



Official Gazette

City of Spokane, Washington

Statement of City Business, including a Summary of the Proceedings of the City Council

Volume 103

FEBRUARY 20, 2013

Issue 8



MAYOR AND CITY COUNCIL

MAYOR DAVID A. CONDON

COUNCIL PRESIDENT BEN STUCKART

COUNCIL MEMBERS:

MICHAEL A. ALLEN (DISTRICT 2)

MIKE FAGAN (DISTRICT 1)

NANCY McLAUGHLIN (DISTRICT 3)

STEVE SALVATORI (DISTRICT 3)

JON SNYDER (DISTRICT 2)

AMBER WALDREF (DISTRICT 1)

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Minutes

MINUTES OF SPOKANE CITY COUNCIL**Monday, February 11, 2013****BRIEFING SESSION**

The Briefing Session of the Spokane City Council held on the above date was called to order at 3:30 p.m. in the Council Chambers in the Lower Level of the Municipal Building, 808 West Spokane Falls Boulevard, Spokane, Washington.

Roll Call

On roll call, Council President Stuckart and Council Members Allen, Fagan, McLaughlin, Salvatori, and Snyder were present. Council Member Waldref was absent.

Assistant City Attorney Mike Piccolo and City Clerk Terri Pfister were also present on the dais.

Advance Agenda Review

There was no Advance Agenda Review as the regularly scheduled City Council meeting for Monday, February 18, 2013, has been canceled.

ADMINISTRATIVE SESSION**Current Agenda Review**

The City Council considered additions to the February 11, 2013, Current Agenda.

Suspension of Rules to Add Three Additional Items to the February 11 Current Agenda

The City Council considered the addition of three items to its February 11, 3:30 p.m. Consent Agenda. The following actions were taken:

Motion by Council Member Allen, seconded by Council Member Fagan, to suspend the Council Rules; **carried unanimously (Council Member Waldref absent).**

Motion by Council Member Fagan, seconded by Council Member Allen, to add the following three items (OPR 2012-0633, CPR 2013-0029, and CPR 2013-0030) to the Council's 3:30 p.m. Consent Agenda; **carried unanimously (Council Member Waldref absent):**

- Spokane Area Workforce Development Council contract modification with the South Central Workforce Development Council for State Energy Sector Partnership Funds—increase award by \$37,700 and extend contract effective date to April 30, 2013. Total Funds awarded—\$92,700. (OPR 2012-0633)
- Letters of support for Washington State House Bill 1096 and Washington State House Bill 1114 addressing the issues of illegal possession of a firearm by a juvenile and civil commitment of violent offenders not competent to stand trial. (CPR 2013-0029)
- Letter urging fellow legislators to work with Governor Inslee to develop and pass a comprehensive state-wide transportation investment and funding package during the 2013 Legislative Session. (CPR 2013-0030)

CONSENT AGENDA

Upon motion of Council Member Allen and seconded by Council Member Salvatori, Council unanimously (Council Member Waldref absent) approved Staff Recommendations for the following:

Amendment to Contract with Spokane County to continue supporting the Spokane Regional Drug Task Force through June 30, 2013—increase of \$74,146. Total contract amount \$191,341. (OPR 2012-0631)

Interlocal Agreement with Spokane County and Spokane County Superior Court for the sharing of 2013 Jury Management Services for Spokane Municipal Court from January 1, 2013 through December 31, 2013—\$45,900. (OPR 2013-0090)

Interlocal Agreement with City of Spokane Valley, Spokane Regional Health District and Spokane Regional Transportation Council to pay Spokane County IS for participation in ESRI GIS Software Enterprise License Agreement through December 31, 2015, with one year renewal option—estimated annual expense \$125,000. (OPR 2013-0091)

Loan Agreement with Washington State Department of Ecology for construction of:

- a. Combined Sewer Overflow Basin 41 Control Facility—\$4,968,600. (OPR 2013-0092; ENG 2010102)
- b. Hazel's Creek Downstream Conveyance—\$1,428,600. (OPR 2013-0093; ENG 2013055)

Termination and Release of Easement with Parkwood South Homeowner's Association of Spokane regarding property located at 21st Court and Ray Street. (OPR 2013-0094)

Report of the Mayor and pending:

- a. Claims and payments of previously approved obligations, including those of Parks and Library, through February 4, 2013, total \$2,902,829.62 (Warrant Nos. 461585-461934; ACH Payment Nos. 9501-9550), with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$2,578,550.17. (CPR 2013-0002)
- b. Payroll claims of previously approved obligations through February 2, 2013: \$5,490,946.90 (Payroll Checks Nos. 510641-510854). (CPR 2013-0003)

Spokane Area Workforce Development Council contract modification with the South Central Workforce Development Council for State Energy Sector Partnership Funds—increase award by \$37,700 and extend contract effective date to April 30, 2013. Total Funds awarded—\$92,700. (OPR 2012-0633)

Letters of support for Washington State House Bill 1096 and Washington State House Bill 1114 addressing the issues of illegal possession of a firearm by a juvenile and civil commitment of violent offenders not competent to stand trial. (OPR 2013-0029)

Letter urging fellow legislators to work with Governor Inslee to develop and pass a comprehensive state-wide transportation investment and funding package during the 2013 Legislative Session. (OPR 2013-0030)

Executive Session/Council Recess

The City Council adjourned at 3:34 p.m. No Executive Session was held. The City Council reconvened at 6:00 p.m. for the Regular Legislative Session, with Council President Stuckart and Council Members Allen, Fagan, McLaughlin, Salvatori, Snyder, and Waldref present. Assistant City Attorney Mike Piccolo and City Clerk Terri Pfister were also present on the dais.

LEGISLATIVE SESSION

Presentation of Colors and Pledge of Allegiance

The Presentation of Colors was provided by Cub Scout Pack #304, Lower South Hill. The Pledge of Allegiance followed.

Roll Call

Council President Stuckart and Council Members Allen, Fagan, McLaughlin, Salvatori, Snyder, and Waldref were present.

MAYORAL PROCLAMATION

February 2013 *Black History Month*

The proclamation was read by Mayor David A. Condon, and he presented it to James Wilburn, President, NCAAP-Spokane Chapter. The proclamation encourages citizens to join the Mayor in this special observance.

CITY ADMINISTRATION REPORTS**SNAP (Spokane Neighborhood Action Partners)**

Craig Howard, Community Relations and Outreach Specialist for SNAP, accompanied by CEO Julie Honekamp, provided an overview of SNAP. He noted SNAP has nearly 30 programs that help people transition out of poverty to stability and self reliance. SNAP started 47 years ago as a division of Catholic Charities. In 1986, SNAP became its own private non-profit. The organization does receive a share of government funding, but approximately a quarter of its funding is provided through public and private donations. Mr. Howard stated that last year SNAP served approximately 46,000 residents (unduplicated clients) throughout Greater Spokane County, which is about one in ten Spokane County residents. He further noted that along with the assistance provided, SNAP provides an educational component to everything it does.

Following further comments by Mr. Howard, Ms. Honekamp spoke regarding SNAP's first ever Capital Campaign which was launched in September. SNAP's "Creating Opportunities, Building Community" Capital Campaign is an effort to raise \$3.5 million to purchase and repurpose a large former convent located in the Fort Wright education corridor. As part of the effort, Ms. Honekamp asked for Council's support and encouragement for a \$638,000 grant request that is in front of the Department of Commerce.

For Council Appointments, see Resolution 2013-0013.

COUNCIL COMMITTEE REPORTS**Public Works Committee**

Council Member Salvatori reported on the Public Works Committee meeting held earlier today (February 11). Minutes of the Public Works Committee meetings are filed with the City Clerk's Office and are available for review following approval by the Public Works Committee.

OPEN FORUM

Mr. Rick Bocook spoke regarding the transient shelter ordinance and feels it is unconstitutional.

Ms. Laurel Kelly noted she is a student working toward a master in social work, and she encouraged citizens to vote.

Mr. George McGrath encouraged citizens to vote. He also expressed that he feels the citizens have a right to know why the former Interim Police Chief is on administrative leave.

Ms. Val Waley and Mr. Daniel McLain commented on the Spokane climate change rally—Forward on Climate Rally—that will be held on Sunday, February 17, at 1:00 p.m., in Riverfront Park at the Rotary Fountain.

LEGISLATIVE AGENDA

There were no **Emergency Budget Ordinances**.

There were no **Emergency Ordinances**.

RESOLUTIONS**Resolution 2013-0012—Planning Efforts of West Central Planning Stakeholder Group**

Scott Chesney, Director of Planning and Development Services, provided an overview of Resolution 2013-0012. Subsequent to the opportunity for Council comment and public testimony, with one individual requesting to speak, the following action was taken:

Upon Unanimous Roll Call Vote, the City Council **adopted Resolution 2013-0012** recognizing the planning efforts of the West Central Planning Stakeholder Group as a declaration of the neighborhoods desired future condition, providing direction for neighborhood-based improvement activities, and neighborhood priorities for future projects.

Resolution 2013-0013—Council Member Appointments to Boards and Committees

Council President Stuckart noted there are two corrections needed on the attachment (Attachment A) to Resolution 2013-0013 titled "2013 Board/Commission/Committee Appointments," as follows: Steve Salvatori has been unintentionally left off of the Public Safety Committee and Ben Stuckart has been unintentionally left off of the Community, Housing and Human Services Board. Subsequently, the following action was taken:

Motion by Council Member Allen, seconded by Council Member McLaughlin, to add those to the list (Steve Salvatori to Public Safety Committee and Ben Stuckart to Community, Housing and Human Services Board); **carried unanimously**.

Council President Stuckart called for any testimony and Council commentary, with no individuals requesting to speak. The following action was then taken:

Upon Unanimous Roll Call Vote, the City Council **adopted Resolution 2013-0013 (with Attachment A, as amended)** regarding Council Member appointments to boards and committees.

Resolution 2013-0010— Regional Commission for Justice System Reform

Council President Stuckart noted he has circulated a revised version of Resolution 2013-0010 for Council's consideration, and he commented on the revisions. He stated the entire "WHEREAS" that was in question last week has been removed, and this week the term "campaign" has been removed from the third "WHEREAS." He further stated that Council Member Waldref noticed there is a "the" in front of Smart Justice" that shouldn't be there once you remove "Campaign." Council Member Waldref commented that taking out the word "Campaign" (in the third "WHEREAS") didn't make that sentence seem to make sense, and she suggested an amendment to that sentence in the revised resolution so that it reads: "Citizen support already is forming around these ideas and Smart Justice reforms; and WHEREAS, the joint commitment..." Subsequently, the following action was taken:

Motion by Council Member Snyder, seconded by Council Member Fagan, to accept Council Member Waldref's changes; **carried unanimously**.

Council President Stuckart noted that with Council Member Waldref's changes accepted, the Council is left with a final (revised and amended) document that will still need to be accepted since it wasn't in Council's packet. The following action was taken:

Motion by Council Member Snyder, seconded by Council Member Fagan, to accept the final (revised and amended) document (for consideration); **carried unanimously**.

Public testimony was then received on Resolution 2013-0010 from one individual and Council comment held. Subsequently, the following action was taken:

Upon Unanimous Roll Call Vote, the City Council **adopted Resolution 2013-0010 (as revised and amended)** regarding the City Council's support for the establishment and goals of the Regional Commission for Justice System Reform and concurrence in the appointment of the members of the Commission.

FINAL READING ORDINANCES**Final Reading Ordinance C34955—Relating to Marijuana**

Council Member Snyder provided an overview of Final Reading Ordinance C34955 relating to marijuana. Subsequent to public testimony and Council comment, the following action was taken:

Upon Unanimous Roll Call Vote, the City Council **passed Final Reading Ordinance C34955** relating to marijuana; amending SMC Sections 10.05.210, 10.14.170, 10.14.220 and 10.15.100; and adopting a new Section 10.02.065 to Chapter 10.02 and a new Section 10.15.220 to Chapter 10.15 of the Spokane Municipal Code.

Final Reading Ordinance C34957 Relating to Solid Waste Disposal Fees

Ken Gimpel, Spokane Regional Solid Waste Director, provided an overview of Final Reading Ordinance C34957 relating to solid waste disposal fees and responded to Council inquiries and comments. Subsequent to an opportunity for public testimony, with no individuals requesting to speak, the following action was taken:

Upon Unanimous Roll Call Vote, the City Council **passed Final Reading Ordinance C34957** relating to solid waste disposal fees; amending SMC Sections 13.02.0528 and 13.02.0560; repealing SMC Section 13.02.0564; and setting an effective date. (Adjusts solid waste disposal rates at the waste to energy facility and transfer stations from \$107 per ton to \$98 per ton and increases the minimum charge from \$7 to \$15.)

FIRST READING ORDINANCES

The following Ordinances were read the First Time with further action deferred:

ORD C34957 Relating to the Chase Youth Commission; amending SMC Sections 4.23.020, 4.23.030, 4.23.080.

ORD C34961 Relating to street development standards to clarify language with regard to sidewalks, planting strips, and street trees; amending SMC Sections 17C.110.410, 17C.120.230, 17C.122.110, 17C.124.230, 17C.130.230, 17C.200.040, 17C.200.050, 17H.010.050, and 17H.010.190; and repealing SMC Section 17C.122.140.

There were no **Special Considerations**.

There were no **Hearings**.

There were no individuals who spoke during the **second Open Forum**.

ADJOURNMENT

There being no further business to come before the City Council, the Regular Legislative Session of the Spokane City Council adjourned at 7.06 p.m.

MINUTES OF PUBLIC WORKS COMMITTEE
December 10, 2012

Attendance:**Committee Members Present:**

Council Member Michael A. Allen, Committee Chair
Council Member Mike Fagan
Council Member Nancy McLaughlin
Council Member Steve Salvatori
Council Member Jon Snyder
Council President Ben Stuckart
Council Member Amber Waldref

Committee Members Absent:**Staff Present:**

Rick Romero, Director, Utilities Division
Dale Arnold, Director, Wastewater Management
Mark Cleveland, Operations Supervisor, Water Department
Rae-Lynn Conger, Legislative Assistant, City Council
Pam Dolan, Accounting Manager

Susan Hardie, Utility Billing
Crystal Marchand, Division Accountant
Russ Menke, Facilities Director, Spokane Regional Solid Waste System
Ron Nicodemus, Manager, Utility Billing
Barbara Patrick, Administrative Secretary, Utilities Division
Elizabeth Schoedel, Assistant City Attorney
Stacy Shewell, Facilities Manager
Mike Taylor, Director, Engineering Services
Scott Windsor, Director, Solid Waste Management

Guest Present:

Council Member Allen called the meeting to order at 1:30 p.m.

Review and Approval of Minutes:

- **Action Taken:**
- Council Member Fagan moved to approve the minutes of the November 26, 2012 meeting as presented; the motion was seconded by Council Member McLaughlin. The minutes were approved unanimously.

Utility Billing Ride-Along:

Council Member Waldref presented an overview of her ride along with the Utility Billing office in October with Lu Glasser, Field Collector. She reviewed the day to day work that the field collectors perform and their interaction with citizens.

- **Action Taken:**
- None

Ron Nicodemus and Susan Hardie left the meeting at 1:45 p.m.

One-year Renewal for Polymer:

Dale Arnold presented the first contract renewal for one-year to supply polymer focculent from Polydyne, Inc. Dale reviewed the information provided in the briefing paper and discussed the estimated costs.

- **Action Taken:**
- None

Contract Extension No. 3 for Safety Management Consulting:

Dale Arnold presented the third contract extension for Safety Management consulting services with Don Schaechtel, LLC for the Riverside Park Water Reclamation Facility. Dale reviewed the information provided in the briefing paper and the scope of work for 2013.

- **Action Taken:**
- None

Update to the Multijurisdictional Agreement with Spokane County for Pretreatment Program:

Dale Arnold presented the update to the Multijurisdictional Agreement with Spokane County for Pretreatment Program. Dale reviewed the information provided in the briefing paper and the updates to the agreement since the start up of the Spokane County Regional Water Reclamation Facility.

- **Action Taken:**
- None

Joint Contract with Pacific Steel and Recycling and Waste Management, Inc. for the Processing and Marketing of Recyclable Materials:

Russ Menke presented the joint contract for the processing and marketing of recyclable materials from the Regional Solid Waste System recycling areas. Russ reviewed the information provided in the briefing paper and discussed the collection and anticipated revenues. Discussion was had on the bid process and the expected revenue and materials collected.

- **Action Taken:**
- None

Contract Extension No. 1 for Yard Waste/Food Waste Composting:

Scott Windsor discussed the first contract extension for the transport, processing and composting of residential yard waste/food waste collected by Solid Waste. Scott reviewed the information provided in the briefing paper. Discussion was had on the bid process and the committee requested that this contract be rebid to ensure all potential bidders are reached.

- **Action Taken:**
- None

Mike Taylor joined the meeting at 2:10 p.m.

Other Updates/Reports:

Discussion on Budgetary Mechanism to Increase Expenditures due to Increase in Revenue:

Rick Romero discussed with the Committee the Emergency Budget Ordinance process. He also discussed the Water Department budget and when revenue increases it automatically increases expenses due to the increase in pumping and supplies to meet demands. Rick proposed a reserve in the operating budget with a condition that the reserve funds would only be used at a rate of revenue increase to cover the additional expenses related to increase in pumping and supplies related to increase water sales. The Committee discussed the water sales and requested that the EBO process continue to be followed at this time.

- **Action Taken:**
- None

Discussion of Timeline for Design/Build of Maintenance & Operations Center:

Rick Romero introduced Stacy Shewell, Facilities Manager. Stacy discussed the bid and proposal process of Design/Build for the Maintenance and Operations Center that will house Fleet Maintenance and Solid Waste Department. Stacy reviewed the anticipated timeline for the construction.

- **Action Taken:**
- None

Discussion on Integrated Strategy Planning:

This item was deferred to the next meeting.

- **Action Taken:**
- None

Executive Session: Discussion on Real Estate Issue:

Council Member Allen called an executive session at 2:35 p.m. to discuss a real estate issue. The meeting was reconvened at 2:45 p.m.

Adjournment

The meeting adjourned at 2:46 p.m.

Prepared by:

Barbara Patrick, Administrative Secretary

Hearing Notices

NOTICE OF PUBLIC HEARING PROPOSED ORDINANCE C34961

The Spokane City Council will hold a Public Hearing on **Monday, February 25, 2013**, beginning at 6:00 p.m. in the Council Chambers, Lower Level of City Hall, 808 W. Spokane Falls Blvd., to hear public testimony on the following item:

Proposed amendments to the City of Spokane Municipal Code, Title 17C and Title 17H to standardize language within the Spokane Municipal Code with regard to sidewalk widths, planting strips (aka buffer strips) and street trees. These changes are limited to SMC Sections 17C.110.410, 17C.120.230, 17C.122.110, 17C.122.140, 17C.124.230, 17C.130.230, 17C.200.040, 17C.200.050, 17H.010.050, and 17H.010.190. Please go to www.spokaneplanning.org to view proposed changes. This proposal was reviewed under the State Environmental Policy Act (SEPA) under Spokane Municipal Code Section 17E.050. A Determination of Non-significance (DNS) was issued on September 25, 2012. Additional information is also available by contacting Tirrell Black at (509) 625-6300 or tblack@spokanecity.org. The official file is available for viewing between 8 a.m. and 5 p.m., Monday through Friday at Spokane City Hall, 808 W. Spokane Falls Blvd, Spokane, WA 99201.

Any person may submit written comment or appear at the public hearing to give testimony. Written comment may be submitted prior to the public hearing to citycouncil@spokanecity.org.

AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION: The City of Spokane is committed to providing equal access to its facilities, programs and services for persons with disabilities. The Spokane City Council Chamber in the lower level of Spokane City Hall, 808 W. Spokane Falls Blvd., is wheelchair accessible and also is equipped with an infrared assistive listening system for persons with hearing loss. Headsets may be checked out (upon presentation of picture I.D.) at the City Cable 5 Production Booth located on the First Floor of the Municipal Building, directly above the Chase Gallery or through the meeting organizer. Individuals requesting reasonable accommodations or further information may call, write, or email Gita George-Hatcher at (509) 625-7083, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or ggeorge-hatcher@spokanecity.org. Persons who are deaf or hard of hearing may contact Ms. George-Hatcher at (509) 625-7083 through the Washington Relay Service at 7-1-1. Please contact us forty-eight (48) hours before the meeting date.

Publish: February 6, 13 and 20, 2013

Ordinances

These ordinances are published in this issue of the *Official Gazette* pursuant to passage by the Spokane City Council. It should be noted that these ordinances may be subject to veto by the Mayor. If an ordinance is vetoed by the Mayor, the Mayoral veto will be published in a subsequent issue of the *Official Gazette*.

ORDINANCE NO. C34955

An ordinance relating to marijuana, amending SMC sections 10.05.210, 10.14.170, 10.14.220, and 10.15.100; and adopting a new section 10.02.065 to chapter 10.02 and a new section 10.15.220 to chapter 10.15 of the Spokane Municipal Code.

The City of Spokane does ordain:

Section 1. That SMC section 10.14.170 is amended to read as follows:

10.14.170 Water Skiing

- A. Any person who shall operate a vessel which has in tow another person or persons on water skis, aquaplane or other similar device, and any person who shall operate such water skis, aquaplane or similar device in tow behind a vessel shall be deemed engaged in water skiing.
- B. Any vessel engaged in water ski operations shall have, in addition to the vessel operator, an observer of at least ten years of age on board for the safety of the person or persons in tow.
- C. It shall be unlawful to engage in water skiing during the period from one hour after sunset until one hour prior to sunrise.
- D. No person or persons shall engage in water skiing within fifty feet of any boat launching ramp, motionless vessel, anchored vessel, trolling vessel, swimmer, safety buoy or shoreline.
- E. Except on take-offs, no person or persons shall engage in water skiing operations between the safety buoy line and the shoreline. Any take-off from within the safety buoy line must be made outward and at right angles to the shoreline. At no time can such take-off cause risk or hazard to other vessels or persons on the water.
- F. No vessel shall follow behind a person being towed on water skis, aquaplane or other similar device closer than three hundred feet, nor cross the towing vessel's bow by less than two hundred feet, nor come within one hundred feet of the person being towed.
- G. The safety buoy line shall not be used as a slalom course.
- H. No person shall operate any vessel, tow rope or other device by which the direction or location of a person on water skis, aquaplane or similar device may be affected or controlled in such a negligent manner as to endanger or be likely to endanger any person or property.
- I. No person shall engage in water skiing while under the influence of any intoxicating liquor, narcotic drug, barbiturate, marijuana, usable marijuana, a marijuana-infused product or controlled substance as defined under chapter 69.50 RCW.
- J. No person shall operate or permit to be operated any vessel used for towing water skiers or similar devices in which person(s) or objects are being towed above, in or on any waterway unless it shall have on board and display a warning flag.
 - 1. A warning flag shall be bright red in color, measuring twelve inches on each side, mounted on a handle not less than twenty-four inches long and displayed as to be visible from every direction.
 - 2. When anyone being towed by a vessel becomes disengaged from the tow line and is down in the water, a person in the vessel shall immediately hold the warning flag aloft, visible from all sides, as an indicator to other vessel in the area that a person is down in the water. As long as such person is in the water, the flag shall remain displayed to prevent danger to that person and hazards to passing vessels.
 - 3. Such warning flag shall be displayed only under the conditions set forth in this section or when other imminent dangers exist.
- K. Any vessel engaged in water skiing, aquaplaning or similar activity shall proceed in a counterclockwise direction of travel according to the waterway's topography.

Section 2. That SMC section 10.14.220 is amended to read as follows:

10.14.220 Operating a Vessel While (~~Intoxicated~~) Under the Influence –Prohibited

- A. No person shall operate any vessel while under the influence of any intoxicating liquor, narcotic drug, barbiturate, marijuana, usable marijuana, a marijuana-infused product or any other substance as defined under chapter 69.50 RCW.
- B. Determination of intoxication shall be by the same criteria as provided in RCW 46.61.506, or otherwise in the same manner as when an individual is alleged to be under the influence of an intoxicating liquor or drug while operating a motor vehicle.

Section 3. That SMC section 10.15.100 is amended to read as follows:

10.15.100 Possession of Marijuana

It is unlawful for any person to possess forty grams or less of marijuana, except as provided pursuant to RCW 69.51(A) as now or hereafter amended. A person who violates this section is guilty of a misdemeanor. A conviction under this section shall be sentenced in accordance with the penalties prescribed under RCW 69.50.425 as now or hereafter amended. The possession, by a person twenty-one years of age or older, of useable marijuana or marijuana-infused products in amounts that do not exceed (a) one ounce of useable marijuana; (b) sixteen ounces of marijuana-infused product in solid form; or (c) seventy-two ounces of marijuana-infused product in liquid form is not a violation of this section.

Section 4. That there is adopted a new section 10.02.065 to chapter 10.02 of the Spokane Municipal Code to read as follows:

10.02.065 Marijuana, Useable Marijuana or a Marijuana-Infused Product

The terms “marijuana”, “useable marijuana”, or “a marijuana-infused product” shall have the meaning as defined in RCW 69.50.101 as now or hereafter amended.

Section 5. That there is adopted a new section 10.15.220 to chapter 10.15 of the Spokane Municipal Code to read as follows:

10.15.220 Open Possession/Consumption of Marijuana, Usable Marijuana or a Marijuana-Infused Product

It is unlawful to open a package containing marijuana, useable marijuana, or a marijuana-infused product, or consume marijuana, useable marijuana, or a marijuana-infused product, in view of the general public. A person who violates this section is guilty of a class 3 civil infraction.

Section 6. That SMC section 1.05.210 is amended to read as follows:

1.05.210 Penalty Schedule – Personal Conduct

A. For each subsequent violation by a person the classification of infraction advances by one class.

B. Infraction/Violation Class.

SMC 1.05.210 PENALTY SCHEDULE - PERSONAL CONDUCT		
Infraction		Violation Class
IFC 307.1	Open Burning	1
SMC 1.06.040	Act of Discrimination	1
SMC 10.03.060	Barking Dog	1
SMC 10.03.100	Offenses Relating to Safety and Sanitation	4
SMC 10.03.110	Allow Animal in Riverfront Park or Special Permitted Event Area when Banned	3
SMC 10.08.010	Deposit of Tobacco Product Capable of Being Lit	\$500
SMC 10.08.010	Littering, Unlawful Disposal of Rubbish	1
SMC 10.08D.080 SMC 10.08D.090(C) SMC 10.08D.120 – First violation within a one year period	Noise Control	2
SMC 10.08.055	Purchase, Possession of Tobacco by Minor	3
SMC 10.08.100 SMC 10.08.120 SMC 10.08.140(B-D)	Homeless Encampment	1

SMC 10.08.246	Liquor Purchase by Apparently Intoxicated Person	\$500
SMC 10.08A.040(D)	Failure to Respond – Chronic Nuisance	1
SMC 10.10.040 SMC 12.06.050 – SMC 12.06.080	Offending Peace and Order in Public Park	1
SMC 10.11.042	Not Having or Displaying Concealed Pistol License	1
SMC 10.15.115	Selling or Giving Drug Paraphernalia	1
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PASSED by the City Council on February 11, 2013.

(Delivered to the Mayor on the 13th of February 2013.)

ORDINANCE NO. C34957

AN ORDINANCE relating to solid waste disposal fees; amending SMC sections 13.02.0528 and 13.02.0560, repealing SMC section 13.02.0564, and setting an effective date.

The City of Spokane does ordain:

Section 1. That SMC 13.02.0528 is amended to read as follows:

13.02.0528 Rates for Equipment and Labor – Packer and Nonpacker Trucks

- A. Department vehicle and labor service is supplied with two kinds of vehicles: Single-axle nonpacker trucks and tandem-axle packer trucks.
 1. Disposal fees are charged in addition to equipment and labor charges.
 2. Regular garbage collection vehicles are also called “packer” trucks because they operate with a compaction facility that pushes or packs in waste. For some disposal needs, such as odd-shaped debris or materials, regular open bed trucks are more suitable. These vehicles are called “nonpacker” trucks.

3. Department packer trucks are all larger tandem-axle design. Department nonpacker trucks are all smaller single-axle design.
 4. Distinguished from this service is rolloff service, where a rolloff box is loaded by the customer, rather than with department labor. (See SMC 13.02.0506)
- B. Rates.
- Rates in this section are stated based on fifteen-minute increments. The minimum charge is fifteen minutes.
1. Nonpacker, single-axle, truck, and driver: Twenty-one dollars forty-nine cents.
 - a. Each extra person: Seventeen dollars eighty-nine cents.
 2. Tandem-axle truck, driver, and loader: Twenty-nine dollars eighty-five cents.
- C. In addition to the labor and equipment charges, there is added to subsection (B) of this section a charge for waste disposal, ~~((based on one hundred four dollars per ton when delivered to the waste-to-energy plant.))~~ as shown in SMC 13.02.0560, except that the minimum charge for waste disposal shall be equal to one-quarter of the applicable tonnage fee.
- ~~((1. Minimum disposal charge will be twenty-six dollars (one-quarter of one hundred four dollars) if delivered at the waste-to-energy plant.~~
- ~~2. Fees at the Colbert and Sullivan Road transfer stations are five dollars per ton more, to help pay the costs associated with moving the tonnage to the regional waste-to-energy facility.~~
- [Cross Reference: SMC 13.02.0224(D)]
- D. Overtime Periods.
- When a customer requests service on holidays, Saturdays, or Sundays, or other overtime periods, an additional charge equal to the total labor paid plus the normal hauling fee shall apply.

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

13.02.0560 General Mixed Solid Waste – Tonnage Fee

~~((For solid waste delivered to a City disposal facility (landfill, transfer station, or waste-to-energy plant), the following charges shall be made:))~~

- A. ~~((Minimum charge of seven dollars per vehicle (for a load up to one hundred twenty pounds), thereafter charged at a rate of:~~

~~2012: one hundred four dollars per ton;~~

~~2013: one hundred seven dollars per ton;~~

~~2014: one hundred ten dollars per ton.))~~

For solid waste delivered to the waste-to-energy plant, the charge shall be ninety-eight dollars per ton, with a minimum charge of fifteen dollars per vehicle.

- B. ~~((For debris to be placed in lined landfill:~~

~~2012: one hundred four dollars per ton;~~

~~2013: one hundred seven dollars per ton;~~

~~2014: one hundred ten dollars per ton.))~~

For solid waste delivered to the northside landfill, the charge shall be ninety-eight dollars per ton, with a minimum charge of fifteen dollars per vehicle.

C. ~~((For waste from nonprofit generator accounts:~~~~2012: sixty seven dollars sixty cents per ton;~~~~2013: sixty nine dollars fifty five cents per ton;~~~~2014: seventy one dollars fifty cents per ton.~~~~Provided,~~

- ~~1. such generators identify themselves as IRC Section 501(c)(3) approved nonprofit enterprises or similar proof of qualification to the department; and~~
- ~~2. the waste is the product of the nonprofit business activities, which include waste reduction or recycling as a major component of their operations.))~~

~~For solid waste delivered to a transfer station, the charge shall be one hundred three dollars per ton, with a minimum charge of fifteen dollars per vehicle.~~D. ~~((One hundred sixty five dollars per ton for waste requiring special handling, as determined by the director of the Spokane regional solid waste system.)) For solid waste delivered to any of the above facilities, which the director determines requires special handling, the charge shall be one hundred sixty five dollars per ton, with a minimum charge of twenty dollars per vehicle.~~E. ~~((For general mixed solid waste delivered to transfer stations by state-certified haulers, other non-generator haulers, or commercial business generators:~~~~2012: one hundred nine dollars per ton;~~~~2013: one hundred twelve dollars per ton;~~~~2014: one hundred fifteen dollars per ton.))~~~~For solid waste delivered to any of the above facilities, from nonprofit generator accounts, the applicable tonnage charge shall be reduced by thirty-five percent, with a minimum charge of fifteen dollars per vehicle.~~

- ~~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.~~

F. The above rates are effective from May 1, 2013 through December 31, 2013. Effective January 1, 2014 and each year thereafter, the above rates and minimum charges will each be adjusted to reflect increases in the Consumer Price Index for All Urban Consumers (CPI-U), US City Average, all items, not seasonally adjusted, as published by the Bureau of Labor Statistics, United States Department of Labor (hereafter the Index). In the event the Index stays the same or decreases, no rate adjustment will be made. The period for computing the change will be the first half of the just completed year, compared to the first half of 2012 (Base Index). The value of the Index for the first half of 2012, the Base Index, was 228.850.Example calculation of rate for year *n*:

<u>Assume Index for first half of year <i>n-1</i></u>	<u>236.000</u>
<u>Divided by Base Index</u>	<u>228.850</u>
<u>Equals</u>	<u>1.03124</u>

This means that the base price will be increased by 3.124 percent.

<u>Base Price</u>	<u>\$98.00</u>
<u>Multiplied by</u>	<u>1.03124</u>
<u>Equals adjusted price</u>	<u>\$101.06</u>

Section 3. That SMC section 13.02.0564 is repealed.

Section 4. Effective Date. This ordinance shall take effect and be in force on May 1, 2013.

PASSED by the City Council on February 11, 2013.

(Delivered to the Mayor on the 13th of February 2013.)

Job Opportunities

The City of Spokane is an Equal Employment Opportunity Employer

MARKETING AND GROUP COORDINATOR SPN 082 OPEN ENTRY EXAMINATION

SALARY: \$49,715 annual salary, payable bi-weekly, to a maximum of \$60,865

DATE OPEN: Monday, February 18, 2013

DATE CLOSED: Applications will be accepted until the close of business on Friday, March 1, 2013. Applicants who have filed a basic application will have until the close of business on Monday, March 4, 2013 to return the Training and Experience Evaluation form.

OFFICE HOURS: 8:00 a.m. to 5:00 p.m. – Monday through Friday, except holidays

DUTIES:

Performs professional work in promoting the effective use of entertainment/recreation facilities through development, implementation, and coordination of marketing strategy, group sales, sponsorships, and other special programs. Duties require considerable independent action and extensive public contact. May be required to work long and unusual hours.

OPEN REQUIREMENTS: (All requirements must be met at the time of application.)

Graduation from an accredited four-year college or university with a degree in Marketing, Business, Communications, or related field; AND, two years of experience in a position with a municipal entertainment center, convention facility, major exposition, or entertainment promotions agency with responsibility for coordinating, scheduling, arranging, and promoting group usage and marketing of public facilities. Additional experience may be substituted, on a year for year basis, for up to two years of the education requirement.

EXAMINATION:

The examination will consist of a Training and Experience Evaluation form. Weight is assigned as follows: Training and Experience Evaluation form 100%.

Upon request, at time of application, the City will provide alternative accessible tests to individuals with disabilities that impair manual, sensory or speaking skills needed to take the test, unless the test is intended to measure those skills.

NOTE: Under continuous testing policy, additional examinations may be scheduled with results merged into one eligibility list according to final ratings.

TO APPLY:

To apply online or download and print an application, go to www.spokanecity.org. To request an application packet be mailed to you, call the Civil Service office at (509) 625-6160. If mailing your application, submit to Civil Service Commission, 808 W. Spokane Falls Blvd., Spokane, WA 99201-3315.

By order of the SPOKANE CIVIL SERVICE COMMISSION, dated at Spokane, Washington, this 11th day of February 2013.

MARY DORAN
Chair

GLENN KIBBEY
Chief Examiner

**SENIOR ENGINEER SPN 233
OPEN & PROMOTIONAL EXAMINATION**

SALARY: \$75,042 annual salary, payable bi-weekly, to a maximum of \$92,581

DATE OPEN: Monday, February 25, 2013

DATE CLOSED: Applications will be accepted until the close of business on Friday, March 8, 2013. Applicants who have filed a basic application will have until the close of business on Monday, March 11, 2013 to return the Training and Experience Evaluation form.

OFFICE HOURS: 8:00 a.m. to 5:00 p.m. – Monday through Friday, except holidays

DUTIES:

Performs work in planning, preliminary engineering, and design of several concurrent Public Works projects, normally as a team leader.

OPEN REQUIREMENTS: (All requirements must be met at the time of application.)

Must possess a certificate of registration as a Professional Engineer, as a Civil Engineer, in the State of Washington. Applicants from other states must possess certification as a P.E., as a Civil Engineer, and must obtain Washington certification within six months from time of employment. Requires four years of Public Works type planning, design, or construction engineering experience; and, two years of applicable supervisory experience. A Master's Degree in Engineering may be substituted for one year of experience.

PROMOTIONAL REQUIREMENTS: (All requirements must be met by date of examination.)

Two years of experience with the City in the classification of an Associate Engineer (SPN: 232). Must possess a certificate of registration as a Professional Engineer in the State of Washington.

NOTE: All applicants must possess a valid driver's license or evidence of equivalent mobility.

EXAMINATION:

The examination will consist of a Training and Experience Evaluation form, and for promotional applicants, a promotional evaluation. Weights are assigned as follows: for open applicants, Training and Experience Evaluation form 100%; for promotional applicants, Training and Experience Evaluation form 80% and promotional evaluation 20%.

Upon request, at time of application, the City will provide alternative accessible tests to individuals with disabilities that impair manual, sensory or speaking skills needed to take the test, unless the test is intended to measure those skills.

TO APPLY:

To apply online or download and print an application, go to www.spokanecity.org. **Current City employees who apply promotionally may send an e-mail no later than 5:00 pm on the closing date requesting your name be added to the Promotional Examination list to Civil Service Internet Mailbox which is civilservice@spokanecity.org. Please include: 1) your full name, 2) present classification, 3) department and phone number, 4) driver's license number and expiration date; OR go to the Civil Service office on the 4th floor of City Hall during office hours to sign up on the Promotional Examination list.** To request an application packet be mailed to you, call the Civil Service office at (509) 625-6160. If mailing your application, submit to Civil Service Commission, 808 W. Spokane Falls Blvd., Spokane, WA 99201-3315.

By order of the SPOKANE CIVIL SERVICE COMMISSION, dated at Spokane, Washington, this 14th day of February 2013.

MARY DORAN
Chair

GLENN KIBBEY
Chief Examiner

Notice for Bids

Supplies, Equipment, Maintenance, etc.

LIQUID ALUMINUM SULFATE

City of Spokane Riverside Park Water Reclamation Facility

BID #3902-13

Sealed Bids will be opened at the 1:15 p.m. public bid opening on **MONDAY, FEBRUARY 25, 2013**, in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for LIQUID ALUMINUM SULFATE for the City of Spokane Riverside Park Water Reclamation Facility.

The Request for Bids document is available by contacting Connie Wahl, City of Spokane Purchasing, 4th Floor, City Hall, 808 West Spokane Falls Blvd, Spokane WA 99201 at purchasinghelp@spokanecity.org.

Bid Proposal documents should be submitted to City of Spokane Purchasing **no later than 1:00 p.m. on Monday, February 25, 2013**. Proposals must be sent sufficiently ahead of time to be received by the required date and time. The City of Spokane is not responsible for Proposals delivered late. **Only firm Proposals with signatures will be tabulated.**

Submit one (1) original and one (1) reproducible digital copy (CD or thumb drive) to:

City of Spokane - Purchasing
4th Floor – City Hall
808 W. Spokane Falls Blvd.
Spokane, Washington 99201

The right is reserved to reject any and all bids and to waive any informalities in the bidding. Special attention will be directed to the qualifications of the Proposer when considering this contract.

All response packages are to be clearly marked with: **"BID #3902-13, LIQUID ALUMINUM SULFATE, DUE 2/25/2013"**

Connie Wahl, C.P.M., CPPB
City of Spokane Purchasing

Publish: February 13 and 20, 2013

PROFESSIONAL MEDICAL SERVICES

Human Resources Department

RFP #3912-13

Sealed Proposals will be acknowledged at the 1:15 p.m. public bid opening on **MONDAY, MARCH 4, 2013**, in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for PROFESSIONAL MEDICAL SERVICES for the City of Spokane Human Resources Department.

The Request for Proposals document is available by contacting Connie Wahl, City of Spokane Purchasing, 4th Floor, City Hall, 808 West Spokane Falls Blvd, Spokane WA 99201 at purchasinghelp@spokanecity.org.

Proposal documents should be submitted to City of Spokane Purchasing **no later than 1:00 p.m. on Monday, March 4, 2013**. Proposals must be sent sufficiently ahead of time to be received by the required date and time. The City of Spokane is not responsible for Proposals delivered late.

Submit one (1) paper original and one (1) reproducible digital copy (thumb drive or CD) of the Proposal to:

City of Spokane - Purchasing
4th Floor – City Hall
808 W. Spokane Falls Blvd.
Spokane, Washington 99201

The right is reserved to reject any and all Proposals and to waive any informalities in the Proposals.

All response packages are to be clearly marked with: **“RFP #3912-13, PROFESSIONAL MEDICAL SERVICES, DUE 3/4/2013”**

Connie Wahl, C.P.M., CPPB
City of Spokane Purchasing

Publish: February 13 and 20, 2013

FIREFIGHTER ESCAPE SYSTEMS AND ESCAPE BELTS

Fire Department

BID #3917-13

Sealed bids will be opened at 1:15 p.m., **MONDAY, FEBRUARY 25, 2013** in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for FIREFIGHTER ESCAPE SYSTEMS AND ESCAPE BELTS for the City of Spokane Fire Department.

Detailed specifications and proposal forms are available from City Purchasing, by contacting Thea Prince at purchasinghelp@spokanecity.org.

Submittal Instructions:

Bid proposal forms may be submitted to the Purchasing Department **until 1:00 p.m. on the date of opening**. Proposals must be sent sufficiently ahead of time to be received by the opening date and time. City of Spokane is not responsible for proposals delivered late.

Submit one (1) original and one (1) copy of response to:

Division of Purchasing
City of Spokane
4th Floor – City Hall
808 W. Spokane Falls Blvd.
Spokane WA 99201

The right is reserved to reject any and all proposals and to waive any informalities in the bidding. Special attention will be directed to the qualifications of the proposer when considering this contract. **Only firm proposals with signatures will be tabulated.**

Envelopes containing proposals are to be marked: **“FIREFIGHTER ESCAPE SYSTEMS AND ESCAPE BELTS, BID 3917-13, DUE 02/25/13”**.

Thea Prince
Purchasing Department

Publish: February 13 and 20, 2013

**COEUR D'ALENE PARK PAVILION RENOVATION
FUNDED BY FEDERAL COMMUNITY DEVELOPMENT FUNDS
Parks and Recreation Department**

BID #3922-13

Sealed bids will be opened at 1:15 p.m., **MONDAY, MARCH 4, 2013**, in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for the COEUR D'ALENE PARK PAVILION RENOVATION for the City of Spokane Parks Department.

Drawings and Specifications are available via e-mail from City Purchasing, by contacting Thea Prince at purchasinghelp@spokanecity.org.

Submittal Instructions:

Bid proposal forms may be submitted to Purchasing **until 1:00 P.M. on the date of opening**. Proposals must be sent sufficiently ahead of time to be received by the opening date and time. City of Spokane is not responsible for proposals delivered late.

Submit one (1) original of the response to:

Division of Purchasing
City of Spokane
4th Floor – City Hall
808 W. Spokane Falls Blvd.
Spokane WA 99201

The right is reserved to reject any and all proposals and to waive any informalities in the bidding. Special attention will be directed to the qualifications of the proposer when considering this contract. **Only firm proposals with signatures will be tabulated.**

There will be a pre-bid conference on Thursday, February 21st at 2:00 p.m. at the Coeur d'Alene Park Pavilion, 300 S. Chestnut, Spokane, WA.

Questions regarding this Bid should be directed to Tony Madunich, Parks Operations Division Manager at 509-363-5458 or tmadunich@spokanecity.org.

Envelopes containing proposals are to be marked: **“COEUR D'ALENE PARK PAVILION RENOVATION, BID #3922-13, DUE 3/4/13”**.

Thea Prince
Purchasing Division

Publish: February 13 and 20, 2013
