

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 October 27, 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 October 27, 2025:

3:30 p.m. Agenda Review Session: 1-408-418-9388; access code: 248 314 58728; password: 0320

6:00 p.m. Legislative Session: 1-408-418-9388; access code: 249 141 47877; password: 0320

To participate in public comment (including Open Forum):

Testimony sign-up is open beginning at 5:00 p.m. on Friday, October 24, 2025, and ending at 6:00 p.m. on Monday, October 27, 2025, via the online testimony sign-up form link which can be accessed by clicking <https://my.spokanecity.org/citycouncil/meetings/signup/> or in person outside council chambers beginning at 8:00 a.m. on October 27, 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 relate to the final, updated draft, or draft 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, OCTOBER 27, 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 SHELBY LAMBDIN

COUNCIL MEMBER ZACK ZAPPONE

**CITY COUNCIL CHAMBERS
CITY HALL**

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

City of Spokane Guest Wireless access for Council Chambers:

Username: **COS Guest**

Password: **K8vCr44y**

Please note the space in username.

Both username and password are case sensitive.

LAND ACKNOWLEDGEMENT

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

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

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

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

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

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 3:30 p.m. Agenda Review Session or the 6:00 p.m. Legislative Session)

LEGISLATIVE SESSION

(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)

NO BOARDS AND COMMISSIONS APPOINTMENTS

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. Purchase from Safeware, Inc. (Lanham, MD) of two long-range acoustical devices (LRADs) to enhance public safety communication, emergency response, and lawful notification capabilities—\$88,045.13 (incl. tax). (Council Sponsors: Council President Wilkerson and Council Member Zappone)
Steve Wohl | Approve | OPR 2025-0710 |
| 2. Grant Agreement with Spokane County to accept funding from the Washington Association of Sheriffs and Police Chiefs (WASPC) for continued participation in the Registered Sex Offender Address and Residency Verification Program from July 1, 2025, through June 30, 2026—\$60,000 Revenue. (Council Sponsors: Council President Wilkerson and Council Member Zappone)
Matt Cowles | Approve | OPR 2025-0711 |
| 3. Acceptance of Washington Auto Theft Prevention Authority (WATPA) Grant for .5 of an FTE detective position to focus on auto theft enforcement and prevention in the City of Spokane from July 1, 2025, through June 30, 2027—\$181,922 Revenue. (Council | Approve | OPR 2025-0712 |

Sponsors: Council President Wilkerson and Council Member Zappone)

Dave Singley

4. Report of the Mayor of pending:

Approve &
Authorize
Payments

CPR 2025-0002

- a. Claims and payments of previously approved obligations, including those of Parks and Library, through _____, 2025, total \$_____, with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$_____.

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

CPR 2025-0003

5. Minutes:

Approve All

- a. City Council Meeting Minutes: _____, 2025.

CPR 2025-0013

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

LEGISLATIVE AGENDA

SPECIAL BUDGET ORDINANCES

(Require Five Affirmative, Recorded Roll Call Votes)

- ORD C36771 Amending Ordinance No. C36626, entitled in part, "An ordinance adopting a Biennial Budget for the City of Spokane", and amending it to record cost reimbursement from Spokane Regional Emergency Communications (SREC), and declaring an emergency. (Council Sponsors: Council President Wilkerson and Council Member Zappone)

Tom Williams

Council Member Dillon requests motion to consider the following proposed amendment:

Dillon Proposed Amendment:

- Request motion to amend Special Budget Ordinance C36771 with an updated revised version filed October 9, 2025, and included in agenda packet under Special Budget Ordinance C36771.

NO EMERGENCY ORDINANCES

RESOLUTIONS & FINAL READING ORDINANCES

(Require Four Affirmative, Recorded Roll Call Votes)

- RES 2025-0071** Approving the purchase of safe speeds signage for neighbors through the Safe Streets for All Fund. (Council Sponsors: Council Members Zappone and Klitzke)
Jackson Deese
(As amended during September 29, 2025, 3:30 p.m. Agenda Review Session) (Deferred from October 6, 2025, Agenda, during October 6, 2025, 3:30 p.m. Agenda Review Session)
- RES 2025-0090** Setting the Assessment Roll Hearing before City Council for December 1, 2025, for the Downtown Parking and Business Improvement Area (Business Improvement District – BID) and providing notice of the 2026 assessments to business and property owners. (Council Sponsors: Council Members Dillon and Bingle)
Amanda Beck
- RES 2025-0091** Setting the Assessment Roll Hearing before City Council for December 1, 2025, for the East Sprague Parking and Business Improvement Area (Business Improvement District – BID) and providing notice of the 2026 assessments to business and property owners. (Council Sponsors: Council Members Dillon and Bingle)
Amanda Beck
- ORD C36752** Concerning adoption of public rules by the City of Spokane and creating new Chapters 3.14, 10.21, 12.14, 15.07, and 18.12 of the Spokane Municipal Code, amending sections of Titles 1, 3, 4, 8, 10, 12, 13 and 16A of the Spokane Municipal Code, and adding new section 03.07.350 to the Spokane Municipal Code. (Council Sponsors: Council President Wilkerson and Council Member Cathcart)
Chris Wright
(First Reading deferred as amended from October 6, 2025, Agenda, to October 20, 2025, Agenda, during October 6, 2025, 3:30 p.m. Agenda Review Session, thereby deferring Final Reading to this agenda.)
- ORD C36765** Relating to City of Spokane employee retirement provisions, and amending Sections 03.05.210 and 03.05.260 of the Spokane Municipal Code. (Council Sponsors: Council President Wilkerson and Council Member Bingle)
Christine Shisler
- ORD C36766** Relating to solid waste SMC sections 13.02.0568, 13.02.0560 and adopting new section 13.02.564 to chapter 13.02; of the Spokane Municipal Code; and setting an effective date. (Council Sponsors: Council President Wilkerson and Council Member Klitzke)
Chris Averyt

FIRST READING ORDINANCES

ORD C36770 (To be considered under Hearings Item H1.)

FURTHER ACTION DEFERRED

NO SPECIAL CONSIDERATIONS

HEARINGS

RECOMMENDATION

- | | | | |
|-----|---|--|------------|
| H1. | a. Hearing on vacation of the alley between Central Avenue and Columbia Avenue, from the east line of Freya Street to the west line of Sycamore Street, as requested by owners having an interest in real estate abutting the right-of-way. | Hold Hrg/
Close Hrg/
Approve
Subject to
Conditions | |
| | b. First Reading Ordinance C36770 vacating the alley between Central Avenue and Columbia Avenue, from the east line of Freya Street to the west line of Sycamore Street.
(Council Sponsors: Council Members Bingle and Dillon)
Eldon Brown | Further
Action
Deferred | ORD C36770 |

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://my.spokanecity.org/citycouncil/meetings/signup/>. (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.

ADJOURNMENT

The October 27, 2025, Regular Legislative Session of the City Council is adjourned to November 3, 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 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 Human Resources at 509.625.6373, 808 W. Spokane Falls Blvd., Spokane, WA, 99201; or ddecorde@spokanecity.org. Persons who are deaf or hard of hearing may contact Human Resources 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:** Public Safety **Date:** 10/06/2025**Committee Agenda type:** Consent**Date Rec'd**

9/25/2025

Clerk's File #

OPR 2025-0710

Cross Ref #**Project #****Council Meeting Date:** 10/27/2025**Submitting Dept**

POLICE

Bid #**Contact Name/Phone**

STEVE WOHL 4056

Requisition #**Contact E-Mail**

SJWOHL@SPOKANEPOLICE.ORG

Agenda Item Type

Purchase w/o Contract

Council Sponsor(s)

ZZAPPONE BWILKERSON

Sponsoring at Administrators Request

NO

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

LONG-RANGE ACOUSTICAL DEVICES (LRAD) PURCHASE

Agenda Wording

Long-Range Acoustical Devices (LRAD) purchase without contract

Summary (Background)

Spokane Police Department seeks approval to purchase two Long-Range Acoustical Devices (LRADs) to enhance public safety communication, emergency response, and lawful notification capabilities.

What impacts would the proposal have on historically excluded communities?

It would allow de-escalation messaging to travel across large areas to give warnings and try and gain voluntary compliance. These communities participate in marches and rallies, and this would bring them more safety and security by having that advanced notice before any crowd dispersal measures took place.

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?

There is national data on the ability of this communication public address system to broadcast warnings over long distances. This can be utilized for several things to include emergency evacuations, civil unrest dispersal, child missing broadcasts, etc.

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 will put us in compliance with the legal requirements to have appropriate notifications given to citizens in areas for them to disperse prior to chemical agents being utilized.

Council Subcommittee Review

Fiscal Impact			
Approved in Current Year Budget? YES			
Total Cost		\$ 88,045.13	
Current Year Cost		\$ 88,045.13	
Subsequent Year(s) Cost		\$	
<u>Narrative</u>			
SPD would like to purchase 2-LRAD devices for use by the TAC and SWAT Units during events where it is crucial to the public that they are able to hear the commands being given during times of Civil Unrest, or other emergency situations.			
<u>Amount</u>		<u>Budget Account</u>	
Expense	\$ 88,045.13	# 5902-79115-94210-56401-99999	
Select	\$	#	
Select	\$	#	
Select	\$	#	
Select	\$	#	
Select	\$	#	
<u>Funding Source</u>		One-Time	
<u>Funding Source Type</u>		Reserves	
Is this funding source sustainable for future years, months, etc?			
<u>Expense Occurrence</u>		One-Time	
Other budget impacts (revenue generating, match requirements, etc.)			
<u>Approvals</u>		<u>Additional Approvals</u>	
<u>Dept Head</u>	HALL, KEVIN	<u>PS EXEC REVIEW</u>	YATES, MAGGIE
<u>Division Director</u>	HALL, KEVIN	<u>PURCHASING &</u>	NECHANICKY, JASON
<u>Accounting Manager</u>	BAIRD, CHRISTI		
<u>Legal</u>	HARRINGTON,		
<u>For the Mayor</u>	PICCOLO, MIKE		
<u>Distribution List</u>			
		SPDFinance@spokanecity.org	



QUOTATION

Safeware, Inc.
4403 Forbes Blvd.
Lanham, MD 20706-432
USA
301-683-1234
www.safewareinc.com

Order Number	
10236939	
Order Date	Page
08/01/2025 17:53:32	1 of 3

Quote Expires On: 08/11/2025

Contract No: OMNIA PoP Contract #159469

Bill To: **Customer ID:** 127637
Spokane Police Department
1100 W Mallon Ave.
Spokane, WA 99260

Ship To:
Spokane Police Department
1100 W Mallon Ave.
Spokane, WA 99260

(509) 625-4100

Requested By: Kyle Yrigollen

<i>PO Number</i>	<i>Taker</i>	<i>Email</i>
LRAD	Deann Campbell	dcampbell@safewareinc.com
<i>Freight Terms</i>	<i>Phone</i>	<i>Fax</i>
Freight Paid		
<i>Sales Representative</i>		
Mick Ormiston		

<i>Quantities</i>					<i>Item ID</i>	<i>Pricing</i>		
<i>Ordered</i>	<i>Allocated</i>	<i>Remaining</i>	<i>UOM</i>	<i>Unit Size</i>	<i>Item Description</i>	<i>UOM</i>	<i>Unit Price</i>	<i>Extended Price</i>
				<i>Disp.</i>		<i>Unit Size</i>		

1.00	0.00	1.00	EA		LRAD 450XL-BLK	EA	29,841.00	29,841.00
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1.0					LRAD System, 450XL, Black	1.0		
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w/Hard Case, MP3 Controller & Ptt mic, hearing protection, manual, 12 FT DC power cable, and 20 FT audio control cable, Black

Item Note: 1 Assembly, Head Unit, Integrated Electronics, LRAD-450XL, Black, SS
1 Pan-Tilt Head, Manual, LRAD-450XL, Natural
1 Control Unit, Remote Electronics, Universal, Black, SS
1 Bracket, Support, Control Unit, Remote, Black
1 Microphone, Recording, Noise Cancelling Element, SS
1 Cable Assembly, Remote Control, 20FT, SS
1 Cable Assembly, Remote Control, STRT/90 DEG, 16 Inch, SS
1 Cable Assembly, DC Input, 4X14GA, 12FT, Fused, SS
1 Cable Assembly, USB 2.0, Download, MP3, D38999, 48 Inches
1 Cable Assembly, CD Player, D38999 to 3.5MM Phone, SS
10 Ear Plug, Foam, w/o Cord, NRR 33db



QUOTATION

Safeware, Inc.
4403 Forbes Blvd.
Lanham, MD 20706-432
USA
301-683-1234
www.safewareinc.com

Order Number	
10236939	
Order Date	Page
08/01/2025 17:53:32	2 of 3

Quote Expires On: 08/11/2025

Contract No: OMNIA PoP Contract #159469

Quantities					Item ID Item Description	Pricing UOM	Unit Price	Extended Price
Ordered	Allocated	Remaining	UOM Unit Size	Disp.		Unit Size		
1.00	0.00	1.00	EA		1 Hard Case, Resusable, LRAD-300X 1 Manual, Printed, LRAD-450XL			
1.00	0.00	1.00	EA		LRAD 450XL-BLK	EA	29,841.00	29,841.00
				1.0	LRAD System, 450XL, Black w/Hard Case, MP3 Controller & Ptt mic, hearing protection, manual, 12 FT DC power cable, and 20 FT audio control cable, Black	1.0		
					Ordered As: 450XL-BLK			
					Item Note: 1 Assembly, Head Unit, Integrated Electronics, LRAD-450XL, Black, SS 1 Pan-Tilt Head, Manual, LRAD-450XL, Natural 1 Control Unit, Remote Electronics, Universal, Black, SS 1 Bracket, Support, Control Unit, Remote, Black 1 Microphone, Recording, Noise Cancelling Element, SS 1 Cable Assembly, Remote Control, 20FT, SS 1 Cable Assembly, Remote Control, STRT/90 DEG, 16 Inch, SS 1 Cable Assembly, DC Input, 4X14GA, 12FT, Fused, SS 1 Cable Assembly, USB 2.0, Download, MP3, D38999, 48 Inches 1 Cable Assembly, CD Player, D38999 to 3.5MM Phone, SS 10 Ear Plug, Foam, w/o Cord, NRR 33db 1 Hard Case, Resusable, LRAD-300X 1 Manual, Printed, LRAD-450XL			
1.00	0.00	1.00	EA		LRAD BCWIRE218	EA	4,947.05	4,947.05
				1.0	LRAD Lenco Bearcat Cables, 450XL/500X	1.0		
					Ordered As: BCWIRE218			
1.00	0.00	1.00	EA		LRAD 450XL-MNT-MAG	EA	3,365.00	3,365.00
				1.0	LRAD Magnetic Mount, 300X/450XL	1.0		
					Ordered As: 450XL-MNT-MAG			
1.00	0.00	1.00	EA		LRAD 450XL-MNT-VAC	EA	4,211.00	4,211.00
				1.0	LRAD Vacuum Mount, 450XL	1.0		
					Ordered As: 450XL-MNT-VAC			
1.00	0.00	1.00	EA		LRAD 24V-PACK	EA	6,764.32	6,764.32



QUOTATION

Safeware, Inc.
4403 Forbes Blvd.
Lanham, MD 20706-432
USA
301-683-1234
www.safewareinc.com

Order Number	
10236939	
Order Date	Page
08/01/2025 17:53:32	3 of 3

Quote Expires On: 08/11/2025

Contract No: OMNIA PoP Contract #159469

Quantities					Item ID	Pricing		
Ordered	Allocated	Remaining	UOM	Unit Size	Item Description	UOM	Unit Price	Extended Price
						Unit Size		
				1.0	LRAD Rechargeable 24VDC Power Pack	1.0		
Ordered As: 24V-PACK								
1.00	0.00	1.00	EA		LEN BCLTM	EA	1,731.92	1,731.92
				1.0	LRAD T-Lock mount	1.0		

Ask me about the leasing and financing options that Safeware offers!

Sales Representative : mormiston@safewareinc.com

Total Lines: 7

SUB-TOTAL: 80,701.29
TAX: 7,343.84
AMOUNT DUE: 88,045.13
U.S. Dollars

**Agenda Sheet for City Council:****Committee:** Public Safety **Date:** 10/06/2025**Committee Agenda type:** Consent**Date Rec'd**

9/22/2025

Clerk's File #

OPR 2025-0711

Cross Ref #**Project #****Council Meeting Date:** 10/27/2025**Submitting Dept**

POLICE

Bid #**Contact Name/Phone**

MATT COWLES 4115

Requisition #**Contact E-Mail**

MCOWLES@SPOKANEPOLICE.ORG

Agenda Item Type

Contract Item

Council Sponsor(s)

ZZAPPONE BWILKERSON

Sponsoring at Administrators Request

NO

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

ACCEPT REGISTERED SEX OFFENDER (RSO) GRANT FY25-26

Agenda Wording

Acceptance of Registered Sex Offender Grant FY25-26

Summary (Background)

Grant agreement between City of Spokane and Spokane County to accept funding from the Washington Association of Sheriffs and Police Chiefs (WASPC) for the continued participation in the Registered Sex Offender Address and Residency Verification Program. A total of \$60,000 is being awarded to be used \$57,000 for salary/benefits and \$3,000 for travel/training. Grant period is 7/1/2025 through 6/30/2026.

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? NO			
Total Cost		\$ 60,000	
Current Year Cost		\$ 60,000	
Subsequent Year(s) Cost		\$	
<u>Narrative</u>			
Funds to be used \$57,000 for salary/benefits and \$3,000 for travel/training.			
Amount		Budget Account	
Revenue	\$ 60,000.00	#	1620-91841-99999-33469-99999
Select	\$	#	
Select	\$	#	
Select	\$	#	
Select	\$	#	
Select	\$	#	
Funding Source		One-Time	
Funding Source Type		Grant	
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	
<u>Dept Head</u>	HALL, KEVIN	<u>PS EXEC REVIEW</u>	YATES, MAGGIE
<u>Division Director</u>	HALL, KEVIN	<u>ACCOUNTING -</u>	BROWN, SKYLER
<u>Accounting Manager</u>	BAIRD, CHRISTI		
<u>Legal</u>	HARRINGTON,		
<u>For the Mayor</u>	PICCOLO, MIKE		
Distribution List			
Elise Vandenberghe		SPDFinance@spokanecity.org	

**AGREEMENT BETWEEN SPOKANE COUNTY AND CITY OF SPOKANE
POLICE DEPARTMENT IN CONJUNCTION WITH THE
REGISTERED SEX OFFENDER ADDRESS AND RESIDENCY
VERIFICATION PROGRAM FY25/26 GRANT**

1. Grantee City of Spokane Spokane Police Department Public Safety Building 1100 W. Mallon Spokane, WA 99201		2. Contract Amount \$ 60 , 000		3. Tax ID# 91-6001280	
		4. DUNS#/UEI 115528189/PDNCLY8MYJN3			
5. Grantee Representative Kevin Schmitt, Public Safety Accounting Manager City of Spokane Public Safety Building 1100 W. Mallon Ave Spokane, WA 99201 (509) 625-6387 kschmitt@spokanecity.org			6. County's Representative Elise Vandenberghe, Grants and Contracts Administrator Spokane County Sheriff's Office Public Safety Building 1100 W. Mallon Ave Spokane, WA 99260 (509) 477-2701 evandenberghe@spokanesherriff.org		
7. Contract #		8. Original Grant ID# RSO 2025-26 Spokane		9. Start Date 07/01/25	
				10. End Date 06/30/26	
11. Funding Authority: Washington Association of Sheriffs and Police Chiefs					
12. Federal Funds (as applicable) N/A		13. CFDA # N/A		14. Federal Agency: N/A	
15. Contractor Selection Process: (check all that apply or qualify) ☐ Sole Source ☐ A/E Services ☐ Competitive Bidding ☒ Pre-approved by Funder			16. Contractor Type: (check all that apply) ☐ Private Organization/Individual ☒ Public Organization/Jurisdiction ☐ VENDOR ☒ SUBRECIPIENT ☐ Non-Profit ☐ For-Profit		
17. Grant Purpose: To verify the address and residency of all registered sex offenders and kidnapping offenders under RCW 9A.44.130.					
18. COUNTY and the CITY, as identified above, acknowledge and accept the terms of this AGREEMENT and attachments and have executed this AGREEMENT the date below to start as of the date and year referenced above. The rights and obligations of both parties to this AGREEMENT are governed by this AGREEMENT and the following other documents incorporated by reference: (1) General Terms and Conditions, (2) Attachment "A" Scope of Work, and (3) Attachment "B" Budget.					
FOR THE GRANTEE:			FOR COUNTY:		
Signature _____ Date _____			Signature _____ Date _____		
Name _____			Name _____		
Title _____			Title _____		

(FACE SHEET)

1. SERVICES

- 1.1. The CITY shall provide those services set forth in the Scope of Work attached hereto as Attachment A and incorporated herein by reference.

2. COMPENSATION

- 2.1. The COUNTY shall reimburse the CITY an amount not to exceed the amount set forth in Attachment “B” Budget, attached hereto and incorporated herein by reference for the performance of all things necessary for or incidental to the performance of Scope of Work as set forth in Attachment “A”. The CITY’s reimbursement for services set forth in Attachment “A” shall be in accordance with the terms and conditions set forth in the Budget attached hereto as Attachment “B” and incorporated herein by reference. Invoices must be submitted with appropriate supporting documentation, including time and labor certifications, timesheets, copies of receipts, etc., as directed by the COUNTY’s representative designated hereinafter. Requests for reimbursement by the CITY shall be made quarterly and are due on or before the following: October 10, 2025 (for the preceding July 1 – September 30 period); January 10, 2026 (for the preceding July 1-December 30 period), April 10, 2026 (for the preceding January 1-March 31 period), and July 10, 2026 (for the preceding April 1-June 30 period), The July to December’s reimbursement **request must be received no later than January 10th** to be allowable under this AGREEMENT. **Failure to do so may result in the County’s refusal to pay the request for reimbursement based upon a finding of unsatisfactory compliance of the contractual terms.**
- 2.2. In conjunction with each reimbursement request, the CITY shall certify that services to be performed under this Agreement do not duplicate any services to be charged against any other grant, subgrant, or other funding source. A reimbursement voucher is provided and is required for requests for payment.
- 2.3. Requests for reimbursement shall be submitted to:
Contessa Tucker
Budget Coordinator
Spokane County Sheriff’s Office
1100 West Mallon Avenue
Spokane, WA 99260-0300
ctucker@spokanecounty.org
- 2.4. Payment shall be considered timely if made by COUNTY within thirty (30) calendar days after receipt of properly completed invoices. Payment shall be sent to the address designated by the CITY. No payments in advance of or in anticipation of goods or services to be provided under this Agreement shall be made by COUNTY.

3. TERM

- 3.1. The term of this Agreement shall commence as of the date on the Face Sheet and shall terminate on the date on the Face Sheet.

4. RELATIONSHIP OF THE PARTIES

- 4.1. The Parties intend that an independent contractor relationship will be created by this Agreement. The COUNTY is interested only in the results that can be achieved and the conduct and control set forth in Section No. 1 and described in Attachment "A" will be solely with the CITY. No agent, employee, servant or otherwise of the CITY shall be deemed to be an employee, agent, servant, or otherwise of the COUNTY for any purpose, and the employees of the CITY are not entitled to any of the benefits that the COUNTY provides for COUNTY employees. The CITY will be solely and entirely responsible for its acts and the acts of its agents, employees, servants, and subcontractors or otherwise, during the performance of this Agreement.

5. VENUE STIPULATION

- 5.1. This Agreement has and shall be construed as having been made and delivered in the State of Washington and the laws of the State of Washington shall be applicable to its construction and enforcement. Any action at law, suit in equity or judicial proceeding for the enforcement of this Agreement or any provision hereto shall be instituted only in courts of competent jurisdiction within Spokane County, Washington.

6. COMPLIANCE WITH LAWS

- 6.1. The Parties specifically agree to observe all federal, state and local laws, ordinances and regulations and policies to the extent that they may have any bearing on meeting their respective obligations under the terms of this Agreement, including, but not limited to the following:
- 6.1.1. Audits – 2 CFR Part 200;
 - 6.1.2. Labor and Safety Standards – Convict Labor 18 U.S.C. 751, 752, 4081, 4082; Drug-Free Workplace Act of 1988, 41 USC 701 et seq.; Federal Fair Labor Standards Act 29 U.S.C. 201 et seq.; Work Hours and Safety Act of 1962 40 U.S.C. 327-330 and Department of Labor Regulations, 29 CFR Part 5;
 - 6.1.3. Laws Against Discrimination – Age Discrimination Act of 1975, Public Law 94-135, 42 U.S.C. 6101-07, 45 CFR Part 90 Nondiscrimination in Federally Assisted Programs; Americans with Disabilities Act of 1990, Public Law 101-336; Equal Employment Opportunity, Executive Order 11246, as amended by Executive Order 11375 and supplemented in U.S. Department of Labor Regulations, 41 CFR Chapter 60; Executive Order

11246, as amended by EO 11375, 11478, 12086 and 12102; Employment under Federal Contracts, Rehabilitation Act of 1973, Section 503, 29 U.S.C. 793; Nondiscrimination under Federal Grants, Rehabilitation Act of 1973, Section 504, 29 U.S.C. 794; Minority Business Enterprises, Executive Order 11625, 15 U.S.C. 631; Minority Business Enterprise Development, Executive Order 12432, 48 CFR 32551; Nondiscrimination and Equal Opportunity, 24 CFR 5.105(a); Nondiscrimination in benefits, Title VI of the Civil Rights Act of 1964, Public Law 88-352, 42 U.S.C. 2002d et seq, 24 CFR Part 1; Nondiscrimination in employment, Title VII of the Civil Rights Act of 1964, Public Law 88-352; Nondiscrimination in Federally Assisted Construction Contracts, Executive Order 11246, 42 U.S.C. 2000e, as amended by Executive Order 11375, 41 CFR Chapter 60; Section 3, Housing and Urban Development Act of 1968, 12 U.S.C. 1701u (See 24 CFR 570.607(b));

- 6.1.4. Office of Management and Budget Circulars – 2 CFR Parts 200, 215, 220, 225, and 230;
- 6.1.5. Other – Anti-Kickback Act, 18 U.S.C. 874; 40 U.S.C. 276b, 276c; 41 U.S.C. 51-54; Governmental Guidance for New Restrictions on Lobbying: Interim Final Guidance, Federal Register 1, Vol. 54, No. 243\Wednesday, December 20, 1989; Hatch Political Activity Act, 5 U.S.C. 1501-8; Lobbying and Disclosure, 42 U.S.C. 3537a and 3545 and 31 U.S.C. 1352 (Byrd Anti-Lobbying Amendment); Non-Supplantation, 28 CFR Sec. 90, 18; Section 8 Housing Assistance Payments Program; and
- 6.1.6. Privacy – Privacy Act of 1974, 5 U.S.C. 552a.
- 6.2. **Washington State Laws and Regulations:**
 - 6.2.1. Affirmative action, RCW 41.06.020 (11);
 - 6.2.2. Boards of directors or officers of non-profit corporations – Liability – Limitations, RCW 4.24.264;
 - 6.2.3. Disclosure-campaign finances-lobbying, Chapter 42.17 RCW;
 - 6.2.4. Discrimination-human rights commission, Chapter 49.60 RCW;
 - 6.2.5. Ethics in public service, Chapter 42.52 RCW;
 - 6.2.6. Office of minority and women’s business enterprises, Chapter 39.19 RCW and Chapter 326-02 WAC;
 - 6.2.7. Open public meetings act, Chapter 42.30 RCW;
 - 6.2.8. Public records act, Chapter 42.56 RCW; and
 - 6.2.9. State budgeting, accounting, and reporting system, Chapter 43.88 RCW.

7. NON-DISCRIMINATION

- 7.1. The Parties hereto specifically agree that no person shall, on the grounds of race, creed, color, sex, sexual orientation, national origin, marital status, age or the

presence of any sensory, mental, or physical disability or Vietnam era or disabled veterans status be excluded from full employment rights and participation in, or be denied the benefits of, or be otherwise subject to, discrimination in conjunction with any services which the CITY will receive payment under the provisions of this Agreement.

8. AMERICANS WITH DISABILITIES ACT (ADA) OF 1990, PUBLIC LAW 101-336

- 8.1. The CITY must comply with the ADA, which provides comprehensive civil rights protection to individuals with disabilities in the areas of employment, public accommodations, state and local government services, and telecommunications.

9. NEW CIVIL RIGHTS PROVISION

- 9.1. The CITY shall comply with the Violence Against Women Reauthorization Act of 2013 provision that prohibits recipients from excluding, denying benefits to, or discriminating against any person on the basis of actual or perceived race, color, religion, national origin, sex, gender identity, sexual orientation, or disability in any program or activity funded in whole or in part by this Agreement.

10. SERVICES TO LIMITED-ENGLISH-PROFICIENT (LEP) PERSONS

- 10.1. To ensure compliance with Title VI and the Safe Streets Act, recipients are required to take reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access may entail providing language assistance services, including interpretation and translation services, where necessary. Recipients are encouraged to consider the need for language services for LEP persons served or encountered both in developing their programs and budgets and in conducting their programs and activities. Reasonable costs associated with providing meaningful access for LEP individuals are considered allowable program costs. Additional assistance regarding LEP obligations and information may be found at www.lep.gov.

11. NONCOMPLIANCE WITH NONDISCRIMINATION LAWS

- 11.1. During the performance of this AGREEMENT, the CITY shall comply with all federal, state, and local nondiscrimination laws, regulations and policies. In the event of the CITY's noncompliance or refusal to comply with any nondiscrimination law, regulation or policy, this Agreement may be rescinded, canceled or terminated in whole or in part, and the CITY may be declared ineligible for further agreements with the COUNTY. The CITY shall, however, be given a reasonable time in which to cure this noncompliance. Any dispute may be resolved in accordance with the dispute resolution provision of this Agreement.

12. PAY EQUITY

- 12.1. The CITY agrees to ensure that “similarly employed” individuals in its workforce are compensated as equals, consistent with the following:
 - 12.1.1. Employees are “similarly employed” if the individuals work for the same employer, the performance of the job requires comparable skill, effort and responsibility and the jobs are performed under similar working conditions. Job titles alone are not determinative of whether employees are similarly employed;
 - 12.1.2. The CITY may allow differentials in compensation for its workers if the differentials are based in good faith and on any of the following:
 - 12.1.2.1. A seniority system; a merit system; a system that measures earning by quantity or quality of production; a bona fide job-related factor or factors, or a bona fide regional difference in compensation levels.
 - 12.1.2.2. A bona fide job-related factor or factors may include, but not be limited to, education, training, or experience that is consistent with business necessity, not based on or derived from a gender-based differential and accounts for the entire differential.
 - 12.1.2.3. A bona fide regional difference in compensation level must be consistent with business necessity, not based on or derived from a gender-based differential and account for the entire differential.
- 12.2. This AGREEMENT may be terminated if the COUNTY determines that the CITY is not in compliance with this provision.

13. TERMINATION FOR CAUSE/SUSPENSION

- 13.1. In the event COUNTY determines that the CITY failed to comply with any term or condition of this Agreement, COUNTY may terminate the Agreement in whole or in part upon written notice to the CITY. Such termination shall be deemed “Termination for Cause.” Termination shall take effect on the date specified in the notice.
- 13.2. In the alternative, COUNTY, upon written notice may allow the CITY a specific period of time in which to correct the non-compliance. During the corrective-action time period, COUNTY may suspend further payment to the CITY in whole or in part or may restrict the CITY's right to perform duties under this Agreement. Failure by the CITY to take timely corrective action shall allow COUNTY to terminate the Agreement upon written notice to the CITY.
- 13.3. "Termination for Cause" shall be deemed a "Termination for Convenience" when COUNTY determines that the CITY did not fail to comply with the terms of the Agreement or when COUNTY determines the failure was not caused by the CITY's actions or negligence.

- 13.4. In the event of termination or suspension, the CITY shall be liable for damages as authorized by law including, but not limited to, any cost difference between the original Agreement and the replacement or cover agreement and all administrative costs directly related to the replacement agreement, e.g. cost of the competitive bidding, mailing, advertising and staff time.

14. TERMINATION FOR CONVENIENCE

- 14.1. Except as otherwise provided in this Agreement, COUNTY may, by ten (10) business days written notice, beginning on the second day after the mailing, terminate this Agreement, in whole or in part. If this Agreement is so terminated, the COUNTY shall be liable only for payment required under the terms of this Agreement for services rendered prior to the effective date of termination.

15. TERMINATION PROCEDURES

- 15.1. After receipt of a Notice of Termination, except as otherwise directed by COUNTY, the CITY shall:
- 15.1.1. Stop work under the Agreement on the date, and to the extent specified, in the notice;
 - 15.1.2. Place no further orders for materials, services, or facilities related to the Agreement;
 - 15.1.3. Assign to COUNTY all of the rights, title, and interest of the CITY under the orders and subcontracts so terminated, in which case COUNTY has the right, at its discretion, to settle or pay any or all claims arising out of the termination of such orders and subcontracts. Any attempt by the CITY to settle such claims must have the prior written approval of COUNTY; and
 - 15.1.4. Preserve and transfer any materials, Agreement deliverables and/or COUNTY property in the CITY's possession as directed by COUNTY.
- 15.2. Upon termination of the Agreement, COUNTY shall pay the CITY for any service provided by the CITY under the Agreement prior to the date of termination. COUNTY may withhold any amount due as COUNTY reasonably determines is necessary to protect COUNTY against potential loss or liability resulting from the termination. COUNTY shall pay any withheld amount to the CITY if COUNTY later determines that loss or liability will not occur. The rights and remedies of COUNTY under this Section are in addition to any other rights and remedies provided under this Agreement or otherwise provided under law. Provided, further, in the event that the CITY fails to perform this Agreement in accordance with state laws, federal laws, and/or the provisions of this Agreement, COUNTY reserves the right to recapture funds in an amount to compensate COUNTY for the noncompliance in addition to any other remedies available at law or in equity.
- 15.3. Repayment by the CITY of funds under this recapture provision shall occur within the time period specified by COUNTY. In the alternative, COUNTY may recapture such funds from payments due under this Agreement.

16. COUNTY REPRESENTATIVE

- 16.1. The COUNTY hereby appoints, and the CITY hereby accepts the COUNTY's representative, or her designee as identified on the Face Sheet as the COUNTY's liaison for the purpose of administering this Agreement. The CITY hereby appoints, and COUNTY hereby accepts the CITY's representative, or his/her designee as identified on the Face Sheet as the CITY's liaison for the purpose of administering this Agreement.

17. NOTICES

- 17.1. Except as provided to the contrary herein, all notices or other communications given hereunder shall be deemed given on: (i) the day such notices or other communications are received when sent by personal delivery; or (ii) the third day following the day on which the same have been mailed by first class delivery, postage prepaid addressed to the COUNTY or the CITY at the address set forth on the Face Sheet for such party, or at such other address as either party shall from time-to-time designate by notice in writing to the other Party.

18. HEADINGS

- 18.1. The Section headings in this Agreement have been inserted solely for the purpose of convenience and ready reference. In no way do they purport to, and shall not be deemed to, define, limit or extend the scope or intent of the Sections to which they appertain.

19. MODIFICATION

- 19.1. No modification or amendment of this Agreement shall be valid until the same is reduced to writing and executed with the same formalities as this present Agreement.

20. WAIVER

- 20.1. No officer, employee, agent or otherwise of the COUNTY has the power, right or authority to waive any of the conditions or provisions to this Agreement. No waiver of any breach of this Agreement shall be held to be a waiver of any other or subsequent breach. All remedies afforded in this Agreement or at law, shall be taken and construed as cumulative that is, in addition to every other remedy provided herein or by law. Failure of the COUNTY to enforce at any time any of the provisions of this Agreement, or to require at any time performance by the CITY of any provision hereof, shall in no way be construed to be a waiver of such provisions, nor in any way effect the validity of this Agreement of any part hereof, or the right of the COUNTY to hereafter enforce each and every such provision.

21. INDEMNIFICATION

- 21.1. To the fullest extent permitted by law, the CITY shall indemnify, defend and hold harmless the COUNTY, and all officials, agents and employees of the COUNTY, from and against all claims for injuries or death arising out of or resulting from the performance of the contract. "Claim" as used in this contract, means any financial loss, claim, suit, action, damage or expense, including but not limited to attorney's fees, attributable for bodily injury, sickness, disease, death or injury to or the destruction of tangible property including loss of use therefrom.
- 21.2. The CITY's obligation to indemnify, defend and hold harmless includes any claim by the CITY's agents, employees, representatives or any subgrantee/subcontractor or its employees.
- 21.3. The CITY expressly agrees to indemnify, defend and hold harmless the COUNTY for any claim arising out of or incident to the CITY's or any subgrantee's/subcontractor's performance or failure to perform under this Agreement. The CITY's obligation to indemnify, defend and hold harmless the COUNTY shall not be eliminated or reduced by an actual or alleged concurrent negligence of the COUNTY or its agents, employees and/or officials.
- 21.4. The COUNTY shall protect, defend, indemnify, and hold harmless the CITY, its officers, officials, employees, and agents while acting within the scope of their employment as such, from any and all costs, claims, judgments, and/or awards of damages (both to persons and/or property). The COUNTY will not be required to indemnify, defend, or save harmless the CITY if the claim, suit, or action for injuries, death, or damages (both to persons and/or property) is caused by the sole negligence of the CITY.
- 21.5. The COUNTY and CITY agree that its obligations under this section extend to any claim, demand and/or cause of action brought by, or on behalf of, any COUNTY or CITY employees or agents while performing work authorized under this Agreement. For this purpose, the COUNTY and CITY, by mutual negotiation, hereby waives any immunity that would otherwise be available to it against such claims under the Industrial Insurance provisions of chapter 51.12 RCW.
- 21.6. These indemnifications and waiver shall survive the termination of this Agreement.
- 21.7. No officer or employee of the CITY or the COUNTY shall be personally liable for any act, or failure to act, in connection with this Agreement, it is understood that in such matters they are acting solely as agents of their respective agencies.

22. ALL WRITINGS CONTAINED HEREIN

- 22.1. This Agreement contains all the terms and conditions agreed upon by the Parties. No other understandings, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind any of the Parties hereto. The

CITY has read and understands all of this Agreement and now states that no representation, promise or condition not expressed in this Agreement has been made to induce the CITY to execute the same.

23. SEVERABILITY

- 23.1 It is understood and agreed between the Parties that if any parts, terms or provisions of this Agreement are held by the courts to be illegal, the validity of the remaining portions or provisions shall not be affected, and the rights and obligations of the Parties shall not be affected in regard to the remainder of the Agreement. If it should appear that any part, term or provision of this Agreement is in conflict with any statutory provisions of the State of Washington, then the part, term or provision thereof that may be in conflict shall be deemed inoperative and null and void insofar as it may be in conflict therewith and this Agreement shall be deemed modify to conform to such statutory provision.

24. EXECUTION AND APPROVAL

- 24.1. The Parties warrant that the officers/individuals executing below have been duly authorized to act for and on behalf of the party for purposes of confirming this Agreement.

25. COUNTERPARTS

- 25.1. This Agreement may be executed in any number of counterparts, each of which, when so executed and delivered, shall be an original, but such counterparts shall together constitute but one and the same.

26. DISPUTE RESOLUTION

- 26.1. Any dispute between the Parties which cannot be resolved between the Parties shall be subject to arbitration. Except as provided for to the contrary herein, such dispute shall first be reduced to writing. If the COUNTY and CITY representatives cannot resolve the dispute it will be submitted to arbitration. The provisions of chapter 7.04A RCW shall be applicable to any arbitration proceeding.
- 26.2. The COUNTY and the CITY shall have the right to designate one person each to act as an arbitrator. The two selected arbitrators shall then jointly select a third arbitrator. The decision of the arbitration panel shall be binding on the Parties and shall be subject to judicial review as provided for in chapter 7.04A RCW.
- 26.3. The costs of the arbitration panel shall be equally split between the Parties.

27. NO THIRD-PARTY BENEFICIARIES

- 27.1. Nothing in this Agreement is intended to give, or shall give, whether directly or indirectly, any benefit or right, greater than that enjoyed by the general public, to third persons.

28. SURVIVAL

- 28.1. Any Sections of this Agreement which, by their sense and context, are intended to survive shall survive the termination of this Agreement.

29. INSURANCE

- 29.1. The CITY is self-funded for its liability exposures including General Liability and Automobile Liability to the limits of \$1.5 million and Workers Compensation to the limits of \$1 million. Should a covered loss occur in the fulfillment of this Agreement, the CITY shall provide payment under the terms of its self-funded insurance program.
- 29.2. All self-insured risk management programs or self-insured/liability pool financial reports must comply with Generally Accepted Accounting Principles (GAAP) and adhere to accounting standards promulgated by: 1) Governmental Accounting Standards Board (GASB), 2) Financial Accounting Standards Board (FASB), and 3) the Washington State Auditor's annual instructions for financial reporting. The COUNTY, its agents and employees need not be named as additional insureds under a self-insured property/liability pool, if the pool is prohibited from naming third parties as additional insureds.

30. AUDIT

- 30.1. General Requirements. CITY shall procure audit services based on the following guidelines.
 - 30.1.1. The CITY shall maintain its records and accounts so as to facilitate the audit requirement and shall ensure that Subcontractors also maintain auditable records.
 - 30.1.2. The CITY is responsible for any audit exceptions or disallowed costs incurred by its own organization or that of its Subcontractors.
 - 30.1.3. The COUNTY reserves the right to recover from the CITY all disallowed costs resulting from the audit.
 - 30.1.4. Responses to any unresolved management findings and disallowed or questioned costs shall be included with the audit report. The CITY must respond to COUNTY requests for information or corrective action concerning audit issues within thirty (30) days of the date of request.
- 30.2. Federal Funds Requirement – 2 CFR Part 200

- 30.2.1. The CITY, expending \$750,000 or more in a fiscal year in federal funds from all sources, direct and indirect, is required to have an audit conducted in accordance with 2 CFR Part 200. When state funds are also to be paid under this Agreement a Schedule of State Financial Assistance as well as the required schedule of Federal Expenditure must be included. Both schedules include:
 - 30.2.1.1. Grantor agency name
 - 30.2.1.2. Federal agency
 - 30.2.1.3. Federal program income
 - 30.2.1.4. Other identifying contract numbers
 - 30.2.1.5. Catalog of Federal Domestic Assistance (CFDA) number (if applicable)
 - 30.2.1.6. Grantor contract number
 - 30.2.1.7. Total award amount including amendments (total grant award)
 - 30.2.1.8. Current year expenditures
- 30.2.2. If the CITY is a state or local government entity, the Office of the State Auditor shall conduct the audit. Audits of non-profit organizations are to be conducted by a certified public accountant selected by the CITY in accordance with 2 CFR Part 200.
- 30.2.3. The CITY shall include the above audit requirements in any subcontracts.
- 30.2.4. In any case, the CITY's financial records must be available for review by the COUNTY and the Washington State Department of Commerce.
- 30.3. Documentation Requirements
 - 30.3.1. The CITY must send a copy of the audit report described above no later than sixty (60) days after the completion of the audit to the COUNTY representative identified in Section No. 2 Compensation.
 - 30.3.2. In addition to sending a copy of the audit, when applicable, the CITY must include:
 - 30.3.2.1. Corrective action plan for audit findings within three (3) months of the audit being received by the COUNTY.
 - 30.3.2.2. Copy of the Management Letter.

31. CERTIFICATION REGARDING DEBARMENT, SUSPENSION OR INELIGIBILITY AND VOLUNTARY EXCLUSION – PRIMARY AND LOWER TIER COVERED TRANSACTION

- 31.1. The CITY, defined as the primary participant and its principal, certifies by signing these General Terms and Conditions that to the best of its knowledge and belief that they:

- 31.1.1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency.
- 31.1.2. Have not within a three (3) year period preceding this Agreement, been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public or private agreement or transaction, violation of Federal or state antitrust statutes or commission or embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, making false claims, or obstruction of justice;
- 31.1.3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, state, or local) with commission of any of the offenses enumerated in paragraph (A)(2) of this section; and
- 31.1.4. Have not within a three-year period preceding the signing of this Agreement had one or more public transactions (Federal, state, or local) terminated for cause of default.
- 31.2. Where the CITY is unable to certify to any of the statements in this Agreement, the CITY shall attach an explanation to this Agreement.
- 31.3. The CITY agrees by signing this Agreement that it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by COUNTY.
- 31.4. The CITY further agrees by signing this Agreement that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," as follows, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions:
- 31.5. **LOWER TIER COVERED TRANSACTIONS**
 - 31.5.1. The lower tier Grantee certifies, by signing this Agreement that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
 - 31.5.2. Where the lower tier Grantee is unable to certify to any of the statements in this Agreement, such Grantee shall attach an explanation to this Agreement.
- 31.6. The terms **covered transaction, debarred, suspended, ineligible, lower tier covered transaction, person, primary covered transaction, principal, and voluntarily excluded**, as used in this section, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the COUNTY for assistance in obtaining a copy of these regulations.

32. SUBCONTRACTORS

- 32.1. The CITY shall seek and whenever appropriate will receive approval from the COUNTY for all subcontracts under this Agreement. All subcontractors employed or used by the CITY to provide the services under the terms of this Agreement agree to comply with all applicable sections of this Agreement. The CITY shall notify the COUNTY's representative of any subcontractor and certify that the subcontractor has been advised of the above provisions and has satisfied the Insurance provisions prior to providing any subcontracting services.

33. ASSIGNMENT

- 33.1. Neither this Agreement, nor any claim arising under this Agreement, shall be transferred or assigned by the CITY without prior written consent of COUNTY.

34. ATTORNEYS' FEES

- 34.1. Unless expressly permitted under another provision of the Agreement, in the event of litigation or other action brought to enforce the terms of the Agreement, each party agrees to bear its own attorneys' fees and costs.

35. RECORDS MAINTENANCE

- 35.1. The CITY shall maintain all books, records, documents, data and other evidence relating to this Agreement and performance of the Services described herein, including but not limited to accounting procedures and practices which sufficiently and properly reflect all direct and indirect costs of any nature expended in the performance of this Agreement. The CITY shall retain such records for a period of six years following the date of final payment.
- 35.2. At no additional cost, the CITY shall make available to the COUNTY, Washington State Auditor, federal and state officials so authorized by law, or their duly authorized representatives at any time during their normal operating hours, all records, books or pertinent information which the COUNTY may be required by law to make part of its auditing procedures, an audit trail, or which may be required for the purpose of funding the services contracted for herein. The CITY shall provide access to its facilities for this purpose.
- 35.3. If any litigation, claim or audit is started before the expiration of the six (6) year period, the records shall be retained until all litigation, claims, or audit findings involving the records have been finally resolved.

36. LOSS OF FUNDING

- 36.1. In the event funding from state, federal, or other sources which is the source of funding by the COUNTY for this Agreement is withdrawn, reduced, or limited in any way after the effective date of this Agreement, and prior to normal

completion, COUNTY may terminate the Agreement under the "Termination for Convenience" clause, without the ten-business day notice requirement. In lieu of termination, the Agreement may be amended to reflect the new funding limitations and conditions.

37. CONFIDENTIALITY/SAFEGUARDING OF INFORMATION

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

- 37.1.1. All material provided to the CITY by COUNTY that is designated as "confidential" by COUNTY;
- 37.1.2. All material produced by the CITY that is designated as "confidential" by COUNTY; and
- 37.1.3. All personal information in the possession of the CITY that may not be disclosed under state or federal law. "Personal information" includes but is not limited to information related to a person's name, health, finances, education, business, use of government services, addresses, telephone numbers, social security number, driver's license number and other identifying numbers, and "Protected Health Information" under the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA).

37.2. The CITY shall comply with all state and federal laws related to the use, sharing, transfer, sale, or disclosure of Confidential Information. The CITY agrees to comply with all confidentiality requirements of 42 U.S.C. section 3789(g) and 28 C.F.R. Part 22, which are applicable to collection, use and revelation of data of information. The CITY shall use Confidential Information solely for the purposes of this Grant and shall not use, share, transfer, sell or disclose any Confidential Information to any third party except with the prior written consent of COUNTY or as may be required by law. The CITY shall take all necessary steps to assure that Confidential Information is safeguarded to prevent unauthorized use, sharing, transfer, sale or disclosure of Confidential Information or violation of any state or federal laws related thereto. Upon request, the CITY shall provide COUNTY with its policies and procedures on confidentiality. COUNTY may require changes to such policies and procedures as they apply to this Grant whenever COUNTY reasonably determines that changes are necessary to prevent unauthorized disclosures. The CITY shall make the changes within the time period specified by COUNTY. Upon request, the CITY shall immediately return to COUNTY any Confidential Information that COUNTY reasonably determines has not been adequately protected by the CITY against unauthorized disclosure.

37.3. Unauthorized Use or Disclosure. The CITY shall notify COUNTY within five (5) working days of any unauthorized use or disclosure of any confidential information and shall take necessary steps to mitigate the harmful effects of such use or disclosure.

38. COPYRIGHT PROVISIONS

- 38.1. Unless otherwise provided, all Materials produced under this Grant shall be considered "works for hire" as defined by the U.S. Copyright Act and shall be owned by COUNTY. COUNTY shall be considered the author of such Materials. In the event the Materials are not considered "works for hire" under the U.S. Copyright laws, the CITY hereby irrevocably assigns all right, title, and interest in all Materials, including all intellectual property rights, moral rights, and rights of publicity to COUNTY effective from the moment of creation of such Materials.
- 38.2. "Materials" means all items in any format and includes, but is not limited to, data, reports, documents, pamphlets, advertisements, books, magazines, surveys, studies, computer programs, films, tapes, and/or sound reproductions. "Ownership" includes the right to copyright, patent, register and the ability to transfer these rights.
- 38.3. For Materials that are delivered under the Grant, but that incorporate pre-existing materials not produced under the Grant, the CITY hereby grants to COUNTY a nonexclusive, royalty-free, irrevocable license (with rights to sublicense to others) in such Materials to translate, reproduce, distribute, prepare derivative works, publicly perform, and publicly display. The CITY warrants and represents that the CITY has all rights and permissions, including intellectual property rights, moral rights and rights of publicity, necessary to grant such a license to COUNTY.
- 38.4. The CITY shall exert all reasonable effort to advise COUNTY, at the time of delivery of Materials furnished under this Grant, of all known or potential invasions of privacy contained therein and of any portion of such document which was not produced in the performance of this Grant. The CITY shall provide COUNTY with prompt written notice of each notice or claim of infringement received by the CITY with respect to any Materials delivered under this Grant. COUNTY shall have the right to modify or remove any restrictive markings placed upon the Materials by the CITY.

39. PROHIBITION AGAINST PAYMENT OF BONUS OR COMMISSION

- 39.1. The funds provided under this Agreement shall not be used in payment of any bonus or commission for the purpose of obtaining approval of the Grant which is the basis of funding this Agreement or any other approval or concurrence under this Agreement. Provided, however, that reasonable fees for bona fide technical consultant, managerial, or other such services, other than actual solicitation, are not hereby prohibited if otherwise eligible as costs.

40. REPORTING

- 40.1. The CITY shall provide ongoing reporting to the Spokane County Sheriff's Office in accordance with the established format of the Spokane County Registered Sex Offender Program on the work performed. These reports should be submitted to:

**Sgt. Jason Hunt
Program Manager
Spokane County Sheriff's Office
1100 West Mallon Avenue
Spokane, WA 99260-0300
jchunt@spokanesherriff.org**

41. POLITICAL ACTIVITIES

- 41.1. Political activity of CITY employees and officers are limited by the State Campaign Finances and Lobbying provisions of Chapter 42.17A RCW and the Federal Hatch Act, 5 USC 1501-1508. No funds may be used under this Agreement for working for or against ballot measures or for or against the candidacy of any person for public office.

42. PUBLICITY

- 42.1. The CITY agrees not to publish or use any advertising or publicity materials in which COUNTY's name is mentioned, or language used from which the connection with COUNTY's name may reasonably be inferred or implied, without the prior written consent of COUNTY.

43. TAXES

- 43.1. All payment accrued on account of payroll taxes, unemployment contributions, the CITY's income or gross receipts, any other taxes, insurance or expenses for the CITY or its staff shall be the sole responsibility of the CITY.

44. LICENSING, ACCREDITATION, AND REGISTRATION

- 44.1. The CITY shall comply with all applicable local, state, and federal licensing, accreditation and registration requirements or standards necessary for the performance of this Grant.

ATTACHMENT A SCOPE OF WORK

This is an Agreement to clearly identify the roles and responsibilities of the City of Spokane Police Department (hereinafter referred to as the CITY) as they relate to the Spokane County Registered Sex Offender Address and Residency Verification Program (hereinafter referred to as Spokane County RSO Program). As a grant-funded sub-recipient in accordance with this AGREEMENT and the Spokane County RSO Program, the CITY agrees to the following conditions:

1. The term of this Agreement is the period within which the Spokane County RSO Program responsibilities will be performed. The term commences July 1, 2025, and terminates on June 30, 2026.
2. Funding from this grant must be used for the support of the Spokane County RSO Program to accomplish a public purpose.
3. The requirement of the Spokane County RSO Program is for face-to-face verification of a registered sex offender's address at the place of residency:
 - a. For level I offenders, once every twelve (12) months;
 - b. For level II offenders, once every six (6) months; and
 - c. For level III offenders, once every three (3) months.

For the purposes of this AGREEMENT, unclassified offenders and kidnapping offenders are considered Level I offenders, unless the local jurisdiction sets a higher classification in the interest of public safety.

4. The CITY shall provide one detective full-time to verify addresses and place of residency of RSOs for the purpose of the Spokane County RSO Program.
5. The CITY is responsible to notify the COUNTY's Representative of any change in personnel. Non-reporting of change in personnel may impact CITY's request for reimbursement. Time and Effort documentation must be submitted with each reimbursement request.
6. The CITY shall maintain statistics and provide ongoing reporting to the Spokane County Sheriff's Office in accordance with the established format of the Spokane County RSO Program on the work program performed.
7. The CITY will work collaboratively with the SCSO in accomplishing the goals and objectives of the Spokane County RSO Program.
8. Funding from the Spokane County RSO Program as set forth in Attachment "B" Budget for "Travel/Training" will be used for the CITY to send at least one staff person to one or more Offender Watch User Group meetings and/or the RSO Coordinator Conference during the term of this Agreement. The CITY may also use funding from the Spokane County RSO Program as set forth in Attachment "B" Budget for "Travel/Training" to send staff to other training events.

9. Proposed training events and estimated costs must be submitted to Spokane County Sheriff's Office Program Manager Sgt. Jason Hunt via email at jchunt@spokanesherriff.org for prior approval to use grant funds for proposed training events.

**ATTACHMENT B
BUDGET**

Category	Budget Protected Direct Costs
Salary/ Benefits	\$57,000
Equipment	\$0.00
Contracted Services	\$0.00
Goods & Services	\$0.00
Administrative Costs	\$0.00
Travel/Training	\$3,000
Total Program	\$60,000

Transfer of funds between line-item budget categories must be approved by COUNTY's representative.

Approved expenditures for the performance of Services as set forth in Attachment "A" (Scope of Work) must be itemized into the following categories: salary, benefits, contracted services, equipment, goods and services, travel/training or administrative costs.

In order to be eligible for reimbursement all expenses must be submitted with supporting documentation. **Payroll Expenses must be accompanied by a Time and Effort Certification and a timesheet signed by the employee and supervisor.**

Proposed training events and estimated costs must be submitted to Spokane County Sheriff's Office Program Manager Sgt. Jason Hunt via email at jchunt@spokanesherriff.org for prior approval to use grant funds for proposed training events.

Payment will be on a reimbursement basis only.



Spokane County INVOICE VOUCHER

Subrecipient Number	Award Number	Award Name
		Spokane County RSO Program FY25-26

AGENCY NAME
City of Spokane Spokane Police Department
CLAIMANT (Warrant is to be payable to)
(please fill in your department's mailing address) City of Spokane Spokane Police Department

INSTRUCTIONS TO CLAIMANT: Submit this form to claim payment for materials, merchandise or services. Show complete detail for each item.

Claimant's Certificate: I hereby certify under penalty of perjury that the items and totals listed herein are proper charges for materials, merchandise or services furnished to Spokane County, and that all goods furnished and/or services rendered have been provided without discrimination because of age, sex, marital status, race, creed, color, national origin, handicap, religion, or Vietnam era or disabled veterans status and all expenses claimed will not be charged to any other grant, subgrant or funding source.

BY

(SIGN IN INK)

(TITLE)

(DATE)

FEDERAL I.D. NO. OR SOCIAL SECURITY NO. (For reporting Personal Services Contract Payments to I.R.S.)

RECEIVED BY

DATE RECEIVED

DATE	DESCRIPTION	AMOUNT BILLED

**Agenda Sheet for City Council:****Committee:** Public Safety **Date:** 10/06/2025**Committee Agenda type:** Consent**Date Rec'd**

9/25/2025

Clerk's File #

OPR 2025-0712

Cross Ref #**Project #****Council Meeting Date:** 10/27/2025**Submitting Dept**

POLICE

Bid #**Contact Name/Phone**

DAVE SINGLEY 4171

Requisition #**Contact E-Mail**

DSINGLEY@SPOKANEPOLICE.ORG

Agenda Item Type

Contract Item

Council Sponsor(s)

ZZAPPONE BWILKERSON

Sponsoring at Administrators Request

NO

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

WASHINGTON AUTO THEFT PREVENTION AUTHORITY GRANT (WATPA) FY25-

Agenda Wording

Acceptance of Washington Auto Theft Prevention Authority (WATPA) Grant FY25-27

Summary (Background)

For several years, the Spokane Police Department has participated in and received grant funding for one FTE from the Washington Association of Sheriffs and Police Chiefs to support the Auto Theft Prevention Authority (WATPA) grant program. SPD applied and was awarded grant funding for .5 of an FTE detective position to focus on auto theft enforcement and prevention in the City of Spokane. The grant period runs from July 1, 2025, through June 30, 2027.

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? NO			
Total Cost		\$ 181,922.00	
Current Year Cost		\$ 181,922.00	
Subsequent Year(s) Cost		\$	
<u>Narrative</u>			
Funds to be used \$180,922 for salary/benefits and \$1,000 for travel/training.			
Amount		Budget Account	
Revenue	\$ 181,922.00	#	1620-91840-99999-33469-99999
Select	\$	#	
Select	\$	#	
Select	\$	#	
Select	\$	#	
Select	\$	#	
Funding Source		One-Time	
Funding Source Type		Grant	
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	
<u>Dept Head</u>	HALL, KEVIN	<u>PS EXEC REVIEW</u>	YATES, MAGGIE
<u>Division Director</u>	HALL, KEVIN	<u>ACCOUNTING -</u>	BROWN, SKYLER
<u>Accounting Manager</u>	BAIRD, CHRISTI		
<u>Legal</u>	HARRINGTON,		
<u>For the Mayor</u>	PICCOLO, MIKE		
Distribution List			
Bryan Jeter - bjeter@waspc.org		SPDFinance@spokanecity.org	

WA Auto Theft Prevention Authority
Preventing and reducing motor vehicle thefts in the State of Washington.



May 28, 2025

Assistant Chief Dave Singley
Spokane
1100 W Mallon Ave.
Spokane, WA 989260

Dear Assistant Chief Dave Singley,

I am pleased to inform you that Washington Auto Theft Prevention Authority (WATPA) Board of Directors has approved the **Spokane** grant application for funding of **.5 FTE Auto Theft Detective**. The award is in the amount of **\$181,922.00**. It is the responsibility of the grant recipient to explore and confirm all potential legal ramifications when employing WATPA funded equipment with your local legal advisor. The grant award is effective **July 1, 2025 and expires on June 30, 2027**. This award is a one-time event and does not imply or promise availability of funds for replacement or continuation of funding after June 30, 2027.

Enclosed is an award agreement. This agreement is to be signed and returned to WATPA. No funds will be reimbursed until the signed agreement is received. Expenditures prior to the award effective date or after the grant expiration date are not authorized and will not be reimbursed. All grant awards are subject to Grant Policies and Procedures of the Washington Auto Theft Prevention Authority. Costs will be paid on a reimbursement basis. Your agency will be reimbursed for actual expenses only up to the limit of the award categories. All grantees must sign the attached non-supplanting agreement before reimbursement can begin. Also, please note that reimbursement requests by grant recipients will only be processed upon receipt of current semi-annual reports by the WATPA office. The semi-annual report form is available on the WATPA website, www.WaAutoTheftPreventionAuthority.org

If you have any questions, please contact me at 253.677.8576 or via e-mail at bjeter@waspc.org.

Sincerely,

Bryan Jeter, Executive Director
Washington Auto Theft Prevention Authority

**AGREEMENT BETWEEN CLARK COUNTY PROSECUTOR'S OFFICE AND THE
WASHINGTON AUTO THEFT PREVENTION AUTHORITY**

AUTO THEFT PREVENTION GRANT PROGRAM AWARD AGREEMENT

Award Recipient Name and Address:
Spokane
1100 W Mallon Ave.
Spokane, WA 989260

Contact: **Dave Singley**
Title: **Assistant Chief**
Telephone: 509-362-1089

Award Period:
07/01/25 - 06/30/27

Amount Approved
\$181,922.00

Funding Authority:
**WASHINGTON AUTO THEFT
PREVENTION AUTHORITY**

Requests for reimbursement under this agreement are subject to the following Budget:

CATEGORY	AMOUNT
Personnel	129,556.00
Benefits	51,366.00
Overtime	0.00
Consultants	0.00
Travel	1,000.00
Other Expenses	0.00
Public Awareness	0.00
Prosecution	0.00
Equipment	0.00
Total	\$181,922.00

IN WITNESS WHEREOF, the WATPA and RECIPIENT acknowledge and accept the terms of this AGREEMENT and attachments hereto, and in witness whereof have executed this AGREEMENT as of the date and year last written below. The rights and obligations of both parties to this AGREEMENT are governed by the information on this Award Sheet and other documents incorporated herein by reference: WATPA Auto Theft Prevention Grants Policy & Procedure Guide.

WATPA



RECIPIENT

Name/ Bryan Jeter,
Title: WATPA, Executive Director

Date: 5-28-2023

Name/
Title:

Date:

**Agenda Sheet for City Council:****Committee:** Public Safety **Date:** 10/06/2025**Committee Agenda type:** Discussion**Date Rec'd**

10/1/2025

Clerk's File #

ORD C36771

Cross Ref #**Project #****Council Meeting Date:** 10/27/2025**Submitting Dept**

FIRE

Bid #**Contact Name/Phone**

TOM WILLIAMS (509)435-7001

Requisition #**Contact E-Mail**

TMWILLIAMS@SPOKANECITY.ORG

Agenda Item Type

Special Budget Ordinance

Council Sponsor(s)

ZZAPPONE BWILKERSON

Sponsoring at Administrators Request

NO

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

SPECIAL BUDGET ORDINANCE - SREC COST REIMB & SFD RECRUIT SCHOOL

Agenda Wording

SFD is requesting adjustments to the budget to account for the \$886,039 in unbudgeted revenues received as well as an offsetting increase of \$439,459 of which will cover the cost of the 2025-2 SFD Recruit School.

Summary (Background)

Spokane Fire entered into agreements OPR 2025-0458 & OPR 2025-0459 that reimbursed the City for Computer Aided Dispatch related software purchases as well as combined communications building operating costs.

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? NO			
Total Cost		\$ 439,459	
Current Year Cost		\$	
Subsequent Year(s) Cost		\$	
<u>Narrative</u>			
Amount		Budget Account	
Revenue	\$ 695,616	#	1640-35351-99999-34280
Expense	\$ 299,036	#	1640-3531-28200-xxxxx
Revenue	\$ 439,459	#	1970-xxxxx-99999-3xxxx
Expense	\$ 439,459	#	1970-xxxxx-xxxxx-5xxxx
Select	\$	#	
Select	\$	#	
Funding Source		One-Time	
Funding Source Type		Program Revenue	
Is this funding source sustainable for future years, months, etc?			
No			
Expense Occurrence		One-Time	
Other budget impacts (revenue generating, match requirements, etc.)			
Approvals		Additional Approvals	
<u>Dept Head</u>	REDING, RYAN	<u>PS EXEC REVIEW</u>	YATES, MAGGIE
<u>Division Director</u>	DAHL, LANCE	<u>MANAGEMENT &</u>	STRATTON, JESSICA
<u>Accounting Manager</u>	BAIRD, CHRISTI		
<u>Legal</u>	SCHOEDEL, ELIZABETH		
<u>For the Mayor</u>	PICCOLO, MIKE		
Distribution List			

ORDINANCE NO C36771

AMENDING ORDINANCE NO. C36626, ENTITLED IN PART, "AN ORDINANCE ADOPTING A BIENNIAL BUDGET FOR THE CITY OF SPOKANE", AND AMENDING IT TO RECORD COST REIMBURSEMENT FROM SREC, AND DECLARING AN EMERGENCY.

WHEREAS, subsequent to the adoption of the biennial budget Ordinance No. C36626, as above entitled in part, and which passed the City Council December 9, 2024, it is necessary to make changes in the appropriations of the Communications Building Maintenance & Operations Fund and the Fire/EMS Fund, which changes could not have been anticipated or known at the time of making such budget ordinance; and

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

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

Section 1. That in the budget of the Communications Building Maintenance & Operations Fund and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase revenue by \$695,616.
 - A) Of the increased revenue, \$695,616 is provided solely for communication services.
- 2) Increase appropriation by \$299,036.
 - A) Of the increased appropriation, \$50,000 is provided solely for operating supplies.
 - B) Of the increased appropriation, \$249,036 is provided solely for an operating transfer out to the Fire/EMS Fund.

Section 2. That in the budget of the Fire/EMS Fund and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase revenue by \$439,459.
 - A) Of the increased revenue, \$190,423 is provided solely for communication services.
 - B) Of the increased revenue, \$249,036 is provided solely from an operating transfer in from the Communications Building Maintenance & Operations Fund.
- 2) Increase appropriation by \$439,459.
 - A) Of the increased appropriation, \$139,459 is provided solely for bad debt expense.
 - B) Of the increased appropriation, \$300,000 is provided solely for operating supplies for a second recruit academy.

Section 3. It is, therefore, by the City Council declared that an urgency and emergency exists for making the changes set forth herein, such urgency and emergency arising from the need to record SREC's cost reimbursement and establish a budget for the second recruit academy, and because of such need, an urgency and emergency exists for the passage of this ordinance, and also, because the same makes an appropriation, it shall take effect and be in force immediately upon its passage.

Passed by the City Council on _____

Council President

Attest:

Approved as to form:

City Clerk

City Attorney

Mayor

Date

Effective Date

PURPOSE OF AMENDMENT: This amendment (a) adjusts the expected revenue increase to the Communications Building Maintenance & Operations Fund from \$695,616 to \$1,043,129, and makes a corresponding adjustment to an allocation for operating transfer to the Fire/EMS Fund, and (b) increases the allocations from the Fire/EMS Fund for communication services from \$190,423 to \$335,822, and increases the allocation for operating supplies for a second recruit academy from \$300,000 to \$611,363. No change is made to the allocation for bad debt expense (\$139,459).

ORDINANCE NO C36771

AMENDING ORDINANCE NO. C36626, ENTITLED IN PART, "AN ORDINANCE ADOPTING A BIENNIAL BUDGET FOR THE CITY OF SPOKANE", AND AMENDING IT TO RECORD COST REIMBURSEMENT FROM SREC, AND DECLARING AN EMERGENCY.

WHEREAS, subsequent to the adoption of the biennial budget Ordinance No. C36626, as above entitled in part, and which passed the City Council December 9, 2024, it is necessary to make changes in the appropriations of the Communications Building Maintenance & Operations Fund and the Fire/EMS Fund, which changes could not have been anticipated or known at the time of making such budget ordinance; and

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

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

Section 1. That in the budget of the Communications Building Maintenance & Operations Fund and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase revenue by \$1,043,129.
 - A) Of the increased revenue, \$1,043,129 is provided solely for communication services.
- 2) Increase appropriation by \$465,000.
 - A) Of the increased appropriation, \$50,000 is provided solely for operating supplies.
 - B) Of the increased appropriation, \$415,000 is provided solely for an operating transfer out to the Fire/EMS Fund.

Section 2. That in the budget of the Fire/EMS Fund and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase revenue by \$750,822.
 - A) Of the increased revenue, \$335,822 is provided solely for communication services.
 - B) Of the increased revenue, \$415,000 is provided solely from an operating transfer in from the Communications Building Maintenance & Operations Fund.
- 2) Increase appropriation by \$750,822.
 - A) Of the increased appropriation, \$139,459 is provided solely for bad debt expense.
 - B) Of the increased appropriation, \$611,363 is provided solely for operating supplies for a second recruit academy.

Section 3. It is, therefore, by the City Council declared that an urgency and emergency exists for making the changes set forth herein, such urgency and emergency arising from the need to record SREC's cost reimbursement and establish a budget for the second recruit academy, and because of such need, an urgency and emergency exists for the passage of this ordinance, and also, because the same makes an appropriation, it shall take effect and be in force immediately upon its passage.

Passed by the City Council on _____

Council President

Attest:

Approved as to form:

City Clerk

City Attorney

Mayor

Date

Effective Date

**Agenda Sheet for City Council:****Committee:** PIES **Date:** 08/18/2025**Committee Agenda type:** Discussion**Date Rec'd**

8/14/2025

Clerk's File #

RES 2025-0071

Cross Ref #**Project #****Council Meeting Date:** 09/08/2025**Submitting Dept**

CITY COUNCIL

Bid #**Contact Name/Phone**

JACKSON DEESE 625-6718

Requisition #**Contact E-Mail**

JDEESE@SPOKANECITY.ORG

Agenda Item Type

Resolutions

Council Sponsor(s)

ZZAPPONE KKLITZKE

Sponsoring at Administrators Request

NO

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

RESOLUTION APPROVING USE OF SAFE STREETS FUND FOR NEIGHBORHOOD

Agenda Wording

A resolution approving the purchase of safe speeds signage for neighbors through the Safe Streets for All Fund

Summary (Background)

The Office of Neighborhood Services does regular community outreach with neighborhoods. Signs such as "Neighbors Drive 25" and "Kids and Pets at Play" signs are very popular in the neighborhoods of Spokane to remind drivers and neighbors to drive carefully when on local access streets. Pursuant to SMC Section 07.08.148, revenues from automatic traffic safety cameras are placed in the "Spokane Safe Streets for All Fund," to be used for safe streets measures. The Office of Neighborhood Services has developed new signage and would like approval to use Spokane Safe Streets for All funds to purchase the new signage.

What impacts would the proposal have on historically excluded communities?

Signage will be available to all residents through Office of Neighborhood Services

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

Not Applicable. Signage is for neighborhood peace of mind.

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

Not applicable, but similar signage language, "Neighbors Drive 25," were popular.

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?

Promotes and encourages safer driving on residential streets, and the use of funds for this purpose is consistent with the goals of the "Safe Streets for All" provisions in SMC.

Council Subcommittee Review

Not applicable

Fiscal Impact			
Approved in Current Year Budget? N/A			
Total Cost		\$ 6,000	
Current Year Cost		\$	
Subsequent Year(s) Cost		\$ 0	
<u>Narrative</u>			
Under the \$50,000 threshold for Council approval, but ONS would like Council support			
<u>Amount</u>		<u>Budget Account</u>	
Expense	\$ 6,000	#	1380-24100-21700-53201-99999
Select	\$	#	
Select	\$	#	
Select	\$	#	
Select	\$	#	
Select	\$	#	
<u>Funding Source</u>		Recurring	
<u>Funding Source Type</u>		Program Revenue	
Is this funding source sustainable for future years, months, etc?			
Yes			
<u>Expense Occurrence</u>		One-Time	
Other budget impacts (revenue generating, match requirements, etc.)			
<u>Approvals</u>		<u>Additional Approvals</u>	
<u>Dept Head</u>			
<u>Division Director</u>			
<u>Accounting Manager</u>	ZOLLINGER, NICHOLAS		
<u>Legal</u>	SCHOEDEL, ELIZABETH		
<u>For the Mayor</u>			
<u>Distribution List</u>			
		nzollinger@spokanecity.org	
hsweet@spokanecity.org		hhamlin@spokanecity.org	
klouden@spokanecity.org			

RESOLUTION NO. 2025-0071

A resolution approving the purchase of safe speeds signage for neighbors through the Safe Streets for All Fund.

WHEREAS, the Office of Neighborhood Services does regular community outreach with neighborhoods; and

WHEREAS, signs such as “Neighbors Drive 25” and “Kids and Pets at Play” signs are very popular in the neighborhoods of Spokane to remind drivers and neighbors to drive carefully when on local access streets; and

WHEREAS, the Office of Neighborhood Services has developed new signage and would like approval to use Spokane Safe Streets for All funds to purchase the new signage.

THEREFORE BE IT RESOLVED, that the Spokane City Council authorizes the use of no more than \$6,000 for the purpose of purchasing signage similar to as provided in Exhibits A, B, and C in partnership with the Office of Neighborhood Services.

ADOPTED by the City Council this ____ day of _____, 2025.

City Clerk

Approved as to form:

Assistant City Attorney

Exhibit A



Exhibit B



Exhibit C



**Agenda Sheet for City Council:****Committee:** Finance & Administration **Date:** 09/22/2025**Committee Agenda type:** Discussion**Date Rec'd**

9/16/2025

Clerk's File #

RES 2025-0090

Cross Ref #**Project #****Council Meeting Date:** 10/27/2025**Submitting Dept**

PLANNING & ECONOMIC

Bid #**Contact Name/Phone**

AMANDA BECK X6414

Requisition #**Contact E-Mail**

ABECK@SPOKANECITY.ORG

Agenda Item Type

Resolutions

Council Sponsor(s)

PDILLON JBINGLE

Sponsoring at Administrators Request

NO

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

2026 SPECIAL ASSESSMENT FOR DOWNTOWN PBIA

Agenda Wording

Resolution setting the assessment roll hearing for the Downtown Parking and Business Improvement Area, and providing notice of the 2026 assessments to property owners and businesses.

Summary (Background)

The Downtown parking and business improvement district (PBIA, commonly referred to as the Downtown BID) was established in 1995 to provide a variety of programs and services in the downtown district, including security ambassadors, marketing and promotions, parking and transportation programs, maintenance services, special events, and economic development support. The Downtown Spokane Partnership (DSP) administers and operates these programs through a contract with the City of Spokane. The BID collects an annual assessment from businesses and property owners within the district to provide funding for programs and services. Chapter 04.31 SMC sets forth the annual process for assessing and collecting assessments from ratepayers within the district. The annual process includes the following steps: • City Council sets an assessment roll hearing date by resolution; • City staff and the BID manager prepare the annual assessment roll based on tax assessment information from the Spokane County Assessor's Office and formulas established in Chapter 04.31C SMC; • City staff provide mailed notice to property owners and businesses identified on the assessment roll at least fifteen days prior to the hearing; • The City Council approves an assessment roll at the hearing; • City staff carry out billing and collection of annual assessment payments; • The BID manager carries out the programs and services outlined in their annual management plan in support of the ratepayers.

What impacts would the proposal have on historically excluded communities?

In administering the BID contract, the Downtown Spokane Partnership is tasked with assisting existing and potential businesses that want to be located with the Downtown BID, and this can include women and minority owned businesses that benefit from an entity that manages district-wide marketing and events to attract customers that support local Spokane businesses. Ratepayer Board positions are designated by geography, business, and property type to ensure that a variety of interests are well represented and guide decision making for the BID. This includes utilizing the Security Ambassadors to complete additional vehicle

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?

DSP, the BID contract manager, completes an annual management plan as part of the annual special assessment process, which includes information on how the BID serves rate payers. No specific information is broken down by racial, gender identity, or other metrics at this time. Feedback from ratepayers to the Downtown BID Ratepayer Board is one avenue through which both the City and DSP knows if ratepayers believe they are receiving services commensurate with the collected special assessment.

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

Hosted events, grants to new businesses, and response calls from Clean & Green and the Security Ambassadors teams, which are detailed in the BID management plan, provide data for effectiveness of the Downtown BID. The ability to maintain, or expand, services as funded through the special assessments would be a positive indicator that the BID is self-sufficient and appropriately servicing ratepayers. The BID also works with StartUp Spokane to collect Placer.ai data on foot traffic for events and promotion of the district.

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?

Programs administered by the DSP support several strategies in the recently updated Spokane Downtown Plan, such as energize streets and alleys that are activated for pedestrians (Live by Five, 509 Day, Festa Italiana, etc.) and supporting existing and emerging businesses downtown (Strategy LWP2.3). The Downtown BID aligns with the vision and values of Comprehensive Plan Chapter 7, Economic Development, and policy ED 1.2. This resolution sets the hearing for the ordinance that confirms and approves the special assessment for 2024, thereby ensuring the Downtown BID has the funds to provide ratepayer services established in their contract which supports economic development focused specifically on downtown, a cultural and commercial

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		Recurring	
Funding Source Type		Program Revenue	
Is this funding source sustainable for future years, months, etc?			
The Downtown BID is a self-assessing district, the City collects the assessments on behalf of the BID manager, which oversees implementation of the BID programs and services.			
Expense Occurrence		N/A	
Other budget impacts (revenue generating, match requirements, etc.)			
Approvals		Additional Approvals	
<u>Dept Head</u>	GARDNER, SPENCER		
<u>Division Director</u>	GARDNER, SPENCER		
<u>Accounting Manager</u>	ZOLLINGER, NICHOLAS		
<u>Legal</u>	SCHOEDEL, ELIZABETH		
<u>For the Mayor</u>	PICCOLO, MIKE		
Distribution List			
		smacdonald@spokanecity.org	
sgardner@spokanecity.org		abeck@spokanecity.org	
eking@spokanecity.org		nzollinger@spokanecity.org	

RESOLUTION NO. 2025-0090

A RESOLUTION SETTING THE ASSESSMENT ROLL HEARING FOR THE DOWNTOWN PARKING AND BUSINESS IMPROVEMENT AREA (BUSINESS IMPROVEMENT DISTRICT – BID) AND PROVIDING NOTICE OF THE 2026 ASSESSMENTS TO BUSINESS AND PROPERTY OWNERS.

WHEREAS, pursuant to the laws of Washington State and City Ordinance C32923, as codified and amended in Chapter 04.31 SMC, the City Council intends to hold a hearing on the assessments levied upon businesses and properties within the Downtown Parking and Business Improvement Area (PBIA); and

WHEREAS, through this Resolution, the City Council intends to provide notice that there will be a hearing upon the assessment roll prepared under the above identified ordinance.

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

1. Notice is hereby given that the assessment rolls for businesses and properties prepared under Ordinance C32923, as codified and amended in Chapter 04.31 SMC, will be on file in the Office of the City Clerk on October 31, 2025, and are open for public inspection.
2. The City Council has fixed December 1, 2025 at 6:00 p.m., or as soon thereafter as practicable in the City Council Chambers of the Municipal Building, W. 808 Spokane Falls Blvd., Spokane, Washington, as the time and place for hearing upon said assessment rolls.
3. The City Council declares its intent to impose special assessment in a manner that measures special benefits from each of the purposes set forth in Ordinance C32923, as codified and amended in Chapter 04.31 SMC. The special assessments will finance the PBIA (BID) budgets and programs approved by the City Council.
4. All persons who may desire to object to the assessment roll shall make their objections in writing and file them with the City Clerk at or prior to the date fixed for the hearing.

At the time and place fixed, and at such other times as the hearing may be continued to, the City Council will consider the assessment roll as a board of equalization for the purpose of considering objections or comments made thereto, or any part thereof, and may correct, revise, raise, lower, change or modify such

roll, or any part thereof, or set aside such roll and order that such assessment be made de novo, or take such other action as the circumstances may warrant, including confirmation of the assessment rolls.

This is the only hearing held on the assessment roll, and it will be final unless appealed according to Chapter 04.31 SMC.

5. The City's Finance, Treasury and Administration Department is directed to mail, at least fifteen days before the date fixed for hearing, a notice to the businesses and property owners identified in the assessment rolls setting forth the date and time of public hearing, including the amount of special assessment.
6. The City clerk is directed to publish notice of the hearing on the assessment rolls in the Official Gazette for two consecutive weeks, the last publication being fifteen days before the date fixed for public hearing.

ADOPTED by the City Council this _____ day of September, 2025.

City Clerk

Approved as to form:

City Attorney

**Agenda Sheet for City Council:****Committee:** Finance & Administration **Date:** 09/22/2025**Committee Agenda type:** Discussion**Date Rec'd**

9/16/2025

Clerk's File #

RES 2025-0091

Cross Ref #**Project #****Council Meeting Date:** 10/27/2025**Submitting Dept**

PLANNING & ECONOMIC

Bid #**Contact Name/Phone**

AMANDA BECK 6414

Requisition #**Contact E-Mail**

ABECK@SPOKANECITY.ORG

Agenda Item Type

Resolutions

Council Sponsor(s)

PDILLON JBINGLE

Sponsoring at Administrators Request

NO

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

2026 SPECIAL ASSESSMENT FOR EAST SPRAGUE PBIA

Agenda Wording

Resolution setting the assessment roll hearing for the East Sprague Parking and Business Improvement Area, and providing notice of the 2026 assessments to property owners.

Summary (Background)

The East Sprague parking and business improvement district (PBIA, commonly referred to as the ESBID) was established in 2016 to provide a variety of programs and services in the East Sprague/Sprague Union business district, including cleaning and greening, neighborhood beautification, district branding and marketing, and safety services. The East Sprague Business Association (ESBA) administers and operates these programs through a contract with the City of Spokane. The BID collects an annual special assessment from property owners within the district to provide funding for programs and services, as outlined in Chapter 04.31C SMC. Chapter 04.31C SMC sets forth the annual process for assessing and collecting assessments from ratepayers within the district. The annual process includes the following steps: • City Council sets an assessment roll hearing date by resolution; • City staff and the BID manager prepare the annual assessment roll based on tax assessment information from the Spokane County Assessor's Office and formulas established in Chapter 04.31C SMC; • City staff provide mailed notice to property owners identified on the assessment roll at least fifteen days prior to the hearing; • The City Council approves an assessment roll at the hearing; • City staff carry out billing and collection of annual assessment payments; and • The BID manager carries out the programs and services outlined in their annual management plan in support of the ratepayers.

What impacts would the proposal have on historically excluded communities?

In administering the BID contract, ESBA is tasked with assisting existing and potential businesses that want to be located with the East Sprague BID, and this can include women and minority owned businesses that benefit from an entity that can manage district-wide marketing and events to attract customers that support local Spokane businesses.

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

ESBA, the BID contract manager, completes an annual management plan as part of the annual special assessment process, which includes information on how the BID serves rate payers. No specific information is broken down by racial, gender identity, or other metrics at this time. Feedback from ratepayers to the ESBID Ratepayer Board is one avenue through which both the City and ESBA knows if ratepayers believe they are receiving services commensurate with the collected special assessment.

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

Effectiveness of the proposed changes would be collected annually during the special assessment process, and as analyzed in the annual management plan ESBA completes as the BID contract manager. The ability to maintain, or expand, services as funded through the special assessments would be a positive indicator that the BID is self-sufficient. The BID also works with StartUp Spokane to collect Placer.ai data on foot traffic for events and promotion of the district.

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

The creation and continuation of the East Sprague BID achieves a large goal from the 2014 East Sprague Targeted Investment Pilot (TIP) Advisory Board's Implementation Plan, in alignment with the recommendations from the Smart Growth America technical assistance grant report on how to achieve an economically vibrant neighborhood through targeted public and private investments. This resolution sets the hearing for the ordinance that confirms and approves the special assessment for 2025, thereby ensuring the ESBID has the funds to provide ratepayer services established in their contract which supports economic development focused specifically on the East Sprague area, in alignment with the vision and values of

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		Recurring	
Funding Source Type		Program Revenue	
Is this funding source sustainable for future years, months, etc?			
The East Sprague BID is a self-assessing district, the City collects the assessments on behalf of the BID manager, which oversees implementation of the BID programs and services.			
Expense Occurrence			
Other budget impacts (revenue generating, match requirements, etc.)			
Approvals		Additional Approvals	
<u>Dept Head</u>	GARDNER, SPENCER		
<u>Division Director</u>	GARDNER, SPENCER		
<u>Accounting Manager</u>	ZOLLINGER, NICHOLAS		
<u>Legal</u>	SCHOEDEL, ELIZABETH		
<u>For the Mayor</u>	PICCOLO, MIKE		
Distribution List			
		smacdonald@spokanecity.org	
sgardner@spokanecity.org		abeck@spokanecity.org	
eking@spokanecity.org		nzollinger@spokanecity.org	

RESOLUTION NO. 2025-0091

A RESOLUTION SETTING THE ASSESSMENT ROLL HEARING FOR THE EAST SPRAGUE PARKING AND BUSINESS IMPROVEMENT AREA (BUSINESS IMPROVEMENT DISTRICT – BID) AND PROVIDING NOTICE OF THE 2026 ASSESSMENTS TO PROPERTY OWNERS.

WHEREAS, pursuant to the laws of Washington State and City Ordinance C35377, as codified and amended in Chapter 04.31C SMC, the City Council intends to hold a hearing on the assessments levied upon properties within the East Sprague Parking and Business Improvement Area (PBIA); and

WHEREAS, through this Resolution, the City Council intends to provide notice that there will be a hearing upon the assessment roll prepared under the above identified ordinance.

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

1. Notice is hereby given that the assessment rolls for properties prepared under Ordinance C35377, as codified and amended in Chapter 04.31C SMC, will be on file in the Office of the City Clerk on October 31, 2025, and are open for public inspection.
2. The City Council has fixed December 1, 2025, at 6:00 p.m., or as soon thereafter as practicable in the City Council Chambers of the Municipal Building, W. 808 Spokane Falls Blvd., Spokane, Washington, as the time and place for hearing upon said assessment rolls.
3. The City Council declares its intent to impose special assessment in a manner that measures special benefits from each of the purposes set forth in Ordinance C35377, as codified and amended in Chapter 04.31C SMC. The special assessments will finance the PBIA (BID) budgets and programs approved by the City Council.
4. All persons who may desire to object to the assessment roll shall make their objections in writing and file them with the City Clerk at or prior to the date fixed for the hearing.

At the time and place fixed, and at such other times as the hearing may be continued to, the City Council will consider the assessment roll as a board of equalization for the purpose of considering objections or comments made thereto, or any part thereof, and may correct, revise, raise, lower, change or modify such roll, or any part thereof, or set aside such roll and order that such assessment be

made de novo, or take such other action as the circumstances may warrant, including confirmation of the assessment rolls.

This is the only hearing held on the assessment roll, and it will be final unless appealed according to Chapter 04.31C SMC.

5. The City's Finance, Treasury and Administration Department is directed to mail, at least fifteen days before the date fixed for hearing, a notice to the businesses and property owners identified in the assessment rolls setting forth the date and time of public hearing, including the amount of special assessment.
6. The City Clerk is directed to publish notice of the hearing on the assessment rolls in the Official Gazette for two consecutive weeks, the last publication being fifteen days before the date fixed for public hearing.

ADOPTED by the City Council this _____ day of September, 2025.

City Clerk

Approved as to form:

City Attorney

**Agenda Sheet for City Council:****Committee:** Finance & Administration **Date:** 08/25/2025**Committee Agenda type:** Discussion**Date Rec'd**

8/20/2025

Clerk's File #

ORD C36752

Cross Ref #**Project #****Council Meeting Date:** 09/22/2025**Submitting Dept**

CITY COUNCIL

Bid #**Contact Name/Phone**

CHRIS WRIGHT 625-6210

Requisition #**Contact E-Mail**

CWRIGHT@SPOKANECITY.ORG

Agenda Item Type

First Reading Ordinance

Council Sponsor(s)

BWILKERSON MCATHCART

Sponsoring at Administrators Request

NO

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

AN ORDINANCE CONCERNING ADOPTION OF PUBLIC RULES BY THE CITY OF

Agenda Wording

An ordinance concerning adoption of public rules by the City of Spokane and creating new Chapters 3.14, 10.21, 12.14, 15.07, and 18.12 of the Spokane Municipal Code, amending sections of Titles 1, 3, 4, 8, 10, 12, 13 and 16A of the Spokane Municipal Code, and adding new section 03.07.350 to the Spokane Municipal Code

Summary (Background)

The City's administrative policy for drafting policies and procedures (Admin 0325-18-1) includes provisions for public rules. They are defined as: "[...]any department order, directive or regulation of general applicability, and (1) the violation of which subjects a person to a penalty; or (2) which subject a person to a payment of a fee; or (3) which establish, alter, or revoke any procedure, practice or requirement relating to departmental hearings; or (4) which establish, alter, or revoke any qualifications or standards for the issuance, suspension or revocation of licenses to pursue any commercial activity, trade or profession as may be otherwise defined by the Spokane Municipal Code[.]" The same administrative policy briefly described the adoption process for public rules, and implies that the City Council will approve public rules but does not actually require it. In addition, this policy does not set forth any specific requirements for public comment other than the simple requirement to solicit it and possibly hold a public hearing. There is no general provision in the municipal code authorizing each City department to develop public rules for their operations. Various rule-making authorizations scattered throughout the municipal code. The authorizing language can vary with each provision of the code. The concept of a "public rule" is essentially a creation of administrative policy. The City's website lists eight public rules, most concerning utility rates. A search of the Clerk's records under the phrase "public rule" is more helpful, and produces 65 records and shows 10 associated Council resolutions, most of them related to user fees for water, sewer and GFC charges. However, it is not easy to determine the actual number of rules of general application to the public because not all rules are styled as "public rules." An ordinance relating to rulemaking would standardize the process for public rules, ensure consistent use of the term "public rule," and remove any mystery about which "public" rules actually exist. The premise behind this ordinance is that legislation is the province of the City Council under Section 5 of the City Charter,

and that no regulation applicable to the general public should be adopted without authorization from the City Council and without some form of council oversight. The basic elements of the ordinance are:

- Provides to City Departments Authorization to Enact Public Rules of General Applicability. The ordinance refines and codifies the definition of public rules and applies it to each City department. If departments intend a rule to be enforceable against the general public, it must identify it as a public rule and adopt it via the prescribed process.
- Establishes Clear Procedures For Public Input Before Public Rules Become Final And Effective. Under this ordinance, proposed public rules first must be published, a notice given to the public, and the proposed rule placed on the City Council agenda in the same fashion as ordinance and resolutions. At the council level the proposed rule is either approved by the council, rejected and returned to the originating department for further revisions, or deferred for later council action. Once approved, the public rule is filed with the City Clerk is to maintain a separate repository of public rules and is directed to establish a system for easy identification and retrieval for the general public.
- Retains Administrative Control Of Strictly Internal Procedures And Exempt Independent Officers And Agencies. The draft ordinance does not regulate rulemaking for purely internal matters, such as those rules related to personnel, collective bargaining, municipal court, or hearing examiner issuances.
- Includes Provisions For Emergency Rules. The ordinance introduces a procedure allowing emergency rulemaking, whereby emergency rules become effective immediately, but must eventually receive Council review.
- Addresses Existing Public Rules. As currently drafted, the ordinance permits any existing public rule approved by council resolution within 90 days prior to the effective date of the ordinance to remain in effect for one year. All other existing public rules adopted or modified prior to the effective date of this ordinance may be enforced for ninety (90) days after the effective date of the ordinance without council review, so long as public notice and council review has been initiated as provided in Section 3.14.030 and is pending during such enforcement period. Any public rule not reviewed by the City Council within ninety (90) days of the effective date of this ordinance, or for which review has not been initiated, shall be null and void, except as to any pending case or controversy under such rule.

What impacts would the proposal have on historically excluded communities?

No impacts specific to historically excluded communities, but like all residents of the city, members of historically excluded communities will benefit from a public rule process that is uniform and transparent.

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?

There is no plan to collect data on the effect of the ordinance.

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

There is no plan to collect data on the effect of the ordinance.

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

The proposal aligns with the legislative powers of the City Council under the City Charter, as well as state law with respect to public records.

Council Subcommittee Review

Not applicable

Fiscal Impact

Approved in Current Year Budget? N/A

Total Cost \$

Current Year Cost \$

Subsequent Year(s) Cost \$

Narrative

Some fiscal impact is assumed while departments review their existing rules and determine whether any rules must be revised and approved by city council consistent with the new provisions for public rules. That impact has not been quantified.

Amount

Budget Account

Select \$ #

Select \$ #

Select \$ #

Select \$ #

Select \$ #

Select \$ #

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		Additional Approvals	
<u>Dept Head</u>			
<u>Division Director</u>			
<u>Accounting Manager</u>	BUSTOS, KIM		
<u>Legal</u>	SCHOEDEL, ELIZABETH		
<u>For the Mayor</u>			
Distribution List			

ORDINANCE NO. C36752

An ordinance concerning adoption of public rules by the City of Spokane and creating new Chapters 3.14, 10.21, 12.14, 15.07, and 18.12 of the Spokane Municipal Code, amending sections of Titles 1, 3, 4, 7, 8, 10, 12, 13 and 16A of the Spokane Municipal Code, and adding new section 03.07.350 to the Spokane Municipal Code.

WHEREAS, pursuant to Section 25 of the Spokane City Charter, the City Council has the authority to create administrative departments of the City and to define the “rights, powers, and duties of the departments” by ordinance; and

WHEREAS, the operation of the various City departments, and their compliance with various budgeting, financial, procurement, and other requirements set forth in federal, state, and local laws and regulations, depends on the ability of each department to promulgate internal policies and procedures; and

WHEREAS, the operation of the various City departments, and their compliance with various budgeting, financial, procurement, and other requirements set forth in federal, state, and local laws and regulations, also depends on the ability of each department to promulgate rules of general applicability that apply to members of the public; and

WHEREAS, Washington’s Public Records Act (RCW 42.56.040) requires that municipalities publish “[s]ubstantive rules of general applicability adopted as authorized by law, and statements of general policy or interpretations of general applicability,” and further provides that such policies may not be enforced against the general public unless properly published; and

WHEREAS, the Public Records Act (RCW 42.56.070) further provides each municipality maintain an index for public viewing “statements of policy and interpretations of policy, statute, and the Constitution which have been adopted by the agency;” as well as “[a]dministrative staff manuals and instructions to staff that affect a member of the public;” and

WHEREAS, the process for adopting rules by the City of Spokane is currently set forth in that administrative policy and procedure numbered “Admin 0325-18-1” and titled “Standardized Formats And Uniform Procedures For Adoption And Maintenance of Administrative Policies And Procedures, Departmental Policies and Procedures, Executive Orders, And Public Rules And Regulations” (hereafter “Standardization Policy”); and

WHEREAS, under the Standardization Policy the term “Public Rules and Regulations” is defined as:

" 'Public Rules and Regulations' as required by the Spokane Municipal Code, are any department order, directive or regulation of general applicability, and (1) the violation of which subjects a person to a penalty; or (2) which subject a person to a payment of a fee; or (3) which establish, alter, or revoke any procedure, practice or requirement relating to departmental hearings; or (4) which establish, alter, or revoke any qualifications or standards for the issuance, suspension or revocation of licenses to pursue any commercial activity, trade or profession as may be otherwise defined by the Spokane Municipal Code,"

(hereafter the "Public Rule Definition"); and

WHEREAS, the Public Rule Definition by its terms is not confined to internal operations of the City, but is applicable to the general public, and includes penal measures that can result in the imposition of a fee or fine, or result in the loss of certain vocational or commercial rights, or otherwise affect the public ability to challenge certain determinations by city officials with respect to certain individuals; and

WHEREAS, only a few City entities, including the Spokane Park Board the Civil Service Commission, are explicitly authorized by the City Charter to promulgate rules; and

WHEREAS, the Spokane Municipal Code does not consistently regulate the promulgation of public rules across City departments and divisions; and

WHEREAS, neither the Standardization Policy, nor the Spokane Municipal Code or the City Charter, require City Council review or approval of public rules; and

WHEREAS, the definition of a public rule set forth in the Standardization Policy omits procedures and practices relating to the confiscation, storage and disposal of personal property belonging to members of the general public; and

WHEREAS, public rules are the functional equivalent of legislation, and because the legislative function of the City is vested exclusively in the City Council and not in the Mayor or the administrative departments of the City, any administrative action meeting the "public rule" definition, whether or not denominated as such, should be adopted only after the requisite public comment process and City Council involvement; and

WHEREAS, public rules should be promulgated only by City departments, divisions or offices expressly authorized by ordinance to promulgate them; and

WHEREAS, consistent with the foregoing, it is the intent of the City Council to establish a uniform and transparent process for adoption of public rules by City departments and to ensure compliance with the Public Records Act with respect to rules that affect the general public;

NOW, THEREFORE, the City of Spokane does hereby ordain as follows:

Section 1. That section 01.05.020 is amended to read as follows:

Section 01.05.020 Administrative Responsibilities

- A. Except as provided in this section, this chapter does not alter the responsibilities vested by this code in the several officers and employees for administration and enforcement of its various provisions. Promulgation of any rules or regulations relating to enforcement of this code shall comply with Chapter 03.14 of this code.
- B. For purposes of issuing a notice of infraction, the code enforcement officer is:
 - 1. the mayor or the division director, department director or assistant director, described in chapter 3.01A SMC, vested with administrative and enforcement jurisdiction in the particular matter; or
 - 2. an employee or agent to whom enforcement jurisdiction has been specifically conferred, who carries a special police commission conferring authority to issue a notice of infraction for the kind of violation in question; or
 - 3. a regularly commissioned law enforcement officer; or
 - 4. a city prosecutor.

Section 2. That section 03.01A.205 is amended to read as follows:

Section 03.01A.205 Departments – Right, Powers and Duties

- A. Except as otherwise provided, the departments and offices of the City shall have all the rights and powers granted and duties imposed by authority of the laws of the state and the charter and ordinances of the City now existing or subsequently adopted, subject to the general supervision and control of the mayor. For purposes of this chapter, “department” means an organizational unit having a minimum of three (3) employees, no more than two of whom may be exempt from civil service.
- B. City departments, divisions and offices may promulgate public rules in the form and manner set forth in Chapter 3.14 of the Spokane Municipal Code.

Section 3. That there is adopted a new Section 03.07.350 of the Spokane Municipal Code to read as follows:

Section 03.07.350 Personnel Regulations - Authority to Promulgate Rules

With the approval of the Mayor, City divisions, departments and offices may promulgate administrative policies and procedures consistent with this chapter. Administrative policies and procedures promulgated pursuant to this chapter 03.07 shall not be

deemed public rules under Chapter 3.14 of the Spokane Municipal Code.

Section 4. That there is adopted a new Chapter 3.14 of the Spokane Municipal Code to read as follows:

Chapter 3.14 Public Rule Authority

Section 3.14.010	Department Authority to Promulgate Public Rules
Section 3.14.020	Definitions
Section 3.14.030	Process for Adopting Public Rules; Effect of Council Approval
Section 3.14.040	Access to Public Rules
Section 3.14.050	Exemptions
Section 3.14.060	Emergency Public Rule
Section 3.14.070	Effective Date; Construction with Other Law
Section 3.14.080	Effect on Existing Public Rules

Section 3.14.010 Department Authority to Promulgate Public Rules

- A. No division, department or office of the City of Spokane may adopt, modify, repeal or enforce a public rule except as authorized by this Chapter.
- B. Every Public Rule shall be denominated as such and adopted pursuant to the requirements of this Chapter.

Section 3.14.020 Definitions

- A. "Administrative Policies and Procedures" are used by City departments to inform other departments and staff of policies and procedures for the direction and management of Citywide operations and which are not enforceable against members of the general public.
- B. "Contested Case" means any proceeding before a department in which the legal rights, duties, or privileges of specific parties are required by ordinance to be determined after a hearing by the Hearing Examiner or the City Council.
- C. "Department" means the City of Spokane or any of its divisions, departments, or offices including, but not limited to, any City board, commission, committee, officer, or department, including the City Council and its committees, when acting in accordance with or pursuant to authorization by ordinance or Charter to make rules, hear appeals, or adjudicate contested cases.
- D. "Departmental Policies and Procedures" are informative directives for internal departmental management and operation of City departments. They affect primarily or exclusively single departments, divisions, or offices.
- E. "Executive Orders" formalize specific decisions of the Mayor and/or city administrator and, except in cases of civil emergencies, are not enforceable

against members of the general public.

- F. "Hearing" means a proceeding before the City Council to consider the adoption, modification, or repeal of any Public Rule.
- G. "License" includes those City -issued permits, certificates, approvals, registrations, or forms of permission required before a Person may engage in any activity within the City of Spokane.
- H. "Person " means any individual, partnership, corporation, association, or public or private organization of any character.
- I. "Public Rule" means any department order, directive, policy or regulation, however denominated and including amendment or repeal of an existing rule, which applies to the general public and which, if violated, subjects a person to a penalty or administrative sanction, including, but not limited to, an order, directive, or regulation which affects:
 - 1. Procedures, practices or requirements relating to department hearings;
 - 2. Qualifications, standards, or fees imposed for the issuance, suspension, or revocation of licenses or permits;
 - 3. Any rule intended to implement any tax, fee or charge;
 - 4. Mandatory standards which must be met before the distribution or sale of products or materials;
 - 5. Any qualification, requirement, or process relating to the enjoyment of benefits or privileges conferred by law and administered by a Department; or
 - 6. Any program affecting the seizure, storage or disposition of personal property not otherwise owned or leased by the City.
- J. "Regulation" means any statement of general applicability and intending to have the force of law.
- K. The term "Public Rule" does not include the following:
 - 1. Administrative Policies and Procedures, Departmental Policies and Procedures, or Executive Orders;
 - 2. Rules, regulations or administrative determinations promulgated under Title 17 of the Spokane Municipal Code unless intended to have general applicability;
 - 3. Any policy or rule relating to the hiring, firing, or promotion or access to benefits, of any City employee, including any rights conferred by a collective bargaining agreement;
 - 4. Rules relating to the use of public ways and property when the substance of such rules is indicated to the public by means of signs or signals; and
 - 5. Any rule or regulation issued by the Hearing Examiner in a Contested Case.

Section 3.14.030 Process for Adopting Public Rules; Effect of Council Approval

- A. At least fourteen (14) days prior to the adoption, amendment or repeal of any Public Rule, a department shall comply with the following procedures:
1. Publish notice of the proposed Public Rule in the Gazette. Notice under this subsection shall include a copy of the proposed Public Rule and (a) a reference to the applicable ordinance or statute under which such Public Rule will be applied; (b) an accurate description of the substance of the proposed Public Rule or of the subjects and issues involved; (c) a statement of the time and place of anticipated City Council committee and legislative review of the proposed public rule; (d) the manner in which persons may present testimony to the City Council with respect to the proposed Public Rule; and (e) its proposed effective date.
 2. Deliver by electronic means a copy of the proposed Public Rule and the required notice under subsection (A)(1) to the address specified by any person who has made a written or electronic request therefor, which request shall be sent to the City Clerk.
 3. The proposed Public Rule, the published notice of the Public Rule, and all supporting material shall be filed with the appropriate standing committee of the City Council. The proposing department shall arrange for submission of the proposed Public Rule to the council committee agenda and the council legislative agenda according to council rules of procedures. Upon placement of the proposed Public Rule on the City Council agenda, the City Council may either approve the proposed Public Rule, or reject the proposed Public Rule and return it to the proposing Department for further modifications. Any City Council action to approve the proposed Public Rule shall be by written resolution.
- B. Upon approval by resolution by the City Council and filing of the final rule with the City Clerk as provided in this section, a Public Rule shall be deemed final and enforceable against the general public upon stated effective date.
- C. Nothing in this Chapter shall be construed to prevent the City Council from independently approving or nullifying any Public Rule at any time after its effective date. Approval or nullification of an existing Public Rule shall be by written resolution.

Section 3.14.040 Access to Public Rules

It is the intent of the City to provide maximum public access to all Public Rules currently in place or hereafter adopted by the City. The City Clerk, in conjunction with other relevant City departments, shall maintain a system for public review,

searching, printing, downloading and/or copying of any Public Rule adopted by the City.

Section 3.14.050 Exemptions

This Chapter shall not apply to the following:

1. Any rule or regulation adopted by the Spokane Park Board with respect to the use of park land or park property or the enforcement thereof;
2. Any rule or regulation adopted by the Spokane Library Board of Trustees with respect to the operation and management of library facilities, property, programs and all aspects of governed under Chapter 42.17 RCW
3. Any rule or regulation adopted by the Civil Service Commission or enforcement thereof;
4. Any rule or regulation adopted by the Spokane Municipal Court, or enforcement thereof;
5. Executive Orders issued pursuant to Chapter 02.04 of the Spokane Municipal Code (Civil Emergencies);
6. Rules and procedures adopted pursuant to Section 04.32 of the Spokane Municipal Code (Ombuds);
7. Rules adopted by the City Attorney or the Mayor with respect to the operations of city prosecutors or public defenders;
8. Any rules or regulations adopted pursuant to Chapter 12.03 of the Spokane Municipal Code (Airport Regulations);
9. Temporary rate changes implemented pursuant to Section 13.01.0303 of the Spokane Municipal Code so long as any Public Rule is adopted pursuant to this Chapter within ninety (90) days of enforcement;
10. Any rule or regulation intending to ensure compliance with the Shoreline Master Plan adopted pursuant to RCW 90.58 and related regulations;
11. Rules relating to civil forfeitures pursuant to RCW 9A.88.150;
12. Rules of procedure and case management orders promulgated by the Hearing Examiner; and
13. Any rule adopted to ensure compliance with state or federal law and in which the adoption of a Public Rule pursuant to this chapter would conflict with said state or federal law.

Section 3.14.060 Emergency Public Rule

Where a department finds that immediate adoption, amendment, or repeal of a Public Rule is necessary for the urgent preservation of public peace, health, or

safety, or for the immediate support of City government and its existing public institutions, such Public Rule may become effective upon filing of such adoption, amendment, or repeal of the Public Rule with the City Clerk. This filing shall be accompanied by a statement of the facts upon which the findings of an emergency and necessity are based. The adoption, amendment, or repeal of a Public Rule under this section shall be presented to the City Council for emergency interim ratification and placed on the City Council calendar within twenty-one (21) days after filing with the City Clerk. Following the emergency review and interim ratification by the City Council, the proposed Public Rule(s) shall be enforceable pending review through the standard process as outlined in 03.14.030. This emergency section does not relieve any department from compliance with any federal or state law requiring that the adoption, amendment, or repeal be approved by designated persons or bodies before they become effective, nor shall any action be taken under this section which affects any pending case or controversy. Emergency Public Rules which are rejected or remanded by the City Council shall be deemed null and void.

Section 3.14.070 Effective Date; Construction with Other Law

Once approved as provided in this Chapter, any Public Rule shall be binding on all persons and deemed a law of general applicability. No Public Rule may conflict with any provision of federal or state law, with the City Charter or with the Spokane Municipal Code. Whenever possible, the Public Rule shall be construed and applied consistent with applicable law.

Section 3.14.080 Effect on Existing Public Rules

Any Public Rule adopted or modified prior to the effective date of this ordinance, whether or not denominated as such, shall be subject to the adoption process set forth in this Chapter; provided, that any such Public Rule clearly denominated as such and approved by council resolution less than one year prior to the effective date of this ordinance may remain in effect for three (3) years after its stated effective date unless specifically repealed or modified in accordance with this Chapter. Departments may continue to enforce such Public Rules for more than three (3) years after the effective date of this ordinance without City Council review, so long as public notice and City Council review has been initiated as provided in Section 3.14.030 and is pending during such enforcement period. Any existing Public Rule not reviewed by the City Council as provided in this section shall be null and void, except as to any pending case or controversy under such Public Rule.

Section 5. That section 04.01.080 of the Spokane Municipal Code is amended to read as follows:

Section 04.01.080 Rules

Each ~~((agency is to))~~ board or commission may promulgate rules for the conduct of its business which shall promote the policies and objectives of this chapter; provided, any Public Rule shall be adopted only as set forth in in Chapter 3.14 of the Spokane Municipal Code.

Section 6. That section 04.02.020 of the Spokane Municipal Code is amended to read as follows:

Section 04.02.020 Rules and Regulations – General

- A. ~~((The mayor promulgates))~~ The City may promulgate rules and regulations for the collection and reporting of all moneys due the City with attendant emphasis on identifying moneys to which the City is entitled, prompt invoicing and reporting among affected departments, and prosecuting delinquencies. The rules and regulations may specify when and how collection is to be affected, negotiation of payments, collection of interest on payments not to exceed the maximum allowed by state law, such other costs as may be incurred by the City due to delinquency, and settlement of claims not to exceed two thousand five hundred dollars in total value before negotiated settlement.
- B. ~~((This chapter and the rules and regulations promulgated by the mayor hereunder are to be given the widest dissemination among City departments and employees.))~~ Any Public Rule shall be adopted pursuant to Chapter 03.14 of the Spokane Municipal Code.

Section 7. That Article I, Section 04.02.040 of the Spokane Municipal Code is amended to read as follows:

Section 04.02.040 Industrial Insurance Claims

Claims for industrial injuries shall be reported and investigated in accordance with administrative rules and regulations promulgated by the mayor. Administrative rules and regulations promulgated pursuant to this section shall not be subject to Chapter 03.14 of the Spokane Municipal Code, unless they apply to persons other than City officers or employees.

Section 8. That Article II, Section 04.02.070 of the Spokane Municipal Code is amended to read as follows:

Section 04.02.070 Rules and Regulations

The ~~((director))~~ City has authority to promulgate rules and regulations, develop administrative procedures and do all things necessary to effectuate the purposes of SMC 4.02.060 through SMC 4.02.220. ~~((Rules and regulations promulgated by the director are on file in the City utilities billings office and available for public inspection during regular business hours.))~~ Any Public Rule shall be adopted pursuant to Chapter 03.14 of the

Spokane Municipal Code.

Section 9. That section 07.06.030 of the Spokane Municipal Code is amended to read as follows:

Section 07.06.030 Guidelines

The Director of Purchasing and Contracts is authorized to establish procedures to serve as guidelines for the implementation of this chapter. Adoption of such procedures need not comply with Chapter 3.14 of this code unless the procedures result in the adoption of a public rule.

Section 10. That section 08.01.250 of the Spokane Municipal Code is amended to read as follows:

Section 08.01.250. Rules and Rulings

- A. ~~((The chief financial officer))~~ The City may, from time to time, adopt, publish and enforce rules and regulations not inconsistent with this chapter or with superior law. The purpose of such rules and regulations is to carry out the provisions of this chapter, and it shall be unlawful to fail to comply with any such rule or regulation. Any Public Rule shall be adopted pursuant to Chapter 03.14 of the Spokane Municipal Code.
- B. The City, through the ~~((The))~~ chief financial officer, may ~~((also))~~ issue letter rulings from time to time which are applicable only to specific businesses. Such administrative rulings shall be binding on the City and the taxpayer.

Section 11. That Article I, section 08.02.011 of the Spokane Municipal Code is amended to read as follows:

Section 08.02.011 – ~~((Administrative))~~ Public Rules and Regulations

- A. ~~((The mayor))~~ The City is authorized to promulgate rules and regulations consistent with this title and respecting the provision of various services by the administrative staff, including the charges and fees for such services, to the extent such services and fees are not specifically provided for in this ~~((code))~~ title. The authority of this section includes specifically but is not limited to the furnishing of maps and other public records and delinquent penalties and interest rates on accounts receivable.
- B. ~~((The mayor causes such regulations and schedules of charges to be filed with the city clerk and in appropriate departments in accordance with the City's public records~~

~~system.))~~ Any Public Rule shall be adopted pursuant to Chapter 03.14 of the Spokane Municipal Code.

C. Consistent with Public Rules promulgated under this title, ((The)) the mayor or ((his)) the mayor's designated representative is authorized to waive any fee authorized under this chapter for any person which can demonstrate the following criteria have been met:

1. The person requesting the waiver of fees demonstrates that he is requesting the fee waiver on his own behalf or in a representative capacity for an applicant who meets the criteria set forth in subsection (C)(2) of this section; and
2. The person requesting the waiver of fees demonstrates that he has an annual income that meets the United States department of housing and urban development (HUD) guidelines for eighty percent of median family income level, as established annually for the Spokane metropolitan area.

~~((The mayor is authorized to promulgate rules and regulations for the administration of this program.))~~

Section 12. That Section 08.03.060 of the Spokane Municipal Code is amended to read as follows:

Section 08.03.060 Remittance of Tax

- A. The tax collected under SMC 8.03.050 is held in trust until paid to the City. Should a person required to collect the admissions tax fail either to collect or remit the tax, the City shall have a similar claim for the amount of the tax, plus interest and penalties as provided in this chapter, against the proceeds of admissions charges received by such person. If the City determines the proceeds have been distributed or are otherwise unavailable, and/or that required contact information was not timely supplied, the City seeks recovery of all sums owing from any person responsible for collection or remittance.
- B. Unless in a particular case the City directs or authorizes a different procedure, each person required to collect the admissions tax must file a tax return accompanied by remittance of the tax due as required by the City. In absence of other arrangements, the full tax and return is due no later than two business days following an event. The City may extend this period in writing up to an additional ten days. ~~((In addition, for administrative convenience, in the case of regularly scheduled events or for other reasons, the City may permit filing of a tax return and remittance bimonthly, by the fifteenth day of the month next following the end of each bimonthly reporting period, but that is subject to revocation and any other conditions the City may require to assure the security of payment. The City's Chief Financial Officer or designee prescribes the form and content of the tax returns.))~~

- ~~((C. Not by way of limiting the Chief Financial Officer's discretion to regulate the remittance of the tax under this chapter, the Chief Financial Officer or designee is specifically authorized to require verified tax returns, annually or other prescribed intervals.)) The City may adopt a Public Rule, consistent with the provisions of Chapter 3.14 of this Code, that provides for specific remittance methods, tax documentation (including verified tax returns), and deposit requirements.~~
- ~~((D. Payment or remittance of the tax collected may be made by check, unless payment or remittance is otherwise required by the Chief Financial Officer, but payment by check shall not relieve the person collecting the tax from liability for payment and remittance of the tax to the City unless the check is honored and is in the full and correct amount.~~
- ~~E. The Chief Financial Officer or designee may, after notice to the person collecting the tax, require the placement of taxes collected in a trust account at an approved local depository bank. The taxes collected shall be held in said trust account until payment to the City. The Chief Financial Officer shall have such authority when said officer deems a trust account is necessary to insure payment of the taxes collected to the City.))~~

Section 13. That Section 08.03.120 of the Spokane Municipal Code is amended to read as follows:

Section 08.03.120 ~~((Rules and Regulations))~~ Rulemaking

The City ~~((Chief Financial Officer or designee))~~ may adopt and promulgate rules to implement and enforce this chapter, which rules shall not be in conflict with this chapter; provided, however, that any Public Rule enacted in accordance with this section shall ~~((not become effective until the close of a two-week public comment period. A copy of such proposed and final rules shall be placed on file for public examination in the City Chief Financial Officer's office and on the City's website))~~ be adopted pursuant to Chapter 03.14 of the Spokane Municipal Code.

Section 14. That Section 08.04.130 of the Spokane Municipal Code is amended to read as follows:

Section 08.04.130 ~~((Rules and Regulations))~~ Rulemaking

The ~~((chief financial officer))~~ City is authorized to make and promulgate rules and regulations for the administration and enforcement of this chapter. Any Public Rule shall be adopted pursuant to Chapter 03.14 of the Spokane Municipal Code.

Section 15. That Section 08.10.160 of the Spokane Municipal Code is amended to read as follows:

Section 08.10.160 ~~((Finance, Treasury and Administration Director to Make Rules))~~ - Rulemaking

~~((The division director of finance, treasury and administration has the power from time to time to adopt and publish in the Official Gazette of the City of Spokane rules and regulations not inconsistent with this chapter or applicable law for the purpose of carrying out the provisions hereof. Such rules become effective twenty days after the date of publication in the Official Gazette and it shall be thereafter unlawful to violate or fail to comply with any such rule.))~~ The City is authorized to make and promulgate rules and regulations for the administration and enforcement of this chapter. Any Public Rule shall be adopted pursuant to Chapter 03.14 of the Spokane Municipal Code.

Section 16. That there is adopted a new Chapter 10.21 of the Spokane Municipal Code to read as follows:

Title 10 Regulation of Activities

Section 10.21.010 – Rulemaking

Chapter 3.14 of the Spokane Municipal Code shall apply to all rules, regulations and administrative procedures of general applicability that are promulgated, modified, or enforced under this Title.

Section 17. That section 10.63.010 of the Spokane Municipal Code is amended to read as follows:

Section 10.63.010 Purpose

- A. The purpose of this chapter is to centralize Property Maintenance and Use Standards into a single chapter, so residents have one location to review to find the various expectations that apply to private property maintenance and use.
- B. Under SMC 17F.070.010, every owner and occupant of premises is obligated to maintain the property in a reasonably safe condition and prevent the property from becoming a nuisance.
- C. The Code Enforcement Department staff shall utilize the latest edition of the International Code Council's International Property Maintenance Code for reference and guidance in applying private property maintenance standards.
- D. Any Public Rule shall be adopted pursuant to Chapter 03.14 of the Spokane Municipal Code.

Section 18. That section 10.63.090 of the Spokane Municipal Code is amended to read as follows:

Section 10.63.090 Foreclosure Registration Program

A. Purpose

It is the purpose and intent of this section to establish a Foreclosure Property Registration Program to protect the community from the deterioration, crime, and decline in value in Spokane's neighborhoods caused by properties in various stages of the foreclosure process, and to identify, regulate, limit, and reduce the number of those properties within the city of Spokane. It is the policy and intent of the City to establish a requirement that the lender or other responsible parties of properties that are in the foreclosure process to register those properties with the City as outlined in this section to protect the neighborhoods from the negative impacts of absentee ownership and lack of adequate maintenance and security for properties in the foreclosure process.

B. Establishment of a Registry

The Code Enforcement and Parking Services Department shall establish and maintain a Foreclosure Property Registry Program.

C. Registration of Foreclosure Properties.

1. Any Lender that holds or services a mortgage on real property located in the city of Spokane shall inspect the property upon mortgage default.
2. The code compliance officer can also initiate the registration process.
3. Any Lender or other Responsible Party of a Foreclosure Property as defined in this section shall register that property with the City of Spokane Code Enforcement and Parking Services Department within ten (10) days of the property becoming a Foreclosure Property within the meaning of this section and initial inspection or of receiving notice from the City of the requirements of this section, and every 12 months thereafter until the property is no longer a Foreclosure Property within the meaning of this section. A separate registration is required for each property.
4. The content of the registration shall include:
 - a. Proof of ownership, or financial interest, such as a lien or loan,
 - b. The name, address, phone number, and email address for the Owner, Lender, and Responsible Party, and twenty-four hour contact phone number of the Local Agent of the respective entity; and
 - c. Documentation which demonstrates the property is foreclosed, pending foreclosure, or subject to foreclosure, trustee's sale, tax assessor's lien sale or other legal proceedings.

5. The Lender, Owner, or Responsible Party shall notify the Code Enforcement and Parking Services Department within ten (10) days of the date of any change in the information contained in the registration.
6. Mortgagees who have existing Foreclosure Properties on the effective date of this ordinance have 30 calendar days from the effective date to register the property with City of Spokane Code Enforcement and Parking Services Department. A separate registration is required for each property.
7. All property registrations are valid for one year from the date of entry of registration as recorded by Code Enforcement and Parking Services Department. Subsequent registrations are due every twelve (12) months thereafter for renewal and must certify required registration data is current and correct.

D. Minimum Property Maintenance Requirements.

While a Foreclosure Property is registered, the Lender or Responsible Party shall be required to:

1. maintain and keep Foreclosure Property free of conditions, including but not limited to:
 - a. weeds, dry brush, dead vegetation, trash, junk, debris, building materials and junk vehicles;
 - b. accumulation of newspapers, circulars, flyers, notices (except those required by federal, state, or local law), and discarded personal items including, but not limited to, furniture, clothing, or large and small appliances; and
 - c. graffiti, tagging, or similar markings by removal or painting over with an exterior grade paint that matches and/or coordinates with the color of the exterior of the structure.
2. securing ponds, pools, and hot tubs, and ensuring that they do not become a public nuisance or danger to the public; and
3. securing the property to prevent access by unauthorized persons, including, but not limited to, the following: the closure and locking of windows, doors (walk-through, sliding, and garage), gates, and any other opening of such size that it may allow a child or any other person to access the interior of the property and or structure(s). Securing also includes boarding as applicable. The preferred material for boarding shall be painted with an exterior grade paint that matches and/or coordinates with the color of the exterior of the structure or is of a material that mimics glazed windows and intact doors.

4. Post the property with no trespassing signs and current emergency contact information for the local agent.
5. take any other action necessary to prevent giving the appearance that the property is abandoned, and
6. monitor the Foreclosure Property monthly or more frequently as necessary to prevent the creation of a nuisance.

E. Monitoring of Foreclosure Property.

1. Upon registration, the City will provide regular monitoring of Foreclosure Properties, including but not limited to periodic site visitation, which will not exceed the City's rights of access, as well as notification to Lender or Responsible Party if the property begins to exhibit characteristics established in RCW 35.80.010. The City's monitoring of Foreclosure Properties does not relieve the Lender or other Responsible Party from monitoring and maintaining the property as required by this section.
2. At least monthly while a Foreclosure Property is registered, the Lender or Responsible Party shall inspect the Foreclosure Property.

F. Waiver for City to Abatement – Trespass of Unauthorized Individuals.

1. As part of the Foreclosure Property registration, the Owner, Lender, Local Agent, Responsible Party, or other person having the legal authority to do so shall waive any objection to the City to enter onto the property for purposes of abating any condition that would constitute an unfit or substandard building as established in RCW 35.80.010 or nuisance condition under SMC Title 10 to issue a trespass order against any unauthorized individual from the Foreclosure Property.
2. The City shall notify the Owner, Lender, Responsible Party, or Local Agent ten (10) days before the City takes abatement action in order to allow the Owner, Lender, Responsible Party, or Local Agent to abate the condition first unless such abatement constitutes an emergency, in which case, the City may abate the emergency immediately.
3. The cost of the abatement of any of the illustrative conditions contained above shall be charged against the Foreclosure Property pursuant to SMC 08.02.067 and shall be lienable pursuant to SMC 17F.070.500 and other applicable sections of the municipal code pursuant to state law.

G. Local Agent.

The Lender or Responsible Party shall provide the City with the name, address, telephone number, email address, and 24-hour contact information of a Local Agent

who has the authority to act to respond to complaints regarding the Foreclosure Property and to remedy any nuisance, substandard, or unfit conditions found on the property.

H. Annual Foreclosure Property Registration Fee.

The Lender or Responsible Party shall pay the annual non-refundable Foreclosure Property registration fee as set forth in SMC 08.02.0675.

I. Policies and Procedures

The Code Enforcement and Parking Services Department shall develop procedures to implement this section that are consistent with and do not conflict with this section, the Spokane Municipal Code, or Washington law. Any Public Rule shall be adopted pursuant to the requirements of Chapter 03.14 of the Spokane Municipal Code.

J. Violation

1. Any person, firm, or entity who fails to a Foreclosure Property pursuant to the requirements of this section shall be subject to a civil infraction. Each day in which a Foreclosure Property, which is subject to this section, is not registered shall constitute a separate violation.
2. Failure to maintain a Foreclosure Property as required by this section is a criminal misdemeanor violation under SMC Title 10 for maintaining a nuisance property in addition to applicable penalties for nuisance conditions in the municipal code or state law.
3. Failure to provide notification of changes in ownership of a Foreclosure Property under this section is a civil infraction.

K. Removal of properties from the registry

1. A property may only be removed from the Foreclosure Property registry upon the Lender's, Owner's, or Responsible Party's written certification that (1) the mortgage or lien on the property has been satisfied or legally discharged, (2) the property is no longer in mortgage default, or (3) the Foreclosure Property has been sold to a non-related party in a bona-fide, arms' length transaction.
2. A Lender's statement that it no longer desires to pursue foreclosure, has filed a dismissal of lis pendens and/or summary of final judgment and/or certificate of title or otherwise, such as deed in lieu of foreclosure shall not be the basis for removal of a Foreclosure Property from the registry under this section.
3. For purposes of this section, a transfer to another entity that is under common ownership with the Lender, as determined in the sole discretion of

the Code Enforcement and Parking Services Department, is not an arms' arm's-length transaction.

L. Transfer of Ownership

1. If the mortgage on a registered Foreclosure Property is transferred, the transferee shall be subject to the requirements of this section and shall, within five (5) days of the transfer of the mortgage, register the property as a new registration in accordance with this section. Any previously unpaid registration fees are the responsibility of the transferee and are due and payable upon the new registration.
2. If the mortgagee sells a Foreclosure Property in an arms'-length transaction to a non-related person or entity, the transferee is subject to the terms of this section and shall register the property as a new registration under this section within five (5) days of the sale. Any previously unpaid registration fees shall be the responsibility of the new owner.

Section 19. That section 10.63.100 of the Spokane Municipal Code is amended to read as follows:

Section 10.63.100 Penalty and Abatement Procedures

- A. It is the policy of the City of Spokane to educate and seek voluntary compliance for the code violations of this chapter before issuing civil infractions or escalating penalties.
- B. A property owner or occupant may request a Certificate of Correction from the Code Enforcement and Parking Services Department and may request dismissal of the infraction (SMC 01.05.140). Should that correction be accomplished after more than one offense has been issued, the Certificate of Correction will only apply to the most recent infraction.
- C. Code Enforcement and Parking Services Department may develop and implement policies, procedures, and programs to abate violations in accordance with existing local and state law: Any Public Rule shall be adopted pursuant to Chapter 03.14 of the Spokane Municipal Code.

Section 20. That Article IV, Section 12.02.0735 of the Spokane Municipal Code is amended to read as follows:

Section 12.02.0735 Regulations

- A. The director promulgates and interprets regulations to implement this article. Any Public Rule shall be adopted pursuant to Chapter 03.14 of the Spokane Municipal Code.

~~((B. Regulations to enforce or implement this chapter are approved by the director and published in the *Official Gazette*. They shall have the force of law thirty days after publication.))~~

Section 21. That Article VI, Section 12.02.1009 of the Spokane Municipal Code is amended to read as follows:

Section 12.02.1009 Integrated Outreach | Encampment Removal and Prevention

Prior to the removal of any encampment:

- A. A notice shall be posted prior to a citation issued under SMC 12.02.1007(B) so that the Spokane Homeless Outreach Team or a City-designated service provider may offer navigation and relocation assistance to services including but not limited to an emergency or permanent housing solution, day center, crisis stabilization or crisis relief center, or substance use treatment facility.
- B. Notice requirements pursuant to SMC 12.02.1009(A) shall not be required to remove an unauthorized encampment when there is a reasonable belief that such encampment presents an immediate threat and/or an unreasonable risk of harm to life, public health, or safety, or public property which shall include, but is not limited to:
 - 1. physical threats or violence.
 - 2. criminal activity not inherent in the act of unauthorized camping (e.g., drug use or sales, theft, sex trafficking);
 - 3. a condition that significantly increases the likelihood of disease or the spread of disease (e.g., rodents, exposed meat, human waste);
 - 4. a condition that presents a significant risk of bodily injury or death (e.g., discarded needles, vehicular traffic, weapons);
 - 5. any other substantial threat to public health or safety;
 - 6. damage (including potential or foreseeable damage) to the natural environment of environmentally critical areas;
 - 7. significant amounts of trash;
 - 8. any knowing obstruction of access to or use of any portion of public property, or any camping in or upon any public property unless authorized by a local or state emergency declaration or pursuant to a permit as set forth in SMC 12.02.1007 A and B;

9. occupation of an area in which the public is not allowed to be present during the times camping is occurring; or
 10. directly adjacent to streets and moving vehicles.
- C. The City shall prioritize and expedite the outreach efforts for navigation and relocation assistance to services or removal for any unauthorized encampment within 1000 feet of schools, parks, day care centers or childcare facilities, and emergency shelters.
 - D. The City shall establish and maintain administrative policy and procedures that integrate housing-focused outreach and behavioral health services with the removal and prevention of encampments on public property while protecting the personal property rights of individuals subject to enforcement under this section. Any policy or procedure relating to the removal of encampments, or any policy or procedure regarding the subsequent disposition of personal property in which the City has no legal interest, shall be denominated a "Public Rule," and shall be adopted pursuant to Chapter 03.14 of the Spokane Municipal Code.

Section 22. That section 12.09.150 of the Spokane Municipal Code is amended to read as follows:

Section 12.09.150 Authority of Administering Officer

- A. The administering officer interprets and enforces this chapter, resolves conflicts, and determines disputes arising under this chapter or permits or franchises issued in connection therewith. The administering officer has authority to issue general regulatory orders affecting all service providers or other users ~~((, as well as))~~ consistent with the Public Rule requirements of Chapter 3.14 of this code. The administering officer has authority to issue specific orders in specific cases or circumstances as deemed necessary and consistent with Chapter 12.09 SMC. ((General regulatory orders are published in the Official Gazette of the City of Spokane at least twenty days prior to taking effect unless otherwise ordered by the administering officer because of exigent circumstances. In such event, reasonable effort shall be made to notify affected parties. General or specific)) Specific orders may be issued on application of an affected service provider or any other user.
- B. ~~((Orders))~~ Specific orders and decisions of the administering officer are guided by the purpose of this chapter. Prior to issuance of an order, the administering officer may give such advance notice and opportunity for hearing as deemed proper, or may provide for a hearing upon request to review an order or specific application of a party arising after issuance. The officer may establish a filing fee not to exceed fifty dollars for consideration of any petition for action or determination by a regulated party or other person.
- C. ~~((An))~~ A specific order may include provision for penalty of not more than five hundred dollars per violation. In case of a continuing violation, each day may be specified to be an additional and separate violation. No penalty for failure to comply with any administrative order may be assessed except after notice and opportunity for hearing

for the affected party. Failure to pay a penalty is a violation of this chapter, and a breach of permit conditions and grounds for permit revocation by the administering officer after notice and opportunity for hearing for the permittee.

Section 23. That there is adopted a new Chapter 12.14 of the Spokane Municipal Code to read as follows:

Title 12 Public Ways and Property

Section 12.14.010 – Rulemaking

Chapter 3.14 of the Spokane Municipal Code shall apply to all rules, regulations and administrative procedures of general applicability that are promulgated, modified, or enforced under this Title.

Section 24. That section 13.01.010 of the Spokane Municipal Code is amended to read as follows:

Section 13.01.010

- A. This chapter applies to all chapters of this title unless otherwise specifically indicated or required by the context.
- B. Chapter 03.14 of the Spokane Municipal Code shall apply to all rules, regulations and administrative procedures of general applicability that are promulgated, modified, or enforced under this Title unless exempted or expressly provided otherwise in this title.

Section 25. That section 13.01.0302 of the Spokane Municipal Code is amended to read as follows:

Section 13.01.0302 Administrative Authority – Specific Utilities - Rates

- A. For items affecting a specific utility, the directors of the affected departments have authority to administer such provisions applicable to their respective utilities.
 - 1. Additionally, the director of public works and utilities administers rates articles as a service provider for the respective water, sewer and solid waste departments.
- B. Notwithstanding any other provision, the director may determine questions of applicability or interpretation of rates or regulations, ~~((to adopt or modify the same,))~~ to grant exemptions therefrom, or order specific action, forbearance, correct clerical

errors or oversights, adopt temporary rates, assess specific charges, or impose other additional requirements, all where deemed reasonably necessary in the interest of the public health and safety ~~((and for administrative convenience and efficiency.))~~ and performed in a manner consistent with those Public Rule(s) adopted pursuant to Chapter 03.14 of the Spokane Municipal Code.

1. The director may also impose additional charges or fees on matters not fully addressed herein, including assessments for the value of City equipment or property destroyed or damaged by or through customer or other third party fault consistent with those Public Rule(s) adopted pursuant to Chapter 03.14 of the Spokane Municipal Code.
- C. The director of public works and utilities also functions as the utility billings or water billings examiner unless otherwise directed by the director of public works and utilities.
1. ~~((His))~~ The director's decision relating to utility charges is subject to review by the director of the affected utility or that director's designee.
 2. The reviewer shall be a person who did not participate in the determination being reviewed.
- D. A director's action is subject to review by the director of public works and utilities.

Section 26. That section 13.01.080 of the Spokane Municipal Code is amended to read as follows:

Section 13.01.080 Regulations

- A. The city engineer may promulgate any regulations necessary to implement any portion of the utilities code. He shares this power with other officials where designated.
- ~~((B. Such regulations, if approved by the city council and published once in the *Official Gazette*, thereafter have the force of law.))~~ Any Public Rule shall be adopted pursuant to Chapter 03.14 of the Spokane Municipal Code.
- ~~((C. Amendments or repeals are accomplished in the same way.))~~

Section 27. That there is adopted a new Chapter 15.07 of the Spokane Municipal Code to read as follows:

Title 15 Environmental Stewardship

Section 15.07.010 – Rulemaking

Chapter 03.14 of the Spokane Municipal Code shall apply to all rules, regulations and administrative procedures of general applicability that are promulgated, modified, or enforced under this Title.

Section 28. That section 16A.84.090 of the Spokane Municipal Code is amended to read as follows:

Section 16A.84.090 Play Streets and Block Parties

- A. The Director of Transportation and Sustainability, in coordination with any impacted divisions and departments, may establish a play streets and neighborhood block party program to create opportunities for neighbors to temporarily close non-arterial streets to provide car-free safe spaces for neighborhood and community-centered activities, including but not limited to block parties, community gatherings, and places for children to play.
- B. A special event permit is required for a play street or block party closure provided that permit and application fees shall be waived for any play street or block party that is free and open to the public, on a non-arterial street, no greater than one block, does not include an intersection, and does not require traffic control personnel.
- C. The City shall develop program policies and procedures consistent with this section. Any Public Rule shall be adopted pursuant to Chapter 03.14 of the Spokane Municipal Code.

Section 29. That there is adopted a new Chapter 18.12.010 of the Spokane Municipal Code to read as follows:

Title 18 Human Rights

Section 18.12.010 – Rulemaking

Chapter 3.14 of the Spokane Municipal Code shall apply to all rules, regulations and administrative procedures of general applicability that are promulgated, modified, or enforced under this Title.

Section 30. Severability. If any section, subsection, sentence, clause, phrase, or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

Section 31. Clerical Errors. Upon approval by the city attorney, the city clerk is authorized to make necessary corrections to this ordinance, including scrivener's

errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections.

PASSED by the City Council on _____

Council President

Attest:

Approved as to form:

City Clerk

City Attorney

Mayor

Date

Effective Date

**Agenda Sheet for City Council:****Committee:** Finance & Administration **Date:** 09/22/2025**Committee Agenda type:** Discussion**Date Rec'd**

9/17/2025

Clerk's File #

ORD C36765

Cross Ref #**Project #****Council Meeting Date:** 10/20/2025**Submitting Dept**

RETIREMENT

Bid #**Contact Name/Phone**

CHRISTINE 6833

Requisition #**Contact E-Mail**

CSHISLER@SPOKANECITY.ORG

Agenda Item Type

First Reading Ordinance

Council Sponsor(s)

JBINGLE BWILKERSON

Sponsoring at Administrators Request

NO

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

SPOKANE EMPLOYEES RETIREMENT SYSTEM (SERS) SMC CODE AMENDMENT

Agenda Wording

This ordinance revises 03.05.210 and 03.05.260 of the Spokane Municipal Code.

Summary (Background)

The SERS Board voted on October 22, 2022 to remove Options A and B in SMC 03.05.210. The SERS Board voted September 4, 2024 to increase minimum time of retiree rehire as a temporary/seasonal employee from one pay period to six months in SMC 03-05-260 and to codify the Temporary Seasonal MOU that changes the annual hours worked from nine hundred sixty (960) hours to four hundred eighty (480) hours.

What impacts would the proposal have on historically excluded communities?

N/A

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

N/A

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

N/A

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

N/A

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		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		Additional Approvals	
<u>Dept Head</u>	SHISLER, CHRISTINE		
<u>Division Director</u>			
<u>Accounting Manager</u>	BUSTOS, KIM		
<u>Legal</u>	SCHOEDEL, ELIZABETH		
<u>For the Mayor</u>	PICCOLO, MIKE		
Distribution List			
		cshisler@spokanecity.org	

Committee Agenda Sheet

Finance & Administration Committee

Committee Date	September 22, 2025
Submitting Department	Retirement
Contact Name	Christine Shisler
Contact Email & Phone	cshisler@spokanecity.org x6833
Council Sponsor(s)	Jonathan Bingle & Betsy Wilkerson
Select Agenda Item Type	☐ Consent ☒ Discussion Time Requested: 5 minutes
Agenda Item Name	SMC Codes for SERS
Proposed Council Action	☒ Approval to proceed to Legislative Agenda ☐ Information Only
Summary (Background) *use the Fiscal Impact box below for relevant financial information	The SERS Board voted on October 22, 2022 removed Options A and B in SMC 03.05.210. The SERS Board voted September 4, 2024 to increase minimum time of retiree rehire as a temporary/seasonal employee from one pay period to six months in SMC 03-05-260 and to codify the Temporary Seasonal MOU that changes the annual hours worked from nine hundred sixty (960) hours to four hundred eighty (480) hours.
Fiscal Impact Approved in current year budget? ☐ Yes ☐ No ☒ N/A Total Cost: Click or tap here to enter text. Current year cost: Subsequent year(s) cost: 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? - 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 Please provide a summary of council subcommittee review. If not reviewed by a council subcommittee, please explain why not.	

ORDINANCE NO. C36765

An ordinance relating to City of Spokane employee retirement provisions, and amending Sections 03.05.210 and 03.05.260 of the Spokane Municipal Code.

WHEREAS, the SERS Board voted on October 22, 2022 to remove Options A and B in SMC 03.05.210; and

WHEREAS, the SERS Board voted on September 4, 2024 to increase the minimum time of retiree rehire as a temporary/seasonal employee from one pay period to six months in SMC 03.05.260 and to codify the Temporary Seasonal MOU that changes the annual hours worked from nine hundred sixty (960) hours to four hundred eighty (480).

NOW THEREFORE, the City of Spokane does ordain:

Section 1. That section 03.05.210 of the Spokane Municipal Code is amended to read as follows:

Section 03.05.210 Optional Allowance on Retirement

A member may elect to receive, in lieu of the retirement allowance, as provided for in SMC 3.05.160, SMC 3.05.165, SMC 3.05.166 or SMC 3.05.167, its actuarial equivalent in the form of a lesser retirement allowance, payable in accordance with the terms and conditions of one of the options set forth below. Election of any option must be made by written application filed with the retirement system and does not become effective unless approved by the board.

~~((A. — Option A.~~

~~The lesser retirement allowance will be payable to the member throughout the member's life, provided that if the member dies before the member receives in annuity payments referred to in SMC 3.05.160(A)(1), SMC 3.05.165(A)(1), SMC 3.05.166(A)(1) or SMC 3.05.167(A)(1) a total amount equal to the amount of accumulated contributions as it was at the date of retirement, the balance of such accumulated contributions will be paid in one sum to the member's estate or to such person as the member shall nominate by written designation duly executed and filed with the retirement system.~~

~~B. — Option B.~~

~~The lesser retirement allowance will be payable to the member throughout the member's life, provided that if the member dies before the member receives in annuity payments referred to in SMC 3.05.160(A)(1), SMC 3.05.165(A)(1), SMC 3.05.166(A)(1) or SMC 3.05.167(A)(1) a total amount equal to the amount of accumulated contributions as it was at the date of retirement, the said annuity payments resulting from accumulated contributions will be continued and paid to~~

~~the member's estate or such person as the member shall nominate by written designation duly executed and filed with the retirement system, until the total amount of annuity payments shall equal the amount of accumulated contributions as it was at the date of retirement.))~~

((G)) A. Option C.

The member elects a "guaranteed period" of any number of years. If the member dies before the lesser retirement allowance has been paid for the number of years elected as the "guaranteed period," the lesser retirement allowance will be continued to the end of the "guaranteed period," and during such continuation be paid to the member's estate or to such person as the member shall nominate by written designation duly executed and filed with the retirement system. The "guaranteed period" begins at date of retirement.

((D)) B. Option D.

The lesser retirement allowance will be payable to the member throughout life and, after the death of the member, one-half of the lesser retirement allowance shall be continued throughout the life of, and paid to, the spouse of the member, named at time of retirement, if surviving.

((E)) C. Option E.

The lesser retirement allowance will be payable to the member throughout life, and after death of the member, it shall be continued throughout the life of, and paid to, the spouse of the member named at time of retirement, if surviving.

Once the form of payment in which the member's benefit has become effective (i.e., in either the retirement allowance as provided for in SMC 3.05.160, SMC 3.05.165, SMC 3.05.166 or SMC 3.05.167 or one of the ((five)) three optional forms of benefit provided for above), the form in which that member's benefit is payable is irrevocable and cannot thereafter be changed at any time or for any reason.

Section 2. That section 03.05.260 of the Spokane Municipal Code is amended to read as follows:

Section 03.05.260 Suspension of Allowance During Employment

The payment of any retirement allowance to a member who has been retired will be suspended during the time the member is for any reason an employee of the City and until qualifying for a benefit pursuant to SMC 3.05.165, SMC 3.05.166 or SMC 3.05.167, provided that payment for vacation or sick leave earned in the City service prior to retirement may be made without suspension of allowance, and, provided further, that this provision does not apply to retirees who:

- A. become elected officials of the City and do not elect to join the system; or
- B. enter into personal services contracts with the City; or
- C. employees who, subsequent to retirement, are rehired pursuant to the following criteria:
 - 1. The position filled is of a temporary/seasonal nature; and
 - 2. The position is filled only with the approval of the director of human resources ~~((or the mayor's office))~~ and ~~((their))~~ the bargaining unit; and
 - 3. Employment is limited to ~~((nine hundred sixty (960)))~~ four hundred eighty (480) hours per ~~((twelve-month period))~~ calendar year; and
 - 4. There is a minimum of ~~((one pay period))~~ six months between the time an employee retires and is rehired as a temporary/seasonal employee.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

Section 4. Clerical Errors. Upon approval by the city attorney, the city clerk is authorized to make necessary corrections to this ordinance, including scrivener's errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections.

PASSED by the City Council on _____.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date

**Agenda Sheet for City Council:****Committee:** PIES **Date:** 09/15/2025**Committee Agenda type:** Consent**Date Rec'd**

9/9/2025

Clerk's File #

ORD C36766

Cross Ref #**Project #****Council Meeting Date:** 10/20/2025**Submitting Dept**

SOLID WASTE DISPOSAL

Bid #**Contact Name/Phone**

CHRIS AVERYT 625-6540

Requisition #**Contact E-Mail**

CAVERYT@SPOKANECITY.ORG

Agenda Item Type

First Reading Ordinance

Council Sponsor(s)

KKLITZKE BWILKERSON

Sponsoring at Administrators Request

NO

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

SOLID WASTE DISPOSAL SPECIAL HANDLING RATES ORDINANCE

Agenda Wording

An ordinance relating to solid waste SMC sections 13.02.0568, 13.02.0560 and adopting new section 13.02.564 to chapter 13.02; of the Spokane Municipal Code; and setting an effective date.

Summary (Background)

SMC 13.02 addresses rates charged for solid waste disposal. The addition of section 13.02.564 establishes rates for additional charges for unusual or nonstandard municipal solid waste that requires preapproval of the waste and an appointment for delivery.

What impacts would the proposal have on historically excluded communities?

N/A

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

N/A

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

N/A

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

N/A

Council Subcommittee Review

N/A

Fiscal Impact			
Approved in Current Year Budget?		N/A	
Total Cost	\$		
Current Year Cost	\$		
Subsequent Year(s) Cost	\$		
<u>Narrative</u>			
N/A			
Amount		Budget Account	
Select	\$	#	
Select	\$	#	
Select	\$	#	
Select	\$	#	
Select	\$	#	
Select	\$	#	
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		Additional Approvals	
<u>Dept Head</u>	AVERYT, CHRIS		
<u>Division Director</u>	FEIST, MARLENE		
<u>Accounting Manager</u>	KECK, KATHLEEN		
<u>Legal</u>	SCHOEDEL, ELIZABETH		
<u>For the Mayor</u>	PICCOLO, MIKE		
Distribution List			
		mdorgan@spokanecity.org	
jsalstrom@spokanecity.org		tprince@spokanecity.org	
caveryt@spokanecity.org			

ORDINANCE NO. C36766

AN ORDINANCE relating to solid waste SMC sections 13.02.0568, 13.02.0560 and adopting new section 13.02.564 to chapter 13.02; of the Spokane Municipal Code; and setting an effective date.

The City of Spokane does ordain:

Section 1: That SMC section 13.02.0568 is amended to read as follows:

13.02.0568 Estimates Allowed

A. Where scales are temporarily disabled or not in use, commercial vehicles are assessed a full vehicle load fee based upon comparable weights.

1. Private noncommercial citizen vehicles are assessed a fee based upon the City's estimated cubic yards of the load at

2025	2026
\$37.76	\$40.40

Per cubic yard plus applicable state taxes.

2. In addition, if a vehicle leaves without weighing out, it will be charged the full authorized loaded gross vehicle weight.

~~((B. Special service at a City disposal facility for disposal of unusual or nonstandard municipal solid waste, as determined by the City, or other special labor costs is at the rate of seventy-five dollars, plus applicable state taxes, per hour or fraction, with a twenty-five dollar minimum charge.~~

- ~~1. The special service fee shall be in addition to the assessed tipping fee based on weight.))~~

((C)) B. Where a customer loses his/her loop tag at the disposal site, the City's representative at the disposal site scales will estimate the charge for the customer's load and such estimation will bind the customer.

1. The minimum charge will be for a one-ton load, or more if a larger load is estimated.
2. In addition, the customer may be required to pay a five (\$5.00) lost card fee. licensed as such by the state department of social and health services; and;

((D)) C. Use of scales for weighing only:

2025	2026
\$23.19	\$24.81

Section 2: That SMC section 13.02.0560 is amended to read as follows:

13.02.0560 General Mixed Solid Waste – Tonnage Fee

A. For solid waste delivered to the Waste-to-Energy Facility (WTE), the charge shall be:

	2025	2026
Per ton charge	\$141.90	\$151.84
Minimum charge per vehicle	\$23.19	\$24.81

B. For solid waste delivered to the Northside Landfill, the charge shall be:

	2025	2026
Per ton charge	\$141.90	\$151.84
Minimum charge per vehicle	\$23.19	\$24.81

C. For solid waste delivered to the Waste to Energy Facility, which the director determines is non-typical or requires special handling, the charge shall be:

	2025	2026
Per ton charge	\$141.90	\$151.84
Minimum charge per vehicle	\$23.19	\$24.81

D. For solid waste delivered to any of the above facilities, from nonprofit generator accounts, the applicable per ton charge above listed in subsection A, B or C shall be reduced nu thirty-five percent. The minimum charge per vehicle is:

2025	2026
\$23.19	\$24.81

1. The generator shall identify itself as a section 501(c)(3) of the Internal Revenue Code approved nonprofit enterprise or provide similar proof of qualification to the department.
2. The waste shall be the product of the nonprofit business activities, which include waste reduction or recycling as a major component of its operations.

Section 3: That there is adopted a new section 13.02.564 to chapter 13.02 SMC read as follows:

13.02.564 titled “Special Handling Waste Load Charges”

Services at a City disposal facility for disposal of unusual or nonstandard municipal solid waste, requires preapproval of the waste and an appointment. Any special fees associated with this type of disposal, as determined by the City, shall be in addition to the assessed tipping fee, based on weight.

- A. For use of a loader or pallet jack for unloading at the Waste-to-Energy Facility (WTE) the charge shall be:

Per minute	\$1.25
Minimum charge	\$37.50

- B. For a missed appointment at the Waste-to-Energy Facility (WTE) the charge shall be \$100.00 per occurrence.
- C. If late for an appointment at the Waste-to-Energy Facility (WTE) by more than thirty (30) minutes, the charge shall be \$150.00 per occurrence.
- D. Special handling appointment times are from 8:00 am through 2:30 pm, Monday through Friday. Appointments may be scheduled outside these specified times at the Waste-to-Energy Facility (WTE) and may be contingent upon available manpower or other factors. The charge for an after-hours appointment shall be:

Per minute	\$5.50
Minimum charge	\$330.00

Section 4: Effective Date. This ordinance shall take effect and be in force on _____, 2025.

PASSED BY THE CITY COUNCIL ON _____.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date

**Agenda Sheet for City Council:****Committee:** Urban Experience **Date:** 09/08/2025**Committee Agenda type:** Discussion**Date Rec'd**

8/6/2025

Clerk's File #

ORD C36770

Cross Ref #

RES 2025-0069

Project #**Council Meeting Date:** 10/27/2025**Submitting Dept**

DEVELOPMENT SERVICES CENTER

Bid #**Contact Name/Phone**

ELDON BROWN 509-625-6305

Requisition #**Contact E-Mail**

EBROWN@SPOKANECITY.ORG

Agenda Item Type

First Reading Ordinance

Council Sponsor(s)

JBINGLE PDILLON

Sponsoring at Administrators Request

NO

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

VACATING THE ALLEY BETWEEN CENTRAL AND COLUMBIA, FROM FREYA TO

Agenda Wording

First reading of ordinance vacating the alley between Central and Columbia, from Freya to Sycamore.

Summary (Background)

Adjacent property owners have applied to vacate the subject alley and City Staff has solicited comments from the various City Departments and franchised private utility companies. Responses are favorable provided that the appropriate easements are reserved within the vacation ordinance.

What impacts would the proposal have on historically excluded communities?

N/A

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

N/A

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

N/A

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

N/A

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		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		Additional Approvals	
<u>Dept Head</u>	PALMQUIST, TAMI		
<u>Division Director</u>	MACDONALD, STEVEN		
<u>Accounting Manager</u>	ZOLLINGER, NICHOLAS		
<u>Legal</u>	SCHOEDEL, ELIZABETH		
<u>For the Mayor</u>	PICCOLO, MIKE		
Distribution List			
ebrown@spokanecity.org		mnilsson@spokanecity.org	
tpalmquist@spokanecity.org		edjohnson@spokanecity.org	
akiehn@spokanecity.org		erivera@spokanecity.org	

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

ORDINANCE NO. C36770

An ordinance vacating the alley between Central Avenue and Columbia Avenue, from the east line of Freya Street to the west line of Sycamore Street,

WHEREAS, a petition for the vacation of the alley between Central Avenue and Columbia Avenue, from the east line of Freya Street to the west line of Sycamore Street has been filed with the City Clerk representing 100% of the abutting property owners, and a hearing has been held on this petition before the City Council as provided by RCW 35.79; and

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

The City of Spokane does ordain:

Section 1. That the alley between Central Avenue and Columbia Avenue, from the east line of Freya Street to the west line of Sycamore Street is hereby vacated. Parcel number not assigned. Located in the Northeast Quarter of Section 34, Township 26 North, Range 43 E.W.M.

Section 2. An easement is reserved and retained over and through the entire vacated area for the utility services of Avista Utilities, Lumen, Comcast and TDS Telecom to protect existing and future utilities.

Passed the City Council _____

Council President

Attest: _____
City Clerk

Approved as to Form:

Assistant City Attorney

Mayor

Date: _____

Effective Date: _____

P2503777VACA

E Bismark Ct

E Bismark Ave

Sycamore St

E Central Ave

N Freya St

N Julia St

E Columbia Ave

N Sycamore St

E Joseph Ave

0 60 120 180
Feet



Right-of-way Description:
The alley between Central Ave and Columbia Ave
From Freya St. to Sycamore St.

Legend

 **Proposed Vacation**

THIS IS NOT A LEGAL DOCUMENT.
The information shown on this map is compiled
from various sources and is subject to constant
revision. Information shown on this map should
not be used to determine the location of facilities
in relationship to property lines, section lines,
streets, etc.



**CITY OF SPOKANE
DEVELOPMENT SERVICES**

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

STREET VACATION REPORT
August 5, 2025

LOCATION: Alley between Central and Columbia, from Freya to Sycamore
PROPONENT: Mark Hendren
PURPOSE: Consolidate property
HEARING: 10/27/2025
REPORTS:

PRIVATE UTILITY COMPANIES

AVISTA UTILITIES – Avista has review the proposed street vacation and notes that we maintain electric services to multiple locations throughout the alley, thus access to pole and services is required.

Avista requests the following language be added as a condition of approval:

1. Property owner(s) shall coordinate with Avista to secure a utility easement for access to electrical services and gas services located in vacated Freya-Columbia Alley. Easement shall be recorded and referenced on final Record of Survey.
2. 10' feet in width are required for our electrical services, centered on the line (5' feet on either side).

COMCAST – We do have cable riding on the Avista poles in that alley

EXTENET – We have no assets in the area.

FATBEAM FIBER – No comments

INLAND POWER – We do not have lines affected by this vacation request. No additional comments or concerns from Inland Power.

INTERMOUNTAIN INFRASTRUCTURE GROUP – No comments

LIGHT SPEED NETWORKS – No comments

LUMEN – We have facilities in that alleyway and will need an easement

PORT OF WHITMAN – No comments

TDS TELECOM - We have plans to attach to the existing poles in this alley. Assuming Avista will want to preserve their easement for their poles, TDS would like to reserve an easement that allows attachment to these poles or underground facilities under the existing pole line.

VERIZON/MCI Metro - No comments

PHILLIPS 66 PIPELINE – Phillips 66 does have a pipeline in the area that runs along N Freya St and should not be impacted by the Vacation Request.

WHOLESALE NETWORKS – No comments

ZAYO COMMUNICATIONS – No comments

CITY DEPARTMENTS & E911

ADDRESSING - No comments

BICYCLE ADVISORY BOARD – No comments

DEVELOPER SERVICES – CURRENT PLANNING – No comments

DEVELOPER SERVICES - TRAFFIC – No comments

FIRE DEPARTMENT – Fire has no comments

INTEGRATED CAPITAL MANAGEMENT – No concerns

NEIGHBORHOOD SERVICES – No comments

PARKS DEPARTMENT - No comments

PLANNING & ECONOMIC DEVELOPMENT – No comments

POLICE DEPARTMENT - No comments

SOLID WASTE MANAGEMENT – Solid Waste has no comments or concerns

SPOKANE REGIONAL EMERGENCY COMMUNICATIONS – No comments

STREET DEPARTMENT - No comment from the Street Department

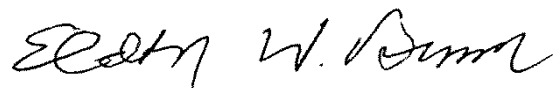
WASTEWATER MANAGEMENT – WWM has no assets I the proposed vacation area. Therefore, provided on site runoff is maintained and treated on site, we have no objection to the vacation.

WATER DEPARTMENT – Water has no concerns

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

1. An easement as requested by Lumen, Avista Utilities, Comcast and TDS Telecom shall be retained to protect existing and future utilities.
2. That no compensation for the assessed value of the area herein vacated shall be required by virtue of the previous version of the non-user statute (RCW 36.87.090) which vacated this alley by operation of law many years ago as recommended by City Staff.

Eldon Brown, P.E.
Principal Engineer – Developer Services

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