



# Official Gazette

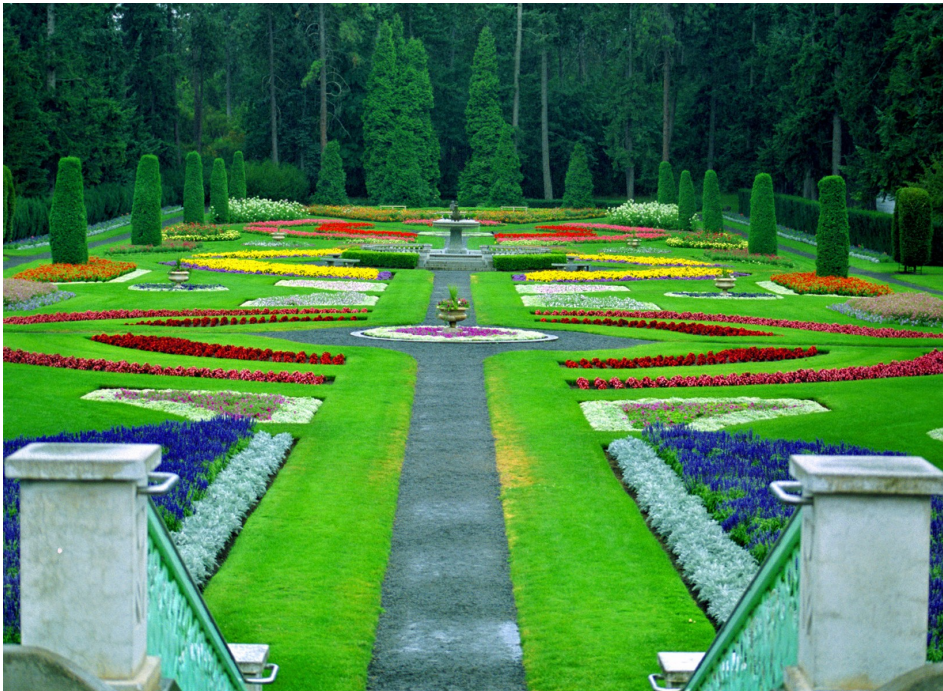
## City of Spokane, Washington

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

Volume 103

MAY 8, 2013

Issue 19



### 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)

### The Official Gazette

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# Minutes

## MINUTES OF SPOKANE CITY COUNCIL

**Monday, April 29, 2013**

### BRIEFING SESSION

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

**Roll Call**

On roll call, Council President Stuckart and Council Members Allen, Fagan, McLaughlin, Salvatori, Snyder and Waldref were present. City Administrator Theresa Sanders, 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 May 6, 2013, Advance Agenda items.

**Action to Approve May 6, 2013, Advance Agenda**

Following staff reports and Council inquiry and discussion regarding the May 6, 2013, Advance Agenda items, the City Council took the following action (pursuant to Council Rule 2.1.2):

**Motion** by Council Member Allen, seconded by Council Member Salvatori, **to approve** the Advance Agenda for Monday, May 6, 2013, **carried unanimously.**

## ADMINISTRATIVE SESSION

**Current Agenda Review**

The City Council considered the April 29, 2013, Current Agenda items.

Letter Inviting NACOLE Conference to Consider Spokane for 2014 Convention (CPR 2013-0016) and Emergency Ordinance C34984 Amending Ordinance C34963 Relating to Adult Businesses

**Motion** by Council Member McLaughlin, seconded by Council Member Allen, to suspend the Council Rules; **carried unanimously.**

**Motion** by Council Member McLaughlin, seconded by Council Member Fagan, to add the NACOLE Conference letter to today's (Consent Agenda); **carried unanimously.**

**Motion** by Council Member Fagan, seconded by Council Member Allen, to add Emergency Ordinance C34984 to tonight's (Legislative) Agenda; **carried unanimously.**

## CONSENT AGENDA

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

Renew Value Blanket Order with Neptune Technologies Group (Tallahassee, AL) for Neptune Water Meters, Registers and parts for the Water & Hydroelectric Services Department—estimated annual expense \$800,000 (including tax). (OPR 2013-0320 / BID 3675-10)

Low bid meeting specifications of Haskins Steel (Spokane, WA) for Miscellaneous Stock Steel for various departments—estimated annual expense \$200,000 (including tax). (OPR 2013-0321 / BID 3927-13)

Low bid of Spokane Rock Products, Inc. (Spokane Valley, WA) for 25th Avenue from Freya Street to 1/2 block east of Rebecca Street—\$235,763.80 (plus tax). An administrative reserve of \$23,576.38 (plus tax), which is 10% of the contract price (plus tax), will be set aside. (PRO 2012-0014 / LID 2011165)

Contract Addendum/Extension with MIG, Inc. (Portland, OR) for consulting services through December 31, 2014 to complete the South Hill Coalition Neighborhood Planning Process—\$87,555. (OPR 2009-0611)

Master Contracts with:

- a. Kiemle & Hagood (Spokane, WA) for On-Call Commercial Brokerage Services—amount not to exceed \$600,000. (OPR 2013-0322 / RFP 3899-12)
- b. Leland Consulting Group (Portland, OR) for Property Portfolio Evaluation, Value Enhancement and Disposition Services—amount not to exceed \$104,020. (OPR 2013-0323)

Interlocal Agreements with:

- a. Spokane County supporting prosecution and the public defense of defendants accepted into the joint City/County Mental Health Court—\$150,350 revenue. (OPR 2013-0324)
- b. Spokane County and Spokane County prosecutor to fund and staff the Relicensing Program for 2013—\$101,000 revenue. (OPR 2013-0325)

Report of the Mayor of pending claims and payments of previously approved obligations, including those of Parks and Library, through April 22, 2013, total \$4,548,663.72, (Warrant Nos. 466655-467101; ACH Payment Nos. 10233-10291), with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$4,469,881.91 (CPR 2012-0002)

Letter inviting the NACOLE Conference to consider Spokane for their convention in 2014. (CPR 2013-0016)

#### **Emergency Ordinance C34984 Amending Ordinance C34963 Relating to Adult Businesses**

Special Counsel Milt Rowland provided an overview of Emergency Ordinance C34984 amending Ordinance C34963 relating to Adult Businesses, and he responded to Council inquires.

#### **Executive Session/Council Recess**

The City Council adjourned at 4:02 p.m. No Executive Session was held. The City Council reconvened at 6:00 p.m. for the Regular Legislative Session, with Council President Stuckart and Council Members Allen, Fagan, McLaughlin, Salvatori, Snyder, and Waldref present. No Executive Session was held.

## **LEGISLATIVE SESSION**

#### **Words of Inspiration**

There were no Words of Inspiration.

#### **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**

May 2, 2013 *Hispanic Latino Graduation Day and Hispanic Latino Young Scholars Day*

Council Member Allen read the proclamation and presented it to Bernadette Pillar. The proclamation urges citizens to recognize the accomplishments of our Hispanic Latino graduates and young scholars.

Month of May 2013 *Older Americans Month*

Council President Snyder read the proclamation and presented it to Maria Hernandez-Peck. The proclamation encourages all citizens to recognize older adults and the people who serve and support them as powerful and vital citizens who continue to greatly contribute to this community.

May 1 – May 18, 2013 *Spokane Lilac Festival Season*

Mayor David A. Condon read the proclamation and presented it to Christine Leva, Spokane Lilac Festival President 2013. The proclamation urges citizens to join the Mayor in celebrating and participating in the events throughout those weeks and joining in the annual tradition in Downtown Spokane for the 75th Diamond Anniversary of the Armed Forces Torch Light Parade. Ms. Leva introduced the 2013 Lilac Festival Royal Court to the City Council: Queen Brett Rountree, Central Valley; Princess Hailey Hyde, Saint George's; Princess Katie Heitkemper, Lewis and Clark; Princess Devyn Russell, Northwest Christian; Princess Emily Staker, Gonzaga Prep; and Princess Michelle Tatko, Ferris. The Royal Court presented each of the Council Members a 2013 Lilac Festival pin.

## **COUNCIL APPOINTMENTS**

**Plan Commission Appointments (CPR 1981-0295) and Spokane Public Library Re-appointment (CPR 1981-0400) Motion** by Council Member Waldref, seconded by Council Member McLaughlin **to approve** (and thereby confirm) the following appointments and re-appointment; **carried unanimously**:

### Plan Commission (CPR 1981-0295):

- Appoint John Deitzman to serve a four-year term to begin immediately and expire on December 31, 2018.
- Appoint Brian McClatchey to serve a four-year term to begin immediately and expire on December 31, 2018.
- Appoint David Burnett to serve a four-year term to begin immediately and expire on December 31, 2018.

### Spokane Public Library (CPR 1981-0400)

- Re-appoint Nathan Smith to serve a five-year term to begin immediately and expire on March 31, 2018.

There were no **City Administration Reports**.

There were no **Council Committee Reports**.

## **OPEN FORUM**

**Mr. Justin Swanson** spoke about issues he feels he has encountered over the past five years.

**Mr. Rick Bocoook** spoke regarding the City's sitting and lying down ordinance. In addition, he commented regarding street music and panhandling. He also spoke regarding a police officer's oath to uphold the constitution.

**Ms. Joan Mootry** spoke regarding the February 28, 2013, minutes of the Spokane Board of Health relating to fluoride, and she provided comments against fluoridation in water.

**Ms. Carol Taylor** commented on a book called "The Fluoride Deceptions" by Christopher Bryson, and she provided comments against fluoridation in water.

**Ms. Mary Murphy** commented on clean and fair elections in the City of Spokane.

**Mr. George McGrath** commented on the country's debt. He stated the City's voters of Spokane need to be sequestered from having their children and grandchildren and great grandchildren put into debt.

**Mr. Gary Pollard** publically acknowledged and gave a heap of thanks to all of the wonderful volunteers that came out Saturday morning for the "Cleaning from the Core" project in preparation for the thousands of visitors that will be coming to visit the City in the coming weeks. He encouraged citizens, when Downtown, if they see litter to pick it up and when they see graffiti to report it.

## **LEGISLATIVE AGENDA**

There were no **Emergency Budget Ordinances**.

**EMERGENCY ORDINANCES****Emergency Ordinance C34980 Relating to Smoking Public Places**

Subsequent to comment by Council Member Allen, as the sponsor, 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 **passed Emergency Ordinance C34980** relating to smoking in public places; adopting a new Chapter 15.04 to Title 15 of the Spokane Municipal Code; repealing SMC Sections 15.03.010, 15.03.020, 15.03.030 and 15.03.040; and declaring an emergency.

**Emergency Budget Ordinance C34984 Amending Ordinance C39463 Relating to Adult Businesses**

Subsequent to an overview of Ordinance C34984 by Council Member Snyder, the opportunity for public testimony, with no individuals requesting to speak, the following action was taken:

**Upon Unanimous Roll Call Vote**, the City Council **passed Emergency Ordinance C34984** amending Ordinance C39463 relating to adult businesses to extend the effectiveness of the interim regulations set forth in said ordinance an additional sixty days; and declaring an emergency.

**RESOLUTIONS****Resolution 2013-0030 Approving Settlement of Claim from Ron Salas**

Subsequent to 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 **adopted Resolution 2013-0030** approving settlement of claim from Ron Salas arising from an incident on or about July 8, 2010 resulting in injuries to claimant—\$90,000.

There were no **Final Reading Ordinances**.

There were no **First Reading Ordinances**.

There were no **Special Considerations**.

There were no **Hearings**.

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 6:44p.m.

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**MINUTES OF SPOKANE CITY COUNCIL**  
**Thursday, May 2, 2013**

A Special Meeting of the Spokane City Council was held on the above date at 3:32 p.m. in the City Council Briefing Center, Lower Level - City Hall, 808 West Spokane Falls Boulevard, Spokane, Washington. Council President Stuckart and Council Members Fagan, McLaughlin and Salvatori were present. Council Member Waldref arrived at 4:32 p.m. Council Member Snyder arrived at 4:37 p.m. Council Member Allen was absent.

The following topics were discussed:

- Solid Waste
- Spokane Public Facilities District (SPFD) Update

The meeting was open to the public but was conducted in a workshop format. No public testimony was taken and discussion was limited to appropriate officials and staff.

The meeting adjourned to Executive Session at 4:35 p.m.

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**PUBLIC WORKS COMMITTEE MINUTES**  
**February 25, 2013**

**Attendance:****Committee Members Present:**

Council Member Steve Salvatori, Committee Chair  
Council Member Mike Fagan  
Council Member Jon Snyder  
Council Member Amber Waldref

**Committee Members Absent:**

Council Member Michael A. Allen  
Council Member Nancy McLaughlin

**Staff Present:**

Rick Romero, Director, Utilities Division  
Rae-Lynn Conger, Legislative Assistant, City Council  
Marcia Davis, Associate Engineer, Capital Programs  
Marlene Feist, Division Communications Manager  
Rich Hanson, Solid Waste Department  
Susan Hardie, Utility Billing  
Lori Kinnear, Legislative Assistant  
Ron Nicodemus, Manager, Utility Billing  
Barbara Patrick, Administrative Secretary, Utilities Division  
Mike Taylor, City Engineer/Contract Manager  
Scott Windsor, Director, Solid Waste Management

**Guest Present:**

Council Member Salvatori called the meeting to order at 1:32 p.m.

Review and Approval of Minutes:

- **Action Taken:**
- Council Member Fagan moved to approve the minutes of the February 11, 2013 meeting as presented; the motion was seconded by Council Member Snyder. The minutes were approved unanimously.

U-Help Donation Matching Ordinance:

Council Member Waldref discussed with the Committee the draft Ordinance for the that would support the Utilities matching donations made to the U-Help fund up to \$50,000. She reviewed the ordinance and will send the draft ordinance by email to the Committee and will file for City Council action. Discussion was had on various definitions such as "customer" and "household." It was agreed that the definition of customer could include households that are outside the city limits so long as they are served by City Utilities. Council Member Waldref will review the ordinance further and will send the changes to the Committee by email.

Susan Hardie left the meeting at 1:40 p.m.

- **Action Taken:**
- None

Air Pollution Modeling Services for Southside Landfill Gas Flaring Operations:

Scott Windsor introduced Rich Hansen, Landfill Engineer for Solid Waste Department. Scott reviewed the information provided in the briefing paper for an addendum to the contract with HDR Engineering, Inc. to provide air pollution modeling. Rich discussed the Southside Landfill located at 65th and Regal that has been closed for 25 years. Discussion was had the use of flaring compared to the use of bioreactor filters. The air pollution modeling would assist in meeting requirements for reducing the monitoring needed at the landfill as it ages.

- **Action Taken:**
- None

Update on Washington State Water Pollution Control Revolving Fund (Revolving Fund):

Marcia Davis gave a brief update and reviewed the application process with the committee on the applications that were submitted to the Washington State Water Pollution Control Revolving Fund for low interest loans for projects. Applications were submitted for seven projects including Garden Springs restoration in Finch Arboretum, Combined Sewer Overflow 34-2, 34-3 and 26, Cochran Basin, integrated planning for the Clean Water Plan, and Cannon Hill Pond retrofit lining. Marcia discussed the projects and the timeline for funding.

- **Action Taken:**
- None

Integrated Clean Water Plan – Standing Update:CSO 26 and Update on Meeting with Ecology and EPA:

Rick Romero gave a brief update to the Committee on work being done to determine the location of Combined Sewer Overflow 26. He discussed the options of using Glover Field and Mike Taylor discussed the evaluation of the potential locations. Council Member Snyder discussed the meetings with the Neighborhood, Community Center and WSU students to address the space that without improvements may become an attraction for nuisance once the community center relocates.

Rick gave a brief update to the Committee on the meeting staff had with local Ecology and Environmental Protection Agency staff the week of February 11, 2013.

- **Action Taken:**
- None

Other Updates/Reports:

None

- **Action Taken:**
- None

Executive Session:

None

**Adjournment**

The meeting adjourned at 2:10 p.m.

Prepared by:

Barbara Patrick, Administrative Secretary

(Attachments are on file for review in the Office of the City Clerk.)

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**PUBLIC WORKS COMMITTEE MINUTES**  
**March 11, 2013**

**Attendance:****Committee Members Present:**

Council Member Mike Fagan, Acting Committee Chair  
Council Member Jon Snyder  
Council Member Amber Waldref

**Committee Members Absent:**

Council Member Steve Salvatori  
Council Member Michael A. Allen  
Council Member Nancy McLaughlin

**Staff Present:**

Rick Romero, Director, Utilities Division  
Lloyd Brewer, Manager, Environmental Programs  
Marcia Davis, Associate Engineer, Capital Programs  
Marlene Feist, Division Communications Manager  
Lori Kinnear, Legislative Assistant  
Gene Jakubczak, Director, Fleet Services  
Mark Papich, Associate Engineer, Capital Programs  
Barbara Patrick, Administrative Secretary, Utilities Division  
Tim Pelton, Superintendent, RPWRF  
Chris Peterschmidt, Principal Engineer, Water Department  
Blaine Stum, Legislative Assistant  
Mike Taylor, City Engineer/Contract Manager  
Scott Windsor, Director, Solid Waste Management

**Guest Present:**

Council Member Fagan, as acting Committee Chair called the meeting to order at 1:32 p.m.

Review and Approval of Minutes:

The approval of minutes of the February 25, 2013 meeting was postponed to the next Committee meeting due to lack of a quorum.

- **Action Taken:**
- None

Council Member Snyder joined the meeting at 1:35 p.m.

Purchase of Perkins Trunnion Locking Systems for Solid Waste Management:

Gene Jakubczak presented the request to recommend approval for the purchase of 23 Perkins Trunnion Locking Systems for Solid Waste Management. Gene reviewed the information provided in the briefing paper and Scott Windsor gave a PowerPoint overview of the Trunnion Locking System function.

- **Action Taken:**
- None

Purchase of Aluminum Sulfate for Riverside Park Water Reclamation Facility:

Tim Pelton presented the request to recommend approval for the purchase of Aluminum Sulfate for the Riverside Park Water Reclamation Facility (RPWRF). Tim reviewed the information provided in the briefing paper and discussed the use of the product. The bid price is a savings of \$9 per ton from last year.

- **Action Taken:**
- None

Purchase of Pumps for Lincoln Heights Project:

Chris Peterschmidt presented the request to recommend approval for the purchase of three pumps with motors and six barrels from Specialty Pump Services, Inc. Chris reviewed the information provided in the briefing paper and

- **Action Taken:**
- None

Washington State Public Works Board Loan Agreement for Plains System Second Reservoir:

Mark Papich presented the loan agreement with Washington State Public Works Board for the Plains System Second Reservoir. Mark reviewed the terms of the loan and the information provided in the briefing paper. Chris Peterschmidt discussed the area of the Plains System and the function of the reservoir. The loan could be used to design the location and/or property purchase. Discussion was had on the maintenance schedules and the economic growth in the area.

- **Action Taken:**
- None



Water Use Efficiency:

Lloyd Brewer discussed with the Committee the 2012 water Distribution System Loss (DSL) calculation and the new water conservation goals for the Water Use Efficiency Program. Lloyd reviewed the information provided in the briefing paper and the report on proposed new water conservation goals that was included in the briefing packet. Lloyd led a discussion on the goals that need to be determined for the indoor and outdoor water use. The suggestion is to consider replacing the original goals with two summer outdoor goals that are measurable and cost efficient to achieve. Discussion was had on the projects for outdoor water usage conservation and the implementation of source metering to improve accuracy for leak detection.

- **Action Taken:**
- None

Integrated Clean Water Plan – Standing Update:

Rick Romero gave a brief update to the Committee on the meeting that was had with EPA on the Integrated Clean Water Plan and the positive feedback that was received. The Council Study Session on March 21, 2013 will focus on the Integrated Clean Water Plan.

- **Action Taken:**
- None

Other Updates/Reports:

Rick Romero updated the Committee on the Request for Proposals/Qualifications for the Nelson Service Center Design-Build. The bids will be evaluated next week.

- **Action Taken:**
- None

Executive Session:

None

**Adjournment**

The meeting adjourned at 2:10 p.m.

Prepared by:

Barbara Patrick, Administrative Secretary

(Attachments are on file for review in the Office of the City Clerk.)

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**PUBLIC WORKS COMMITTEE MINUTES**  
**March 25, 2013**

**Attendance:****Committee Members Present:**

Council Member Steve Salvatori, Committee Chair  
Council Member Michael A. Allen  
Council Member Nancy McLaughlin  
Council Member Jon Snyder  
Council Member Amber Waldref

**Committee Members Absent:**

Council Member Mike Fagan

**Staff Present:**

Rick Romero, Director, Utilities Division  
Rae-Lynn Barden, Legislative Assistant, City Council

Lloyd Brewer, Manager, Environmental Programs  
Marcia Davis, Associate Engineer, Capital Programs  
Marlene Feist, Division Communications Manager  
Ken Gimpel, Business Director, Spokane Regional Solid Waste System  
Doug Greenlund, Environmental Analyst, Environmental Programs  
Susan King, Legislative Assistant  
Lori Kinnear, Legislative Assistant  
Russ Menke, Facilities Director, Spokane Regional Solid Waste System  
Katherine Miller, Principal Engineer, Capital Programs  
Barbara Patrick, Administrative Secretary, Utilities Division  
Chris Peterschmidt, Principal Engineer, Water Department  
Stacy Shewell, Facilities Manager  
Elizabeth Schoedel, Assistant City Attorney  
Scott Windsor, Director, Solid Waste Management

**Guest Present:**

Paige Browning, Spokane Public Radio  
Tom Reese, Lydig Construction, Inc.  
Buster Heitman, Spokane Golf Club  
William Morkill, Spokane Golf Club  
Gary Brajcich, Spokane Golf Club

Council Member Salvatori called the meeting to order at 1:32 p.m.

Review and Approval of Minutes:

- **Action Taken:**
- Council Member Waldref moved to approve the minutes of the February 25, 2013 and March 11, 2013 meetings as presented; the motion was seconded by Council Member Allen. The minutes were approved unanimously.

Council Member McLaughlin joined the meeting at 1:42 p.m.

Washington State Water Pollution Control Revolving Fund Loan Agreement for Combined Sewer Overflow Basin 20 Control Facility Project:

Marcia Davis presented the loan agreement with Washington State Water Pollution Control Revolving Fund for the Combined Sewer Overflow (CSO) Basin 20 Control Facility Project. Marcia reviewed the terms that were included in the briefing paper. Discussion was had on the location and the potential use of the property.

- **Action Taken:**
- None

Water Service Extension for Proposed Golf Course Project (Buster Heitman):

Rick Romero gave a brief background on the water service area.

Buster Heitman, William Morkill and Gary Brajcich joined the meeting at 1:50 p.m.

William Morkill distributed a proposal overview to the Committee and Buster Heitman spoke about the location of the proposed golf course. He is asking the City of Spokane to consider leasing the appropriate water rights to the well located on the property. The property is located outside the City limits and outside the Urban Growth Area and inside the City's service area. Mr. Heitman reviewed the proposal and the other options besides the water rights lease as extending water service to the boundary of the property. The group is continuing to work with the City of Spokane and Department of Ecology for solving the issue of locating water to this property. The water main could be extended at the expense of the owner. The Committee discussed with the group the proposal for leasing the well and other aspects of their project.

- **Action Taken:**
- None

Buster Heitman, William Morkill and Gary Brajcich left the meeting at 2:20 p.m.

Other Updates/Reports:

Stacy Shewell gave a brief update on the Request for Proposal and Qualifications for the Nelson Service Center Design-Build Consultants. The three proposing firms were interviewed and the next steps will be negotiating a contract and scope of work.

- **Action Taken:**
- None

Stacy Shewell left the meeting at 2:25 p.m.

Wellhead Protection Program:

Lloyd Brewer reviewed the draft Wellhead Protection Program information provided in the briefing paper and discussed the history and the recent work done with the Spokane Aquifer Joint Board. The Committee discussed the program's impact on development and stormwater control the areas around the proposed wellhead protection areas.

- **Action Taken:**
- None

Water Quality Report:

Lloyd Brewer reviewed the Water Quality Report included in the briefing papers. Discussion was had on the Distribution System Loss calculations and the work being done to identify and reduce water system loss.

- **Action Taken:**
- None

Discussion on Community Gardens:

Council Member Waldref led a discussion on the two Community Gardens that are located at two Water Department wellheads. Council Member Waldref has drafted letter to Department of Health to ask for clarification on the interpretation of the regulations. Mark Cleveland discussed the Sanitary Survey that is done by the Department of Health every five years. After discussion, it was decided that Council Member Waldref will draft the letter and speak to the members before the next meeting.

- **Action Taken:**
- None

Page Browning left the meeting at 2:55 p.m.

Update on Regional Solid Waste System:

Ken Gimpel reviewed the briefing paper provided to outline the options being explored for the Regional Solid Waste System after expiration of the regional agreements. Discussion was had on the transfer stations and Waste to Energy Facility.

- **Action Taken:**
- None

Integrated Clean Water Plan – Standing Update:

None

- **Action Taken:**
- None

Executive Session:

None

**Adjournment**

The meeting adjourned at 3:10 p.m.

Prepared by:

Barbara Patrick, Administrative Secretary

(Attachments are on file for review in the Office of the City Clerk.)

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**PUBLIC WORKS COMMITTEE MINUTES**  
**April 8, 2013**

**Attendance:****Committee Members Present:**

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

**Committee Members Absent:****Staff Present:**

Rick Romero, Director, Utilities Division  
Rae-Lynn Barden, Legislative Assistant, City Council  
Lloyd Brewer, Manager, Environmental Programs  
Marlene Feist, Division Communications Manager  
Ken Gimpel, Business Director, Spokane Regional Solid Waste System  
Dan Kegley, Acting Water Operations Director  
Barbara Patrick, Administrative Secretary, Utilities Division  
Stacy Shewell, Facilities Manager  
Elizabeth Schoedel, Assistant City Attorney  
Scott Windsor, Director, Solid Waste Management

**Guest Present:**

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

**Review and Approval of Minutes:**

Council Member Salvatori asked for a motion to approve the minutes of the March 25, 2013 meeting.

➤ **Action Taken:**

- Council Member McLaughlin moved to approve the minutes of the March 25, 2013 meeting as presented; the motion was seconded by Council Member Waldref.

Council Member Snyder requested to defer the minutes until the next meeting in order to have more time in reviewing. The Committee agreed they would like to see the minutes earlier prior to the meeting.

➤ **Action Taken:**

- Council Member Snyder moved to requested that minutes be amended to be more detailed regarding the comments made by Mark Cleveland during the topic of Community Gardens; the motion was seconded by Council Member Waldref.

The committee continued the discussion on the two community gardens located at water department wellhead areas.

Council Member Salvatori restated the motion made by Council Member Snyder and seconded by Council Member Waldref to amend the minutes to include more detail about the community gardens discussion. Council Member Allen suggested that the approval of the minutes be delayed until the changes can be reviewed.

Council Member McLaughlin was concerned that if the conversation was interpreted it could make an assumption of previous administration support. Continued discussion was had on the community garden discussion that was had at the March 25th meeting.

Council Member Salvatori called for a vote to Council Member Snyder's motion.

➤ **Action Taken:**

- Council Member Snyder restated the motion to move to amend the minutes to have more comprehensive details on Mark Cleveland's comments regarding the community garden discussion and to defer approving until the amended minutes can be reviewed; the motion was seconded by Council Member Waldref. The motion failed by a 3-3 vote, with Council Member Snyder, Council Member Waldref and Council Member Fagan voting for the motion and Council Member Allen, Council Member McLaughlin and Council Member Salvatori voting against the motion.

Council Member Salvatori called for a vote of the first motion to approve the minutes as presented.

➤ **Action Taken:**

- Council Member McLaughlin restated her motion to approve the minutes of the March 25, 2013 meeting as presented; the motion was previously seconded by Council Member Waldref. The motion passed by a vote of 4-2, with Council Member McLaughlin, Council Member Salvatori, Council Member Allen, and Council Member Fagan voting for the motion and Council Member Snyder and Council Member Waldref voting against the motion.

Council Member Salvatori suggested having the community gardens portion of the meeting transcribed.

Sustainability Plan:

Council Member Allen gave a brief history of the Sustainability Plan. He is requesting an update on how the plan is being used presently, what has been done well, and what has not and how it affects the City going forward. The proposed changes before the City Council will add a measure of fiscal accountability. Rick Romero discussed the ways that the Utilities Division uses the Sustainability Plan as guiding principles for decision making. The Utilities Division is moving forward on several items that fit the intent of the Sustainability plan and moreover are being done because they have a very good business argument. Rick discussed the Nelson Service Center and the plan to use Compressed Natural Gas in the Solid Waste vehicles, the Single-Stream Recycling Program, and replacing the pumps in water pump stations.

Council Member Snyder discussed his concerns with the proposed additions to the Sustainability Plan may add red-tape and additional studies to the process. Discussion was had on the decision processes and feasibility analysis that are done on projects and plans for the City.

Council Member McLaughlin suggested that the conversation continue at City Council meeting where this item is before them for action. Council Member Waldref asked what the administration's position is on implementing the Sustainability Plan. Rick replied that it is important to continue to measure and report on our progress regarding greenhouse gas reduction and Lloyd Brewer has reports that allow us to gather that information.

➤ **Action Taken:**

- None

Contract for Nelson Service Center Design-Build Consulting Services:

Stacy Shewell gave a brief overview of the proposed contract with OAC Services, Inc. for consultant services to Design-Build of the Nelson Service Center. The consultant will be required, among other items in their scope of work, to present the project to the State of Washington Project Review Committee for the Design-Build permitting. Stacy answered questions from the committee on the other items included in the scope of work, as well as the design-build process, and projected savings for the conversion of the Solid Waste Vehicles to Compressed Natural Gas.

➤ **Action Taken:**

- None

Stacy Shewell left the meeting at 2:13 p.m.

Water Meters, Registers and Parts Value Blanket Renewal:

Dan Kegley presented the request to approve the Value Blanket renewal with Neptune Technologies Group. He gave an overview of the information provided in the briefing paper. Some of the meters scheduled to be replaced are over 30 years old. Council Member Salvatori asked if replacing aging meters would reduce the Water Distribution System Loss and what is the remote read capability of these meters. Dan replied that the new meters will use radio remote read capability.

➤ **Action Taken:**

- None

Miscellaneous Stock Steel Value Blanket:

Dan Kegley presented the request to approve the Value Blanket with Haskins Steel, Inc for miscellaneous stock steel for various departments in the City of Spokane. Haskins Steel, Inc was the only bidder and has been providing the products for many years to the City. Council Member McLaughlin asked why this company was the only bidder. Dan will look into whether there are other similar companies in the region however, he said it may be that they are local and have the flexibility to meet the large needs of the City.

➤ **Action Taken:**

- None

Contract for Air Testing Services for the Waste to Energy Facility:

Ken Gimpel presented the proposed contract for air testing services at the Waste to Energy Facility. These are the annual stack testing required for clean air permit. Ken reviewed the information provided in the briefing paper and the Regional Solid Waste System has been using DEECO, Inc. since 2000. The Request for Proposals received three responsive bidders, however, the two other bidders costs were much higher than DEECO, Inc. Council Member Salvatori asked what happens to the administrative reserve that is outlined in this contract. Ken will research and return to the Committee.

- **Action Taken:**
- None

Contract for Yard Waste/Food Waste Composting:

Scott Windsor presented the proposed contract with Barr-Tech, LLC. for the transport, processing and composting of residential yard waste/food waste collected by the Solid Waste Department. The Request for Proposals was sent to 18 companies, with one response, from Barr-Tech, LLC. Scott reviewed the information provided in the briefing paper. Council Member Snyder requested the previous contract information to be able to compare with this new contract. Scott will send a copy of the contracts to the Committee. Council Member Salvatori said that the winning proposal to the Business Plan Competition at the New Economies Summit last week was a proposal to use worms to compost yard and food waste. He inquired if the Department would have any ability to contribute waste as a pilot project. Scott said the contract is for the next two years and it may not include a flow control clause.

- **Action Taken:**
- None

Integrated Clean Water Plan – Standing Update:

Rick Romero updated the Committee on the Annual River Forum held March 26th and 27th. The forum was well attended with over 200 participants. The Mayor was the luncheon keynote speaker and several City staff members were able to give presentations during sessions to which they received positive feedback.

- **Action Taken:**
- None

Executive Session:

Council Member Salvatori called an executive session to discuss potential litigation as a result of water service extension. The executive session was called to order at 2:30 p.m.

Council Member Salvatori reconvened the regular meeting at 3:01 p.m.

**Adjournment**

The meeting adjourned at 3:01 p.m.

Prepared by:

Barbara Patrick, Administrative Secretary

(Attachments are on file for review in the Office of the City Clerk.)

# Hearing Notices

## ASSESSMENT ROLL HEARING NOTICE LID NO. 2010134

Local Improvement District No. 2010134 for the street improvements of Oak Street from Inland Empire Way to 28th Avenue.

The Assessment Roll for the above Local Improvement District, prepared under City of Spokane Ordinance No. C34701 enacted March 11, 2011, was filed with the Spokane City Clerk April 24, 2013, and is now open for public inspection.

The Spokane City Council has fixed **Tuesday, June 04, 2013, at 1:30 p.m.**, in the Second Floor Conference Room of the Municipal Building, 808 West Spokane Falls Boulevard, Spokane, Washington, as the time and place for the Hearing to be held before the City Hearing Examiner upon said roll.

All persons who may desire to object thereto shall make such objection in writing and file the same with the City Engineer at or prior to the date fixed for such Hearing. Only persons who have submitted written objections will be permitted to testify at the Hearing.

At the time and place fixed, and at such other times as the Hearing may be continued to, the City Hearing Examiner will sit as a Board of Equalization for the purpose of considering said roll, and at such Hearing, or Hearings, will consider such objections made thereto, or any part thereof, and will correct, revise, raise, lower, change, or modify such roll, or any part thereof, or set aside such roll and order that such assessment be made de novo.

This will be the only Hearing held on the assessment roll and will be final unless appealed to the Spokane City Council. Failure to submit written objections to the Hearing Examiner will be deemed a waiver of the right to appeal. All appeals must comply with Section 7.05.540 of the Spokane Municipal Code.

Specific information regarding this assessment roll may be obtained by contacting the Engineering Services Department, Third Floor, Municipal Building, 808 West Spokane Falls Boulevard, Spokane, Washington 99201—telephone number (509) 625-6700.

Terri L. Pfister  
Spokane City Clerk

**AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION:** The City of Spokane is committed to providing equal access to its facilities, programs and services for persons with disabilities. Individuals requesting reasonable accommodations or further information may call, write, or email. Individuals requesting reasonable accommodations or further information may call, write, or email Gita George-Hatcher at (509) 625-7083, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or [ggeorge-hatcher@spokanecity.org](mailto:ggeorge-hatcher@spokanecity.org). Persons who are deaf or hard of hearing may contact Ms. George-Hatcher at (509) 625-7083 through the Washington Relay Service at 7-1-1. Please contact us forty-eight (48) hours before the meeting date.

Publish: May 8 and 15, 2013

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**ASSESSMENT ROLL HEARING NOTICE**  
**LID NO. 2010135**

Local Improvement District No. 2010135 for the paving of the alley between Marshall Avenue and South Crescent Avenue from Lacey Street to Nelson Street.

The Assessment Roll for the above Local Improvement District, prepared under City of Spokane Ordinance No. C34764 enacted August 29, 2011, was filed with the Spokane City Clerk April 24, 2013, and is now open for public inspection.

The Spokane City Council has fixed **Tuesday, June 04, 2013, at 2:30 p.m.**, in the Second Floor Conference Room of the Municipal Building, 808 West Spokane Falls Boulevard, Spokane, Washington, as the time and place for the Hearing to be held before the City Hearing Examiner upon said roll.

All persons who may desire to object thereto shall make such objection in writing and file the same with the City Engineer at or prior to the date fixed for such Hearing. Only persons who have submitted written objections will be permitted to testify at the Hearing.

At the time and place fixed, and at such other times as the Hearing may be continued to, the City Hearing Examiner will sit as a Board of Equalization for the purpose of considering said roll, and at such Hearing, or Hearings, will consider such objections made thereto, or any part thereof, and will correct, revise, raise, lower, change, or modify such roll, or any part thereof, or set aside such roll and order that such assessment be made de novo.

This will be the only Hearing held on the assessment roll and will be final unless appealed to the Spokane City Council. Failure to submit written objections to the Hearing Examiner will be deemed a waiver of the right to appeal. All appeals must comply with Section 7.05.540 of the Spokane Municipal Code.

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Publish: May 8 and 15, 2013

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**ASSESSMENT ROLL HEARING NOTICE**  
**LID NO. 2011082**

Local Improvement District No. 2011082 for the street improvements of 15th Avenue from Chestnut Street to Inland Empire Way; 14th Avenue from Chestnut Street to Inland Empire Way.

The Assessment Roll for the above Local Improvement District, prepared under City of Spokane Ordinance No. 34746 enacted July 11, 2012, was filed with the Spokane City Clerk April 24, 2013, and is now open for public inspection.

The Spokane City Council has fixed **Tuesday, June 04, 2013, at 3:30 p.m.**, in the Second Floor Conference Room of the Municipal Building, 808 West Spokane Falls Boulevard, Spokane, Washington, as the time and place for the Hearing to be held before the City Hearing Examiner upon said roll.

All persons who may desire to object thereto shall make such objection in writing and file the same with the City Engineer at or prior to the date fixed for such Hearing. Only persons who have submitted written objections will be permitted to testify at the Hearing.

At the time and place fixed, and at such other times as the Hearing may be continued to, the City Hearing Examiner will sit as a Board of Equalization for the purpose of considering said roll, and at such Hearing, or Hearings, will consider such objections made thereto, or any part thereof, and will correct, revise, raise, lower, change, or modify such roll, or any part thereof, or set aside such roll and order that such assessment be made de novo.

This will be the only Hearing held on the assessment roll and will be final unless appealed to the Spokane City Council. Failure to submit written objections to the Hearing Examiner will be deemed a waiver of the right to appeal. All appeals must comply with Section 7.05.540 of the Spokane Municipal Code.

Specific information regarding this assessment roll may be obtained by contacting the Engineering Services Department, Third Floor, Municipal Building, 808 West Spokane Falls Boulevard, Spokane, Washington 99201—telephone number (509) 625-6700.

Terri L. Pfister  
Spokane City Clerk

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Publish: May 8 and 15, 2013

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# 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. C34980

An ordinance relating to smoking in public places; adopting a new chapter 15.04 to title 15 of the Spokane Municipal Code repealing SMC sections 15.03.010, 15.03.020, 15.03.030 and 15.03.040 and declaring an emergency.

WHEREAS, in November of 2005, the voters of the State of Washington approved Initiative Measure No. 901 regarding smoking in public places, which the State Legislature has codified as chapter 70.160 RCW; and

WHEREAS, chapter 70.160 RCW provides in part a prohibition on smoking in public places and places of employment and establishes certain duties upon owners or persons in control of public places and places of employment as set forth in state law; and

WHEREAS, it is necessary for the City to adopt this ordinance in order to authorize the City's law enforcement officers to enforce the provisions of chapter 70.160 RCW pertaining to individuals violating the prohibition on smoking in public places and places of employment; and

WHEREAS, there is currently no local law enforcement agency authorized to enforce within the City those provisions of chapter 70.160 RCW pertaining to individuals violating the prohibition on smoking in public places and places of employment; and

WHEREAS, it is necessary to enact this ordinance as an emergency ordinance in order to enable local law enforcement officers to immediately upon passage of the ordinance enforce the provisions of chapter 70.160 RCW pertaining to individuals violating the prohibition on smoking in public places and places of employment; - - Now, Therefore,

The City of Spokane does ordain:

Section 1. That there is adopted a new chapter 15.04 to title 15 of the Spokane Municipal Code to read as follows:

### CHAPTER 15.04 SMOKING IN PUBLIC PLACES

#### Sections:

- 15.04.010 Purpose
- 15.04.020 Definitions
- 15.04.030 Violations
- 15.04.040 Owners, Lessees to Post Signs Prohibiting Smoking
- 15.04.050 Intent of Chapter as Applied to Certain Private Workplaces
- 15.04.060 Intentional Violation of Chapter—Removing, Defacing or Destroying Required Sign—Fine—Notice of Infraction—Exceptions
- 15.04.070 Smoking Prohibited Within Twenty-five Feet of Public Places or Places of Employment—Application to Modify Presumptively Reasonable Minimum Distance
- 15.04.080 Regulations Authorized
- 15.04.090 Fines Payable to the City

#### **15.04.010 Purpose**

- A. The Washington state legislature, pursuant to initiative measure No. 901 passed by the voters of the state on November 8, 2005, codified chapter 70.160 RCW regarding smoking in public places. The legislature expressed the intent of chapter 70.160 RCW by stating in RCW 70.160.011 that:

"The people of the state of Washington recognize that exposure to secondhand smoke is known to cause cancer in humans. Secondhand smoke is a known cause of other diseases including pneumonia, asthma, bronchitis, and heart disease. Citizens are often exposed to secondhand smoke in the workplace, and are likely to develop chronic, potentially fatal diseases as a result of such exposure. In order to protect the health and welfare of all citizens, including workers in their places of employment, it is necessary to prohibit smoking in public places and workplaces."

- B. The city council incorporate the state legislature's intent as expressed in RCW 70.160.011 and adopts this chapter in order to authorize the local enforcement of the state provisions regulating smoking in public places.

#### **15.04.020 Definitions**

As used in this chapter, the following terms have the meanings indicated unless the context clearly indicates otherwise.

- A. "Place of employment" means any area under the control of a public or private employer which employees are required to pass through during the course of employment, including, but not limited to: Entrances and exits to the places of employment, and including a presumptively reasonable minimum distance, as set forth in SMC 15.04.070, of twenty-five feet from entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited; work areas; restrooms; conference and classrooms; break rooms and cafeterias; and other common areas. A private residence or home-based business, unless used to provide licensed child care, foster care, adult care, or other similar social service care on the premises, is not a place of employment.
- B. "Public place" means that portion of any building or vehicle used by and open to the public, regardless of whether the building or vehicle is owned in whole or in part by private persons or entities, the state of Washington, or other public entity, and regardless of whether a fee is charged for admission, and includes a presumptively reasonable minimum distance, as set forth in SMC 15.04.070, of twenty-five feet from entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited. A public place does not include a private residence unless the private residence is used to provide licensed child care, foster care, adult care, or other similar social service care on the premises. Public places include, but are not limited to: schools, elevators, public conveyances or transportation facilities, museums, concert halls, theaters, auditoriums, exhibition halls, indoor sports arenas, hospitals, nursing homes, health care facilities or clinics, enclosed shopping centers, retail stores, retail service establishments, financial institutions, educational facilities, ticket areas, public hearing facilities, state legislative chambers and immediately adjacent hallways, public restrooms, libraries, restaurants, waiting areas, lobbies, bars, taverns, bowling alleys, skating rinks, casinos, reception areas, and no less than seventy-five percent of the sleeping quarters within a hotel or motel that are rented to guests. A public place does not include a private residence. This chapter is not intended to restrict smoking in private facilities which are occasionally open to the public except upon the occasions when the facility is open to the public.
- C. "Smoke" or "smoking" means the carrying or smoking of any kind of lighted pipe, cigar, cigarette, or any other lighted smoking equipment including, but not limited to electronic cigarettes, hookahs or other similar devices.

#### **15.04.030 Violations**

- A. No person may smoke in a public place or in any place of employment.
- B. No person may remove, deface, or destroy a sign required by this chapter under SMC 15.04.040.

#### **15.04.040 Owners, Lessees to Post Signs Prohibiting Smoking**

Owners, or in the case of a leased or rented space the lessee or other person in charge, of a place regulated under this chapter shall prohibit smoking in public places and places of employment and shall post signs prohibiting smoking as appropriate under this chapter. Signs shall be posted conspicuously at each building entrance. In the case of retail stores and retail service establishments, signs shall be posted conspicuously at each entrance and in prominent locations throughout the place.

#### **15.04.050 Intent of Chapter as Applied to Certain Private Workplaces**

This chapter is not intended to regulate smoking in a private enclosed workplace, within a public place, even though such workplace may be visited by nonsmokers, excepting places in which smoking is prohibited by the chief of the Washington state patrol, through the director of fire protection, or by other law, ordinance, or regulation.

**15.04.060 Intentional Violation of Chapter—Removing, Defacing or Destroying Required Sign—Fine—Notice of Infraction—Exceptions**

- A. Any person intentionally violating this chapter by smoking in a public place or place of employment, or any person removing, defacing, or destroying a sign required by this chapter, is subject to a class three civil infraction.
- B. Any person passing by or through a public place while on a public sidewalk or public right-of-way has not intentionally violated this chapter.
- C. Local law enforcement agencies shall enforce this section by issuing a notice of infraction to be assessed in the same manner as traffic infractions. The provisions contained in chapter 46.63 RCW for the disposition of traffic infractions apply to the disposition of infractions for violation of this subsection except as follows:
  - 1. The provisions in chapter 46.63 RCW relating to the provision of records to the department of licensing in accordance with RCW 46.20.270 are not applicable to this chapter; and
  - 2. The provisions in chapter 46.63 RCW relating to the imposition of sanctions against a person's driver's license or vehicle license are not applicable to this chapter.
  - 3. The form for the notice of infraction for a violation of this subsection shall be prescribed by rule of the Supreme Court.
- D. When violations of SMC 15.04.040 occur, a warning shall first be given to the owner or other person in charge. Any subsequent violation is subject to a class three civil infraction by a law enforcement officer. Each day upon which a violation occurs or is permitted to continue constitutes a separate violation.
- E. In addition to any civil infraction issued under SMC 15.04.060(D), the Spokane Regional Health District, as provided in RCW 70.160.070, may enforce SMC 15.04.040 regarding the duties of owners or persons in control of public places and places of employment by either of the following actions:
  - 1. Serving notice requiring the correction of any violation; or
  - 2. Calling upon the city attorney or the Spokane county prosecutor or the Spokane Regional Health District attorney to maintain an action for an injunction to enforce SMC 15.04.040 to correct a violation and to assess and recover a civil penalty for the violation. Attorney fees shall be awarded to the City, County or Health District for the cost associated with maintaining an action for an injunction.

**15.04.070 Smoking Prohibited Within Twenty-five Feet of Public Places or Places of Employment—Application to Modify Presumptively Reasonable Minimum Distance**

Smoking is prohibited within a presumptively reasonable minimum distance of twenty-five feet from entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited so as to ensure that tobacco smoke does not enter the area through entrances, exits, open windows, or other means. Owners, operators, managers, employers, or other persons who own or control a public place or place of employment may seek to rebut the presumption that twenty-five feet is a reasonable minimum distance by making application to the director of the Spokane Regional Health District. The presumption will be rebutted if the applicant can show by clear and convincing evidence that, given the unique circumstances presented by the location of entrances, exits, windows that open, ventilation intakes, or other factors, smoke will not infiltrate or reach the entrances, exits, open windows, or ventilation intakes or enter into such public place or place of employment and, therefore, the public health and safety will be adequately protected by a lesser distance. A variance issued by the Spokane Regional Health District shall be recognized by the City for purposes of the City's enforcement of applicable provisions of chapter 60.170 RCW.

**15.04.080 Regulations Authorized**

The Spokane fire department may adopt regulations as required to implement this chapter.

**15.04.090 Fines Payable to City**

Any penalty assessed and recovered in an action brought under this chapter shall be paid into the city general fund.

Section 2. That SMC section 15.03.010 is repealed.

Section 3. That SMC section 15.03.020 is repealed.

Section 4. That SMC section 15.03.030 is repealed.

Section 5. That SMC section 15.03.040 is repealed.

Section 6. Emergency Ordinance. This ordinance, passed by a majority plus one of the whole membership of the City Council as a public emergency ordinance necessary for the protection of the public peace, health and safety and for the immediate support of city government and its existing institutions, shall be effective immediately upon its passage.

**PASSED by the City Council on April 29, 2013.**

(Delivered to the Mayor on the 2nd of May 2013.)

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#### ORDINANCE NO. C34984

AN ORDINANCE amending Ordinance C34963 relating to adult businesses to extend the effectiveness of the interim regulations set forth in said ordinance an additional 60 days; and declaring an emergency.

WHEREAS, on March 4, 2013 the City Council adopted Ordinance C34963 establishing interim regulations applicable to adult businesses in the City of Spokane; and

WHEREAS, Section 9 of the Ordinance indicates that the interim regulations shall be in effect for sixty days but recognizes that an extension may be needed to facilitate a hearing with the Spokane Plan Commission; and

WHEREAS, due to Plan Commission workloads and availability of Plan Commission members, a Plan Commission hearing could not held until April 24, 2013; and

WHEREAS, at the April 24 public Plan Commission hearing, the Spokane Plan Commission unanimously recommended that the City Council adopt Ordinance C34963 as a permanent ordinance; and

WHEREAS, the Section 9 of the ordinance and the City's municipal code contemplate a final hearing with the City Council prior to adoption of the ordinance on a permanent basis and requires notice that cannot be accomplished within the sixty day time limit provided in Section 9 of the ordinance; and

WHEREAS, it is necessary to extend the interim regulations to allow sufficient time to provide notice of final adoption of the ordinance; and

WHEREAS, in the absence of an extension of the land use regulations contained in Ordinance C34963, the City will be without zoning regulation of the secondary effects of adult businesses operating within City limits until the final hearing can be held; and

WHEREAS, the City Council adopts the preambles and findings of Ordinance C34963 in support of this ordinance; and

WHEREAS, the City Council finds that the extension of the interim regulations imposed by this ordinance is necessary for the protection of the public peace, health, and safety, and for the immediate support of city government and its existing public institutions; -- Now, Therefore,

The City of Spokane does ordain:

Section 1. That Section 9 of Ordinance C34963 is amended to read as follows:

**Section 9. Time Period of Interim Regulation of Adult Business Ordinance; Amortization Period Runs from Date Hereof.**

- A. The interim regulation imposed by this ordinance shall be for a period not to exceed ((sixty)) one hundred twenty days so as to allow enough time to adequately address the issues described herein.
- B. Pursuant to RCW 36.70A.390, the plan commission shall conduct a public hearing on the interim regulation within sixty days of the adoption of this ordinance. The foregoing notwithstanding, the length of interim regulation may need to be longer than sixty days and in such event, the City shall have a hearing prior to the passage of sixty days and adopt if necessary an extension of the interim regulations adopted herein.
- C. The City shall provide an opportunity for hearing by affected property owners in the general vicinity of each existing business, and shall provide opportunity for input from the business owners of such adult retail business in the public hearing process. Public notice and participation in accordance with the local government's standard practices should be followed.

Section 2. Emergency Ordinance. This ordinance, passed by a majority plus one of the whole membership of the City Council as a public emergency ordinance necessary for the protection of the public peace, health, and safety, and for the immediate support of city government and its existing public institutions public property, shall be effective immediately upon its passage.

**PASSED by the City Council on April 29, 2013.**

(Delivered to the Mayor on the 2nd of May 2013.)

# Policies and Procedures

## CITY OF SPOKANE DEPARTMENT POLICY AND PROCEDURES

Pursuant to Administrative Policy and Procedure ADMIN 0325-11-01, Section 5.4.1., notice of adoption of the following Department Policy and Procedure(s) is published. All adopted City policy and procedures are available for review in the Office of the City Clerk and at the City Web site <http://www.spokanecity.org/government/policies/>.

### PROBATION DEPARTMENT

DEPT 0690-13-03 / LGL 2013-0011

EFFECTIVE DATE: May 1, 2013  
REVISION EFFECTIVE DATE: N/A

TITLE: POLICY AND PROCEDURE HANDBOOK

# Job Opportunities

The City of Spokane is an Equal Employment Opportunity Employer

## EXAMINATION AND CLASSIFICATION ANALYST III SPN 047 PROMOTIONAL ONLY EXAMINATION

**SALARY:** \$66,419 annual salary, payable bi-weekly, to a maximum of \$81,599  
**DATE OPEN:** Monday, May 6, 2013  
**DATE CLOSED:** Applications will be accepted until the close of business on Friday, May 17, 2013. Applicants who have filed a basic application will have until the close of business on Monday, May 20, 2013 to return the Training and Experience Evaluation form.  
**OFFICE HOURS:** 8:00 a.m. to 5:00 p.m. – Monday through Friday, except holidays

**DUTIES:**

Performs responsible professional and analytical work in public personnel administration. Plans, organizes, and promotes the procedures and techniques of job analysis, classification, test construction and administration, recruiting, and related areas as assigned. Performs extensive research and develops new methods and procedures as needed.

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

Completion of at least two years of service with the City as an Examination & Classification Analyst II.

**EXAMINATION:**

The examination will consist of a Training and Experience Evaluation form and a performance evaluation. Weights are assigned as follows: Training and Experience Evaluation form 80% and performance evaluation 20%.

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

**TO APPLY:**

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](mailto:civilservice@spokanecity.org). Please include: 1) your full name, 2) present classification, 3) department and phone number, 4) driver's license number and expiration date; **OR** go to the Civil Service office on the 4th floor of City Hall during office hours to sign up on the Promotional Examination list. **APPLICATION IS REQUIRED** for this position.**

By order of the SPOKANE CIVIL SERVICE COMMISSION, dated at Spokane, Washington, this 29th day of April 2013.

MARY DORAN  
Chair

GLENN KIBBEY  
Chief Examiner

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**RIVERFRONT PARK SHIFT SUPERVISOR SPN 069  
OPEN ENTRY EXAMINATION**

**SALARY:** \$45,288 annual salary, payable bi-weekly, to a maximum of \$55,206

**DATE OPEN:** Monday, May 6, 2013

**DATE CLOSED:** Applications will be accepted until the close of business on Friday, May 24, 2013. Applicants who have filed a basic application will have until the close of business on Tuesday, May 28, 2013 to return the Training and Experience Evaluation form.

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

**DUTIES:**

Performs supervisory work directing shift operations at Riverfront Park. Oversees all park attractions, concessions, special events, parking operations, group reservations, park security, grounds and custodial maintenance, and associated staff during a specific daily shift. Employee has routine contact with the public in the normal performance of duties. Responds to and resolves complaints lodged by the public. Requires shift work, including unsupervised nights, weekends, and holidays.

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

Completion of two years of education from an accredited college or university with major course work in the area of Parks and Recreation Administration, Business Administration, Food and Beverage Administration, or closely related field; AND, two years of responsible supervisory experience in commercial recreation or entertainment. Additional experience may substitute for the education requirement on a year for year basis. Applicants must possess a valid driver's license.

**EXAMINATION:**

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

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

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

**TO APPLY:**

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

By order of the SPOKANE CIVIL SERVICE COMMISSION, dated at Spokane, Washington, this 29th day of April 2013.

MARY DORAN  
Chair

GLENN KIBBEY  
Chief Examiner

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**IRRIGATION SPECIALIST SPN 610  
OPEN & PROMOTIONAL EXAMINATION**

**SALARY:** \$36,581 annual salary, payable bi-weekly, to a maximum of \$52,868  
**DATE OPEN:** Monday, May 13, 2013  
**DATE CLOSED:** Applications will be accepted until the close of business on Friday, May 24, 2013.  
**OFFICE HOURS:** 8:00 a.m. to 5:00 p.m. – Monday through Friday, except holidays

**DUTIES:**

Performs semi-skilled work installing, maintaining, and operating sprinkler systems. May work as part of a crew, independently, or as lead worker on a specific project. Assists plumbers with more difficult work essential to the installation and maintenance of sprinkler systems. Programs and maintains large fountains. Maintains chlorinators and performs routine maintenance work on re-circulatory systems at City swimming pools. Assists other trades in the off-season. May be assigned to shift work and is subject to call for emergencies.

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

Two years of experience installing, repairing, maintaining, and operating sprinkler systems such as found in parks, golf courses, school grounds and commercial applications. Applicants must possess a valid driver's license.

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

Presently classified employees who have two years of experience installing, repairing, maintaining, and operating large sprinkler systems such as found in parks, golf courses, school grounds, and commercial applications may apply on a promotional basis. Applicants must possess a valid driver's license. **Application is required for promotional applicants.**

Positions assigned to the backflow prevention testing program must acquire, within one year of appointment, and maintain, a Backflow Assembly Tester certificate, which is obtained through the Washington State Department of Health.

**EXAMINATION:**

The examination will be conducted on the 4th floor of City Hall in the Civil Service Test Room on Thursday, June 6, 2013, at 9:00 a.m. Approximate duration of the test is 1-1/2 hours. The examination will consist of a written test and, for promotional applicants, a promotional evaluation. Weights are assigned as follows: for open applicants, written test 100%; for promotional applicants, written test 80% and promotional evaluation 20%.

The written test may include such subjects as: Irrigation Terms and Definitions; Sprinkler System Design; Sprinkler System Installation; Troubleshooting and System Maintenance; Pool Maintenance; Grounds Maintenance and Safety Issues.

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

**TO APPLY:**

To apply online or download and print an application, go to [www.spokanecity.org](http://www.spokanecity.org). **Current City employees who apply promotionally may send an e-mail no later than 5:00 pm on the closing date requesting your name be added to the Promotional Examination list to Civil Service Internet Mailbox which is [civilservice@spokanecity.org](mailto:civilservice@spokanecity.org). Please include: 1) your full name, 2) present classification, 3) department and phone number, 4) driver's license number and expiration date; OR go to the Civil Service office on the 4th floor of City Hall during office hours to**

**sign up on the Promotional Examination list. Please verify if application is needed under PROMOTIONAL REQUIREMENTS.** To request an application packet be mailed to you, call the Civil Service office at (509) 625-6160. If mailing your application, submit to Civil Service Commission, 808 W. Spokane Falls Blvd., Spokane, WA 99201-3315.

By order of the SPOKANE CIVIL SERVICE COMMISSION, dated at Spokane, Washington, this 29th day of April 2013.

MARY DORAN  
Chair

GLENN KIBBEY  
Chief Examiner

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**SENIOR INSTRUMENT TECHNICIAN SPN 647  
PROMOTIONAL ONLY EXAMINATION**

**SALARY:** \$45,330 annual salary, payable bi-weekly, to a maximum of \$68,674  
**DATE OPEN:** Monday, May 13, 2013  
**DATE CLOSED:** Applications will be accepted until the close of business on Friday, May 24, 2013.  
**OFFICE HOURS:** 8:00 a.m. to 5:00 p.m. – Monday through Friday, except holidays

**DUTIES:**

Performs responsible technical and supervisory work at the senior journey level in the installation, maintenance, and repair of electronic, electrical, mechanical instruments and process control computer systems in the secondary sewage treatment plant and associated pump stations. May be required to work various shifts, respond to emergencies, and work in confined space.

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

Completion of two years service with the City in the classification of Instrument Repair Technician or Electrician with the Wastewater Management Department. Applicants must possess a valid driver's license.

**EXAMINATION:**

The examination will be conducted on the 4th floor of City Hall in the Civil Service Test Room on Tuesday, June 4, 2013, at 1:00 p.m. Approximate duration of the test is 2 hours. The examination will consist of a written test and a promotional evaluation. Weights are assigned as follows: written test 80% and promotional evaluation 20%.

The written test may include such subjects as: Technical Knowledge & Problem Solving; Electronics Symbols & Circuits; Safety; Supervision & Administration.

**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](mailto:civilservice@spokanecity.org). Please include: 1) your full name, 2) present classification, 3) department and phone number, 4) driver's license number and expiration date; **OR** go to the Civil Service office on the 4th floor of City Hall during office hours to sign up on the Promotional Examination list. Please verify if application is needed under PROMOTIONAL REQUIREMENTS.**

By order of the SPOKANE CIVIL SERVICE COMMISSION, dated at Spokane, Washington, this 29th day of April 2013.

MARY DORAN  
Chair

GLENN KIBBEY  
Chief Examiner

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# Notice for Bids

## Paving, Sidewalks, Sewer, etc.

### CRESTLINE STREET FROM 37TH AVENUE TO 57TH AVENUE WATER MAIN REPLACEMENT

Engineering Services File No. 2012104

#### NOTE: THIS PROJECT HAS A TWO WEEK BID PERIOD

This project consists of the construction of approximately 7500 linear feet of 36" DI water main, 11,500 cubic yards of roadway excavation, 2800 SY of HMA CL. 1/2 in. PG 64-28, 2 inch thick, 3600 SY of HMA CL. 1/2 in. PG 64-28, 4 inch thick, 23,500 SY of HMA CL. 1/2 in. PG 64-28, 5 inch thick, 1400 SY of HMA CL. 1/2 in. PG 64-28, 6 inch thick, 5700 LF of concrete curb and gutter, 3200 SY of concrete sidewalk, drainage swales, storm drainage pipe and drainage structure replacement, curb ramp installation, 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., May 13, 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](http://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](http://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.

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.

Publish: May 1 and 8, 2013

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**CHIP SEAL PROGRAM 2013****Engineering Services File No. 2013040****NOTE: THIS PROJECT HAS A TWO WEEK BID PERIOD**

This project consists of the construction of approximately 102,000 square yards of chip seal, 140,000 linear feet of crack sealing, 600 square yards of 4-inch pavement repair, 180 tons of preleveling, 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., May 20, 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](http://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](http://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: May 8 and 15, 2013

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# Notice for Bids

## Supplies, Equipment, Maintenance, etc.

### REQUEST FOR PROPOSALS

#### CLAIMS MANAGEMENT SERVICES

City of Spokane Finance Division

#### RFP #3939-13

Sealed Proposals will be acknowledged at the 1:15 p.m. public bid opening on **MONDAY, JUNE 10, 2013**, in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for **CLAIMS MANAGEMENT SERVICES** for the Spokane Regional Solid Waste System Department.

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

Proposal documents should be submitted to City of Spokane Purchasing **no later than 1:00 p.m. on Monday, June 10, 2013**. Proposals must be sent sufficiently ahead of time to be received by the required date and time. The City of Spokane is not responsible for Proposals delivered late. **Only firm Proposals with signatures will be evaluated.**

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

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

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

All response packages are to be clearly marked with: **“RFP #3939-13, CLAIMS MANAGEMENT SERVICES, DUE 6/10/13”**.

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

Publish: May 8, 15, and 22, 2013

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#### FORD POLICE INTERCEPTOR AWD SUV

Fleet Services Department

#### BID #3940-13

Sealed bids will be opened at 1:15 p.m., **MONDAY, MAY 13, 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](mailto: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 #3940-13 DUE 5/13/13”**.

Thea Prince  
Purchasing Division

Publish: May 1 and 8, 2013

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