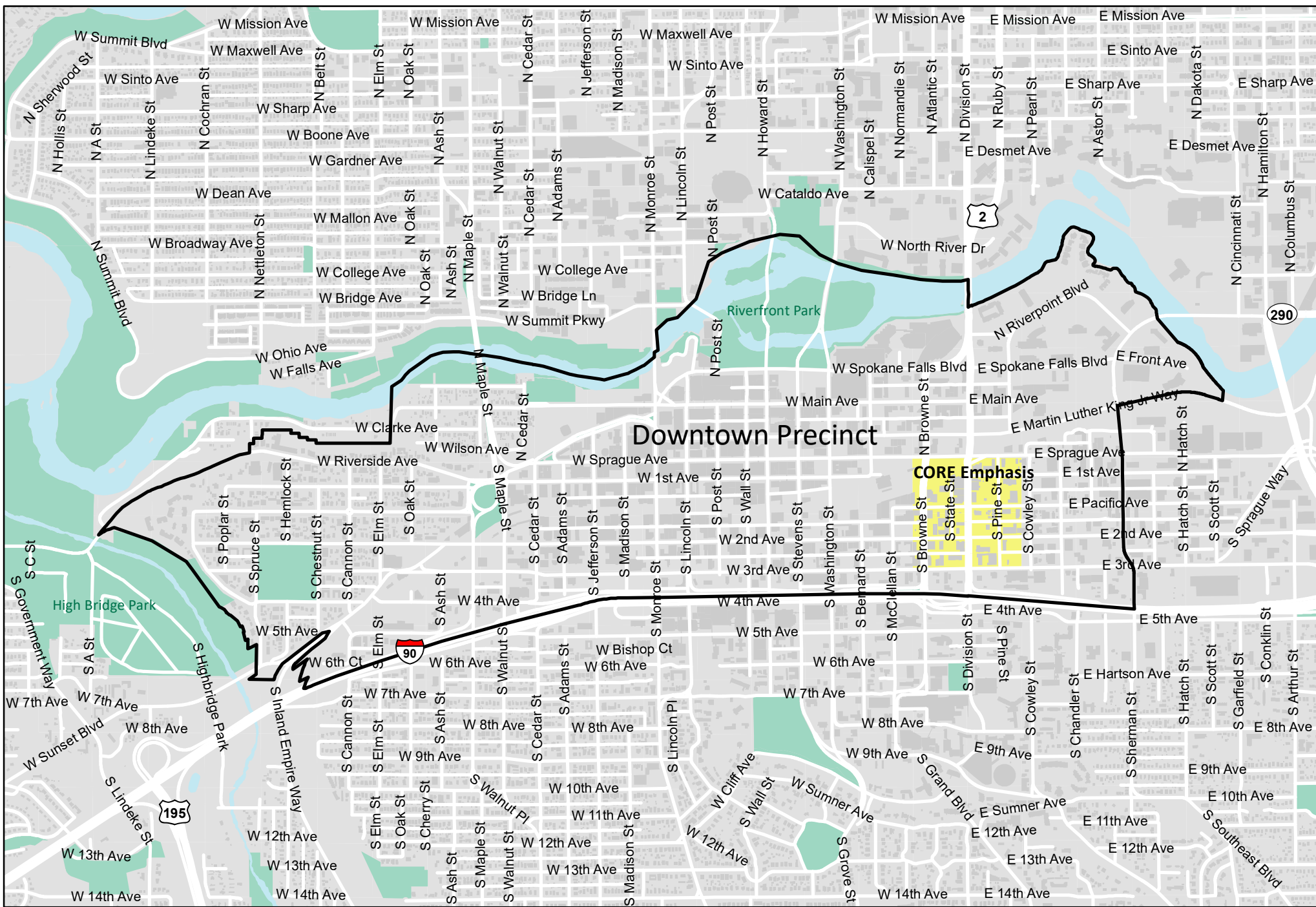
City Clerk

City Attorney

Mayor

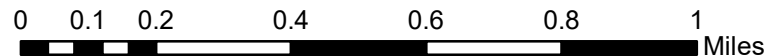
Date

Effective Date



City of Spokane

Downtown Precinct with CORE Emphasis Area



1:18,000





Memorandum

Office of the Mayor

DATE: December 26, 2024

FROM: Adam McDaniel – Policy Advisor, Office of the Mayor

TO: Councilmember Paul Dillon – Chair, Public Safety and Community Health Committee

RE: Alcohol Impact Area | Community Health Impact Area

This memo recommends potential public health and crime reduction strategies to address the secondary impacts of addiction. This memo identifies both internal and external regulatory gaps and ultimately recommends an alcohol impact area within the downtown police precinct area as a public safety policy with a documented track record of reducing violent crime, shrinking narcotics violations, and lessening waste and litter on streets and right of ways in the city of Spokane. This memo also recommends a policy for expanding naloxone distribution to address the overdose crisis impacting the downtown police precinct area.

Executive Summary – Alcohol Impact Area

I. **Background:** The previous administration inadvertently repealed a pre-existing alcohol impact area, which regulated the sale of certain single use alcohol products for off-premises consumption.

II. **Issue:** The sale of single serve alcohol products for off-premises consumption creates dangerous public health and public safety outcomes, disproportionately impacting poor communities and communities of color.

III. Policy Recommendations

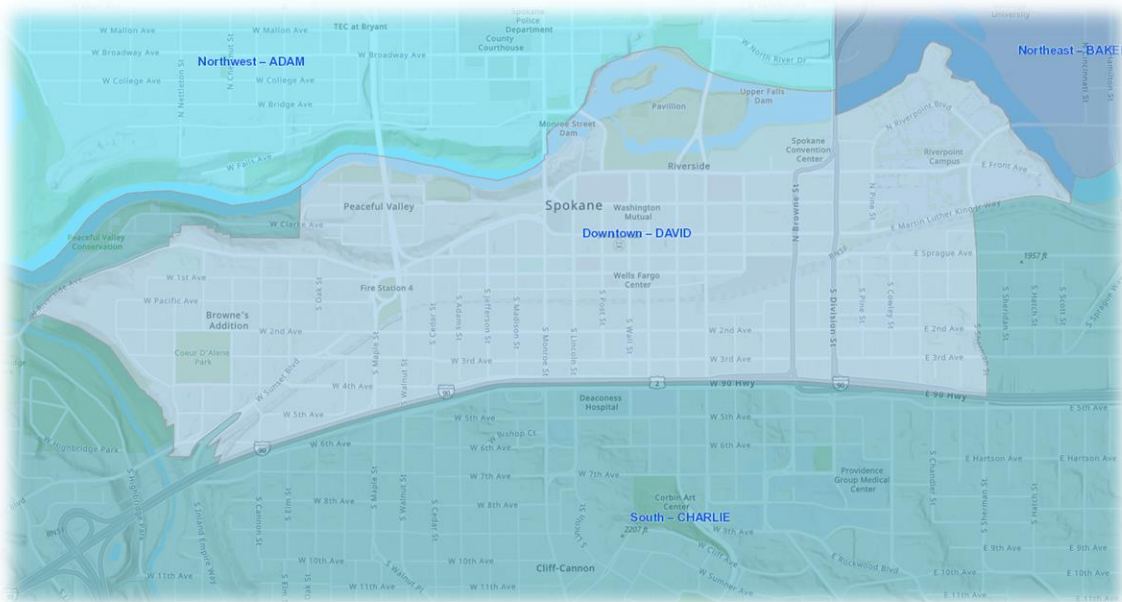
Reestablish an alcohol impact area for downtown Spokane to match the boundaries on the Spokane Police Department's downtown precinct.



2nd Avenue and Maple Street – October 23, 2024

Downtown Police Precinct Area

Census Tract 35, Census Tract 36.01, Census Tract 36.02, and a small part of Census Tract 145 fall within the Spokane Police Department’s downtown precinct area. The downtown precinct borders I-90 to the south, the Spokane River to the north, Latah Creek/High Bridge Park to the west, and Sherman Avenue to the east.



Census Tracts 35, 36.01 and 36.02 encompass the Riverside, Peaceful Valley, and Browne’s Addition neighborhoods, respectively. Over 9,000 Spokane residents live in these three census



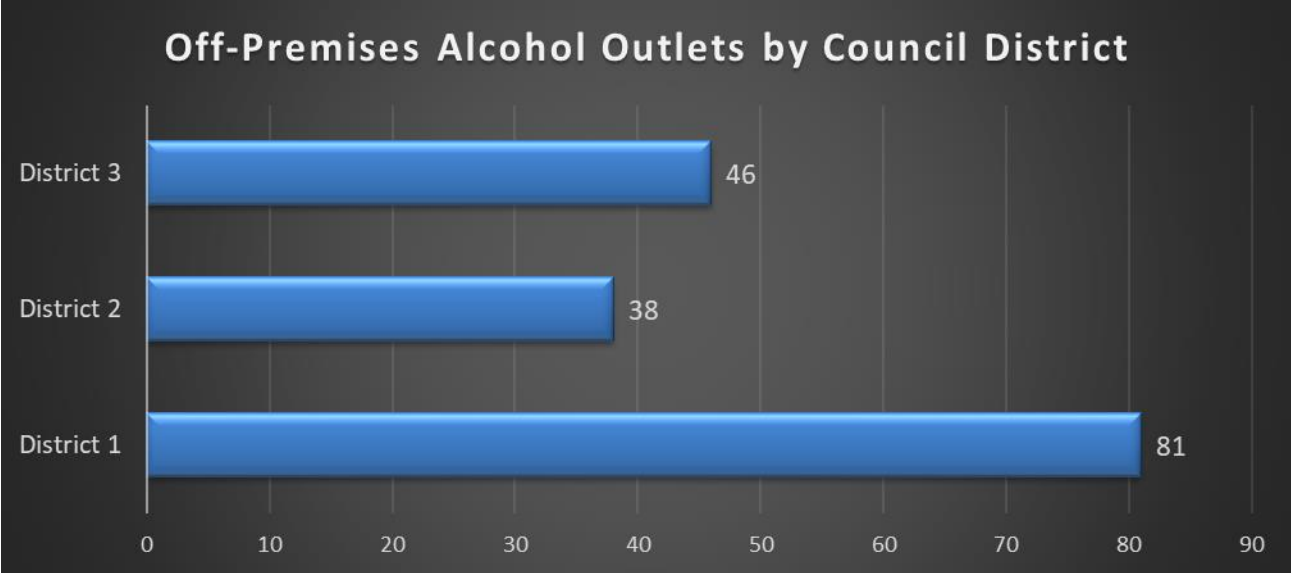
tracts – a population larger than the city of Medical Lake. These neighborhoods are racially more diverse than most other neighborhoods and have high Social Vulnerability Index (SVI) scores as measured by the Centers for Disease Control and Prevention (Agency for Toxic Substances and Disease Registry, 2024). Half of residents in the Riverside Neighborhood (Census Tract 35) live below the federal poverty line. Census Tract 35 has the lowest median household income of any census tract in the city, and all three neighborhoods have unemployment rates higher than the citywide rates.

Nearly 95% of Census Tract 35 residents are renters, and more than a quarter of residents in both Riverside and Browne’s Addition neighborhoods lack access to a vehicle (U.S. Census Bureau, 2024). Most of the downtown area is considered a food desert (Spokane Food Policy Council, 2016). Some residents formerly utilized the Rite Aid along Howard Street for basic food and grocery items but the store’s closure in 2023 necessitates many residents to depend on other off-premises alcohol outlets for basic food items. If Main Market Co-op closes, dependence on off-premises alcohol outlets for necessities will grow even greater (Billingham, 2024). Currently, nine of the fourteen SNAP retailers within the downtown police precinct area are convenience stores (U.S. Department of Agriculture, 2024).

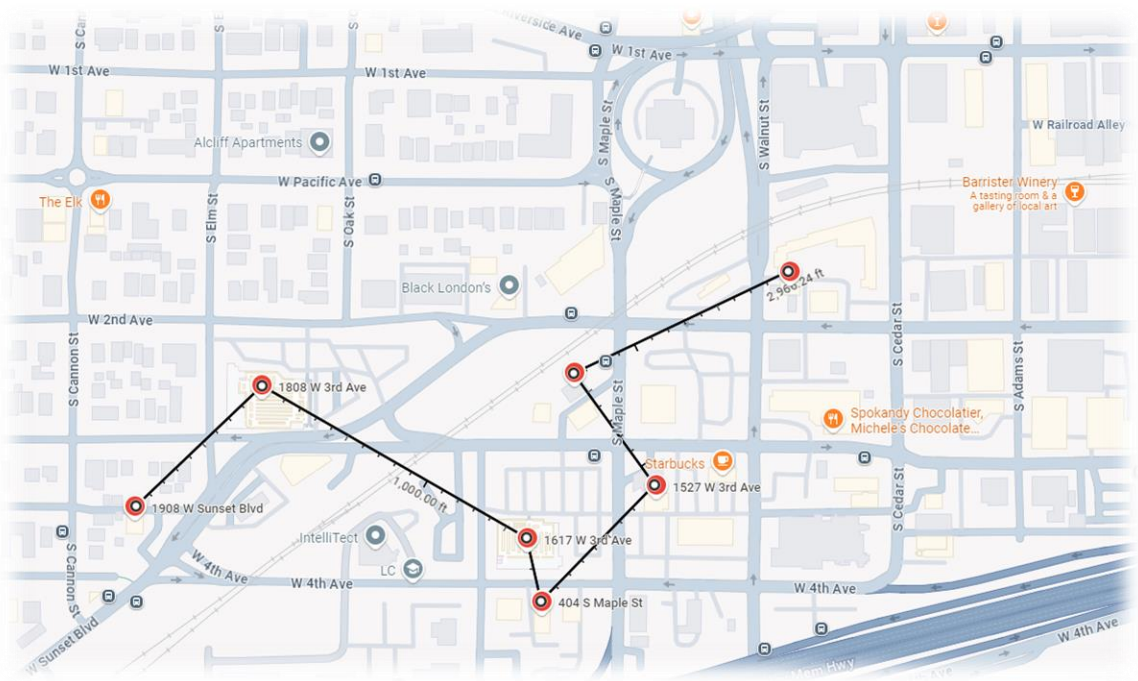
Historically, the Riverside Neighborhood suffered from the highest violent crime rate of any area in Spokane County while Browne’s Addition had the fourth highest violent crime rate in the county (Spokane Regional Health District, 2017). Current crime statistics show a reduction in violent crime year-to-date within the downtown police precinct area, however downtown Spokane is perceived as being “unsafe” (Greater Spokane Inc., 2024). The perception that downtown Spokane is “unsafe” has compounding social capital impacts on the residents living in these neighborhoods (Theall, Scribner, Cohen, Schonlau, & Farley, 2009). This perception may slow the physical property investments critical to improving public safety and enhancing public health within the neighborhood (Walter, Acolin, & Marie, 2024).

Off-Premises Alcohol Outlets (Liquor Stores/Convenience Stores)

Off-premises alcohol outlets include liquor stores and convenience stores selling liquor and high-octane alcohol products where patrons buy the alcohol to be consumed off-premises. As of early October 2024, there were 145 off-premises alcohol outlets licensed by the Washington State Liquor and Cannabis Board (LCB) or going through the licensing process in the city of Spokane. More than half of all off-premises alcohol outlets were in City Council District 1.



Multiple studies show that off-premises alcohol outlets are disproportionately located in communities with lower incomes and in neighborhoods with a higher percentage of non-white residents (Romley, Cohen, Ringel, & Sturm, 2007). The Riverside and Browne’s Addition neighborhoods have nearly three off-premises alcohol outlets for every 1,000 residents. Contrast this with the Southgate neighborhood, which boasts only 0.38 off-premises alcohol outlets for every 1,000 residents and Indian Trail which has 0.50 off-premises alcohol outlets for every 1,000 residents.



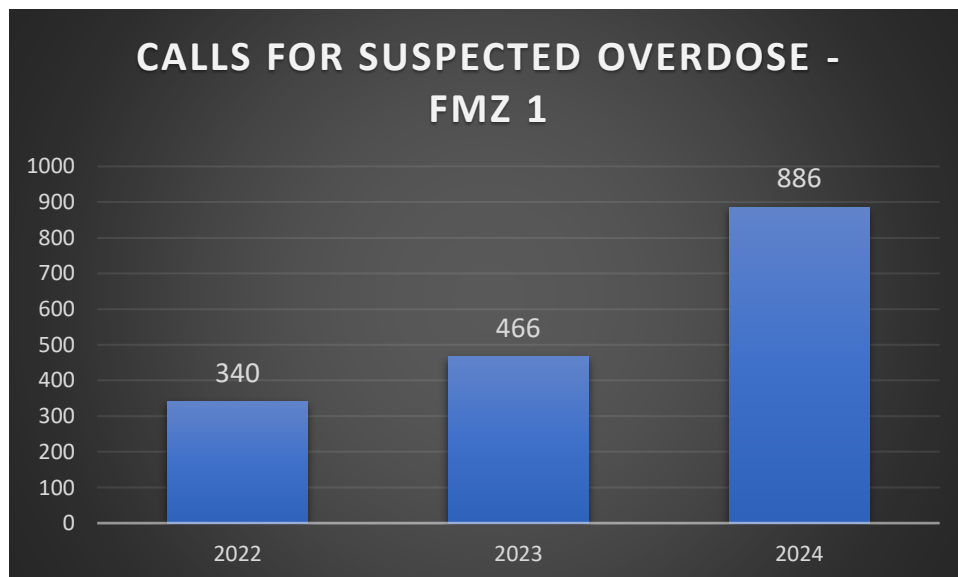
Seven Off-Premises Alcohol Outlets within 0.5 miles in downtown Spokane



Census Tract 145 has nearly four off-premises alcohol outlets for every 1,000 residents. Like the Riverside neighborhood, nearly half of residents in Census Tract 145 (East Central) live below the federal poverty line.

Alcohol and drug-related deaths continue to rise in Spokane County (Starks, Sharkova, Leibenguth, & Huber, 2024) Off-premises alcohol outlets have a significant effect on crime and the quality of life in neighborhoods (Fitterer, Nelson, & Stockwell, 2015). Off-premises alcohol outlets are associated with shootings (Osborne, Duggan, Shulman, & Cabeza, 2024), assaults (Miller, 2024), and robberies (Frint, 2024). There is even a strong association between off-premises alcohol outlets and the rate of pedestrian injuries (Nesoff, et al., 2018). The density of off-premises alcohol outlets in neighborhoods is a risk factor for youth and young adult substance use (U.S. Department of Health & Human Services, 2016).

Off-premises alcohol outlets in downtown Spokane are also places where drug activities take place (Sanford, We spent a weekend at Spokane's most notorious intersection. Here's what we saw., 2023). Unsurprisingly, public health research finds the proliferation of off-premises alcohol outlets is associated with higher rates of drug overdose. A study of the city of Baltimore published in the International Journal of Drug Policy found “each additional off-premises alcohol outlet was associated with a 16.6% increase in neighborhood overdose rate” (Nesoff, et al., 2021). The City of Spokane’s Fire Management Zone 1 serves the downtown police precinct area east of Lincoln Street to I-90 to the south and the Spokane River to the north. There are eight off-premises alcohol outlets within Fire Management Zone 1. Fire Management Zone 1 has seen an alarming increase in overdose calls over the last 3 years.



Spokane Fire Department Data - October 31, 2024

Off-Premises Alcohol Outlets in Downtown Spokane

There are seventeen active and licensed off-premises alcohol outlets in the downtown police precinct area and one licensee pending approval from the Washington State Liquor and Cannabis Board. Most of these off-premises alcohol outlets are traditional convenience retailers except for four supermarkets (Rosauers Supermarket, Downtown Grocery Outlet, Main Market Co-op, and PM Jacoy’s), a specialty wine shop (Vino! A Wine Shop), and a hotel (Best Western Plus City Center).

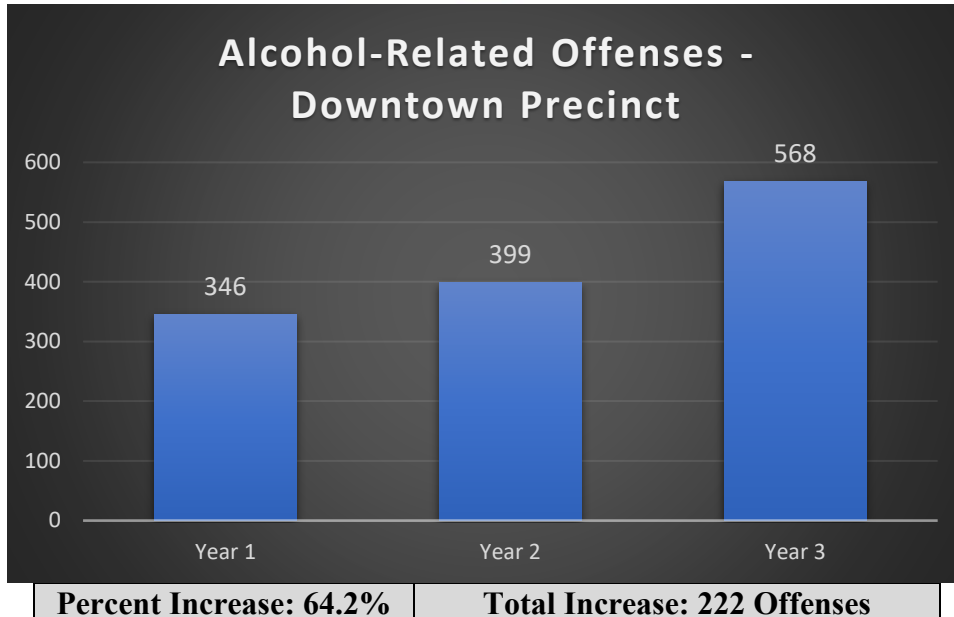
Off-Premises Licensee (Tradenname)	Address	Hours
7-ELEVEN STORE #32703B	177 S DIVISION ST	24 Hours
BAINS LIQUOR MART MAPLE	404 S MAPLE ST	24 Hours
BAINS MART 2ND AVE	1428 W 2ND AVE	24 Hours
BEST WESTERN PLUS CITY CENTER	33 W SPOKANE FALLS BLVD	N/A
CITY FUEL	1527 W 3RD AVE	6:00am – 10:00pm
CONOCO FOOD MART	1602 W 3RD AVE	24 Hours
DIVINE 11 MIDCITY	822 W 2ND AVE	6:00am – 1:00am
DIVISION EXPRESS	3 EAST 3RD AVE	6:00am – 12:30am
DOWNTOWN QUICK STOP	10 N POST ST STE 102	6:00am – 12:00am
DOWNTOWN QUICK STOP 2	10 N POST ST STE 16	6:00am – 12:00am
DOWNTOWN QUICK STOP III ¹	501 W SPRAGUE AVE	
DOWNTOWN SPOKANE GROCERY OUTLET	1617 W 3RD AVE	8:00am – 9:00pm
MAIN MARKET CO-OP	44 W MAIN AVE	8:00am – 8:00pm
P M JACOY'S	402 W SPRAGUE AVE	7:00am – 7:00pm
ROSAUERS SUPERMARKETS #2	1808 W 3RD AVE	6:00am – 10:00pm
SUNSET GROCERY	1908 W SUNSET BLVD	24 Hours
THE PIGGY MART	932 W 3RD AVE	5:00am – 2:00am
VINO! A WINE SHOP	222 S WASHINGTON ST	10:00am – 7:00pm

Although crime is down year-to-date in the downtown police precinct area overall, alcohol-related incidents in the area have grown 64% over the last three years.²³

¹ Off-Premises liquor license is currently pending.

² Ernst, Spokane Police Department; **Method:** All police report offenses were reviewed using the FBI NIBRS flag “Offender suspected of using Alcohol”. Any offenses where that flag was set to Yes were included. Additionally, all statutes in the system were reviewed for key terms like “alcohol”, “liquor”, “open container”, and “DUI”. If the statute reflected alcohol use but the “Offender suspected of using Alcohol” flag was set to No or Unknown, the offense was counted anyway.

³ Year 1 is 10/1/2021 to 9/30/2022. Year 2 is 10/1/2022 to 9/30/2023. Year 3 is 10/1/2023 to 9/30/2024



Specifically, alcohol-related offenses within 1,000 feet of ten off-premises alcohol outlets within the downtown police precinct area are up over the same 3-year period.

<u>Licensee</u>	<u>Percent Increase – 3 Year Period</u>
7-ELEVEN STORE #32703B	108%
BAINS LIQUOR MART MAPLE	4%
CONOCO FOOD MART	30%
DIVINE 11 MIDCITY	44%
DIVISION EXPRESS	154%
DOWNTOWN QUICK STOP 1 & 2	106%
DOWNTOWN SPOKANE GROCERY OUTLET	23%
P M JACOY'S	114%
THE PIGGY MART	39%

Alcohol Impact Areas (AIA)

The purpose of an alcohol impact area is for local governments to mitigate illegal activities linked with the sale or public consumption of alcohol within a geographic area of their jurisdiction (Washington State Liquor and Cannabis Board, 2024). Certain conditions and

restrictions may be implemented on off-premises alcohol outlets including the limitation of hours of operation for off-premises sales, banning of certain alcohol items, and a prohibition on the sale of single-serve containers (Washington State Liquor and Cannabis Board, 2019).

As of October 2024, most of the off-premises alcohol outlets within the downtown police precinct area were selling high-octane alcohol products that were previously restricted less than two years ago within the downtown alcohol impact area.

Importantly, the petitioning local government is responsible for suggesting the conditions and restrictions for consideration of the Washington Liquor and Cannabis Board per Washington Administrative Code 314-12-215. In addition to LCB-adopted conditions and restrictions, local governments are given sixty days to register objections under RCW 66.24.010 to new liquor license applications within alcohol impact areas versus only twenty days for licenses outside of an alcohol impact area. Implementation of an alcohol impact area requires adoption of an ordinance by the Spokane City Council executing a six-month voluntary compliance period. The City will communicate to all off-premises alcohol outlet licensees in the area with a request to voluntarily comply with the conditions and restrictions. The LCB may formalize the conditions and restrictions if the licensees fail to comply with the conditions and restrictions placed by the voluntary alcohol impact area.

There are mandatory alcohol impact areas in large cities across Washington. All four cities with current alcohol impact areas have alcohol impact areas in their downtown core.

City	# of AIAs	Year Established
Seattle	2	1999
Tacoma	3	2008
Olympia	1	2014
Everett	1	2016

The first alcohol impact area was approved in Seattle’s Pioneer Square. In addition to certain product bans, the Pioneer Square alcohol impact area restricted the sale of off-premises alcohol between 6:00am and 9:00am and prohibited the sale of single serve containers (Nguyen, n.d.).

There is also a voluntary alcohol impact area in the city of Vancouver (City of Vancouver Washington, 2008). These large Washington cities have had multiple opportunities to end their alcohol impact area designations and have chosen not to repeal them. Reports published by law enforcement from these cities are clear: alcohol impact areas reduce crime. A report from the City of Seattle reviewing a five-year period from 2017-2022 found alcohol impact areas continue to have, “significant and positive effects on curbing the problems associated with chronic inebriation and public safety”. An external study of the City of Seattle’s alcohol impact areas supports the City of Seattle’s Department of Neighborhoods findings (Tarnai, 2009). Community organizations such as the Downtown Seattle Association and Chinatown-International District Business Improvement Area strongly advocated for the renewal of Seattle’s alcohol impact areas in 2022 (City of Seattle - Seattle Department of Neighborhoods, 2022). Similarly, the City of Everett also saw a decrease in alcohol-related incidents after the implementation of their alcohol impact area (Templeman, 2022).



The City of Spokane previously had two mandatory alcohol impact areas: Downtown, East Central, and one voluntary area: West Central. The downtown alcohol impact area’s previous perimeter was from Cannon Street as the west boundary to Scott Street to the east and Spokane Falls Boulevard as the north boundary to Fifth Avenue as the south boundary. The downtown alcohol impact area was officially adopted by the Washington Liquor and Cannabis Board in 2010. The West Central voluntary alcohol impact area was created in 2011 and subsequently repealed by the City Council in 2012 after neighborhood pushback (Brunt, Alcohol impact area dropped, 2012). The Downtown and East Central alcohol impact areas existed until 2022, when they were inadvertently repealed by the previous administration and City Council in Emergency Ordinance C36289.

A year before the downtown and East Central alcohol impact areas were repealed, researchers from the University of Minnesota School of Public Health published a study on the crime reduction success of alcohol impact areas in Tacoma as well as downtown and East Central in Spokane. Crucially, one of the most significant reductions of crime within the alcohol impact areas were narcotic drug violations. Other crimes, including assaults, also decreased significantly (Jones-Webb, et al., 2021). This study matches Washington State University research published in 2009 that established the efficacy of the City of Seattle’s alcohol impact areas. The WSU study found the rate of drug-related EMS incidents declined after implementing the alcohol impact area (Tarnai, 2009).

A five-year analysis of the downtown alcohol impact area completed and published by the Spokane Police Department showed the downtown alcohol impact area to have a “consistent and lower rate of increase in calls for service than the City [sic] of Spokane as a whole (Meidl, 2020)”.



Downtown AIA - City of Spokane

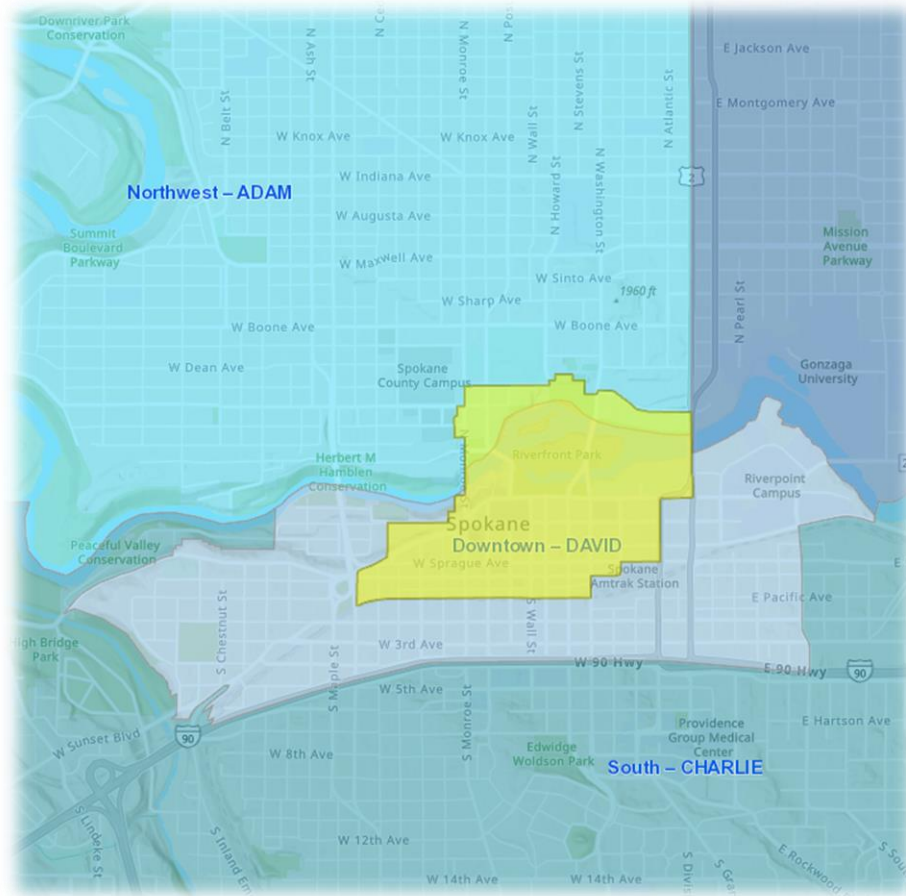
The East Central alcohol impact area drew praise from the East Spokane Business Association as having an almost immediate impact (Hewitt, 2012 Annual Report - East Central AIA, 2013):

“The East Central Alcohol Impact Area (AIA) has made a significant impact in the very short time it has been in effect. The East Central Neighborhood, Spokane International District and South Perry Street District have seen decreases in public intoxication, littering, loitering and disorderly conduct. The East Spokane Business Association is pleased with the immediate and positive impact the AIA has made in this neighborhood” - Jack-Daniyel Strong, Former ESBA President

Opponents of alcohol impact areas see the implementation of an alcohol impact area as designating that neighborhood a ‘problem’ zone (Brunt, Restrictions on alcohol sales get fresh look, 2012). Critics of alcohol impact areas also argue the criminal and nuisance activities reduced by an alcohol impact area simply get pushed to other neighborhoods (Hewitt, Retired Neighborhood Resource Officer - Spokane Police Officer, 2024). There is no evidence that supports the alcohol impact areas in East Central or downtown shifted chronic inebriation and other alcohol-related illegal activities to other neighborhoods. The Washington State University study of the City of Seattle alcohol impact areas found no evidence of dispersion of alcohol-related incidents to other neighborhoods. Furthermore, the study found no evidence of decline in retail sales for the retailers with liquor licenses within the alcohol impact area. In fact, retailers saw stable growth during the study period after the alcohol impact area was implemented (Tarnai, 2009).

Mitigating the data collection and reporting requirements of the alcohol impact area is an important consideration as the resources necessary to implement and maintain the designation could outweigh potential benefits (Anderson, 2024). To maximize crime reduction and public health benefits and to streamline data collection, a restored downtown alcohol impact area should match the boundaries of the downtown police precinct area (Census Tract 35, Census Tract 36.02, and western portion of Census Tract 145). This area is slightly smaller than the previous downtown alcohol impact area.

The Downtown Spokane Partnership recently added the restoration of the downtown alcohol impact area to their 2025 local legislative priorities. The downtown police precinct area covers most of the downtown business improvement district (BID) boundary.



Downtown BID Boundary overlaid on the Downtown Police Precinct Area

Off-premises Alcohol Retail Sales Hours

Washington state law prohibits the sale of alcohol from 2:00am to 6:00am unless restricted by local government (State of Washington, 2001). Local governments must restrict *all* operating hours within the jurisdiction equally unless the licensees are within a Washington Liquor and Cannabis Board-recognized alcohol impact area.

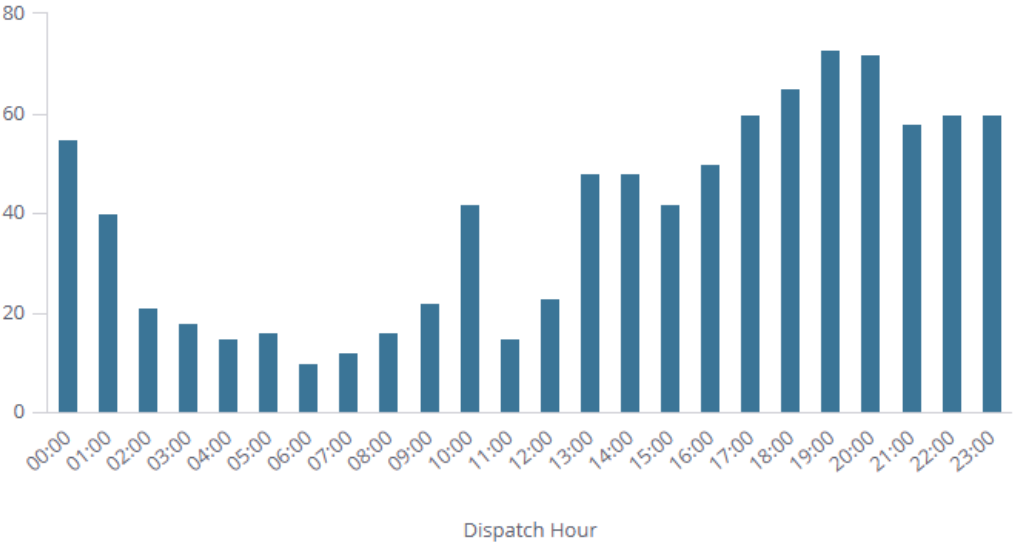
Spokane Police Department data over the last three years show more than 30% of all alcohol-related incidents⁴ downtown take place between midnight and 2:00am.⁵

⁴ NIBRS “Offender Suspected of Using Alcohol” value set to “Yes”.

⁵ Data pulled by Shawna Ernst from December 15th, 2021, through December 15th, 2024.



Likewise, the Spokane Fire Department responded to nearly 1500 calls for service and transported 363 individuals to the emergency department between 2022 and 2024 for alcohol-related incidents just within Fire Management Zone 1.



Calls for service related to alcohol peak between 7:00pm and 8:00pm within Fire Management Zone 1, however, many EMS calls also come between 12:00am and 2:00am.⁶ Calls for service drop significantly between 2:00am and 6:00am when alcohol sales are prohibited.

⁶ It is likely that this data is underreported. Based on information provided by the Spokane Fire Department, it is possible that many additional calls have an alcohol component but were documented as a trauma. For example,



Limiting hours when alcohol can be sold and served is a proven public health intervention and public safety strategy (Jernigan, Sparks, Yang, & Schwartz, 2013). This public health and safety strategy is endorsed by the World Health Organization (World Health Organization, 2017) and the Substance Abuse and Mental Health Services Administration (Substance Abuse and Mental Health Services Administration (SAMHSA), 2022). A recent study from Baltimore found that shortening overnight sales of alcohol reduced violent crime in the immediate and surrounding areas and saved the City of Baltimore millions of dollars in annual costs (McKoy, 2024).

Off-Premises Licensee (Tradename)	Weekday Hours	Weekend Hours
7-ELEVEN STORE #32703B	24 Hours	24 Hours
BAINS LIQUOR MART MAPLE	24 Hours	24 Hours
BAINS MART 2ND AVE	24 Hours	24 Hours
BEST WESTERN PLUS CITY CENTER	N/A	N/A
CITY FUEL	6:00am – 10:00pm	6:00am – 10:00pm
CONOCO FOOD MART	24 Hours	24 Hours
DIVINE 11 MIDCITY	6:00am – 11:00pm	6:00am – 1:00am
DIVISION EXPRESS	6:00am – 10:00pm	6:00am – 12:30am
DOWNTOWN QUICK STOP	6:00am – 12:00am	6:00am – 12:00am
DOWNTOWN QUICK STOP 2	6:00am – 12:00am	6:00am – 12:00am
DOWNTOWN SPOKANE GROCERY OUTLET	8:00am – 9:00pm	8:00am – 9:00pm
MAIN MARKET CO-OP	8:00am – 8:00pm	8:00am – 8:00pm
P M JACOY'S	7:00am – 7:00pm	7:00am – 7:00pm
ROSAUERS SUPERMARKETS #2	6:00am – 10:00pm	6:00am – 10:00pm
SUNSET GROCERY	24 Hours	24 Hours
THE PIGGY MART	5:00am – 2:00am	5:00am – 2:00am
VINO! A WINE SHOP	10:00am – 7:00pm	10:00am – 7:00pm

Extending the prohibition of overnight off-premises retail sales of alcohol from 2:00am to 12:00am would reduce the current alcohol sales periods for eight off-premises alcohol outlets in the downtown police precinct area. Extending the overnight sales prohibition by two hours would reduce the five twenty-four-hour stores daily alcohol sale period by two hours each day. Division Express would reduce its alcohol sale period by 30 minutes on weekends. Divine 11 MIDCITY would reduce its alcohol sale period by 1 hour on weekends. The Piggy Mart would reduce its alcohol sale period a total of two hours each day.

when a patient falls from intoxication and 911 is activated, that call could get recorded as a trauma. Also, if the Fire Department arrives on a scene and a person is intoxicated and is requesting detox services the call could be recorded as a public assist.

Off-Premises Licensee (Tradename)	Weekday Alcohol Retail Hours Reduced	Weekend Alcohol Retail Hours Reduced
7-ELEVEN STORE #32703B	2 Hours	2 Hours
BAINS LIQUOR MART MAPLE	2 Hours	2 Hours
BAINS MART 2ND AVE	2 Hours	2 Hours
CONOCO FOOD MART	2 Hours	2 Hours
DIVINE 11 MIDCITY	0 Hours	1 Hour
DIVISION EXPRESS	0 Hours	30 minutes
SUNSET GROCERY	2 Hours	2 Hours
THE PIGGY MART	2 Hours	2 Hours

Importantly, this condition would not require businesses to change their retail hours. This condition would simply prohibit the sale of alcohol during the overnight hours.

Single-Serve Alcohol Containers

Single-serve/ready-to-drink alcohol beverages have grown in popularity over the last several years. Nationally, flavored malt beverage products such as Twisted Tea⁷, Mike’s Harder Lemonade, and Smirnoff products are second only to regular beer in beer-based beverage sales at convenience stores. Flavored malt beverages also have the largest gross profit margins among beer-based beverages at off-premises alcohol outlets such as convenience stores (Conway, 2024). Collectively, these multi-billion-dollar beverage companies engage in marketing that public health professionals contend target youth and vulnerable communities (O’Brien, Mathieu, Bikomeye, Busalacchi, & Borisy-Rudin, 2023).

Single-serve alcohol bottles, ready-to-drink (alcopops), tall boy cans, and miniatures (also known as ‘nips’) are also a significant source of litter and trash in the downtown core. Elected leaders in cities such as Boston (Jonas, 2023) have sought to prohibit the outright sale of miniatures and single-serve alcohol containers because of the detrimental waste impacts (Thys, 2023). The City of Spokane is currently spending hundreds of thousands of taxpayer dollars addressing litter and trash in the downtown core where single-serve alcohol containers are a significant source of litter⁸.

The following photos are a snapshot informal trash survey of single-serve containers found within the downtown police precinct area along 2nd Avenue and 3rd Avenue on October 26, 2024.

⁷ Owned by the Boston Beer Company

⁸ Special Budget Ordinance C36520











The single-serve containers seen above are inexpensive and have a higher alcohol by volume than traditional beer. Earthquake High Gravity Lager was the product most noticeable during the October 26, 2024, informal trash survey. Earthquake High Gravity Lager is also the product with the highest alcohol by volume content at the lowest price identified during the survey. Earthquake High Gravity Lager was previously restricted for purchase downtown under the downtown alcohol impact area.

Product	Purchase Price in \$	Alcohol/Volume	Number of U.S. standard drinks⁹
Earthquake High Gravity Lager	\$1.99	10%	4.0 Drinks
Hurricane High Gravity	\$2.39	8.1%	3.4 Drinks
Mike's Harder (Mango)	\$4.35	8%	3.2 Drinks
Smirnoff Ice Smash	\$3.69	8.1%	3.2 Drinks
Fireball Miniature	\$1.19	16.5%	0.5 Drinks
99 Brand Peaches	\$1.19	15%	0.4 Drinks

⁹ <https://rethinkingdrinking.niaaa.nih.gov/tools/calculators/drink-size-calculator>

Alcohol Impact Area Process



The Alcohol Impact Area process is lengthy and will require commitment from multiple departments including the Spokane Police Department, Code Enforcement, and City Attorney's Office. The City will be required to conduct multiple litter/trash surveys, obtain letters of support from neighborhood councils and business organizations, and provide evidence of the City's good faith efforts to address the problems voluntarily. If the petition to the LCB is successful, the City will publish a Year One Report on the effectiveness of the alcohol impact area followed by an assessment every five years.



Executive Summary – Naloxone Distribution and Smoking Paraphernalia

I. **Background:** The State of Washington preempts the field of drug paraphernalia except for ordinances regulating harm reduction practices.

II. **Issue:** Downtown Spokane is suffering from its highest overdose rate on record. Data suggests that people who use drugs and/or witness overdoses do not have adequate access to naloxone to reverse an opioid overdose. There are multiple businesses in downtown Spokane selling products such as pipes and foils used to consume illicit substances creating negative externalities for taxpayers and residents in the Riverside and surrounding neighborhoods.

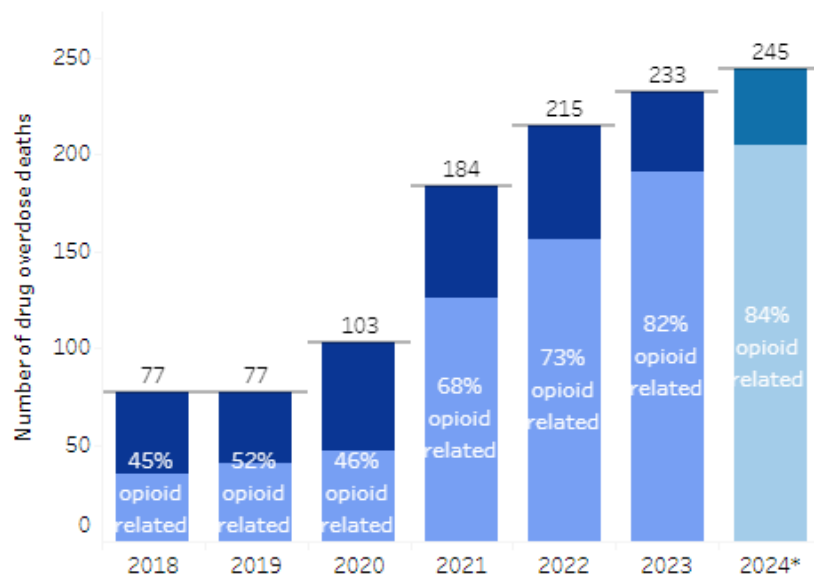
III. Policy Recommendation

Prohibit the sale of smoking paraphernalia within the downtown police precinct area unless providing naloxone for free during every transaction involving smoking paraphernalia.

Downtown Spokane Overdose Crisis

Preliminary numbers from Spokane County death certificate data indicate 245 people have died from drug overdose in 2024 in Spokane County. Spokane continues to see an alarming increase in drug overdose deaths with most of those deaths caused by opioids.

Overdose Deaths Over Time, Spokane County



The 2024 death data are preliminary and are expected to change.

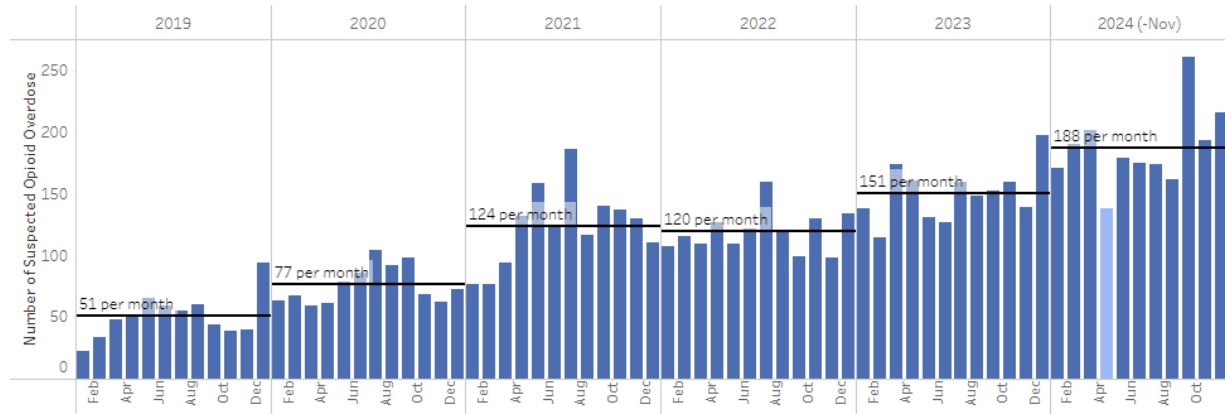
*Data were updated as of 12/16/2024.

Source: Death Certificate Data

Spokane County Opioid Dashboard

In September, Spokane County saw its highest number of Emergency Medical Services (EMS) calls for suspected overdose on record. Spokane County’s non-fatal overdose emergency department visits also outpace the state rate.

Suspected opioid overdose

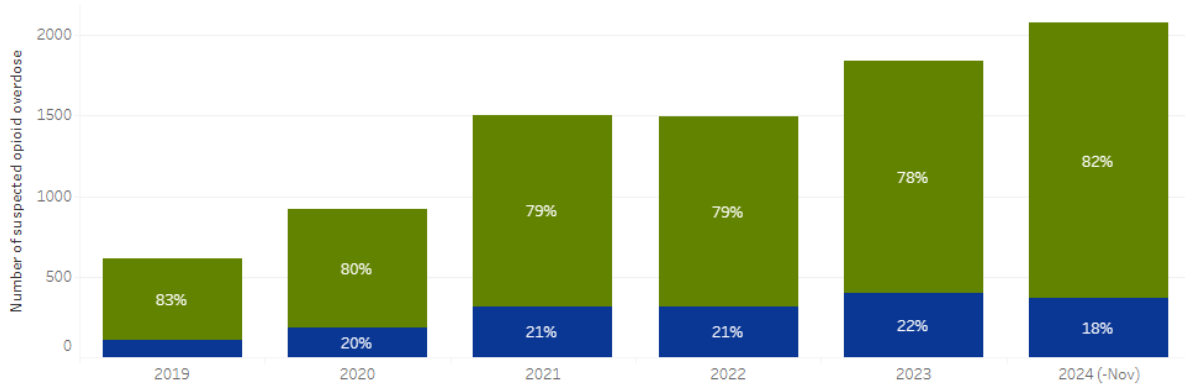


Source: Washington Emergency Medical Services Information System (WEMSIS) (As of 12/05/2024)
 Note: The April 2024 EMS Opioid Overdose report data are incomplete. Interpret with caution. The reporting issues are due to the transition between ePCR vendors and to the NEMSIS V3.5 data standard. The estimated % of EMS responses reported to WEMSIS in Spokane County in April 2024 was 39% as compared to nearly 100% in other months.

Paradoxically, the percentage of people experiencing opioid overdoses in Spokane who were administered naloxone prior to EMS arrival is also the lowest it has been since 2019.

- Indicators
 - Improved Naloxone response
 - Opioid impression
 - Suspected opioid overdose
 - % of suspected overdose with improved Naloxone respon...
 - Incident by age overtime (Spokane only)
 - Naloxone administered prior to EMS arrival (Spokane only)
- Geography
 - Spokane County
 - Washington State

Naloxone administered prior to EMS arrival (Spokane only)



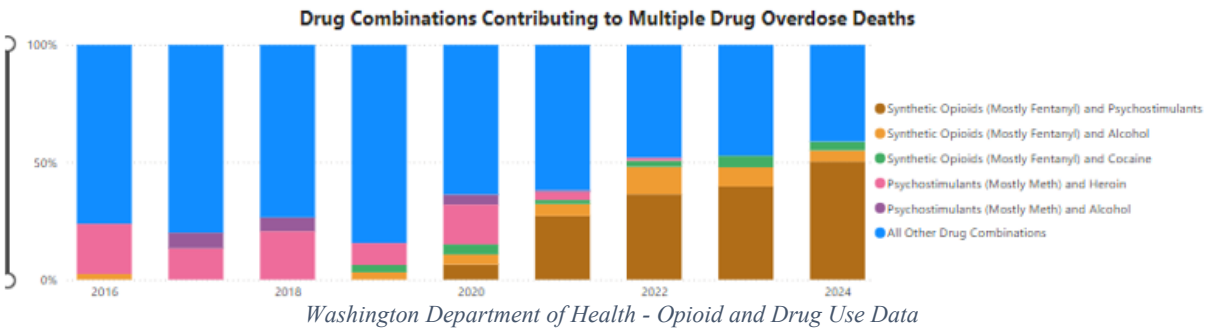
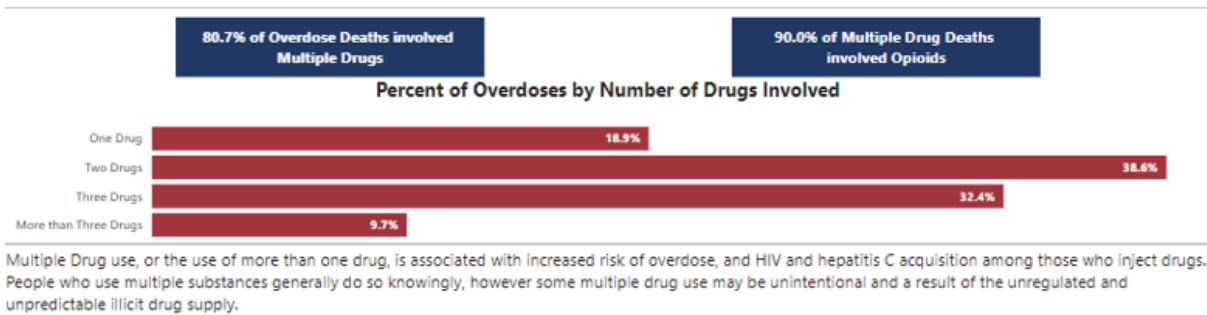
Source: Washington Emergency Medical Services Information System (WEMSIS) (As of 12/05/2024)
 Note: The April 2024 EMS Opioid Overdose report data are incomplete. Interpret with caution. The reporting issues are due to the transition between ePCR vendors and to the NEMSIS V3.5 data standard. The estimated % of EMS responses reported to WEMSIS in Spokane County in April 2024 was 39% as compared to nearly 100% in other months.



Smoking Supplies/Drug Paraphernalia

Smoking is the most common way individuals consume both fentanyl and methamphetamine (Singh, Banta-Green, & Kingston, 2022). Foil is the most used smoking equipment for fentanyl followed by glassware such as pipes. A report published by the Centers for Disease Control and Prevention in February 2024 found that smoking was the predominant method of consumption that resulted in overdose deaths in the Western United States. In fact, almost 80% of overdose deaths showed no signs of injection/intravenous use (Tanz, et al., 2024).

The Spokane Regional Opioid Task Force (SROTF) reports synthetic opioids like fentanyl and carfentanil are showing up in other drugs including methamphetamine, cocaine, MDMA, and molly (Spokane Regional Opioid Task Force (SROTF), n.d.). A combination of fentanyl and psychostimulants, such as methamphetamine, are responsible for more than half of all overdose deaths in Spokane County.



There are multiple retail outlets in the city of Spokane that sell smoking paraphernalia such as butane torches, pipes, and foils. These businesses are primarily off-premises alcohol outlets, marijuana outlets, or smoke shops. There are five off-premises alcohol outlets selling torches, pipes, and foils within the downtown police precinct area (not including marijuana retailers). While marijuana retailers selling pipes and smoking paraphernalia are regulated by the Washington State Liquor and Cannabis Board and are age restricted to minors¹⁰, off-premises alcohol outlets selling the same smoking paraphernalia are not age restricted.

¹⁰ RCW 69.50.357

Foils are also sold at many off-premises alcohol outlets downtown. New studies suggest that the re-use of foil for smoking may increase the risk of overdose (Ciccarone, et al., 2024). Burned foil is also a significant source of litter in downtown Spokane. Littered foils with drug residue are dangerous for animals and have led to multiple incidents involving pets who required overdose reversal medication after consuming littered foils (Sanford, It's not just humans — dogs in Spokane are also overdosing on drugs, 2024).



It is a Class 1 civil infraction under Washington state law to sell drug paraphernalia.¹¹ Washington’s drug paraphernalia law provides that “[In determining whether an object is drug paraphernalia under this section, a court or other authority should consider, in addition to all other logically relevant factors, the following:] (6)[(f)] *Direct or circumstantial evidence of the intent of an owner, or of anyone in control of the object, to deliver it to persons whom he or she knows, or should reasonably know, intend to use the object to facilitate a violation of this chapter; the innocence of an owner, or of anyone in control of the object, as to a direct violation of this chapter shall not prevent a finding that the object is intended or designed for use as drug paraphernalia.*” Simply, these outlets are either breaking state law and subject to a Class 1 civil infraction, or they are selling products that may be subject to regulation by local governments utilizing their policing power (Spitzer, 2000).

The outlets selling pipes, torches, foils, and other smoking supplies market the paraphernalia for legal use only despite common sense and acknowledgement by local (Lawrence-Turner, 2008) and federal law enforcement (Drug Enforcement Agency, 2023) that these products are generally used for consuming illicit substances. Historically, some major gas companies have ended their

¹¹ RCW 69.50.4121



relationship with Washington state convenience stores over the sale of drug paraphernalia (Schiffner, 2008).



Downtown Quick Stop 2 Window Display (Riverside Avenue – Riverside Neighborhood)

Although the State of Washington has preempted the entire field of drug paraphernalia, cities may enact ordinances relating to the establishment or regulation of harm reduction services concerning drug paraphernalia.¹² Tobacco products¹³ and vapor products¹⁴ are regulated exclusively by the Washington State Liquor and Cannabis Board. Cities like Vancouver have attempted to tackle the prevalence of smoking paraphernalia by prohibiting its display to minors (City of Vancouver Washington, 2014) – an ordinance that was modeled after the City of Spokane’s Ordinance C34213 adopted in 2008 and subsequently repealed by the Council in 2022 through the adoption of RCW criminal statutes by reference in Ordinance C36289. Other communities like Boise (Idaho Press, 2024) and Philadelphia (City of Philadelphia Licenses and Inspections, 2023) have used a mix of law enforcement and zoning to address the proliferation of stores selling smoking paraphernalia.

Naloxone Distribution

Public health leaders advocate “saturating” a community with naloxone. The goal of saturation is to eliminate lack of access to naloxone as a reason for overdose deaths (Bennett & Elliott, 2021).

¹² RCW 69.50.612

¹³ RCW 82.26.010(21)

¹⁴ RCW 70.345.010.

Naloxone, also commonly known as NARCAN, is a medication that saves lives by reversing the effects of an opioid overdose. The Washington State Department of Health recommends that people who use drugs, friends and family of people who use drugs, and those who interact with people who use drugs carry naloxone (Washington State Department of Health, n.d.). The City of Spokane's first responders carry naloxone.



Despite some access to naloxone within the city of Spokane, it is clear from the local EMS data that we are nowhere near naloxone saturation. Stigma and an inability to reach those most at risk are barriers to naloxone distribution. The reduction in injection/intravenous drug use also creates a gap in harm reduction distribution in Spokane, which has traditionally been carried out by syringe service programs (Wohlfeil, 2022). Spokane Regional Health District's syringe service program currently does not provide injective alternatives such as glass, pipes, and foils.

Naloxone is available for free at the Spokane Regional Health District Syringe Service Program and a handful of community-based organizations¹⁵ within in the city of Spokane (stopoverdose.org, n.d.). Naloxone is covered by Medicaid and may be dispensed in Washington state with or without a prescription due to a statewide standing order (Washington State Department of Health, 2024). There is no certification or training required to use naloxone and individuals are generally protected under Washington's Good Samaritan Law from civil liabilities as well as charge and prosecution for possession of a controlled substance (stopoverdose.org, 2024). Stopoverdose.org has free materials such as posters and wallet cards that could be used to distribute information about the Good Samaritan Law.

NARCAN (naloxone) can be bought online through Amazon.com, NACARAN.com, and other online retailers. The City maintains an online list of NARCAN providers on the Emergency Management webpage on the City of Spokane website along with training videos (City of Spokane, n.d.). NARCAN also available for purchase at retailers within the city of Spokane (Emergent Devices Inc. , n.d.).

¹⁵ Peer Spokane; Compassionate Addiction Treatment; M.H.A. Speakout Speakup; West Spokane Wellness Partnership



Online NARCAN (naloxone) Retailers
CVS.com
Instacart.com
Kroger.com
Riteaid.com
Target.com
Walgreens.com
Walmart.com
Wegmans.com

NARCAN (naloxone) Retailers	Address	Phone	Neighborhood
CVS Pharmacy	4915 S Regal Street	509-822-3275	Southgate
CVS Pharmacy	9770 N Newport Highway	509-466-7226	Shiloh Hills
Rite Aid	810 E 29 th Avenue	509-838-3508	Comstock
Rite Aid	2215A W Wellesley Avenue	509-328-7887	Audubon/Downriver
Rite Aid	2929 E 29 th Avenue	509-535-9056	Lincoln Heights
Target	4915 S Regal Street	509-822-3290	Southgate
Target	9770 N Newport Highway	509-466-3006	Shiloh Hills
The Medicine Shoppe Pharmacy	902 W Indiana Avenue	509-327-1504	Emerson/Garfield
Walgreens	1708 W Northwest Boulevard	509-323-0309	Emerson/Garfield
Walgreens	2830 S Grand Boulevard	509-455-3736	Manito/Cannon Hill
Walgreens	327 W 3 rd Avenue	509-838-0175	Riverside
Walmart	2301 W Wellesley Avenue	509-327-0404	Audubon/Downriver
Walmart	9212 N Colton Street	509-464-2173	Shiloh Hills

References

- Agency for Toxic Substances and Disease Registry. (2024, July 22). *Place and Health - Geospatial Research, Analysis, and Services Program (GRASP)*. Retrieved from Social Vulnerability Index: <https://www.atsdr.cdc.gov/place-health/php/svi/>
- Anderson, C. (2024, October 23). Spokane Police Officer, Civil Enforcement Unit. (A. McDaniel, Interviewer)
- Bennett, A. S., & Elliott, L. (2021). Naloxone's role in the national opioid crisis— past struggles, current efforts, and future opportunities. *Translational Research*, 43-57.
- Billingham, E. (2024, May 9). Downtown Spokane's Main Market is at risk of closing, increasing food insecurity in the city's lowest income ZIP code. *Inlander*.
- Brunt, J. (2012, October 9). Alcohol impact area dropped. *The Spokesman-Review*.
- Brunt, J. (2012, March 18). Restrictions on alcohol sales get fresh look. *The Spokesman-Review*.

- Ciccarone, D., Holm, N., Ondocsin, J., Schlosser, A., Fessel, J., Cowan, A., & Mars, S. G. (2024, May 22). Innovation and adaptation: The rise of a fentanyl smoking culture in San Francisco. *PLoS ONE*.
- City of Philadelphia Licenses and Inspections. (2023, February). *Drug Paraphernalia Store FAQs*. Retrieved from City of Philadelphia Licenses and Inspections: https://www.phila.gov/media/20230214101514/PZ_018_FAQ_Paraphanelia-Sales-FAQ-Sheet-Rev-2.2023.pdf
- City of Seattle - Seattle Department of Neighborhoods. (2022). *Seattle Alcohol Impact Areas*. Seattle: City of Seattle.
- City of Spokane. (n.d.). *Emergency Management*. Retrieved from Naloxone (a.k.a. Narcan): <https://my.spokanecity.org/emergencymanagement/naloxone/>
- City of Spokane Washington. (2015, July 16). *Regulations for State-Licensed Marijuana Producers, Processors and Retailers - SMC 17C.347.030*. Retrieved from Spokane Municipal Code: <https://my.spokanecity.org/smc/?Section=17C.347.030>
- City of Vancouver Washington. (2008). *Alcohol Impact Area - Chapter 8.50*. Retrieved from Vancouver Municipal Code: <https://vancouver.municipal.codes/VMC/8.50>
- City of Vancouver Washington. (2014). *Vancouver Municipal Code*. Retrieved from Display of Drug Paraphernalia - Chapter 5.20: <https://vancouver.municipal.codes/VMC/5.20.010>
- Conway, J. (2024, October 7). *Dollar sales of the leading flavored malt beverages in the United States in 2024, by brand*. Retrieved from statista: <https://www.statista.com/statistics/427090/us-sales-of-the-leading-progressive-adult-beverage-brands/>
- Culver, N. (2023, January 31). *Redemption Church Looks for New Church Property, Cites High Crime Downtown*. Retrieved from FAVS News: <https://favs.news/redemption-church-looks-for-new-church-property-cites-high-crime-downtown/>
- Drug Enforcement Agency. (2023, March 6). *Drug Paraphernalia Q&A*. Retrieved from Get Smart About Drugs: <https://www.getsmartaboutdrugs.gov/content/drug-paraphernalia-qa>
- Emergent Devices Inc. . (n.d.). *NARCAN.com*. Retrieved from NARCAN.com: <https://narcan.com/en/buy>
- Fitterer, J. L., Nelson, T. A., & Stockwell, T. (2015). A Review of Existing Studies Reporting the Negative Effects of Alcohol Access and Positive Effects of Alcohol Control Policies on Interpersonal Violence. *Frontiers in Public Health*.
- Frint, E. (2024, January 1). *Man in custody after robbery in downtown Spokane, second suspect on the run*. Retrieved from KHQ.com: https://www.khq.com/news/man-in-custody-after-robbery-in-downtown-spokane-second-suspect-on-the-run/article_265625a4-a90c-11ee-ad85-873acf35f3f7.html
- Greater Spokane Inc. (2024, October 23). *Greater Spokane Inc. Launches The Pulse to Measure Voter Sentiment on Spokane's Most Pressing Issues*. Retrieved from Greater Spokane Inc.: <https://greaterspokane.org/public-policy/greater-spokane-inc-to-release-voter-poll-results-in-virtual-press-conference/>
- Hewitt, M. (2013). *2012 Annual Report - East Central AIA*. Spokane: City of Spokane.
- Hewitt, M. (2024, October 31). Retired Neighborhood Resource Officer - Spokane Police Officer. (A. McDaniel, Interviewer)
- Idaho Press. (2024, November 8). *Owner of convenience store near Boise State campus accused of selling drug paraphernalia*. Retrieved from Idaho Press: https://www.idahopress.com/news/crime_courts/owner-of-convenience-store-near-boise-



- state-campus-accused-of-selling-drug-paraphernalia/article_efe3c1a0-9dfe-11ef-9d75-83e187d8f51f.html
- Jernigan, D. H., Sparks, M., Yang, E., & Schwartz, R. (2013). *Using Public Health and Community Partnerships to*. Atlanta: Centers for Disease Control and Prevention.
- Jonas, M. (2023, March 20). *Arroyo wants to ban sale of 'nips' in Boston*. Retrieved from Commonwealth Beacon: <https://commonwealthbeacon.org/government/arroyo-wants-to-ban-sale-of-nips-in-boston/>
- Jones-Webb, R., Joshi, S., Erickson, D., McKee, P., Nelson, T., & Toomey, T. (2021). The Effectiveness of Alcohol Impact Areas in Reducing Crime in Washington Neighborhoods. *Alcohol, Clinical and Experimental Research*, 234-241.
- Jones-Webb, R., McKee, P., Joshi, S., Erickson, D., Toomey, T., & Nelson, T. (2018). *Is Restricting Sales of Malt Liquor Beverages Effective in Reducing Crime in Urban Areas?* Minneapolis: School of Public Health, Division of Epidemiology and Community Health, University of Minnesota.
- Lawrence-Turner, J. (2008, January 18). Man says novelty Love Roses feed drug problem. *The Spokesman-Review*.
- McKoy, J. (2024, April 1). *Reducing Late-Night Alcohol Sales Curbed Violent Crimes by 23% Per Year in a Baltimore Neighborhood*. Retrieved from Boston University School of Public Health: <https://www.bu.edu/sph/news/articles/2024/reducing-late-night-alcohol-sales-curbed-violent-crimes-by-23-per-year-in-a-baltimore-neighborhood/>
- Meidl, C. N. (2020). *2020 5-Year Review: Downtown AIA*. Spokane: City of Spokane.
- Miller, J. (2024, August 11). *Spokane Police Department searching for downtown gas station assault suspect*. Retrieved from KHQ.com: https://www.khq.com/news/spokane-police-department-searching-for-downtown-gas-station-assault-suspect/article_78989070-5845-11ef-813b-4bd2e2d4444e.html
- Nesoff, E. D., Milam, A. J., Branäs, C. C., Martins, S. S., Knowlton, A. R., & Furr-holder, D. M. (2018). Alcohol Outlets, Neighborhood Retail Environments, and. *Alcohol, Clinical and Experimental Research*, 1979-1987.
- Nesoff, E. D., Milam, A. J., Morrison, C. W., Branäs, C. C., Furr- Holden, D. M., Knowlton, A. R., & Martins, S. S. (2021). Alcohol outlets, drug paraphernalia sales, and neighborhood drug overdose. *International Journal of Drug Policy*.
- Nguyen, S. (n.d.). *Alcohol Impact Area Information and Updates*. Retrieved from Seattle Department of Neighborhoods: <https://www.seattle.gov/neighborhoods/about-seattle/neighborhoods-and-council-districts/alcohol-impact-area-information-and-updates>
- O'Brien, B., Mathieu, N. M., Bikomeye, J. C., Busalacchi, M., & Borisy-Rudin, F. (2023). *Alcopops: Easy to Drink and Difficult to Avoid*. Wisconsin Alcohol Policy Project.
- Osborne, A., Duggan, A., Shulman, A., & Cabeza, G. (2024, June 8). Tensions boil over with shooting at troubled intersection of Second and Division. *The Spokesman-Review*.
- Romley, J. A., Cohen, D., Ringel, J., & Sturm, R. (2007). *Alcohol and Environmental Justice: The Density of Liquor*. Santa Monica: RAND Corporation.

- Ruffing, J. (2024, October 18). Enforcement Supervisor - City of Spokane Code Enforcement. (A. McDaniel, Interviewer)
- Sanford, N. (2023, August 17). We spent a weekend at Spokane's most notorious intersection. Here's what we saw. *Inlander*.
- Sanford, N. (2024, July 4). It's not just humans — dogs in Spokane are also overdosing on drugs. *Inlander*.
- Schiffner, K. (2008, February 21). *Shell drops stations over alleged paraphernalia sales*. Retrieved from HeraldNet: <https://www.heraldnet.com/uncategorized/shell-drops-stations-over-alleged-paraphernalia-sales/>
- Singh, S., Banta-Green, C., & Kingston, S. (2022). *Distribution of Safer Drug Smoking Supplies as a Public Health Strategy*. Seattle: University of Washington Addictions, Drugs & Alcohol Institute.
- Smith, M. (2024, December 6). Health Equity Circle. (A. McDaniel, Interviewer)
- Spitzer, H. D. (2000). Municipal Police Power in Washington State. *Washington Law Review*, 495-518.
- Spokane Food Policy Council. (2016). *Spokane Regional Food System Inventory*. Spokane.
- Spokane Regional Health District. (2017). *Confronting Violence*. Spokane: Spokane Regional Health District.
- Spokane Regional Opioid Task Force (SROTF). (n.d.). *Opioid Dashboard*. Retrieved from Opioid Dashboard: <https://countyhealthinsights.org/county/spokane/dashboard/opioid-dashboard/>
- Starks, A., Sharkova, I., Leibenguth, S., & Huber, A. (2024). *Risk and Protection Profile for Substance Abuse Prevention in Spokane County*. Olympia: Washington State Department of Social & Health Services.
- State of Washington. (2001, March 29). *WAC 314-11-070*. Retrieved from Washington Administrative Code: <https://app.leg.wa.gov/wac/default.aspx?cite=314-11-070>
- stopoverdose.org. (2024, November 17). *Good Samaritan Law*. Retrieved from stopoverdose.org: <https://stopoverdose.org/basics/good-samaritan-law/>
- stopoverdose.org. (n.d.). *Washington State Naloxone Finder*. Retrieved from stopoverdose.org: <https://stopoverdose.org/find-naloxone-near-me-washington-state/>
- Substance Abuse and Mental Health Services Administration (SAMHSA). (2022). *Implementing CommunityLevel Policies to Prevent Alcohol Misuse*. . Rockville, MD: Substance Abuse and Mental Health Services Administration .
- Tanz, L. J., Gladden, M., Dinwiddie, A. T., Miller, K. D., Broz, D., Spector, E., & O'Donnell, J. (2024, February 15). *80% of overdose deaths showed no signs of injection/intravenous use (Tanz, et al., 2024)*. Retrieved from Centers for Disease Control and Prevention: <https://www.cdc.gov/mmwr/volumes/73/wr/mm7306a2.htm>
- Tarnai, J. (2009). *Post-Assessment | Seattle Washington | Alcohol Impact Areas*. Seattle: Washington State Liquor Control Board | City of Seattle.
- Templeman, D. (2022). *Alcohol Impact Area Five Year Report September 1, 2017 - August 31, 2022*. Olympia: Washington State Liquor and Cannabis Board.
- Theall, K. P., Scribner, R., Cohen, D. B., Schonlau, M., & Farley, T. A. (2009). Social Capital and the Neighborhood Alcohol Environment. *Health Place*, 323-332.
- Thys, F. (2023, December 27). *As nip ban vote nears, it's litter reduction versus convenient consumption*. Retrieved from Plymouth Independent:



- <https://www.plymouthindependent.org/as-nip-ban-vote-nears-its-litter-reduction-versus-convenient-consumption/>
- U.S. Census Bureau. (2024, October 22). Retrieved from U.S. Census Bureau.
- U.S. Department of Agriculture. (2024, November 20). *SNAP Retailer Locator*. Retrieved from SNAP Retailer Locator: <https://usda-fns.maps.arcgis.com/apps/webappviewer/index.html?id=15e1c457b56c4a729861d015cd626a23>
- U.S. Department of Health & Human Services. (2016). *Facing Addiction in America*. Washington, D.C.: Office of the Surgeon General.
- Walter, R. J., Acolin, A., & Marie, T. S. (2024). Association between property investments and crime on commercial and residential streets: Implications for maximizing public safety benefits. *SSM - Population Health*.
- Washington Health Care Authority, Washington Department of Health; Washington Office of Superintendent of Public Instruction; Washington Liquor and Cannabis Board. (2024, October 19). *Healthy Youth Survey Data Dashboard*. Retrieved from Washington State Healthy Youth Survey: <https://www.askhys.net/SurveyResults/DataDashboard>
- Washington State Department of Health. (2024, April 22). *Washington State Department of Health*. Retrieved from Washington State Standing Order to Dispense Naloxone HCl: <https://doh.wa.gov/sites/default/files/legacy/Documents/Pubs/150-127-StatewideStandingOrderToDispenseNaloxone.pdf?uid=6298fda55b362>
- Washington State Department of Health. (n.d.). *Overdose Education and Naloxone Distribution*. Retrieved from Washington State Department of Health: <https://doh.wa.gov/you-and-your-family/drug-user-health/overdose-education-naloxone-distribution>
- Washington State Liquor and Cannabis Board. (2019). *Alcohol Impact Areas - Local Authority Handbook*. Olympia: Washington State Liquor and Cannabis Board.
- Washington State Liquor and Cannabis Board. (2024, October 18). *Alcohol Impact Areas*. Retrieved from Washington State Liquor and Cannabis Board: <https://lcb.wa.gov/licensing/alcohol-impact-areas>
- Wohlfeil, S. (2022, March 17). Experts say safe smoking supplies could reduce harm of fentanyl. *Inlander*.
- World Health Organization. (2017). *Tackling NCDs*. World Health Organization.

**Agenda Sheet for City Council:****Committee:** Urban Experience **Date:** 01/13/2025**Committee Agenda type:** Consent**Date Rec'd**

12/13/2024

Clerk's File #

ORD C36636

Cross Ref #**Project #****Council Meeting Date:** 02/03/2025**Submitting Dept**

DEVELOPMENT SERVICES CENTER

Bid #**Contact Name/Phone**

ELDON BROWN 6305

Requisition #**Contact E-Mail**

EBROWN@SPOKANECITY.ORG

Agenda Item Type

Emergency Ordinance

Council Sponsor(s)

JBINGLE LNAVARRETE

Sponsoring at Administrators Request

NO

Lease? NO**Grant Related?** NO**Public Works?** NO**Agenda Item Name**

4700 - AMENDING ORDINANCE C22382

Agenda Wording

Amending Ordinance C-22382 to release easements.

Summary (Background)

In April of 1974 City Council approved the vacation of Calispel Street via Ordinance C-22382 and reserved easements within the vacation ordinance for public and private utilities. The property owner of 316 W Cora Ave would like to build apartments across the site however the existing easements are encumbering the property. Easement holders have been contacted and are in agreement to release the easements. DSC is proposing a new ordinance that would modify Ordinance C-22382, amending it to release the easements.

What impacts would the proposal have on historically excluded communities?

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

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

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

Council Subcommittee Review

Fiscal Impact	
Approved in Current Year Budget? N/A	
Total Cost	\$
Current Year Cost	\$
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
Amount	Budget Account
Neutral \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source	
Funding Source Type Select	
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	
Dept Head	PALMQUIST, TAMI
Division Director	MACDONALD, STEVEN
Accounting Manager	ZOLLINGER, NICHOLAS
Legal	SCHOEDEL, ELIZABETH
For the Mayor	PICCOLO, MIKE
Distribution List	
	edjohnson@spokanecity.org
ebrown@spokanecity.org	tpalmquist@spokanecity.org
smacdonald@spokanecity.org	akiehn@spokanecity.org

Committee Agenda Sheet

Urban Experience Committee

Committee Date	January 13, 2025
Submitting Department	Developer Services
Contact Name	Eldon Brown
Contact Email & Phone	ebrown@spokanecity.org (509) 625-6305
Council Sponsor(s)	Please enter the name of the Council Sponsor(s)
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested:
Agenda Item Name	Amending Ordinance C-22382
Proposed Council Action	<input type="checkbox"/> Approval to proceed to Legislative Agenda <input checked="" type="checkbox"/> Information Only
Summary (Background)	In April of 1974 City Council approved the vacation of Calispel Street via Ordinance C-22382 and reserved easements within the vacation ordinance for public and private utilities. The property owner of 316 W Cora Ave would like to build apartments across the site however the existing easements are encumbering the property. Easement holders have been contacted and are in agreement to release the easements. DSC is proposing a new ordinance that would modify Ordinance C-22382, amending it to release the easements.
Summary (Background)	*use the Fiscal Impact box below for relevant financial information
Fiscal Impact	
Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
Total Cost: Click or tap here to enter text.	
Current year cost:	
Subsequent year(s) cost:	
Narrative: <u>NA</u>	
Funding Source <input type="checkbox"/> One-time <input type="checkbox"/> Recurring <input checked="" type="checkbox"/> N/A	
Specify funding source: Select Funding Source*	
Is this funding source sustainable for future years, months, etc? Click or tap here to enter text.	
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.)	
Operations Impacts (If N/A, please give a brief description as to why)	
What impacts would the proposal have on historically excluded communities? <u>NA</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? NA	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution? NA	
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? NA	

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

ORDINANCE NO. C36636

An ordinance amending Ordinance C22382 that vacated Calispel Street from the north line of Cora Avenue to the south line of Glass Avenue, City and County of Spokane, Washington.

WHEREAS, the City Council of the City of Spokane having found that the public use and benefit will be served; -

NOW, THEREFORE,

The City of Spokane does ordain:

Section 1. That Calispel Street from the north line of Cora Avenue to the south line of Glass Avenue, in the City and County of Spokane, Washington, be, and the same is hereby vacated, subject to the reservation of easements for the construction, repair and maintenance of public and private utilities and services **over the entire vacation area, except for that portion of the Southeast Quarter of Section 06, Township 25 North, Range 43 East, Willamette Meridian, more particularly described in Exhibit A**

Passed by City Council on _____.

Council President

Attest:

Approved as to form:

City Clerk

City Attorney

Mayor

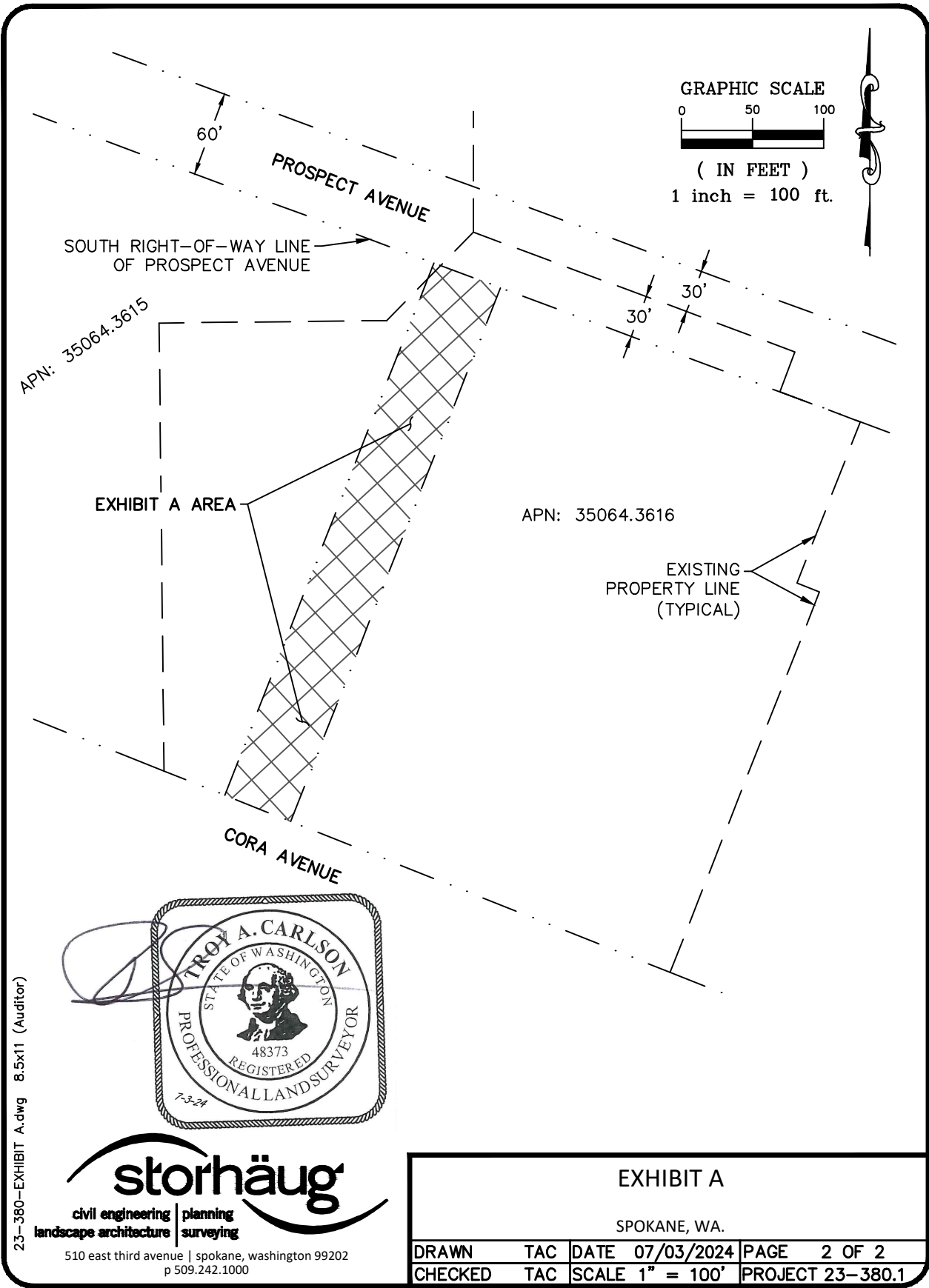
Date

Effective Date

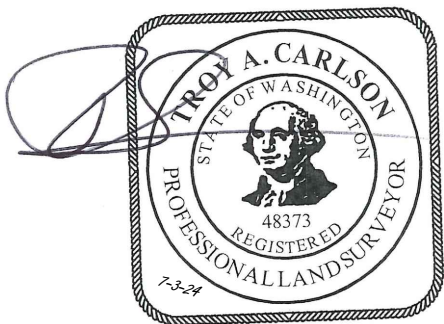
Exhibit A

That portion of Calispel Street lying Northerly of said North line of Cora Avenue and Southerly of the South Right-of-Way line of Prospect Avenue as shown on the Plat of Resurvey of Whiting's Second Addition as recorded in Book A of Plats, Page 203, records of Spokane County, Washington.

Situate in the City of Spokane, County of Spokane, State of Washington.



23-380-EXHIBIT A.dwg 8.5x11 (Auditor)



storhäug
 civil engineering | planning
 landscape architecture | surveying
 510 east third avenue | spokane, washington 99202
 p 509.242.1000

EXHIBIT A			
SPOKANE, WA.			
DRAWN	TAC	DATE 07/03/2024	PAGE 2 OF 2
CHECKED	TAC	SCALE 1" = 100'	PROJECT 23-380.1



Agenda Sheet for City Council:

Committee: PIES **Date:** 12/16/2024

Committee Agenda type: Consent

Date Rec'd 11/26/2024

Clerk's File # ORD C36632

Cross Ref #

Project # 2024071

Council Meeting Date: 01/13/2025

Submitting Dept ENGINEERING SERVICES

Bid #

Contact Name/Phone DAN BULLER 625-6391

Requisition #

Contact E-Mail DBULLER@SPOKANECITY.ORG

Agenda Item Type First Reading Ordinance

Council Sponsor(s) BWILKERSON JBINGLE KKLITZKE

Agenda Item Name 0370 - CONDEMNATION ORDINANCE FOR SHAWNEE BOOSTER STATION SITE

Agenda Wording

Condemnation Ordinance for the acquisition of 4500 square feet of land, a portion of parcel 26143.0513 for the Shawnee Booster Station site.

Summary (Background)

The City and the private property owner have agreed on the purchase of approximately 4500 SF of land for a booster station site. There is a greenbelt easement that is part of the drainage way and is a restrictive covenant on the Plat. The only practical way to remove this easement is by condemning the property, due to the fact that the easement is a covenant in the plat where the property is situated, and agreement of all homeowners subject to the plat for a plat alteration is likely impossible.

Lease? NO Grant related? NO Public Works? NO

Fiscal Impact

Approved in Current Year Budget? YES

Total Cost \$

Current Year Cost \$

Subsequent Year(s) Cost \$

Narrative

Amount

Budget Account

Select \$ #

Select \$ #

Select \$ #

Select \$ #

\$ #

\$ #

Committee Agenda Sheet

Public Infrastructure, Environment & Sustainability Committee

Committee Date	12-16-24
Submitting Department	Engineering Services
Contact Name	Dan Buller
Contact Email & Phone	dbuller@spokanecity.org , 625-6391
Council Sponsor(s)	Wilkerson, Bingle, Klitzke
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested:
Agenda Item Name	Shawnee Booster Station Site Acquisition – Condemnation
Proposed Council Action	<input checked="" type="checkbox"/> Approval to proceed to Legislative Agenda <input type="checkbox"/> Information Only
Summary (Background) *use the Fiscal Impact box below for relevant financial information	<ul style="list-style-type: none"> The city and the private property owner have agreed on the purchase of approx. 4500 SF of land for a booster station site for the price of \$70,000. The location can be seen on the attached exhibit. There are two obstacles to use the property for a booster station. The first obstacle is that this area serves as a stormwater drainage way. This obstacle is not complicated and can be addressed by proper engineering. The second obstacle is that a greenbelt easement is part of the drainage way, and is a restrictive covenant on the Plat. The only practical way to remove this easement is by condemning the property, due to the fact that as the easement is a covenant in the plat where the property is situated, and agreement of all homeowners subject to the plat for a plat alteration is likely impossible. Condemnation is a process typically utilized to acquire property from an unwilling property owner. But in this case, the property owner is entirely willing to sell the city the parcel for the agreed upon \$70,000. The property owner agrees with this “friendly” condemnation process as the only practical way to address the greenbelt easement. The other owners of the plat will receive notice of the lawsuit in one manner or another, which is still to be determined, and would have the right to object. Since the purpose of the easement is to channel water, as set forth in the covenant and the plat, we do not believe any potential claims are apparent at this time from any other plat parcels, approximately 44, or would be very minimal, if any, as long as the City preserves the drainage/culvert, or improves it. Engineering Services is requesting council approval of a condemnation ordinance in order to move ahead with the acquisition of this property.
Fiscal Impact Approved in current year budget? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A Total Cost: <u>\$74,000</u> Current year cost: \$74,000 Subsequent year(s) cost: None	
Narrative: 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	

Funding Source One-time Recurring N/A

Specify funding source: Select Funding Source*

Is this funding source sustainable for future years, months, etc? [Click or tap here to enter text.](#)

Expense Occurrence One-time Recurring N/A

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

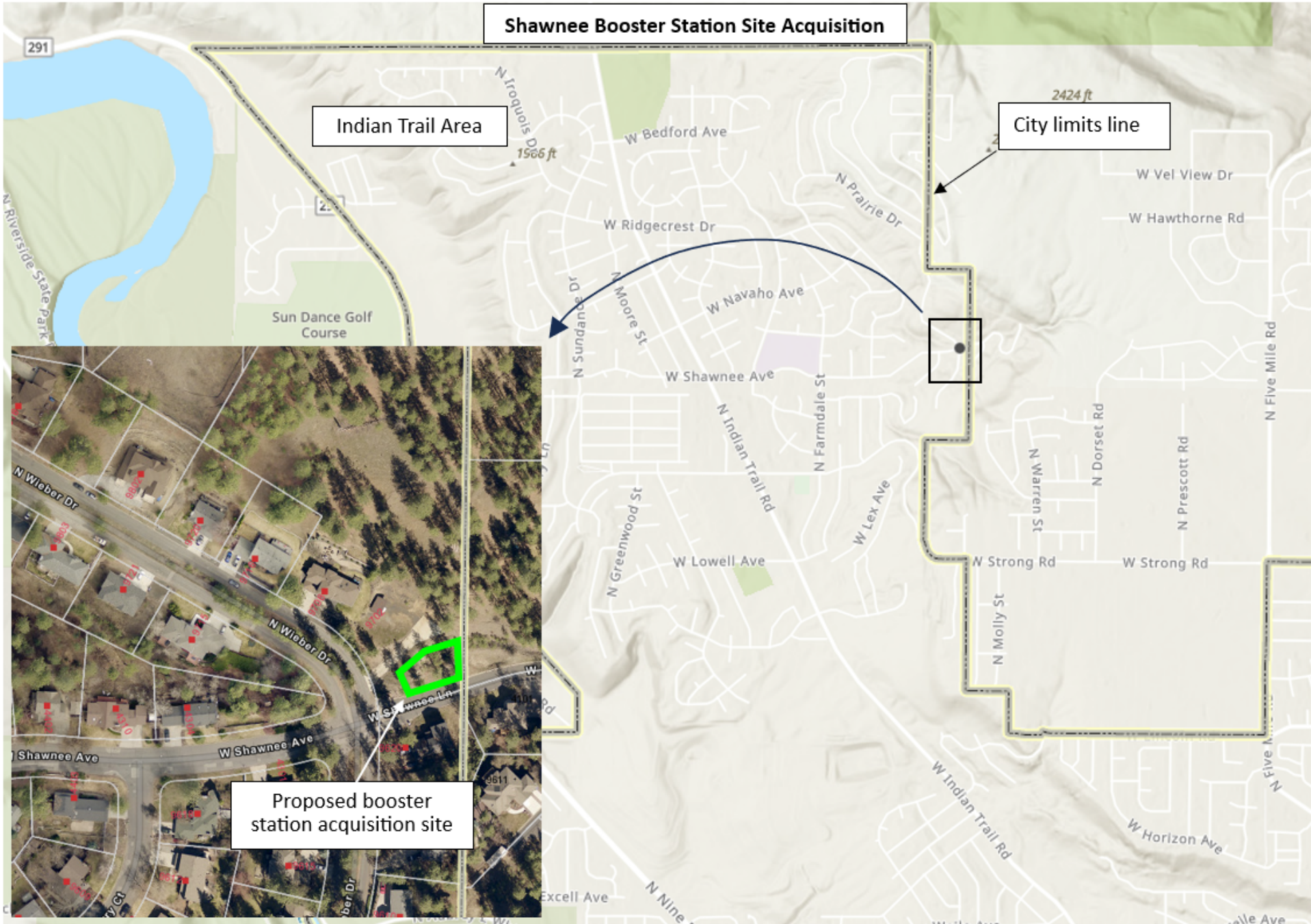
Operations Impacts (If N/A, please give a brief description as to why)

- What impacts would the proposal have on historically excluded communities?
Public works services and projects are designed to serve all citizens and businesses. We strive to offer a consistent level of service to all, to distribute public investment throughout the community and to respond to gaps in services identified in various City plans.
- How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?
N/A
- How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution?
Public Works follows the City's established procurement and public works bidding regulations and policies to bring items forward, and then uses contract management best practices to ensure desired outcomes and regulatory compliance.
- Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?
This work is consistent with annual budget strategies to limit costs and approved projects in the 6-year CIP.

Council Subcommittee Review

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

Shawnee Booster Station Site Acquisition



ORDINANCE NO. C36632

AN ORDINANCE PROVIDING FOR THE ACQUISITION BY EMINENT DOMAIN OF CERTAIN LANDS NECESSARY FOR WATER BOOSTER PUMP STATION IN THE VICINITY OF N. WIEBER DRIVE AND W. SHAWNEE LANE, LOCATED IN THE CITY AND COUNTY OF SPOKANE, STATE OF WASHINGTON.

RECITALS

1. The City of Spokane, Washington (the “City”) is a first class charter city duly organized and existing under and by virtue of the constitution and laws of the State of Washington, and Charter of the City.
2. The laws of the State of Washington, RCW 35.92.010, provide that the City may operate waterworks and perform acts relating thereto, including specifically the power of condemnation of private property for public use as may needed therefore.
3. The Constitution of the State of Washington, Article I Section 16 and the laws of the State of Washington RCW 35.22.280(6) allow the City to purchase or appropriate private property for public use upon making just compensation to the owners pursuant to RCW Chapter 8.12.
4. The City Department of Water & Hydro-electric has determined that it requires certain private property to situate a water booster pump station in the vicinity of N. Wieber Drive and W. Shawnee Lane and must construct necessary improvements to result in providing an adequate and necessary flow of water at required pressure in the surrounding water distribution system.
5. The City Department of Public Works has negotiated in good faith for the acquisition of the property identified in Exhibit A, and the parties have agreed upon the purchase price and the owner has participated in negotiations for acquisition of the premises.
6. The Property on Exhibit “A” is subject to an easement identified on the Plat and elimination of the easement is necessary to complete the project, and condemnation is necessary for that purpose.
7. Pursuant to RCW 8.25.290, the City has caused notice to be mailed to each and every property owner of record, as indicated on the tax rolls of Spokane County according to such addresses shown on such rolls, at least fifteen (15) days prior to the City Council taking final action on this ordinance, including publication of notice of this ordinance in the Spokesman Review for two (2) consecutive weeks before final action by the City Council.

NOW, THEREFORE, The City of Spokane does ordain:

Section 1. The public use and necessity requires the acquisition by the City of Spokane, a Washington municipal corporation, of the land and property described on Exhibit A for public

purposes to situate a water booster pump station for the municipal waterworks, together with such temporary construction easements as are deemed necessary by City staff, for public purposes in order to complete the Water Booster, all as set forth in Public Works file number _____.

Section 2. The City Attorney is hereby authorized and directed to commence an action or actions in the Superior Court of Spokane County, State of Washington, in the name of the City of Spokane, to acquire and take by eminent domain the lands necessary to be acquired for the purposes set forth herein, the lands to be so taken situate in the City of Spokane, County of Spokane, all in the State of Washington, and more specifically described in Exhibit A attached hereto and by this reference made a part hereof, together with such amendments thereto and such additional temporary construction easements as are deemed necessary by City staff to complete the project.

Section 3. That compensation for the land and property described on Exhibit A order to be taken shall be payable from the City of Spokane fund account number _____, of the City of Spokane and funds which are allocated for waterworks needs by the City of Spokane Department of Water & Hydro-electric.

PASSED by the Spokane City Council this _____ day of _____, 2025.

COUNCIL PRESIDENT

Attest:

City Clerk

Approved as to form:

Assistant City Attorney

Attachment: Exhibit A

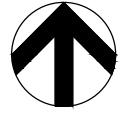
EXHIBIT A

LEGAL DESCRIPTION OF TAKE AREA

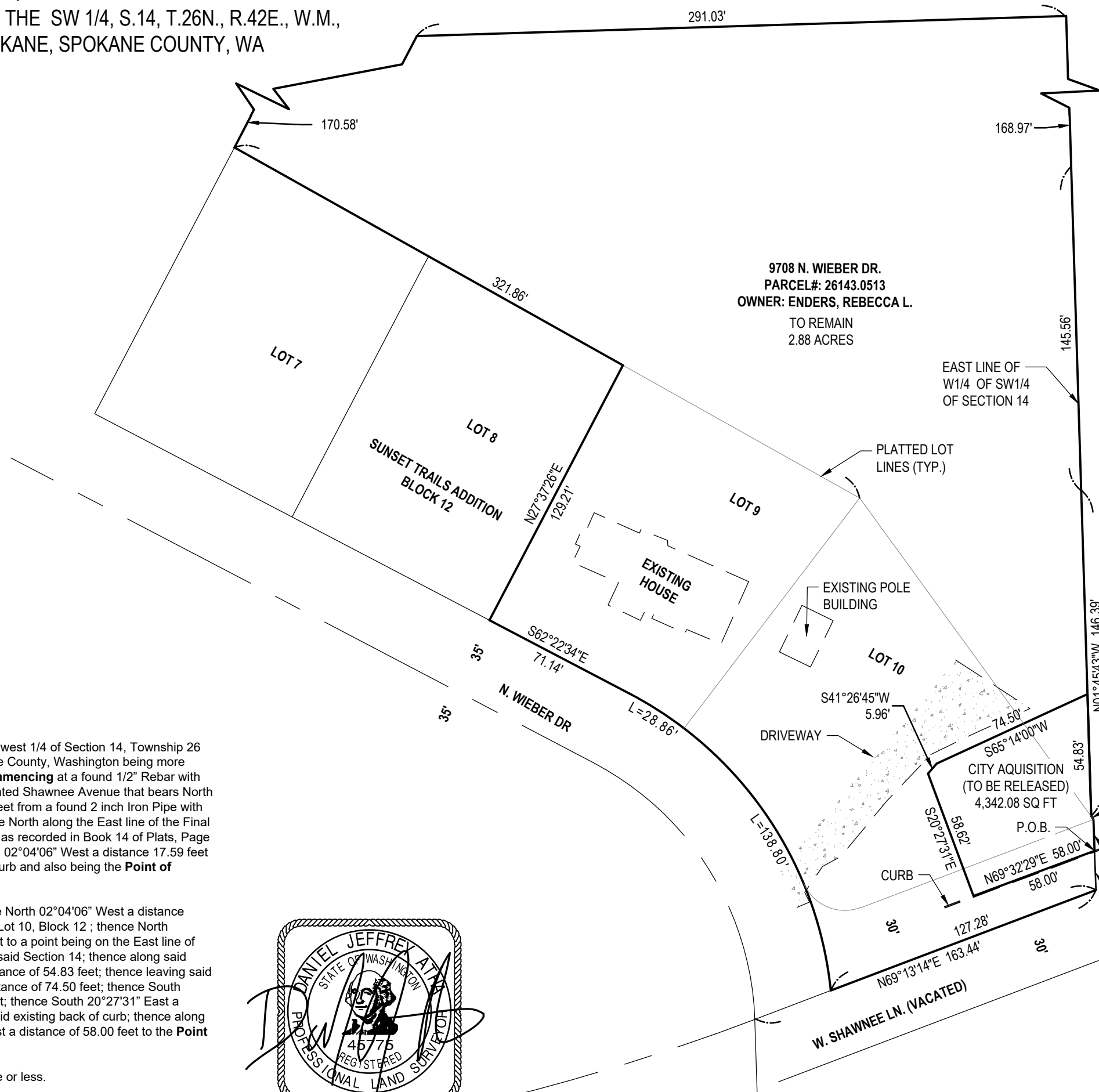
Acquisition (Portion of Assessor's Parcel No. 26143.0513)

ACQUISITION EXHIBIT

BEING A PORTION OF THE SW 1/4, S.14, T.26N., R.42E., W.M.,
CITY OF SPOKANE, SPOKANE COUNTY, WA



GRID NORTH



To Remain Description

Lots 9 and 10, Block 12, Sunset Trails Second Addition, according to the plat thereof recorded in Volume 14 of plats, page(s)15, records of Spokane County, Washington. Together with: the north half of vacated Shawnee Avenue. And together with: that portion of the Southwest Quarter of Section 14, Township 26 North, Range 42 East of the Willamette Meridian, more particularly Described as follows: Beginning at the most Easterly point of Lot 10, Block 12, Sunset Trails Second Addition, as per plat recorded in Volume 14, Page 15, records of Spokane County, Thence Northwesterly along the Northeasterly line to the most Northerly Corner of said lot 10; Thence East a distance of 99.96 feet to the East line of the West half of the Southwest quarter of the Southwest Quarter of said section 14; Thence South 0°08'20" West along the said west line 147.83 feet to the Point of Beginning.

Together with: That portion of the South 1810.00 feet of the Southwest Quarter of the Southwest Quarter of Section 14, Township 26 North, Range 42 East, W.M., in the City of Spokane, Spokane County, Washington described as follows: Beginning at the most Northerly corner of Lot 10, Block 12 of Sunset Trails Second Addition according to the plat thereof recorded in Book 14 of Plats, Page 15, records of Spokane County; Thence North 58° 44' 08" West along the northerly boundary of said Block 12, a distance of 321.86 feet to the Northwest corner of Lot 7, Block 12 of said Plat thence North 29° 34' East a distance of 170.58 feet; Thence North 89° 49'57": East a distance of 291.03 feet to its intersection with the East line of the West Quarter of the Southwest Quarter of said section 14; Thence South 00° 10' 03" East along said East line, a distance of 168.97 feet to the Northwest corner of Lot 1, Block 2 of Shawnee Canyon Estates recorded in book 29 of Plats, pages 44 and 45, records of Spokane County; Thence continue South 00° 10' 03" East along the Westerly boundary of said Lot 1, a distance of 145.56 feet; Thence South 89° 59' 48" West a distance of 99.25 feet to the point of beginning. Record of Survey recording number 5986837 in book 144 of surveys at page 12. Situate in the City of Spokane, County of Spokane, State of Washington.

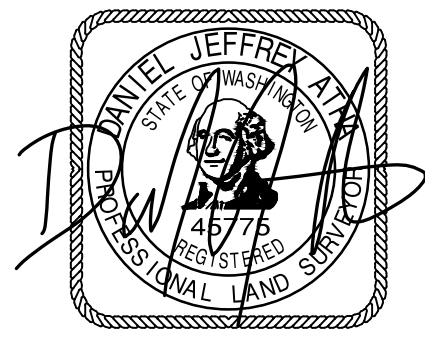
Except the To Be Released Description.

To Be Released Description

A portion of land situated in the Southwest 1/4 of Section 14, Township 26 North, Range 42 East, W.M., Spokane County, Washington being more particularly described as follows; **Commencing** at a found 1/2" Rebar with no cap marking the Centerline of vacated Shawnee Avenue that bears North 69°13'14" East a distance of 163.44 feet from a found 2 inch Iron Pipe with Brass Wire in Monument Case; thence North along the East line of the Final Plat of Sunset Trails Second Addition as recorded in Book 14 of Plats, Page 15, records of Spokane County; North 02°04'06" West a distance 17.59 feet to a point on the back of an existing curb and also being the **Point of Beginning**;

thence continuing along said East line North 02°04'06" West a distance 14.08 feet to the Southeast corner of Lot 10, Block 12 ; thence North 35°58'56" West a distance of 1.79 feet to a point being on the East line of the West 1/4 of the Southwest 1/4 of said Section 14; thence along said East line, North 01°45'43" West a distance of 54.83 feet; thence leaving said East line, South 65°14'00" West a distance of 74.50 feet; thence South 41°26'45" West a distance of 5.96 feet; thence South 20°27'31" East a distance of 58.62 feet to a point on said existing back of curb; thence along said back of curb North 69°32'29" East a distance of 58.00 feet to the **Point of Beginning**;

Containing 4,342.08 S.F. of land more or less.



LOCATION:		
SPOKANE, WA		
CLIENT:		
CITY OF SPOKANE		
PROJECT NO.	DATE:	SHEET NO:
232620	10/30/2024	X OF X

COFFMAN ENGINEERS
 221 N. Wall Street, Suite 500
 Spokane, WA 99201
ph 509.328.2994
www.coffman.com