



Official Gazette

City of Spokane, Washington

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

Volume 103

APRIL 17, 2013

Issue 16



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, April 8, 2013****BRIEFING SESSION**

The Briefing Session of the Spokane City Council held on the above date was called to order at 3:31 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, Snyder, and Waldref were present.

Director of Local Government & Labor Relations Gerry Gemmill, Assistant City Attorney Mike Piccolo, and City Clerk Terri Pfister were also present on the dais.

Advance Agenda Review

Council received input from staff on the April 15, 2013, Advance Agenda items.

Ordinance C34956 Relating to the Business Licensing Process

Council President Stuckart, noted that Ordinance C34956 relating to the business licensing process is going to be briefed in Finance Committee this week (Wednesday, April 10), and the Committee is going to come to a final conclusion. He requested a motion to defer the

ordinance to the 29th (of April). Subsequently, the following action was taken:

Motion by Council Member Snyder, seconded by Council Member Fagan, to so move [to defer Ordinance C34956 to the 29th (of April)]; **carried unanimously.**

(Clerical Note: During the City Council's 6:00 p.m. Legislative Session held April 8, the City Clerk inadvertently read Ordinance C34956 as a first reading ordinance rather than correctly announcing that Ordinance C34956 is deferred to April 29. Ordinance C34956 will appear again under First Reading Ordinances on the Council's April 29 Agenda.)

Action to Approve April 15, 2013, Advance Agenda

Following staff reports and Council inquiry and discussion regarding the April 15, 2013, Advance Agenda items, the City Council took the following action (pursuant to Council Rule 2.1.2):

Motion by Council Member Waldref, seconded by Council Member Allen, **to approve** the Advance Agenda for Monday, April 15, 2013, as amended; **carried unanimously.**

ADMINISTRATIVE SESSION**Current Agenda Review**

Council received input from staff on the April 15, 2013, Advance Agenda items.

Contract with Spokane C.O.P.S (OPR 2013-0250)

Community and Neighborhood Services Division Director Jonathan Mallahan requested that the Contract with Spokane C.O.P.S. be considered during the 6:00 p.m. Legislative Session so that Jack Brucick, Chair of Spokane C.O.P.S., can be present during consideration of the item. Council Member Salvatori requested the matter be moved to tonight's Legislative Agenda.

Resolution 2013-0024 Regarding Amendments to the City of Spokane Sustainability Action Plan

Council Member Allen requested the deferral of Resolution 2013-0024 until next Monday. Subsequently, the following action was taken:

Motion by Council Member McLaughlin, seconded by Council Member Fagan, to so move [to defer Resolution 2013-0024 to next Monday (April 15)]; **carried unanimously.**

Action to Approve April 8, 2013, Current Agenda

Following staff reports and Council inquiry and discussion regarding the April 8, 2013, Current Agenda items, the City Council took the following action (pursuant to Council Rule 2.1.2):

Motion by Council Member Salvatori, seconded by Council Member Fagan, to approve the Current Agenda for Monday, April 15, 2013, as amended; **carried unanimously.**

CONSENT AGENDA

Upon motion of Council Member Waldref, seconded by Council Member Allen, Council unanimously approved Staff Recommendations for the following:

Low bid meeting specifications of Unifire, Inc. (Spokane, WA) for purchase of 273 Escape Belts and Carabineer Multi-use Straps and 293 Escape Systems—\$146,598.85 (including tax). (Deferred from March 18, 2013, Agenda) (OPR 2013-0170 / BID 3926-13)

Purchase of 23 Perkins Container Locking Systems from Solid Waste Systems (Spokane, WA) using Washington State Contract #07410 to be installed on existing rear-loading refuse collections trucks and used to pick up commercial refuse containers—\$106,054.55 (including tax). (OPR 2013-0245)

Renew Value Blanket Orders with Shamrock Paving, Inland Asphalt, Spokane Rock Products and Central Pre-Mix, as a group, for purchase of asphaltic mixes for use by the Street Maintenance, Sewer and Water & Hydroelectric Services Departments—\$1,300,000 (including tax). (OPR 2013-0246 / BID 3776-11)

Lowest responsive bid of Specialty Pump Services, Inc. (Spokane, WA) for furnishing three 600hp pumps and six barrels for the new Lincoln Heights Pump Station Project—\$492,215.63 (including tax). (OPR 2013-0247 / BID 3908-13)

Low Bids of:

- a. Halme Construction, Inc. (Davenport, WA) for Lincoln Heights Booster Station—\$1,830,094.05 (plus tax). An administrative reserve of \$183,009.41 (plus tax), which is 10% of the contract price (plus tax), will be set aside. (PRO 2013-0005 / ENG 2010070)
- b. MDM Construction, Inc. (Hayden, ID) for 3rd Avenue from Division Street to Arthur Street—\$2,108,661.70 (plus tax). An administration reserve of \$210,866.17 (plus tax), which is 10% of the contract price (plus tax) will be set aside. (PRO 2013-0006 / ENG 2010121)

Interlocal Cooperation Agreement with Spokane County for Hearing Examiner Services from January 1, 2013 through December 31, 2013. (OPR 2013-0248)

Loan Agreement with Washington State Department of Ecology for construction of Combined Sewer Overflow Basin 20 Control Facility—\$4,521,400. (OPR 2013-0249 / ENG 2013042)

Letter expressing the City Council's support of the Hillyard Village Project concept. (CPR 2013-0016)

Report of the Mayor of pending claims and payments of previously approved obligations, including those of Parks and Library, through April 1, 2013, total \$9,097,111.39 (Warrant Nos. 464774-465777; ACH Payment Nos. 9975-10100), with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$8,623,067.85 (CPR 2012-0002)

Payroll claims of previously approved obligations through March 30, 2013: \$5,658,446.25 (Payroll Check Nos. 511758-512058). (CPR 2013-0003)

Executive Session/Council Recess

The City Council adjourned to an Executive Session at 4:38 p.m. for approximately 22 minutes to discuss pending and potential litigation matters. City Attorney Nancy Isserlis and Assistant City Attorney Mike Piccolo were present during the

Executive Session, along with the presence via telephone of Judge Michael Hogan and Attorney Ford Elsaesser. The Council reconvened at 6:00 p.m. for the 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

Pledge of Allegiance

The Pledge of Allegiance was led by Council President Stuckart.

Roll Call

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

MAYORAL PROCLAMATIONS

Month of April 2013 *Autism Awareness Month*

Mayor Condon read the proclamation and presented it to Dawn Sidell, Executive Director at Northwest Autism Center, and Theresa Cardwell, Board Member with Autism Society of Washington – Spokane Chapter. The proclamation encourages all citizens to recognize and celebrate in the quality of life of people with autism spectrum disorders. Both Ms. Sidell and Ms. Cardwell spoke regarding the proclamation.

April 9, 2013 and

Month of April 2013 *Mayors' National Day of Recognition for Service Day/Month*

Mayor Condon read the proclamation and presented it to Rosetta Rhodes. The proclamation encourages residences to recognize the positive impact of national service in our city and to thank those who serve, as well as those who have served, and to find ways to give back to their communities.

April 8 – 13, 2013

Playhouse Project Week

Council Member Fagan read the proclamation and presented it to Kim Ferraro and Kate Green. The proclamation invites citizens and visitors to join in the celebration of our kids, the champions for our youth, and advocate the outstanding efforts of the West Central Community Center, Northeast Youth Center, and Peaceful Valley Community and Youth Center. Ms. Ferraro and Ms. Green spoke regarding Playhouse Project Spokane.

Month of April 2013

Fair Housing Month

Council President Stuckart read the proclamation and presented it to Ken Isserlis. The proclamation encourages citizens of our great community to join in support of endorsing the practice of fair housing. Mr. Isserlis thanked Council for the proclamation and noted this week, with the City, the Northwest Fair Housing Alliance is putting on its annual Fair Housing Conference.

ADMINISTRATION REPORT

Autism Society of America – Spokane Chapter Check Presentation

Gerriann Armstrong, along with her son Harrison, presented a check to Library Director Pat Partovi. The check is a donation to the Library on behalf of the Autism Society for obtaining books for checkout.

COUNCIL COMMITTEE REPORTS

STA Update

Council Member Waldref announced an open house that will be held Wednesday April 10, between 4:30 p.m. and 7:00 p.m., at the Lincoln Center, 1316 North Lincoln Street. The open house is an opportunity for the public to give input on multiple transit projects that are being discussed right now. These are projects that can increase the capacity and quality of transit in the community.

Public Works Committee

Council Member Salvatori reported on the Public Works Committee meeting held earlier today (April 8). 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. Ted Hensold spoke regarding SMAC's initiative for a Voter Bill of Rights for clean and fair elections.

Mr. David Orth spoke regarding use of the "mosquito" device downtown to chase people away. He stated these devices affect service animals, which is against the law. In addition, he stated it affects wildlife and the birds aren't in the trees anymore. He requested the devices be removed.

Mr. Rick Bocook commented on constitutional rights and freedom of speech and stated there is a balancing problem in Spokane.

Mr. George McGrath commented on constitutional rights and the second amendment right to keep and bear arms.

Mr. Aidan Griffith commented on the lack of a safe bicycle and walking route between the South Hill and Downtown. He noted he is a student and walks to school at Lewis and Clark and the route he takes, which is from Cliff Drive to 7th, is often choked with ice during the winter, inaccessible, unsafe, and poses a major safety hazard to many students.

Mr. Henry Valder spoke regarding his support of medical use of marijuana.

Mr. Mike Rowles spoke regarding standing and leaning on buildings and commented on police officers.

Mr. Sam Snyder commented on responsibility and locking up guns properly.

COUNCIL APPOINTMENTS

Historic Landmarks Commission (CPR 1981-0122)

Motion by Council Member Allen, seconded by Council Member McLaughlin, **to approve** (and thereby confirm) the following reappointments to the Historic Landmarks Commission; **carried unanimously**:

- Jamie Brown to serve a three-year term to begin immediately and expire on December 31, 2015.
- Lynn Mandyke to serve a three-year term to begin immediately and expire on December 31, 2015.

(Clerical Note: No action was taken on the two proposed appointments to Historic Landmarks Commission that appeared on the Council's April 8 agenda. These two appointments are pending a meet and greet session with City Council Members. These two pending appointments will be placed back on the Council's April 15 Agenda for consideration.)

LEGISLATIVE AGENDA

There were no **Emergency Budget Ordinances**.

There were no **Emergency Ordinances**.

RESOLUTIONS

Resolution 2013-0027—Airport Board to Acquire Various Parcels

Subsequent to an overview of Resolution 2013-0027 by Airport Director Larry Krauter and the opportunity for public testimony and Council comment, with no individuals requesting to speak, the following action was taken:

Upon Unanimous Roll Call Vote, the City Council **adopted Resolution 2013-0027**, a Joint Resolution with Spokane County authorizing the Airport Board to acquire various parcels consisting of 400.21 acres adjacent to Spokane International Airport property.

For remaining resolutions, see section of minutes following "Special Considerations."

SPECIAL CONSIDERATIONS

Contract with Spokane C.O.P.S. (OPR 2013-0250)

Subsequent to a presentation by Community and Neighborhood Services Division Director Jonathan Mallahan and Jack Brucick, Chair – C.O.P.S. Board of Directors, Council comment, and public testimony from one individual, the following action was taken:

Upon Unanimous Roll Call Vote, the City Council **approved** the Contract with Spokane C.O.P.S. to maintain the City's Community Oriented Policing Services Program from April 1, 2013 through December 31, 2013—\$140,000.

RESOLUTIONS (continued)

Resolution 2013-0026 Confirming the Appointment of Asset Management Group Director

Subsequent to an introduction of Michael Werner by Business and Developer Services Division Director Jan Quintrall, Council comment, and the opportunity for public testimony, with no individuals requesting to speak, the following action was taken:

Upon Unanimous Roll Call Vote, the City Council **adopted Resolution 2013-0026** approving the appointment of Michael Werner as Director of the Asset Management Group.

Resolution 2013-0025 Setting Vacation Hearing

Upon consideration of Resolution 2013-0025, Council Member Snyder requested that staff provide as much information as they can as to what Gonzaga's plans are for the area with the vacation and how that is going to affect the right of way the City is being asked to vacate and other details on that. Eldon Brown of Engineering Services noted he would get what he could for the Council. Subsequent to Council and staff comment, and the opportunity for public testimony, with no individuals requesting to speak, the following action was taken:

Upon Unanimous Roll Call Vote, the City Council **adopted Resolution 2013-0025** setting hearing before the City Council for May 6, 2013 for the vacation of Boone Avenue from Dakota Street to Cincinnati Street; the South 15 feet of Desmet Avenue from the West line of vacated Cincinnati Street to the West line of Dakota Street; Dakota Street from the South line of Boone Avenue to the South line of Desmet Avenue; Desmet Avenue from the East line of Lot 9, Block 53, 1st Subdivision of Block "A" in 3rd Sinto Addition to the East line of Dakota Street requested by Gonzaga University. (Logan Neighborhood)

Resolution 2013-0024 (amending Sustainability Action Plan) is deferred to April 15, 2013.

FINAL READING ORDINANCES

Final Reading Ordinances C34964 (Relating to the Executive and Administrative Organization of the City) and C34965 (Relating to the Police Division)

Human Resources Director Heather Lowe provided an overview of Final Reading Ordinances C34964 and C34965, and she responded to Council inquiries. In addition, Police Chief Frank Straub provided comments regarding the organization of the Police Division, and he responded to Council inquiries. Before opening up the ordinances to public testimony, Council President Stuckart requested a motion to defer the matters until when the budget is approved. He noted that Section 25 of the City Charter under "Administrative Departments" reads that "Administrative departments shall be created or discontinued by the city council at the time of the adoption of the annual budget..." Subsequent to Council debate and comment by Assistant City Attorney Pat Dalton, the following action was taken:

Motion by Council Member Waldref, seconded by Council Member Snyder, to make that motion (to defer the matters until when the budget is approved); **rejected 3-4 (Council Members Allen, Fagan, McLaughlin, and Salvatori voting "no")**.

Public testimony was then received, after which additional Council and staff discussion ensued. During discussion on the matters, Assistant Fire Chief Brian Schaeffer provided an overview of the Fire Division and responded to Council inquiries. Subsequent to Council debate, the following action was taken:

Motion by Council Member Waldref, seconded by Council Member Snyder, to amend Ordinance C34964 (1) to reduce the proposed departments in Police to Field Operations, Business Services, and Tactical Operations and that the Council reduce the Fire Departments to Operations, Training, and Logistics and (2) that Council ask Administration to work with Civil Service to bring forward joint recommendations to improve efficiencies and effectiveness of all testing and hiring procedures, especially within Police and Fire; **with friendly amendment** by Council Member Snyder, accepted by Council Member Waldref, to add the Public Information Department (for Police); **rejected 3-4 (Council Members Allen, Fagan, McLaughlin, and Salvatori voting "no")**.

Council debate continued, after which the following action was taken:

Upon 4-3 Roll Call Vote (Council President Stuckart and Council Members Snyder and Waldref voting “no”), the City Council **passed Final Reading Ordinance C34964** relating to the executive and administrative organization of the City; adopting a new Chapter 3.01A to Title 3; and repealing Chapter 3.01 of the Spokane Municipal Code **and Final Reading Ordinance C34965** relating to the Police Division; adopting a new Chapter 3.10 to Title 3 of the Spokane Municipal Code.

Final Reading Ordinance C34971 Relating to the Utility U-Help Program

Council Member Waldref provided an overview of Ordinance C34971 relating to the Utility U-Help program. She noted the Council did work with the Utility Department to identify dollars from Utility Reserves to enhance the one-time annual assistance program for qualified low-income ratepayers in the community. She further noted this ordinance puts the details of the program into the Spokane Municipal Code. Council Member Salvatori suggested an amendment to the ordinance, and the following action was taken:

Motion by Council Member Salvatori, seconded by Council President Stuckart, to amend paragraph six by inserting the words “up to” (before) “\$50,000 per year” and insert the words “to match private contributions” (before) “to the U-Help Assistance Fund;” **carried 6-1 (Council Member Fagan voting “no”).** (As amended, paragraph six reads: “WHEREAS, the City Council has directed the Utility Department to transfer up to \$50,000 per year to match private contributions to the U-Help Assistance Fund, a separate fund managed by the City and designated to assist low-income customers with utility bills; -- Now Therefore...”)

Public testimony was received from one individual on Ordinance C34971, as amended. Council comment ensued, during which Council Member Fagan presented a motion to amend the ordinance so that the money does not come out of the Utility Department; rather, it comes out of Human Services. The motion died for lack of a second. Subsequently, the following action was taken:

Upon 6-1 Roll Call Vote (Council Member Fagan voting “no”), the City Council **passed Final Reading Ordinance C34971, as amended,** relating to the Utility U-Help program; adopting a new Chapter 13.09 to Title 13 of the Spokane Municipal Code.

FIRST READING ORDINANCES

The following Ordinance was read for the First Time with further action deferred:

ORD C34971 Relating to the business licensing process; amending SMC Section 8.01.020.

Ordinance C34956 (relating to the business licensing process) is deferred for First Reading to April 29, 2013, Agenda.

For Council action on C34973, see section of minutes under “Hearings.”

HEARINGS

Final Reading Ordinance C34970 Relating to Type II Applications for Conditional Use Permits (First Reading held March 11, 2013)

Subsequent to an overview of Final Reading Ordinance C34970 by Planning Director Scott Chesney, the opportunity for public testimony, with no individuals requesting to speak, and Council comment, the following action was taken:

Upon Unanimous Roll Call Vote, the City Council **passed Final Reading Ordinance C34970** relating to Type II applications for Conditional Use Permits; and amending SMC Sections 17C.110.110, 17G.060.050, 17G.060.120 and 17A.020.200.

Hearing on Vacation of Garnet Avenue from Rebecca Street to Myrtle Street

The City Council held hearing on the vacation of Garnet Avenue from Rebecca Street to Myrtle Street and Myrtle Street from North Line of Alley North of Courtland Avenue to Garnet Avenue. Eldon Brown of Engineering Services provided an overview of the vacation. Council inquiry and comment was held, with response by Parks Director Leroy Eadie. Council Member Snyder expressed concern that one of the biggest burdens Parks bears is in relation to the maintenance liability for the land Parks owns, and it's very difficult to get that land out of Parks, as it has to have a public vote. He noted he is hesitant to see any more land go under Parks' domain for that reason. Council Member Snyder inquired if there is any way to achieve the things Parks needs to do without having the land vacated, so Parks Department doesn't have to take responsibility for it. Mr. Eadie noted that's the first thing Parks looked at. He further stated that two issues drove this vacation. One is that, if you look at the design of the golf course, literally the right of way is on a portion of the first

fairway. What is primarily driving the vacation is that Parks is experiencing a tremendous amount of golf cart vandalism. There was a suggestion to build a building and put the golf carts inside of the building. Mr. Eadie stated the most logical location for the building would be right where the golf carts are today, which runs into a right of way issue and that is the primary reason for the vacation. He further noted he doesn't feel this one is a good candidate for putting out for a vote of the citizens to be sold anywhere in the near future.

Subsequent to Council and staff comment, the following action was taken:

Motion by Council Member McLaughlin, seconded by Council Member Waldref, **to approve, subject to conditions** (in the Department of Engineering Services Street Vacation Report dated April 8, 2013), the vacation of Garnet Avenue from Rebecca Street to Myrtle Street and Myrtle Street from North Line of Alley North of Courtland Avenue to Garnet Avenue requested by Parks Department; **carried unanimously.**

In conjunction with the hearing, Ordinance C34972—vacating Garnet Avenue from Rebecca Street to Myrtle Street and Myrtle Street from North Line of Alley North of Courtland Avenue to Garnet Avenue—was read for the first time, with further action deferred.

No individuals 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 9:53 p.m.

MINUTES OF SPOKANE CITY COUNCIL

Thursday, April 4, 2013

A Special Meeting of the Spokane City Council was held on the above date at 6:02 p.m. at the Northeast Community Center, 4001 N. Cook, Spokane, Washington. Council President Stuckart and Council Members Fagan and Waldref were present. Council Members Allen, McLaughlin, Salvatori, and Snyder were absent. A quorum of City Council Members was not present. However, the meeting was properly noticed in the event a majority of City Council Members were present. The meeting was conducted in a community meeting format.

Council President Stuckart provided opening remarks and noted the purpose of the meeting is for citizens to share their future vision for the Joe Mann Army Reserve Center in Hillyard and to narrow the scope of use that will be included in the request for proposals that go out later this month. He provided an overview of the previous redevelopment process, which recommended Spokane Public Schools. However, last fall one to two million dollars worth of damage was done to the property, and the School District decided they were no longer interested in the property. The Department of Defense came back and said the property is now the City's again. Council President Stuckart noted instead of running a year long process, the Department of Defense said the City Council can act as the Local Redevelopment Authority. He noted that he, along with Council Members Fagan and Waldref, have been meeting and working with members of the community to determine what a good process is. What the Council has decided is to limit the scope of the applications. Council President Stuckart noted he wants to get a general feel for what the community wants to do with the building and then the request for proposals will be written. He provided a timeline for the development of the RFP document and the release and consideration of the RFPs. He further provided the ground rules for public testimony, and noted that oral testimony will not be given more weight over written testimony, rather they will be weighted the same. Comment sheets were made available for those who wished to provide written testimony.

Public comment was then received. Council President Stuckart and Council Members Fagan and Waldref thanked citizens for taking the time to provide testimony.

ADJOURNMENT

There being no further business to come before the City Council, the Special Meeting of the Spokane City Council adjourned at 6:50 p.m.

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. C34964

AN ORDINANCE relating to the executive and administrative organization of the City; adopting a new chapter 3.01A to title 3; and repealing chapter 3.01 of the Spokane Municipal Code.

The City of Spokane does ordain:

Section 1. That chapter 3.01 SMC is hereby repealed.

Section 2. That there is adopted a new chapter 3.01A to title 3 of the municipal code to read as follows:

Chapter 3.01A Executive and Administrative Organization

Sections

3.01A.100	Mayor
3.01A.110	City Administrator
3.01A.120	Mayor's Office Staff
3.01A.200	Departments and Offices – Establishment
3.01A.205	Departments – Rights, Powers and Duties
3.01A.210	Division Departments
3.01A.215	Accounting
3.01A.220	Asset Management Group
3.01A.225	Business and Developer Services
3.01A.230	City Attorney
3.01A.235	City Clerk
3.01A.245	Community and Neighborhood Services
3.01A.250	Community, Housing and Human Services
3.01A.255	Engineering Services
3.01A.260	Finance
3.01A.265	Fire
3.01A.270	Fire Communications
3.01A.275	Fire Emergency Medical Services
3.01A.280	Fire Logistics
3.01A.285	Fire Operations
3.01A.290	Fire Planning and Information Management
3.01A.295	Fire Prevention
3.01A.300	Fire Training
3.01A.310	Fleet Services
3.01A.320	Historic Preservation
3.01A.330	Human Resources
3.01A.340	Information Technology
3.01A.350	Management and Budget
3.01A.355	Neighborhood Services and Code Enforcement
3.01A.357	Ombudsman – Police
3.01A.360	Parks and Recreation
3.01A.365	Planning and Development
3.01A.370	Police
3.01A.375	Police Business Services
3.01A.380	Police Communications

3.01A.385	Police Field Operations
3.01A.390	Police Investigations
3.01A.395	Police Public Information
3.01A.400	Police Tactical Operations
3.01A.410	Probation
3.01A.415	Public Affairs/Communications
3.01A.420	Public Defender
3.01A.430	Regional Emergency Communications Systems
3.01A.440	Retirement
3.01A.445	Risk Management
3.01A.450	Solid Waste Management
3.01A.460	Spokane Area Workforce Development Council Administration
3.01A.470	Spokane Regional Solid Waste System
3.01A.480	Street
3.01A.490	Treasurer's Office
3.01A.500	Utilities
3.01A.510	Wastewater Management
3.01A.520	Water and Hydroelectric Services
3.01A.600	Spokane Municipal Court
3.01A.610	Spokane Public Library
3.01A.620	Health
3.01A.630	Civil Service

Article I

Mayor

3.01A.100 Mayor

- A. As provided in the City Charter, the mayor is the chief executive and administrative officer of the City with final authority over the employment, termination and assignment of all employees of the City, not including the elected officers, except that:
1. the appointment of the city attorney, the city clerk and the administrative heads of each department requires approval of the city council;
 2. the appointment of the head of the department of parks and recreation requires the concurrence of the park board;
 3. the appointment of the head and assistant head of the retirement department requires the concurrence of the retirement board;
 4. the appointment of persons to positions within the classified service, and their discharge, must follow the procedures of the civil service system;
 5. the number of positions in the City government is determined in the annual budget;
 6. some individuals, such as the director of Spokane area workforce development council administration, the library director, chief examiner, and the clerk of the municipal court, are appointed or directed by a board or agency by charter, statute or intergovernmental contract;
 7. state law may impose a requirement, such as a license, for the performance of a particular function.
- B. The mayor may appoint such assistants, who are variously referred to as city administrator, division director, department director, or assistant director, as deemed necessary for the efficient operation of City government, subject always to city council approval of positions and salaries through the budget process.
- C. Subject to the provisions of the City Charter and the ordinances by which administrative departments are established and discontinued, the mayor determines the allocation of functions and duties among the several departments and positions and establishes the organizational structure and reporting relationships of the executive branch of the City government.
- D. As provided in SMC 1.02.130, the mayor may delegate to assistants specific functions, authority and responsibility, including the signing of documents.

- E. As provided in SMC 1.02.130, the mayor may delegate specific functions, authority and responsibility, including the signing of documents.
- F. The mayor exercises direct supervision of the departments of communications and public affairs, retirement, and equal employment opportunity and contract compliance.
- G. The mayor is chair of the Sister Cities Association of Spokane, the nonprofit corporation that oversees the Sister Cities program by contract with the City.

3.01A.110 City Administrator

- A. Under the direction of the mayor, the city administrator performs a variety of administrative duties to assist the mayor in the direction of City operations, and represents the mayor at meetings and conferences and as otherwise directed. This office responds to questions and complaints from the public and the city council.
- B. The city administrator is responsible for planning, recommending, coordinating and administering a local, state and federal legislative program for the City of Spokane in accordance with legislative guidelines established by the city council. The office develops for council approval City legislative programs for the state and federal legislative sessions, represents the City before state and federal legislative bodies, and analyzes and submits reports to the mayor and the city council on state and federal legislation affecting the City.
- C. The city administrator is appointed and removed by the mayor.

3.01A.120 Mayor's Office Staff

The mayor may, subject to budget appropriation, appoint and remove office staff under his direction as necessary to support the performance of the executive and administrative duties of the mayor's office. The mayor's office provides staff to the several Sister Cities associations.

Article II Departments

3.01A.200 Departments and Offices – Establishment

The executive branch of the City shall be organized into departments and offices, which are hereby continued, created, or established as follows:

3.01A.205 Departments – Rights, Powers and Duties

Except as otherwise provided, the departments and offices listed in this chapter 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.

3.01A.210 Division Departments

The following departments shall be considered as division departments:

- A. business and developer services
- B. city attorney
- C. community and neighborhood services
- D. finance
- E. fire
- F. parks and recreation
- G. police
- H. utilities

3.01A.215 Accounting

- A. The accounting department provides various accounting services, including accounts payable, accounts receivable, payroll, purchasing, inventory, and budget control, for the City administration and some joint governmental agencies. The department compiles and produces the City's combined annual financial statements. It disseminates and monitors financial policies and internal controls, and provides analysis and reporting.
- B. The director of accounting serves on the City investment board.
- C. The purchasing section is responsible for the procurement of public works, goods and services by competitive bid, quote or proposal; processing purchase orders and contracts; maintaining and accounting for inventories; and the disposal of surplus property. The director of accounting, or a designee, is a permanent member of the committee to receive bids.

3.01A.220 Asset Management Group

The asset management group provides focused leadership in maintaining and managing the City's hard assets. This include the parking system, right of way work, all infrastructure capital programs including how all these areas relate to the combined sewer overflow and storm water solutions.

3.01A.225 Business and Developer Services

The department of business and developer services oversees planning and programming for services to enhance the quality of life in the community. It promotes economic growth, redevelopment and developer incentives.

3.01A.230 City Attorney

- A. The office of the city attorney renders legal advice, counsel and services to the mayor, the city council, all City administrative agencies and employees, and certain intergovernmental agencies. The office drafts, reviews and approves ordinances, resolutions, contracts and other legal instruments and documents; gives written and oral opinions and advice to all City officers and employees concerning City affairs; and represents the City in all judicial and administrative proceedings not in the charge of special counsel.
- B. The office of the city prosecutor is the criminal branch of the office of the city attorney. It is responsible for the prosecution of all misdemeanor crimes and civil infractions that occur within the City of Spokane. The office is involved in every phase of criminal and civil infraction law from beginning to end including preparation, diversion, filing, negotiation, resolution, adjudication, sentencing, and compliance. It is the mission of this office to promote justice, to prosecute crime and to protect citizens in the City of Spokane.
- C. The city attorney appoints and removes assistant city attorneys and city prosecutors; and designates a city prosecutor.

3.01A.235 City Clerk

- A. The city clerk is the secretary of the municipal corporation; performing functions as provided in various state statutes, the Charter, the municipal code, council rules of procedure and city policies and procedures.
- B. The city clerk acts as editor and publishes the *official gazette*.
- C. The city clerk acts as the City's records officer.
- D. The city clerk is a member of the fire pension board and of the police relief and pension board.

3.01A.245 Community and Neighborhood Services

The department of community and neighborhood services provides support and direction for the City's community-oriented departments. This support is accomplished through ensuring effective expenditure of local, state and federal funds to benefit low and middle income citizens; providing direct services to improve quality of life; sharing information and providing opportunities for citizens to be engaged in the city government decision making process; and ensuring the highest standards of customer service for City department's interactions with citizens.

3.01A.250 Community, Housing and Human Services

The community, housing and human services department, under the direction of the community, housing and human services board, administers federal, state and local grant programs to serve extremely low to moderate income citizens. The department provides staff support to the community, housing and human services board.

3.01A.255 Engineering Services

- A. The engineering services department is the design and construction arm of the City. It designs and manages construction of public street, sewer and water systems. It also assists private development by reviewing and approving plans, issuing permits for construction and inspecting infrastructure projects for compliance with federal, state and local requirements.
- B. The engineering services department also includes a traffic design group that coordinates transportation elements of projects designed in-house and by outside consultants. It also reviews transportation planning, street improvement proposals and transportation-related development issues.

3.01A.260 Finance

- A. The finance department manages the budget, supervises the internal/tax auditor, coordinates debt issuances and is responsible for establishing and maintaining sound fiscal management practices throughout the City.
- B. The chief financial officer shall attend all meetings of the city council finance committee, apprise the committee of the activities that he is responsible for and provide to the committee any information related to these activities that is requested. The chief financial officer shall also present to the committee changes in past practices or procedures or recommended ordinance amendments that he deems necessary to maintain or increase the efficiency or effectiveness of the financial services division or the financial operations of the City.
- C. The chief financial officer shall regularly communicate to the city council on matters material to the City's financial condition, including quarterly financial updates and budget updates.

3.01A.265 Fire

- A. The fire division, through various departments, provides the community with a number of services, including but not limited to:
 - 1. response to medical help, fires and other situations where the public calls for assistance;
 - 2. fire investigations, and code enforcement and engineering services augmented by public education, technical assistance for fire code compliance, inspections and safety assessments; and
 - 3. CPR and other educational classes.
- B. The fire chief is responsible for the leadership and management of the fire division and the various departments within the fire division.
- C. The fire chief or fire marshal is the "fire official" for enforcement of various federal and state fire codes, including fireworks and underground storage tanks.

3.01A.270 Fire Communications

The communications department's primary responsibilities are to receive calls through the Community's 9-1-1 system and dispatch appropriate resources to the public's request for assistance as well as to communicate with and provide documentation and other support to fire and EMS response agencies and their field units. Includes assuring that facilities, equipment and systems are in place and operational for interoperable communication to occur between the public and responders in order to support the mission of the fire division as well as fulfill the obligations to provide contract dispatching services to other fire agencies.

3.01A.275 Fire Emergency Medical Services

The fire emergency medical services department is responsible for the medical systems necessary to provide quality pre-hospital basic life support and paramedic level critical care. Includes the management and oversight of the 9-1-1 ambulance transport contract as well as participation in the coordination of the overall community emergency medical services system.

3.01A.280 Fire Logistics

The fire logistics department manages and maintains the emergency response fleet of specialized apparatus, equipment, physical buildings and inventory that are in place and necessary to support the fire division's mission.

3.01A.285 Fire Operations

The fire operations department primary responsibilities include response to fire, emergency medical services, rescue and other calls for service that typically occur through the community's 9-1-1 system. Consists of personnel and equipment deployed to field operations (stations and apparatus) as well as special operations and emergency incident management.

3.01A.290 Fire Planning and Information Management

The fire planning and information management department primary responsibilities are to develop and oversee the fire division's information technology plan and systems necessary to support the fire division's mission together with obligations to provide contract dispatching services to other fire agencies. Includes providing all aspects of information technology and information management services through development, purchase, installation and maintenance of routine and critical technological software and interoperable, secure infrastructure.

3.01A.295 Fire Prevention

The fire prevention department primary responsibilities are to manage and oversee the enforcement of the fire code and other applicable standards as well as other efforts to prevent injury and harm from fire and avoidable accidents. Includes the review of plans for new and remodel projects within the City; field inspections to insure compliance with required permits and codes; educational and other collaborative programs to minimize occurrence of fires, accidents and injuries in the community.

3.01A.300 Fire Training

The fire training department primary responsibilities are to lead and manage the training, educational and other systems necessary to assure operational readiness and compliance with governmental standards and regulations. Includes the management and oversight of the fire division's safety program.

3.01A.310 Fleet Services

The fleet services department has three sections:

- A. Equipment maintenance, which develops specifications for and administers the acquisition of motor vehicles and other rolling equipment, schedules and performs equipment maintenance and repairs, and maintains replacement schedules, rental rates and equipment history.
- B. Facilities maintenance, which provides preventive maintenance, emergency repairs, boiler inspections, minor repairs and other work on City facilities, coordinates major repairs and modifications by contract, reviews plans for new facilities, and maintains equipment inspection records as required by federal and state laws; and
- C. Communications management, which manages and maintains communications networks for the police, fire, water, engineering and other departments, develops specifications for equipment acquisition, ensures compliance with Federal Communications Commission requirements, maintains replacements schedules, rental rates and equipment history, and coordinates joint activities with other governmental entities.

3.01A.320 Historic Preservation

The office of historic preservation serves as staff to the historic landmarks commission, providing:

- A. current inventories of historic places;
- B. technical information on the proper preparation and processing of nominations to historic registers;
- C. design review for Spokane Register properties;
- D. assistance to applicants in the preparation of documentation for special valuation;
- E. technical assistance to City departments on projects impacting historic resources;
- F. review of projects for impacts on historic properties, including Section 106 review;
- G. technical information and referral regarding rehabilitation/restoration of local historic properties, as well as information pertaining to tax incentives for historic preservation.

3.01A.330 Human Resources

- A. The human resources department administers all aspects of employment and labor relations, except the responsibilities of the civil service system, for City employees and some employees of other local agencies by agreement.
- B. The department administers employee orientation; counseling and conflict resolution through the employee assistance program; safety, training and discipline programs; wage, salary and fringe benefits; employee benefits, unemployment and workers' compensation, continuous improvement, collective bargaining; recruitment of employees exempt from civil service; and a number of employee records.
- C. The department is responsible for all diversity and equal opportunity programs that pertain to City employment.

3.01A.340 Information Technology

- A. The information technology department is responsible for information technology application and system support, to include electronic mail, telephone system, network infrastructure, city web site, help desk, GIS, datacenter operations, and security and monitoring systems.
- B. The mail room services section collects and distributes interoffice mail and posts outgoing City mail including utility billing invoices.
- C. The reprographic services section provides full digital imaging and printing services for the City.

3.01A.350 Management and Budget

- A. The department of management and budget assists the chief financial officer in budget development and administration by review and analysis of the City's financial condition, reporting as needed on revenues and expenditures of the various departments. The department is responsible for coordinating the development of the annual budget, budget control, financial forecasting and planning, and the budget activities of all departments.
- B. This department also assists departments with research projects, cost/benefit analyses and similar fiscal management and planning; and manages the City's indirect cost allocation plan.
- C. The taxes and license section administers the City's business registration process and administers the City's various municipal taxes. Its responsibilities include processing applications, registrations and returns; and billing, collecting, accounting and auditing of fees and taxes.
- D. The director of management and budget oversees the risk management department functions.

3.01A.355 Neighborhood Services and Code Enforcement

- A. The department of neighborhood services and code enforcement acts as the staff support for the neighborhood councils and community assembly, and primarily through these organizations, the citizens of Spokane.
- B. The department of neighborhood services and code enforcement serves as liaison between the legislative and executive branches of the City, the neighborhood councils and the community assembly.
- C. The code enforcement section coordinates the activities of the other City departments and local and regional agencies in the investigation and resolution of violations of the public health and safety laws.

3.01A.357 Ombudsman – Police

See chapter 4.32 SMC.

3.01A.360 Parks and Recreation

- A. The procurement, disposition, improvement and management of parks, playgrounds, designated boulevards, designated parkways, trees in streets and other rights-of-way, and other designated public places is vested in the park board. The park board and its committees perform their function through the department of parks and recreation. The park board is also authorized by Spokane City Charter to adopt a budget for the parks and recreation department.
- B. The parks and recreation department serves as administrative staff to, and receives policy direction from, the park board and receives administrative direction from the mayor. The parks and recreation department performs a complement of duties at the direction of the park board, including but not limited to:

1. design, development and maintenance of parks, gardens, the arboretum, swimming pools and recreational grounds and facilities;
 2. development and management of the urban forestry program;
 3. operation and management of the municipal golf courses;
 4. operation and development of a variety of recreational programs serving the public;
 5. operation, maintenance and promotion of grounds facilities and activities at Riverfront Park;
 6. acquisition and long-range planning for future parks and open spaces as well as recreational services; and
 7. promotion, public relations, financial control and reporting.
- C. The municipal golf courses may be operated directly by the parks and recreation department or may be operated by licensed golf professionals under contract with the department.

3.01A.365 Planning and Development

- A. The planning and development department is responsible for preparation and maintenance of the comprehensive plan to guide the community's long-term physical, economic and social growth and for other matters of neighborhood and City planning, including regional coordination and urban design. The department supports plan implementation measures using development regulations, capital improvement plans and annexation programs; administers current planning activities such as rezoning, planned unit developments, subdivisions, environmental review, and variances; and reviews development permits for compliance with land use codes.
- B. The department reviews and approves land use, civil, and building plans, makes zoning interpretations, issues building and occupancy permits and inspects building projects for compliance with building and other construction codes. It also enforces land use regulations and works with various city, county and state agencies in the regulation of property use requirements. The "building official" is in the department and oversees all building code interpretations. The department addresses the community's business needs and coordinates revitalization programs with an emphasis on sustainable economic growth. The department reviews transportation and traffic planning, street improvement proposals and transportation-related development issues.
- C. Through the administration section, the department serves as staff to the plan commission, design review board and bicycle advisory board.

3.01A.370 Police

The police division through various departments is the primary law enforcement agency of the City with investigative, arrest and incidental powers over violations of federal, state and municipal laws, both criminal and traffic. In addition to patrol, surveillance, investigation and crime prevention education, division personnel perform administrative, communications, community relations, planning, records maintenance and training functions.

3.01A.375 Police Business Services

The police business services department is responsible for overall fiscal, human resources, and support services (records, property, planning, and fleet) to ensure the daily business and support operations of the police division.

3.01A.380 Police Communications

The police communications department is responsible for the police dispatch center, and responsible for the proper deployment of police division resources.

3.01A.385 Police Field Operations

The police field operations department is responsible for the personnel deployed to patrol, major crimes investigations, traffic, and specialized units for the day-to-day field operations for the police division.

3.01A.390 Police Investigations

The police investigations department leads the overall investigative resources for criminal cases in which the City of Spokane has overall jurisdiction.

3.01A.395 Police Public Information

The police public information department is responsible for coordinating external communications with the public regarding the police division through the development of communication strategies and may serve as a media contact for the division.

3.01A.400 Police Tactical Operations

The police tactical operations department is responsible for the targeted crimes unit (detectives), patrol anti-crime teams, special investigations unit, property crimes and fraud detectives, abandoned auto unit, and special police problems.

3.01A.410 Probation

- A. The probation department supervises offenders placed on probation by the municipal court to ensure compliance with court orders, supervises conditions of pre-trial release, refers offenders to various community agencies for programs, facilitates evidence based programs proven to reduce re-offense, conducts pre and post sentence investigations, conducts financial screening for public defense services, works with law enforcement and community agencies to promote offender compliance and rehabilitation and promote victim and community safety.
- B. The chief of probation is appointed by the mayor after consultation with the presiding judge of municipal court and confirmed by the city council.

3.01A.415 Public Affairs/Communications

- A. The department of public affairs/communications informs citizens and employees about important City issues and provides opportunities for increased participation in government. Its efforts focus on three major areas:
 - 1. External communications with the public and the media;
 - 2. Internal communications with employees; and
 - 3. Media relations.
- B. The department uses a multi-media approach to provide information; the goal is to provide information in ways that are convenient for citizens and employees.
- C. Cable TV Channel 5.
 - 1. Through City personnel or by contract, the City produces programming for the City government channel (CityCable5) available under the cable television system franchise.
 - 2. The office of cable TV is operated by a City employee who is appointed by the mayor and confirmed by the city council.

3.01A.420 Public Defender

The office of public defender provides legal representation to indigent persons accused of misdemeanor and gross misdemeanor charges under the criminal and motor vehicle sections of the Spokane municipal code, who have been appointed by municipal court for representation. The office handles some county cases that have been conflicted to the City through agreement with the Spokane county public defender's office.

3.01A.430 Regional Emergency Communications Systems

The regional emergency communications systems department provides radio communications services to local public safety entities as well as city/county non-emergency (public works/utilities, etc.) departments and county-wide public safety information technology services. The department consists of the merger of the city/county radio communications functions and the city/county law enforcement information technology division.

3.01A.440 Retirement

- A. The retirement department is responsible for processing pensions for the Spokane employees retirement system

and the LEOFF 1 police and firefighters' pension plans. Subject to state law, the Spokane employees retirement system and the firefighters' pension board provide for the proper investment of the moneys in the respective retirement funds. Under the direction of the respective boards, the retirement department administers the investment funds for these pension plans.

- B. The director and the assistant director are appointed by the mayor with the concurrence of the Spokane employees' retirement board. The director's appointment is subject to confirmation by the city council.

3.01A.445 Risk Management

The risk management department monitors potential and actual claims incidents involving loss or liability to the City. It provides liaison with the City's claims adjusters and develops procedures, methods and practices designed to avoid and to more efficiently handle risks of loss.

3.01A.450 Solid Waste Management

The solid waste management department is responsible for collecting solid waste and recyclables generated in the City of Spokane and managing all other aspects of solid waste collection and related sanitation matters within the City except as assigned to the Spokane regional solid waste system department as allowed by law.

3.01A.460 Spokane Area Workforce Development Council Administration

See chapter 6.03 SMC.

The director and the assistant director are appointed by the mayor with the concurrence of the Spokane county board of county commissioners and the Spokane Area Workforce Development Council.

3.01A.470 Spokane Regional Solid Waste System

- A. The Spokane regional solid waste system department (regional system) handles solid waste disposal and related functions for solid waste generated in the City of Spokane not assigned to the solid waste management department. The regional system also handles solid waste disposal from other participating local government jurisdictions in incorporated and unincorporated areas of Spokane County pursuant to interlocal agreement.
- B. The regional system develops and administers recycling and composting programs and waste-reduction strategies for the City and participating local governments in Spokane County and provides staff support for the regional system liaison board. That board makes recommendations pursuant to interlocal agreements to the City and County regarding the management of regional system. Regional system programs include:
1. waste-to-energy facility,
 2. recycling,
 3. composting,
 4. transfer stations,
 5. moderate-risk wastes,
 6. long-haul disposal, and
 7. administration.

3.01A.480 Street

- A. The street department is responsible for providing day-to-day safe and efficient movement of persons and goods throughout the City and for maintaining and preserving the City's public streets, bridges and traffic control devices. The department has two field operations sections: street maintenance and traffic operations.
- B. Street maintenance performs:
1. bridge maintenance and inspection;

2. pavement management evaluations; and
3. roadway maintenance, street sweeping, leaf removal, snow and ice control, and weed control.

C. Traffic operations perform:

1. street signs and pavement markings installation, repair and maintenance;
2. signals and lighting operations, repair and maintenance, cable system repair and maintenance;
3. ITS operations and maintenance,
4. street lighting inventory and design analyses;
5. maintenance of city-wide traffic count program; and
6. intersection visibility safety programs.

3.01A.490 Treasurer's Office

- A. The treasurer's office is responsible for receiving, investing, safekeeping and accounting for cash of the City; issuing, paying and redeeming City bonds; collecting local improvement district and parking and business improvement district assessments, utility bill payments, and accounts receivable payments and tax payments; accepting and paying City warrants; providing federal tax reporting on arbitrage; and billing, managing taxes and licenses.
- B. The city treasurer is a member of the fire pension board and the police relief and pension board. The treasurer also serves on the City investment board.

3.01A.500 Utilities

The utilities department manages the City's public utilities including water, wastewater, and solid waste, as well as, overseeing the City's vehicle fleet.

3.01A.510 Wastewater Management

The wastewater management department is responsible for managing all wastewater in the City, including stormwater.

- A. The sewer maintenance section cleans and maintains the public storm and sanitary sewer mains and pumps on-site private treatment facilities when requested.
- B. The water reclamation plant section operates and maintains the water reclamation plant and the pump stations and associated pressure lines. It is also responsible for the biosolids management program of the City.
- C. The department also operates a collection and treatment program for stormwater and assists with the promotion and design of on-site stormwater treatment and dispersion facilities.

3.01A.520 Water and Hydroelectric Services

- A. The water and hydroelectric services department operates and maintains the public water supply system, including fire protection via public fire hydrants, and hydroelectric generating plant.
- B. The director of water and hydroelectric services is appointed by the mayor and confirmed by the city council.

**Article III
Quasi-Departments**

3.01A.600 Spokane Municipal Court

- A. See chapter 5A.04 SMC.
- B. The clerk of the municipal court shall be appointed by the presiding judge of the municipal court upon a majority vote of judges present at a regularly scheduled judges' meeting. Under the direction of the presiding municipal judge, the clerk is responsible for the clerical functions of the court and for the operation of the municipal violations bureau.

3.01A.610 Spokane Public Library

- A. The Spokane public library, although an agency of the City of Spokane, is a separate statutory entity under chapter 27.12 RCW and other laws for certain purposes. As provided by state law, the board of trustees of the Spokane public library is the governing body of the municipal library system. The director of the library is the librarian, who is employed by and responsible to the board of trustees of the Spokane public library for all aspects of library administration and operation. By agreement the City performs budgeting, accounting and personnel administration services for the library.
- B. Whenever this code refers to “mayor” or “city council”, such terms shall mean “librarian” and “library board of trustees”, respectively, with respect to library matters. The term “employee” includes an employee of the Spokane public library, unless otherwise provided.
- C. Nothing in this code precludes the library board of trustees from adopting personnel, procurement, contracting and other policies pursuant to the authority of state law, including chapter 27.12 RCW and, specifically, RCW 27.12.210.

3.01A.620 Health

Any responsibility devolving upon the city health officer or, by similar terms, upon any local public health official, is the responsibility of the administrator of the Spokane Regional Health District as provided in chapter 6.04 SMC, and the administrator, as health officer, is empowered to enforce within the City all statutes and regulations of the government of the United States and the State of Washington and the ordinances and resolutions of the Spokane Regional Health District, Spokane County and the City and has, specifically, the right of entry and the inspection of all premises in the City as provided by law.

3.01A.630 Civil Service

- A. The civil service commission is established pursuant to sections 52 through 56 of the City Charter. The specific powers and duties of the commission are set forth in the City Charter.
- B. The civil service department provides clerical and administrative support to the civil service commission. The department performs duties required by article VI of the City Charter, including job description, examination, maintenance of eligibility lists, and the investigation and processing of applications and appeals.
- C. The chief examiner is the director of civil service and supervises the staff of the commission. The chief examiner is appointed by and reports directly to the civil service commission.

PASSED by the City Council on April 8, 2013.

(Delivered to the Mayor on the 12th day of April 2013.)

ORDINANCE NO. C34965

AN ORDINANCE relating to the Police Division; adopting a new chapter 3.10 to title 3 of the Spokane Municipal Code.

The City of Spokane does ordain:

Section 1. That there is adopted a new chapter 3.10 to title 3 to read as follows:

**CHAPTER 3.10
POLICE DIVISION****Sections:**

- 3.10.010 Police
3.10.020 Police – Extra-Duty Employment.
3.10.030 Police Volunteer Force.

3.10.010 Police

- A. The chief of police heads the police division and the police volunteer force, and regulates the extra-duty employment of officers in private security.

- B. The police division is the primary law enforcement agency of the City with investigative, arrest and incidental powers over violations of federal, state and municipal laws, both criminal and traffic. In addition to patrol, surveillance, investigation and crime prevention education, division personnel perform administrative, communications, community relations, planning, records maintenance and training functions.
1. The chief of the police division administers the Spokane police department and the police reserve force and has the authority to make rules and issue orders for the proper functioning of the division, consistent with law, council policy and the rules of the civil service commission.
 2. The commissioned members of the police division are, and have all the rights and authority conferred, by law, on law enforcement officers, peace officers and constables.
 3. Specifically, but without limitation, members of the police division have the duty and the power to investigate and arrest in connection with suspected violations of any law of the City, the State of Washington or the United States; to serve the process, writs and warrants of municipal court; and to enforce all orders issued in cases of emergency, including the establishment of cordon lines.
 4. Upon the retirement of a member of the police division, the mayor is authorized and is directed to deliver over to such retiring officer, to become the officer's personal property, the pistol which, as a part of his service equipment, has been previously given over into the officer's custody; that such pistol shall, by such delivery, be considered an added extra compensation for his services to the City and, upon such delivery, shall become the personal property of such officer. This provision shall have continuing effect from year to year, and shall be considered a part of each and every annual appropriation ordinance to be made hereafter.
 5. The division's noncommissioned employees are in many cases classified as specialists by virtue of the City's civil service classification system. Noncommissioned police employees are required to receive specialized training and certification from the State of Washington depending upon their assignments. They also work in shifts and are held to the same standards of on-duty conduct as commissioned police officers.

3.10.020 Police – Extra-Duty Employment

- A. As part of the responsibilities of the chief of police to administer the police division, the chief is specifically authorized to regulate extra-duty service of commissioned officers in private security.
- B. Any officer wishing to be eligible for extra-duty employment of a security nature is required to enroll in the program, thereby agreeing to abide by the special regulations established in divisional policies and procedures.
- C. Any person wishing to employ one or more officers to perform private security services in their capacity as police officers must contract for the services of the officer(s) with the City through the chief of police. By such contract the employer will reimburse the City for the costs of the security services, including wages and benefits of the personnel, equipment and administration. Wages are paid to the officers through the City payroll system.
- D. As circumstances require, the chief may decline a contract or modify the terms proposed by the prospective contractor, including without limitation, to reduce or add to the personnel and equipment to be furnished.
- E. Each contract must contain provisions explaining that even while on extra-duty assignment police officers have a primary obligation to the City and are subject at all times to be called away from such extra-duty assignment for emergencies, overtime duty, special assignments, or other reasons.

3.10.030 Police Volunteer Force

- A. Pursuant to city council resolutions and ordinance, the police division has been authorized to create and maintain a variety of volunteer forces including law enforcement explorer scouts, reserve police officers, senior and specialized volunteers and the utilization, via contract with the Spokane Community College system, of law enforcement co-op students and interns. A city council resolution authorizes the screening, appointment, training, scheduling, supervision and equipping of these volunteers in exchange for their voluntarily contributed hours of service to the citizens of the City of Spokane via the police department in many different categories and assignments. In some cases volunteers are reimbursed for expenses such as travel, meals, lodging and training costs. The City also provides the necessary uniforms and safety and other equipment for these volunteers to utilize in the course of their duties.
- B. A police reserve corps ("the reserve") is created and established as an organization composed of individuals who shall have been appointed and sworn in as members thereof by the chief of police or by a designated assistant chief. The number of members of the reserve may be increased or decreased by any number deemed advisable by the chief during any fiscal year but shall not exceed two hundred at any time. Members are volunteer workers only, serve gratuitously, and are not deemed to be employees of the City for any purpose.

1. The chief establishes the requirements for membership in the reserve and may include physical, mental, aptitude, personality inventory and character standards and the successful completion of a training program. The chief may require a physical examination to be given at the City's expense.
2. Whenever a person has met all of the requirements and has certified that he has read the provisions of this section the chief may, but is not required to, appoint and swear in such person as a member of the reserve.
3. The chief, with or without cause, may terminate the membership of any member at any time and any member may resign at any time by written notification to the chief. Any person who shall cease to be a member shall immediately surrender all property of the City issued to him.
4. The chief of police has complete authority and control over the reserve. The chief may establish by order rules and regulations governing the reserve and its members, providing for the maintenance of discipline and the assigning of members to perform duties.
 - a. Each member of the reserve serves at least two assigned shifts each calendar month.
 - b. Each member of the reserve, while on duty, has the same power and authority, except to the extent that the same may be restricted or limited by the chief, as a regular police officer. Each member at all times other than while serving as such does not have any status, power, authority or duties as a police officer or as a peace officer and may not represent himself, identify or hold himself out to be a police officer or a peace officer.
5. Each member of the reserve may be issued at City expense equipment including a regulation firearm, a uniform, a regulation police baton, a cap badge and a badge, and an identification card.
 - a. Each item issued to a member of the reserve remains the property of the City.
6. The offense of criminal impersonation, as defined in SMC 10.07.021, includes impersonation of a member of the police reserve.
 - a. The mayor is authorized to include members of the reserve in the City's industrial insurance program as volunteers and to thereby provide medical aid benefits for injury proximately resulting from and suffered while on duty.
 - b. The mayor is directed to include members of the reserve among the officers and employees of the City whose actions are covered by the City's liability insurance. Members of the reserve have no other personnel benefits.
7. The mayor may cause members of the police reserve to be registered emergency services workers.

PASSED by the City Council on April 8, 2013.

(Delivered to the Mayor on the 12th day of April 2013.)

ORDINANCE NO. C34970

AN ORDINANCE relating to Type II applications for Conditional Use Permits; and amending SMC sections 17C.110.110, 17G.060.050, 17G.060.120 and 17A.020.200.

The City of Spokane does ordain:

Section 1. That SMC section 17C.110.110 is amended as follows:

17C.110.110 Limited Use Standards

- A. The paragraph listed below contains the limitations and correspond with the bracketed [] footnote numbers from Table 17C.110-1.
 1. Group Living.

This regulation applies to all parts of Table 17C.110-1 that have a note [1]. Group living uses are also subject to the standards of chapter 17C.330 SMC, Group Living.

 - a. General Standards.

All group living uses in RA, RSF, RTF, RTF, RMF and RHD zones, except for alternative or post incarceration facilities, are regulated as follows:

- i. All group living uses are subject to the requirements of chapter 17C.330 SMC, Group Living, including the maximum residential density provisions of Table 17C.330-1.
 - ii. Group living uses for more than six residents are a conditional use in the RA and RSF zones, subject to the standards of chapter 17C.320 SMC, Conditional Uses, and the spacing requirements of SMC 17C.330.120(B)(2).
 - iii. Group living uses for more than twelve residents are a conditional use in the RTF and RMF zones, subject to the standards of chapter 17C.320 SMC, Conditional Uses, and the spacing requirements of SMC 17C.330.120(B)(2).
 - iv. Exception.
Normally all residents of a structure are counted to determine whether the use is allowed or a conditional use as stated in subsections (A)(1)(a)(i), (ii) and (iii) of this section. The only exception is residential facilities licensed by or under the authority of the state of Washington. In these cases, staff persons are not counted as residents to determine whether the facility meets the twelve-resident cut-off above, for which a conditional use permit is required.
 - b. Alternative or Post Incarceration Facilities.
Group living uses which consist of alternative or post incarceration facilities are conditional uses regardless of size and are subject to the provisions of chapter 17C.320 SMC, Conditional Uses. They are also subject to the standards of chapter 17C.330 SMC, Group Living.
2. Office.
This regulation applies to all parts of Table 17C.110-1 that have a note [2]. Offices in the RMF and RHD zones and are subject to the provisions of chapter 17C.320 SMC, Conditional Uses and are processed as a Type III application.
 3. Basic Utilities.
This regulation applies to all parts of Table 17C.110-1 that have a note [3]. Basic utilities that serve a development site are accessory uses to the primary use being served. In the RA, RSF and RTF zones, a one-time addition to an existing base utility use is permitted, provided the addition is less than fifteen hundred square feet and five or less parking stalls located on the same site as the primary use. The addition and parking are subject to the development standards of the base zone and the design standards for institutional uses. New buildings or larger additions require a conditional use permit and are processed as a Type III application. New buildings or additions to existing base utilities uses are permitted in the RMF and RHD zones.
 4. Community Service Facilities.
This regulation applies to all parts of Table 17C.110-1 that have a note [4]. In the RA, RSF and RTF zones, a one-time addition to an existing community services use is permitted, provided the addition is less than fifteen hundred square feet and three or less parking stalls located on the same site as the primary use. The addition and parking are subject to the development standards of the base zone and the design standards for institutional uses. New buildings or larger additions require a conditional use permit and are processed as a Type III application. New buildings or additions to existing community services uses are permitted in the RMF and RHD zones.
 5. Daycare.
This regulation applies to all parts of Table 17C.110-1 that have a note [5]. Daycare uses are allowed by right if locating within a building or residence, and providing services to no more than twelve (children or clients). Daycare facilities for more than twelve children are a conditional use and are processed as a Type II application in the RA, RSF and RTF zones. However, in the RSF zone, daycare centers up to forty children are permitted if locating within a building that currently contains or did contain a college, medical center, school, religious institution or a community service facility.
 6. Religious Institutions.
This regulation applies to all parts of Table 17C.110-1 that have a note [6]. In the RA, RSF and RTF zones, a one-time addition to religious institutions is ~~((are a))~~ permitted, provided the addition is ~~((under))~~ less than one thousand five hundred square feet and fifteen or less parking stalls located on the same site as the primary use. The addition and parking are subject to the development standards of the base zone and the design standards for institutional uses. New buildings or larger additions require a conditional use permit and are processed as a Type II application. The planning director may require a Type II conditional use permit application be processed as a Type III application when the director issues written findings that the Type III process is in the public interest. Applicants must comply with the requirements set forth in SMC 17G.060.050 prior to submitting an application. New buildings or additions to existing religious institutions uses are permitted in the RMF and RHD zones.

7. Schools.

This regulation applies to all parts of the Table 17C.110-1 that have a note [7]. In the RA, RSF and RTF zones, a one-time addition to schools is permitted, provided the addition is less than five thousand square feet and five or less parking stalls located on the same site as the primary use. The addition and parking are subject to the development standards of the base zone and the design standards for institutional uses. New buildings or larger additions require a conditional use permit and are processed as a Type II application. The planning director may require a Type II conditional use permit application be processed as a Type III application when the director issues written findings that the Type III process is in the public interest. Applicants must comply with the requirements set forth in SMC 17G.060.050 prior to submitting an application.

8. Agriculture.

This regulation applies to all parts of Table 17C.110-1 that have a note [8]. The keeping of large and small domestic animals, including bees, is permitted in the RA zone. See chapter 17C.310 SMC, Animal Keeping, for specific standards.

9. Wireless Communication Facilities.

This regulation applies to all parts of Table 17C.110-1 that have a note [9]. Wireless communication facilities are either permitted or require a conditional use based on location and type of facility. See chapter 17C.355 SMC, Wireless Communication Facilities.

Section 2. That SMC section 17G.060.050 is amended as follows:

17G.060.050 Community Meeting

- A. All Type III applications and Type II applications where indicated in Table 17G.060-3 are required to proceed through a community meeting. The applicant or their representative shall conduct a community meeting regarding the proposed application no more than one hundred twenty days prior to application and before the application is accepted by the City. Notice for the community meeting shall be posted fourteen days prior to the meeting. When a traffic study is required as a part of an application, the scoping meeting for a traffic study may be combined with the community meeting. Public notice of a community meeting shall be provided as required in SMC 17G.060.110 through 17G.060.120.
- B. The applicant shall provide a summary of the meeting consisting of the following at the time of submission of the application:
1. An audio tape of the meeting proceedings.
 2. List of attendees.
 3. A copy of the notice of community meeting; and
 4. Affidavits of posting/mailling the notice.
- C. Other attendees of the community meeting may also submit a summary of the meeting issues to the decision-maker.

Section 3. That SMC section 17G.060.120 is amended as follows:

17G.060.120 Public Notice—Types of Notice

- A. Individual notice is given in writing by regular U.S. mail or by personal service.
1. Notice is given to:
 - a. all owners and taxpayers of record, as shown by the most recent Spokane County assessor's record, and occupants of addresses of property located within a four-hundred-foot radius of any portion of the boundary of the subject property, including any property that is contiguous and under the same or common ownership and control (RCW 36.70B.040(2)). The department may expand the mailing to include areas adjacent to the access easements and areas on the opposite side of rights-of-way, rivers and other physical features;
 - b. any person who has made a written request to receive such notice, including any registered neighborhood organization as defined in chapter 17A.020 SMC representing the surrounding area;
 - c. any agency with jurisdiction identified by the director.

2. Individual and newspaper notices must contain the following information:

a. Type I, II, and III project permit applications:

- i. Location of the property sufficient to clearly locate the site.
- ii. Description of the proposed action and required permits.
- iii. Name, address, and office telephone number of the City official from whom additional information may be obtained.
- iv. Applicant name and telephone number.
- v. Statement that any person may submit written comments and appear at the public hearing, if applicable.
- vi. A statement that comments will be received on environmental issues, any environmental documents related to the proposed action, the SEPA status, and the appeal deadline for SEPA.
- vii. A statement that written comments and oral testimony at a hearing will be made a part of the record, if applicable.
- viii. A statement, in bold type, that only the applicant, persons submitting written comments, and persons testifying at a hearing may appeal the decision.
- ix. Date and time by which any written comments must be received on the notice of application; and
- x. Date of the application and date of the notice of complete application.

b. In addition, for Type III project permit application:

- i. Notice of community meeting: Date, time, and place of the meeting.
- ii. Notice of public hearing: Date, time, and place of a public hearing.

B. Sign.

Posted notice is given by installation of a sign on the site of the proposal adjacent to the most heavily traveled public street and located so as to be readable by the public. The director may require more than one sign if the site fronts on more than one arterial or contains more than three hundred feet of frontage on any street.

1. The posted notice sign must meet the following specifications:

- a. It measures a minimum of four feet by four feet, but sign size may be increased in order to contain all of the required information.
- b. It is constructed of material of sufficient weight and strength to withstand normal weather conditions.
- c. It is white with red lettering.

2. Posted notices must contain the following information:

- a. The first line of text on the sign in four-inch letters reads: "NOTICE OF COMMUNITY MEETING" or the applicable notice type.
- b. The second line of text on the sign in three-inch letters reads: "PROPOSED CONDITIONAL USE PERMIT, File #Z----- -CUP" or some other appropriate description of the proposed action.
- c. The third line of text on the sign in three-inch letters reads: "COMMUNITY MEETING ON/PUBLIC HEARING ON/COMMENTS DUE BY (date, time, and location)."
- d. The remaining lines of text, in three-inch letters, read as follows depending on the proposal:

**TABLE 17G.060-2
CONTENT OF PUBLIC NOTICE**

Application	Proposed Use	Proposed Zone	Proposed Standard	Project Name	Acreage	# of Lots
Type I	X[1]					
Type II	X			X	X[1]	X[1]
Type III	X	X[2]	X[3]	X	X[1]	X[1]
Notes: [1] Preliminary plat, BSP, PUD, short plat [2] Rezone [3] For applications which modify a development standard						

- e. The applicant (or agent) name and phone number, the SEPA status, and the deadline for appeal of the SEPA determination.
- f. The last line of text on the sign in three-inch letters reads: "FOR INFORMATION: (City contact telephone number)."
- g. The following figure illustrates a posted notice sign:

Example "A"

NOTICE OF PUBLIC HEARING PROPOSED ZONE CHANGE, FILE #Z2003-01-ZC PUBLIC HEARING ON: 1/1/2004 AT 9:00 A.M. LOCATED: COUNCIL BRIEFING RM., CITY HALL Proposed Zone: C1 Proposed Use: Warehouse Applicant/Agent: John Doe, Phone (509) 999-0001 SEPA: DNS, appeal deadline 12/24/03 FOR INFORMATION: (509) 625-6300
--

Example "B"

NOTICE OF SEPA/APPLICATION BUILDING PERMIT, FILE #B0300001 PUBLIC COMMENT DUE: 1/1/2004 AT 9:00 A.M. Proposed Use: Commercial Applicant/Agent: John Doe, Phone (509) 999-0001 SEPA: DNS, appeal deadline 12/24/03 FOR INFORMATION: (509) 625-6300

- C. Posting.
Posting of the notice as a letter, identical in form and content to individual written notice, shall be posted at "official public notice posting locations," including:
 - 1. the main City public library and the branch library within or nearest to the area subject to the pending action;
 - 2. the space in City Hall officially designated for posting notices; and
 - 3. any other public building or space that the city council formally designates as an official public notice posting location, including electronic locations.
- D. Newspaper notice is published in a legal newspaper of general circulation. The contents of the newspaper notice are as prescribed in subsection (A)(2) of this section. Newspaper notices are published on the same day of two consecutive weeks, the first no later than the number of days specified for the particular application type specified in this chapter.
- E. Other Notification.
The hearing examiner, with respect to permit applications for non-site specific issues, such as essential public facilities, may require or provide for such alternative or additional notice as deemed necessary and appropriate to serve the public interest. A notification plan may be required of the applicant by the hearing examiner indicating the form and time of notice appropriate to the scope and complexity of the proposed project.

**TABLE 17G.060-3
COMMUNITY MEETING, PUBLIC NOTICE, REVIEW OFFICIAL, AND
EXPIRATION FOR LAND USE PERMITS**

Permit	Type	Community Meeting	Notice of Application	Notice of Public Hearing	Review Official	Hearing Required	City Council Review	Expiration of Permit [1]
Building and Code Enforcement								
Building Permit	I	No	Legal / Individual	No	Building Official	No	No	180 days
Grading Permit	I	No	Legal / Individual	No	Building Official	No	No	180 days
Demolition Permit	I	No	Legal / Individual	No	Building Official	No [2]	No	180 days
Planning Services – Current								
Binding Site Plan	II	No	Posted / Individual	No	Planning Director	No	No	5 years
Certificate of Compliance (CC)	III	Posted / Individual	Posted / Individual	Posted / Individual	Hearing Examiner	Yes	No	None
CC	II	No	Posted / Individual	No	Planning Director	No	No	None
Conditional Use Permit (CUP)	III	Posted / Individual	Posted / Individual	Posted / Individual	Hearing Examiner	Yes	No	3 years
CUP [4]	II	No	Posted / Individual	No	Planning Director	No	No	3 years
Floodplain with SEPA	I	No	Posted / Individual	No	Planning Director	No	No	180 days
Floodplain Variance	III	Posted / Individual	Posted / Individual	Posted / Individual	Hearing Examiner	Yes	No	3 Years
Long Plat	III	Posted / Individual	Posted / Individual	Newspaper / Posted / Individual	Hearing Examiner	Yes	No	5 years
Plans-in-lieu	III	Posted / Individual	Posted / Individual	Posted / Individual	Hearing Examiner	Yes	No	3 years
Plans-in-lieu	II	No	Posted / Individual	No	Planning Director	No	No	3 years
PUD	III	Posted / Individual	Posted / Individual	Posted / Individual	Hearing Examiner	Yes	Yes	5 years [3]
Rezone	III	Posted / Individual	Posted / Individual	Posted / Individual	Hearing Examiner	Yes	Yes	3 years
Shoreline SDP	II	No	Posted / Individual	No	Planning Director	No	No	Must comply with WAC 173-27-090
Shoreline CUP	III	Posted / Individual	Posted / Individual	Posted / Individual	Hearing Examiner	Yes	No	Must comply with WAC 173-27-090
Shoreline Variance	III	Posted / Individual	Posted / Individual	Posted / Individual	Hearing Examiner	Yes	No	Must comply with WAC 173-27-090
Short Plat	II	No	Posted / Individual	No	Planning Director	No	No	5 years
Skywalk	III	Posted / Individual	Posted / Individual	Posted / Individual	Hearing Examiner	Yes	Yes	2 years
Variance	III	Posted / Individual	Posted / Individual	Posted / Individual	Hearing Examiner	Yes	No	3 years

- [1] NOTE: Approval expires after the specified time if no permit to develop the project is issued by the City of Spokane or building permit expires without completion of the improvements.
- [2] NOTE: Public Hearing is required if the structure is on the National Historic Register.
- [3] NOTE: If a planned unit development is approved together with a preliminary plat, the expiration date for the planned unit development shall be the same as the expiration date of the preliminary plat.
- [4] NOTE: Conditional Use Permits required under SMC 17C.110.110 Limited Use Standards for Religious Institutions and Schools will complete posted/individual notification requirements for a Community Meeting.

Section 4. That SMC section 17A.020.200 is amended as follows:

17A.020.200 "T" Definitions

- A. Temporary Erosion and Sediment Control Measures.
Erosion and sediment control devices used to provide temporary stabilization of a site, usually during construction or ground disturbing activities, before permanent devices are installed.
- B. Temporary Sign.
A sign placed on a structure or the ground for a specifically limited period of time as provided in SMC 17C.240.240(G).
- C. Temporary Structure.
A structure approved for location on a lot by the department for a period not to exceed six months with the intent to remove such structure after the time period expires.
- D. Tenant Space.
Portion of a structure occupied by a single commercial lease holder with its own public entrance from the exterior of the building or through a shared lobby, atrium, mall, or hallway and separated from other tenant spaces by walls.
- E. Through Pedestrian Zone.
The portion of a sidewalk that is intended for pedestrian travel and is entirely free of permanent and temporary objects.
- F. Tideland.
Land on the shore of marine water bodies between the line of ordinary high tide and the line of extreme low tide.
- G. Total Maximum Daily Load (TMDL).
A calculation of the maximum amount of a pollutant that a water body can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources. A TMDL is the sum of the allowable loads of a single pollutant from all contributing point and non point sources. The calculation shall include a margin of safety to ensure that the water body can be used for the purposes the state has designated. The calculation shall also account for seasonable variation in water quality. Water quality standards are set by states, territories, and tribes. They identify the uses for each water body, for example, drinking water supply, contact recreation (swimming), and aquatic life support (fishing), and the scientific criteria to support that use. The Clean Water Act, section 303, establishes the water quality standards and TMDL programs.
- H. Tower (Wireless Communication Support Tower).
Any structure that is designed and constructed specifically to support a wireless communication antenna array. Towers include self-supporting towers, guyed towers, a single pole structure (monopole), lattice tower, and other similar structures.
- I. Tower Compound.
The area containing support tower and ground equipment. The fence surrounding the equipment is the outer extent of the compound.
- J. Tower Height.
The vertical distance measured from the base of the tower structure at grade to the highest point of the structure including the antenna.
- K. Tracking.
The deposition of sediment onto paved surfaces from the wheels of vehicles.

- L. Tract.
A piece of land created and designated as part of a land division that is not a lot, lot of record or a public right-of-way. Tracts are created and designated for a specific purpose. Land uses within a tract are restricted to those uses consistent with the stated purpose as described on the plat, in maintenance agreements, or through conditions, covenants and restrictions (CC&Rs).
- M. Traveled Way.
The area of street which is intended to carry vehicular traffic, including any shoulders.
- N. Type I Application.
An application for a project permit that is subject to an administrative approval and is not categorically exempt from environmental review under chapter 43.21C RCW (SEPA) and the City of Spokane Environmental Ordinance chapter 17E.050 SMC, and does not require a public hearing. Type I applications are identified in Table 17G.060-1 in chapter 17G.060 SMC. These applications may include, but are not limited to, building permits and grading permits.
- O. Type II Application.
An application for a project permit that is subject to ~~((a quasi-judicial))~~ an administrative decision of a department director, that may or may not be categorically exempt from chapter 43.21C RCW (SEPA), ~~((but))~~ and does not require a public hearing. The Type II applications are identified in Table 17G.060-1 in chapter 17G.060 SMC. These applications may include, but are not limited to, short plats, binding site plans, or shoreline substantial development permits, and some conditional use permits; provided, the planning director may require conditional use permits which are otherwise characterized as Type II applications under this title to be submitted and processed as Type III applications when the director issues written findings that the Type III process is in the public interest.
- P. Type III Application.
An application for a project permit that is subject to a quasi-judicial decision of the hearing examiner that may or may not be categorically exempt from chapter 43.21C RCW (SEPA) and the City of Spokane Environmental Ordinance chapter 17E.050 SMC and requires a public hearing. Type III applications are identified in Table 17G.060-1 in chapter 17G.060 SMC. These applications may include, but are not limited to, rezones, conditional use permits, preliminary long plats, or shoreline conditional use permits.

PASSED by the City Council on April 8, 2013.

(Delivered to the Mayor on the 12th day of April 2013.)

ORDINANCE NO. C34971

AN ORDINANCE relating to the Utility U-Help program; adopting a new chapter 13.09 to Title 13 of the Spokane Municipal Code.

WHEREAS, chapter 35.92 and chapter 35.67 RCW authorize cities to “provide assistance to aid low-income persons in connection with services” for municipal utilities and sewerage services; and

WHEREAS, Article 8, Section 7 of the Washington State Constitutions permits “support of the poor and infirm,”; and

WHEREAS, sixteen and eight tenths percent (16.8%) of households in the City of Spokane reported an income below the poverty line at the time of the 2010 Census and the City Council has recognized that any increase of utility rates has a profound impact on low-income customers; and

WHEREAS, through the expansion of the existing donation-based utility u-help program and formalization of a City-sponsored u-help program, the intent of the City Council is to offer expanded one-time limited assistance to its customers whose household incomes are in the lower ranges of the area’s income scale and earning less than the poverty level income; and

WHEREAS, the City Council has directed the Utility Department to transfer \$50,000 per year to the U-Help Assistance Fund, a separate fund managed by the City and designated to assist low-income customers with utility bills; -- Now Therefore

The City of Spokane does ordain:

Section 1. That there is adopted a new chapter 13.09 to Title 13 of the Municipal Code to read as follows:

CHAPTER 13.09 UTILITY U-HELP PROGRAM

Sections:

- 13.09.010 Purpose and Findings
- 13.09.020 Definitions
- 13.09.030 Qualifications
- 13.09.040 Application for Credit
- 13.09.050 Penalty for False Information

13.09.010 Purpose and Findings

- A. The Spokane city council finds that it is appropriate for the City of Spokane to provide a credit against utility charges to qualifying low- income customers of the City's utilities who are facing utility shut-off.
- B. The council further finds that verification of this credit should be administered by a third party agency.

13.09.020 Definitions

- A. "Applicant" means any individual applying for a benefit, discount or attempting to qualify as a low income customer.
- B. "City" refers to the City of Spokane.
- C. "Gross Income" includes any income that would be considered gross income under the Federal Internal Revenue Title 26, Subtitle A – Income Taxes, Chapter 1, Subchapter B, Part I, Section 61.
- D. "Low-Income Customer" means a person whose gross income is less than one hundred twenty-five percent of the current poverty level guidelines issued by the U. S. department of health and human services and is a current residential customer of the City of Spokane utilities.

13.09.030 Qualifications

An applicant must qualify as a low-income customer to receive a utility service credit. To qualify as a low-income customer for any purpose under this chapter, an applicant must satisfy each of the following criteria:

- A. Current residential customer of City of Spokane utilities. The credit shall apply only to utility charges for services to a residence.
- B. Income.
The annual gross income of the applicant's household may not exceed one hundred twenty-five percent of the current poverty level guidelines issued by the U. S. department of health and human services.
- C. The applicant must have received a final notice for utility account delinquency.
- D. The applicant is limited to one u-help assistance within a twelve month period not to exceed sixty dollars.

13.09.040 Application for Credit

Applications for utility credit or discount shall be obtained from and filed with the third party program administrator. The applicant must submit with his application, income verification documentation which will be reviewed and evaluated.

13.09.050 Penalty for False Information

The willful provision to the City of false information in an application for utility discount shall forfeit the applicant's eligibility for future credit. Additionally, the applicant shall be required to repay the amount of any utility credit received based upon such false information.

PASSED by the City Council on April 8, 2013.

(Delivered to the Mayor on the 12th day of April 2013.)

Policies and Procedures

SPOKANE CITY COUNCIL

RULES OF PROCEDURE

AS AMENDED BY RESOLUTIONS 2013-0005 and 2013-0018

Resolution 2013-0005 adopted by the Spokane City Council on February 4, 2013, amended the City Council Rules of Procedures, Rule 1.2, as follows:

Rule 1.2 DUTY OF MUTUAL RESPECT

It is the constant duty of each council member to maintain respect for each other, the City staff and the public. Likewise, the Council shall require corresponding respectful behavior from all persons who attend a meeting. Mutual respect between council members and towards staff shall include, but is not limited to, not intentionally disclosing private information about a council member or staff such as personal telephone numbers or home address without the permission of the council member or staff.

Resolution 2013-0018 adopted by the Spokane City Council on March 4, 2013, amended the City Council Rules of Procedures, Rule 7.3, as follows:

Rule 7.3 SUBJECT MATTER

The Council shall not consider or pass any ordinance or resolution the subject matter of which is not directly related to local affairs or municipal business. A subject matter is not directly related to local affairs or municipal business if action by the City Council does not result in the adoption of a new or amendment to an existing ordinance or resolution or affect any city policy or practice.

A complete copy of the City Council Rules of Procedure, as amended, is available for review in the Office of the City Clerk or by visiting the following links:

- <http://www.spokanecity.org/government/citycouncil/> or
- <http://www.spokanecity.org/government/policies/>.

Job Opportunities

The City of Spokane is an Equal Employment Opportunity Employer

CLERK III SPN 003 PROMOTIONAL ONLY EXAMINATION

SALARY: \$34,034 annual salary, payable bi-weekly, to a maximum of \$48,963
DATE OPEN: Monday, April 15, 2013
DATE CLOSED: Applications will be accepted until the close of business on Friday, April 26, 2013.
OFFICE HOURS: 8:00 a.m. to 5:00 p.m. – Monday through Friday, except holidays

DUTIES:

Performs difficult and independent, or supervisory, general clerical work in a variety of offices. Work requires the application of independent judgment based on considerable knowledge of the functions within a section of a department.

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

Completion of at least one year of experience with the City at the Clerk II, or higher clerical classification. Must be able to type accurately at a rate of 250 keystrokes (50 words) per minute.

EXAMINATION:

The examination will be conducted on the 4th floor of City Hall in the Civil Service Test Room on Wednesday, May 8, 2013, at 9:00 a.m. Approximate duration of the test is 2-1/2 hours. The examination will consist of a written test, keyboarding performance test, and a promotional evaluation. Candidates will be notified when to appear for the keyboarding performance test. Weights are assigned as follows: written test 80%, keyboarding performance test pass/fail, and promotional evaluation 20%.

The written test may include such subjects as: Written Communication; Business Math; General Computers & Microsoft Word, Excel, and Outlook; Supervisory & Interpersonal Skills; Reading & Interpreting Written Material.

NOTE: Electronic calculators are recommended for the examination and will be furnished by the City. Candidates are encouraged to familiarize themselves with the calculators prior to the examination.

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:

Because this is a promotional only recruitment, it is not posted on the City's website. **To apply, you 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; 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. Please verify if application is needed under PROMOTIONAL REQUIREMENTS.**

By order of the SPOKANE CIVIL SERVICE COMMISSION, dated at Spokane, Washington, this 9th day of April 2013.

MARY DORAN
Chair

GLENN KIBBEY
Chief Examiner

Notice for Bids

Paving, Sidewalks, Sewer, etc.

**SYCAMORE STREET FROM EVERETT AVENUE TO NEBRASKA AVENUE;
ROWAN AVENUE FROM FREYA STREET TO SYCAMORE STREET; AND
SANSON AVENUE FROM FREYA STREET TO SYCAMORE STREET**

Engineering Services File No. 2012041

This project consists of the construction of approximately 3,390-cubic yards of excavation and embankment, 585-linear feet of 6-inch water main, 19-drainage structures, 1,420-square yards of 4-inch thick concrete sidewalk, 880-square yards of 6-inch thick concrete driveways, 3,340-linear feet of concrete curb and gutter, 7,315-square yards of 4-inch thick hot-mix asphalt (HMA) pavement, sundry utility adjustments, and other related miscellaneous items.

The City of Spokane Purchasing Department, Fourth floor, City Hall, 808 West Spokane Falls Boulevard, Spokane WA 99201-3316, will receive sealed bids **until 1:00 p.m., April 22, 2013** for the above project located in Spokane, Washington, in accordance with the Contract Documents on file in the office of the Director, Engineering Services Department. The bids will be publicly opened and read at 1:15 p.m. in the City Council Chambers.

Copies of the Contract Documents are available at www.cityofspokaneplans.com. The Planholders list is also available at this website. Additional project information including the Engineer's estimated cost range for the project, bid

results (after bid opening), as well as information about other City projects are available by following the appropriate links at the following website: www.spokaneengineering.org/bid-information.

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

Bids shall be submitted on the forms provided in accordance with the provisions of the Specifications. Irregular bid proposals will be rejected in accordance with the specifications.

A certified check or surety bond in the sum of five percent (5%) of the Total Project Bid must accompany the copy of the bid filed with the City Clerk. Successful bidder shall execute the Contract within TEN (10) calendar days after receiving the Contract. Should the successful bidder fail to enter into such contract and furnish satisfactory performance bond within the time stated herein, the bid proposal deposit shall be forfeited to the City of Spokane.

The City of Spokane will normally award this Contract or reject bids within FORTY FIVE (45) calendar days after the time set for the bid opening. If the lowest responsible Bidder and the City of Spokane agree, this deadline may be extended. If they cannot agree on an extension by the 45-calendar day deadline, the City of Spokane reserves the right to Award the Contract to the next lowest responsible Bidder or reject all Bids.

The City has a new policy regarding addenda. Refer to the Notice to Prospective Bidders Regarding Bid Phase Questions.

In accordance with SMC 7.06.500 and RCW 39.04.350(1), the low bidder shall complete the Supplemental Bidder Responsibility Criteria form located in Appendix C. Failure to promptly submit the form including supporting documentation if required may delay award of the Contract.

Note regarding new specifications: The City of Spokane is using WSDOT's 2012 Standard Specifications. Bidders should allow sufficient time to familiarize themselves with the WSDOT 2012 specifications prior to bidding the project.

Publish: April 3, 10 and 17, 2013

FREYA STREET SIDEWALK FROM 18TH AVENUE TO BEN BURR BOULEVARD

Engineering Services File No. 2012130

This project consists of the construction of approximately 310 linear feet of concrete curb, 550 square yards of concrete sidewalk, concrete curb and sidewalk removal, sundry utility adjustments, and other related miscellaneous items.

The City of Spokane Purchasing Department, Fourth floor, City Hall, 808 West Spokane Falls Boulevard, Spokane WA 99201-3316, will receive sealed bids **until 1:00 p.m., April 22, 2013** for the above project located in Spokane, Washington, in accordance with the Contract Documents on file in the office of the Director, Engineering Services Department. The bids will be publicly opened and read at 1:15 p.m. in the City Council Chambers.

Copies of the Contract Documents are available at www.cityofspokaneplans.com. The Planholders list is also available at this website. Additional project information including the Engineer's estimated cost range for the project, bid results (after bid opening), as well as information about other City projects are available by following the appropriate links at the following website: www.spokaneengineering.org/bid-information.

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

Bids shall be submitted on the forms provided in accordance with the provisions of the Specifications. Irregular bid proposals will be rejected in accordance with the specifications.

A certified check or surety bond in the sum of five percent (5%) of the Total Project Bid must accompany the copy of the bid filed with the City Clerk. Successful bidder shall execute the Contract within TEN (10) calendar days after receiving the Contract. Should the successful bidder fail to enter into such contract and furnish satisfactory performance bond within the time stated herein, the bid proposal deposit shall be forfeited to the City of Spokane.

The City of Spokane will normally award this Contract or reject bids within FORTY FIVE (45) calendar days after the time set for the bid opening. If the lowest responsible Bidder and the City of Spokane agree, this deadline may be extended. If they cannot agree on an extension by the 45-calendar day deadline, the City of Spokane reserves the right to Award the Contract to the next lowest responsible Bidder or reject all Bids.

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Publish: April 3, 10 and 17, 2013

Notice for Bids

Supplies, Equipment, Maintenance, etc.

POLICE MOTORCYCLES Fleet Services Department

BID #3935-13

Sealed bids will be opened at 1:15 p.m., **MONDAY, APRIL 22, 2013** in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for **Two (2) Police Motorcycles** for the City of Spokane Fleet Services Department.

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

Bid proposal forms may be submitted to City 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 to:

Purchasing
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: **"POLICE MOTORCYCLES, BID #3935-13 DUE 4/22/13"**.

Thea Prince
Purchasing Division

Publish: April 10 and 17, 2013

FORD POLICE INTERCEPTOR AWD SUV
Fleet Services Department

BID #3936-13

Sealed bids will be opened at 1:15 p.m., **MONDAY, APRIL 22, 2013** in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for **Eighteen (18) Ford Police Interceptor AWD SUV** for the City of Spokane Fleet Services Department.

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

Bid proposal forms may be submitted to City 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 to:

Purchasing
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: **“FORD POLICE INTERCEPTOR AWD SUV, BID #3936-13 DUE 4/22/13”**.

Thea Prince
Purchasing Division

Publish: April 10 and 17, 2013
